

MCHENRY AVENUE ROAD WIDENING PROJECT

Initial Study

Prepared for
City of Escalon

July 2009



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ENVIRONMENTAL CHECKLIST

Initial Study

1. **Project Title:** McHenry Avenue Road Widening Project
2. **Lead Agency Name and Address:** City of Escalon Engineering Department
1855 Coley Avenue
Escalon, CA 95320
3. **Contact Person and Phone Number:** John Abrew, P.E.
(209) 838-4114
4. **Project Location:** McHenry Avenue (between First Street and Narcissus Way)
5. **Project Sponsor's Name and Address:** Same as lead agency
6. **General Plan Designation(s):** Commercial
7. **Zoning Designation(s):** Community Commercial (C2)

8. Description of Project:

The City of Escalon previously constructed a variety of roadway improvements (including roadway curbs and gutters) along portions of McHenry Avenue (between First Street and Narcissus Way) to provide vehicle/pedestrian access along the roadway. The McHenry Avenue Road Widening Project (proposed project) would complete these street improvements by extending the previously constructed curbs, gutters, and sidewalks through the remaining unimproved portions of McHenry Avenue. All of the improvements would occur along the eastern side of McHenry Avenue, with the locations of these improvements identified within a study area (yellow boundary) shown in **Figures 1 through 3**. The entire project study area covers approximately 4.95 acres, with areas to be improved occurring within smaller sections of the study area.

The City of Escalon (City) is serving as the lead agency under the California Environmental Quality Act (CEQA). This Initial Study (IS) will address all the potential impacts of the proposed project and identify any feasible mitigation measures.

Purpose and Objectives of the Proposed Project

The purpose of the proposed project is to continue the roadway improvements previously conducted along McHenry Avenue. Implementation of these improvements would facilitate pedestrian

and vehicle access to land uses adjacent to the roadway and improve drainage conditions along McHenry Avenue. This project will not involve changes (widening) to City roadway facilities or service capabilities that would induce unplanned growth or remove an existing obstacle to growth.

Property Acquisition and Tree Removal

As part of the proposed project, it will likely be necessary to remove several structures and two olive trees located along the east side of McHenry Avenue between First Street and Catherine Way. Each of the properties that would be affected by the project and the types of structures that would be affected are identified below in **Table 1**. The proposed project would also remove two olive trees from the area in front of the residence at 2700 McHenry Avenue (APN 247-150-02). The trees and buildings that would be removed as part of the project are also identified by Map ID numbers on **Figures 1 through 3**.

**TABLE 1
PROPERTY ACQUISITION**

Figure #	Map ID	APN/Address	Land Use	Property to be Acquired
1	1	227-090-01/ 1303 First Street	Country Cutts Barber Shop – Commercial	Complete Acquisition – Building to be removed.
1	2	227-090-01/ 1303 First Street	Aquatic Discount Scuba – Commercial	Complete Acquisition – Building to be removed.
1	3	227-090-01/ 1303 First Street	Accessory Building/Restroom	Complete Acquisition – Building to be removed.
1	4	227-090-01/ 1303 First Street	Accessory Building/Caretaker's Residence	Complete Acquisition – Building to be removed.
1	5	227-090-02/ 1750 McHenry Avenue	Single Family Residence and ancillary structures	Complete Acquisition – Buildings to be removed.
1	6	227-090-03/ 1740 McHenry Avenue	Single Family Residence	Complete Acquisition – Building to be removed.
3	7 & 8	247-150-02/ 2700 McHenry Avenue	Single Family Residence	Partial Acquisition – tree removal at front of property.

The City will follow local and state requirements (California Relocation Assistance Law, Government Code Sections 7260-7277) regarding relocation assistance and payments of benefits to affected property and business owners. As part of its compliance with state law, the City will prepare an appraisal report that will govern the acquisition payments to affected property and business owners and will work individually with these property and business owners to address specific property acquisition issues.

For any trees that would be removed that are in the City of Escalon’s Street Tree Plan, the City will obtain the necessary approvals prior to removal in accordance with City of Escalon Ordinance 147.

Construction Approach and Phasing

The construction period would last approximately 3 to 4 months for all phases of construction, including startup and finishing activities. Actual road construction activities would likely occur over a 6 to 8 week period. Phases are anticipated to include:

- Demolition and Grading
- Pavement and Improvement Installation
- Slurry and Seal
- Restriping

Construction equipment and vehicles to be used at the project site include 3 to 4 backhoes and a blade scraper to perform demolition and grading activities. Several water trucks will be used for dust control, and 3 to 4 heavy trucks will be used to haul away construction debris.

Construction Schedule

The earliest estimated beginning date of construction for the proposed project is April 2010. As previously described, the duration of construction for these improvements is estimated to be 3 to 4 months, depending on weather conditions. The hours of construction activity are expected to be limited to weekdays from 7 a.m. to 5 p.m.

Equipment Storage, Vehicle Storage, and Staging Areas

The location of areas to be used for equipment storage, vehicle storage, and staging areas will be determined by the City and the construction contractor. The northeast portion of the project site near the intersection of First Street and McHenry Avenue includes potential areas available for the temporary storage of construction equipment and materials (see **Figure 1**).

Drainages

Construction-related activities associated with the proposed project would not cross or affect any major drainages near the project site. Additionally, the City will ensure that the construction contractor implements a variety of standard best management practices to minimize erosion-related impacts during project construction.

Traffic Management

The proposed project can be constructed while maintaining the existing traffic movements along McHenry Avenue. However, it is anticipated that minor unavoidable traffic delays may occur during the construction period. The City will ensure that the construction contractor implements a standard traffic management plan to minimize traffic disruption and ensure adequate access is maintained to surrounding residential areas and businesses near the project site.

9. Surrounding Land Uses and Setting.

The proposed project is located along McHenry Avenue in the City of Escalon, California. The project site is located adjacent to low-density residential neighborhoods, a shopping center, car dealerships, several vacant lots, and a hardware store. An orchard, industrial land uses, and the Union Pacific Railroad are located to the west of McHenry Avenue across the street from the project site.

10. Other public agencies whose approval is required.

The proposed project would disturb an area over one acre. Therefore, an NPDES Permit from the Regional Water Quality Control Board and preparation of a Storm Water Pollution Prevention Plan (SWPPP) will be required.

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SOURCE: San Joaquin County, 2007; and ESA, 2009

Figure 2
Proposed Project – Center



Environmental Factors Potentially Affected

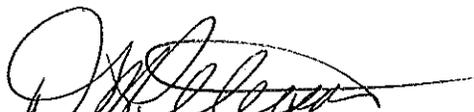
The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology, Soils and Seismicity |
| <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology and Water Quality | <input checked="" type="checkbox"/> Land Use and Land Use Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation and Traffic |
| <input checked="" type="checkbox"/> Utilities and Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.



Signature

Duane Peterson, Community Development Dir
Printed Name

4/27/09

Date

City of Escalon
For

Environmental Checklist

Aesthetics

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1. AESTHETICS—Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project site is located south of Highway 120 on the east side of McHenry Avenue in the City of Escalon. This portion of the City contains a variety of urban developments, including residential, industrial, and commercial. McHenry Avenue is a wide thoroughfare that is well-traveled. The businesses along the eastern side of this roadway consist of a number of businesses, including a shopping center, Les Schwab Tires, Ford dealership, Ace Hardware, and Guaranty Bank. These businesses are intermixed with vacant, unimproved lots, and older homes. Views west from the project site, across McHenry Avenue, include industrial land uses, Union Pacific Railroad, and an orchard, which is located along approximately 960 feet east of McHenry Avenue.

Discussion

- a) The project site is located along an existing developed roadway. The site is adjacent to commercial and residential development as well as vacant parcels. Nearby land uses across McHenry Avenue consist of industrial uses and an orchard. The City of Escalon General Plan does not identify any designated scenic vistas or notable geographic features in the vicinity of the project site. As a result, the proposed project would not have an effect on a scenic vista. There is **no impact**.
- b) A review of the Caltrans Map of Designated Scenic Routes indicates that San Joaquin County contains two designated state scenic highways. Interstate 5 (I-5) from the Stanislaus County Line to Interstate 580 (0.7 miles) and Interstate 580 from I-5 to the Alameda County Line (15.4 miles) are officially designated state scenic highways. These highways are located in the southwest portion of San Joaquin County and are not in the vicinity of the proposed project. Additionally, McHenry Avenue is not identified as a scenic roadway by any County or State planning document. The proposed project would have a **less than significant** impact on scenic resources associated with a scenic highway or roadway.
- c) The visual context of the area surrounding the project site consists of low-density residential neighborhoods, industrial uses, commercial businesses, and vacant lots. The project site

is visible to several types of viewing groups including motorists traveling along McHenry Avenue and visitors, residents, and workers associated with the residences and businesses located along McHenry Avenue.

Construction of the proposed project would result in temporary changes in local visual conditions during construction, such as clearing and grading of portions of the project site. However, given the relatively short-term nature of these construction-related activities, construction-related visual impacts are considered less than significant.

Due to the low-profile nature of the roadway improvements (e.g., curbs, gutters, and sidewalks), changes to existing views would be minor. The proposed project would fill in gaps in the existing sidewalk, curbs, and gutters to create a more streamlined view of the edge of the roadway. The temporary construction activities associated with the proposed project would result in a **less than significant** impact.

- d) The proposed project involves roadway improvements that consist of constructing curbs, gutters, and sidewalks to connect existing curbs, gutters, and sidewalks. The proposed project does not propose to include any lighting elements. This analysis also assumes that construction activities would not occur during the nighttime in order to avoid additional lighting during construction. There is **no impact**.

References

California Department of Transportation (Caltrans). 2008. California Scenic Highway Mapping System: San Joaquin County.
http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. Accessed December 23, 2008.

City of Escalon. 2005. City of Escalon General Plan. Adopted June 6, 2005.

Agricultural Resources

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
2. AGRICULTURAL RESOURCES				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.				
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland of Statewide Importance to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

The proposed project would occur within the City of Escalon’s developed urban center and would be located on land with a General Plan land use designation of Commercial (C) and a zoning classification of Community Commercial General (C2) (City of Escalon, 2005). Construction activities would be restricted to within the project site identified in **Figures 1, 2, and 3**. An orchard is located across McHenry Avenue from the proposed project. Since the orchard is outside of the project site, construction of the proposed project would not result in any direct or indirect impacts to the orchard. There would be **no impacts** to any agricultural uses, prime farmland or Williamson Act contracts as a result of the proposed project.

References

City of Escalon. 2005. City of Escalon General Plan. Adopted June 6, 2005.

Air Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
3. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) The project site is located within the City of Escalon and the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is the regional government agency charged with improving the health and quality of life for all Valley residents through efficient, effective and entrepreneurial air quality management strategies.

If a proposed project is consistent with a city or county general plan that is consistent with the most recently adopted air quality plan, then the project is considered to be consistent with applicable air quality plans and policies.

The most recently adopted air quality plan is the SJVAPCD 2007 Ozone Plan, a plan identifying strategies for SJVAPCD to reach attainment for State and national ozone standards (SJVAPCD, 2007). On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM10 National Ambient Air Quality Standard (NAAQS) and approved the PM10 Maintenance Plan. The 2005 City of Escalon General Plan Air Quality Element seeks to implement Goals, Objectives, Policies and Standards to reach attainment for State and national air quality standards through the SJVAPCD. The overall goals of the Air Quality Element are consistent with the SJVAPCD 2007 Ozone Plan.

The purpose of the proposed project is to continue the roadway improvements previously constructed along McHenry Avenue. Implementation of these improvements would facilitate pedestrian and vehicle access to land uses adjacent to the roadway and improve drainage conditions along McHenry Avenue. The proposed project would not increase roadway facilities or service capabilities that would induce unplanned growth or remove an existing obstacle to growth. The proposed project would remain consistent with the current land use designation. Therefore, the proposed project does not require a General Plan Amendment.

This proposed roadway improvement project is also considered exempt from the San Joaquin Valley Air Pollution Control District's Indirect Source Review rule, which applies to new developments (i.e., residential, commercial, etc.) that create substantial amounts of air pollution.

Similarly, the proposed roadway improvement project will not conflict with implementation of any local or state goals (as outlined in AB32 or AB375) designed to reduce greenhouse gas emissions and therefore negatively affect global climate change. As previously described, the proposed project is a roadside improvement project that would not contribute to an increase in the local population or result in the direct generation of additional vehicle trips that would contribute greenhouse gas emissions. However, implementation of the proposed project would improve pedestrian and bicycle circulation along McHenry Avenue, which are considered consistent and important components of state climate change efforts.

The proposed project is consistent with the City of Escalon General Plan, and the General Plan is consistent with the strategies identified in the 2007 Ozone Plan. Therefore, the proposed project would not conflict with the region's air quality management plans and would be considered a **less than significant** impact.

- b) The San Joaquin Valley Air Basin (SJVAB) is surrounded by mountains on three sides with an opening only to the north. Predominant winds are from the north during the summer and from the south during the winter. Due to the topography, air movement through and out of the basin is restricted, which results in pollutant accumulation over time.

The proposed project would only affect local air pollutants during the construction phases (6-8 weeks). The proposed project would not effect long-term air pollutant emissions in the area or stationary air pollutant sources.

Construction

The primary concern to the SJVAPCD during construction would be the PM10 emissions from dust-generating activities. As noted above, on September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM10 National Ambient Air Quality Standard (NAAQS) and approved the PM10 Maintenance Plan.

Per the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), the SJVAPCD's approach to CEQA analysis of construction impacts is to require implementation of effective and comprehensive control measures rather than to require detailed quantification of emissions. Standard Regulation VIII control measures, described below, will be required during construction to minimize fugitive dust and avoid nuisance issues with sensitive receptors. In addition, ESA has calculated PM10 and PM2.5 emissions based on a worst case scenario (see Table 2), and the results are less than significant.

Regulation VIII Control Measures – As appropriate to this project, the following controls (from the measure) are required to be implemented at all construction sites (SJVAPCD, 2002):

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered 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 for fugitive dust emissions utilizing application of water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
- 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 utilizing sufficient water or chemical stabilizer/suppressant.
- Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.
- Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

With implementation of these required controls, PM10 impacts from construction of the proposed project would be less than significant.

Construction equipment, on-road heavy-duty trucks, and construction-worker vehicles would also generate criteria air pollutant emissions. Emissions from construction-worker commute trips would be minor compared to emissions from heavy-duty trucks. Criteria pollutant concentrations of ROG and NO_x from these emissions sources would incrementally add to regional atmospheric loading of ozone precursors during the construction period.

The worst-case-scenario was used to determine annual emissions for the duration of the proposed project. Project construction was assumed to proceed for a duration of 4 months, including demolition, grading, paving, and striping phases, each with a maximum construction equipment usage. The proposed project-related construction emissions are provided on **Table 2** and the equipment that would be used during construction is provided in **Appendix B**.

TABLE 2
ESTIMATE OF CRITERIA POLLUTANT EMISSIONS DURING CONSTRUCTION^a
(tons/year)

	ROG	NO _x	CO	SO _x	PM10	PM2.5
2010	1	2	1	0	1	1

^a Emission quantities are rounded to "whole number" values. Exact values (i.e., non-rounded) and additional assumption information are provided in the URBEMIS 9.2.4 model printout sheets presented in Appendix B.

SOURCE: ESA, 2009.

Project construction would include only some minor demolition activity and minor roadway improvements. As identified in **Table 2**, the proposed project ROG and NO_x emissions would not exceed the significance criteria of 10 tons per year. This would be a **less than significant** impact.

Operations

The proposed project would not result in any operational activities. The proposed project would not increase long-term traffic levels. There would be no operational impacts to air quality.

- c) As discussed above under b), the proposed project would result in minimal air pollutant emissions during the short-term duration of construction, well below the SJVAPCD thresholds of 10 tons per year for ROG and NO_x. In addition, the proposed project would not result in any operational activities or emissions. Therefore, the proposed project would not be cumulatively considerable and the cumulative impact would be **less than significant**.
- d) As noted in b), the proposed project would not generate substantial pollutant concentrations and, therefore, would not expose sensitive receptors to substantial pollutant concentrations. This impact is **less than significant**.
- e) Generally, the types of land use development that pose potential odor problems include refineries, chemical plants, wastewater treatment plants, landfills, composting facilities, and transfer stations. The proposed project is a short-term roadway improvement construction project that would not create objectionable odors affecting a substantial number of people. This impact is **less than significant**.

References

- City of Escalon. 2005. City of Escalon General Plan. Adopted June 6, 2005.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2007. *2007 Ozone Plan*. April 30, 2007.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). 2002. *Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI)*.
-

Biological Resources

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

Introduction

Biological resources within the project site were identified by ESA biologists through a field reconnaissance conducted on December 17, 2008, a review of pertinent literature, and database queries. The primary sources of data referenced for this study included the following:

- “Federal Endangered and Threatened Species that may be Affected by Projects in the Escalon, California 7.5-Minute Topographic Quadrangle” (USFWS, 2009);
- California Natural Diversity Database (CNDDDB), Rarefind computer program (v3.1.0)(CDFG, 2009);
- California Native Plant Society’s Inventory of Rare and Endangered Plants (v7-08d) (CNPS, 2009);
- Threatened and Endangered Plants List (CDFG, 2009a);
- Threatened and Endangered Animals List (CDFG, 2009b);
- Ecological Subregions of California (Miles and Goudey, 1997).

The following discussion includes pertinent biological resources as identified through the field reconnaissance and professional judgment of ESA biologists. The project site is not occupied by wetlands, streams, ditches or features that would fall under the purview of the U.S. Army Corps of Engineers and therefore is not discussed further in the section. The project site also does not contain any sensitive habitat, including riparian and oak woodland habitats. Additionally, tree protection measures as addressed in the City of Escalon General Plan will not be discussed as impacts to trees will be addressed by the City of Escalon's Tree Ordinance.

Regulatory Setting

Special-Status Species

Special-status species are those plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized by federal, state, or other agencies. Some of these species receive specific protection that is defined by federal or state endangered species legislation. Others have been designated as "sensitive" on the basis of adopted policies and expertise of state resource agencies or organizations with acknowledged expertise, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. These species are referred to collectively as "special status species" in this study following a convention that has developed in practice but has no official sanction. For the purposes of this assessment, the term "special-status" includes the following:

- Federally listed or proposed under the Federal Endangered Species Act (50 Code of Federal Regulations [CFR] 17.11-17.12). They are the only species that are specifically regulated by the U.S. Fish and Wildlife Service on tribal lands.
- Candidates for listing under the Federal Endangered Species Act (61 FR 7596-7613)
- State listed or proposed under the California Endangered Species Act (14 California Code of Regulations [CCR] 670.5)
- Species listed by the U.S. Fish and Wildlife Service (USFWS) or CDFG as a species of concern (USFWS) and rare or of special concern (CDFG)
- Fully protected animals, as defined by the State of California (CDFG Code Section 3511, 4700, and 5050)
- Species that meet the definition of threatened, endangered, or rare under the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15380)
- Plants listed as rare or endangered under the California Native Plant Protection Act (CDFG Code Section 1900 et seq.)

Federal

Clean Water Act Section 404 Permit Guidelines

At the federal level, "waters of the United States" are regulated by the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act. The term "waters of the United States" is defined in the Code of Federal Regulations (33 CFR 328.3[a]; 40 CFR 230.3[s]), and includes waters that could be used in interstate or foreign commerce, interstate wetlands, and other waters such as intrastate lakes, rivers, streams (including intermittent streams), mud flats, sand flats, sloughs, wet

meadows, playa lakes, or natural ponds, where the use, degradation, or destruction of which could affect interstate or foreign commerce. Waters of the United States do not include prior converted cropland, stock watering ponds, and agricultural irrigation ditches created in upland areas. Wetlands are defined by the federal government (CFR, Section 328.3(b), 1991) as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

U.S. Fish and Wildlife Service

The USFWS administers the Migratory Bird Treaty Act (16 USC Section 703-711), the Bald and Golden Eagle Protection Act (16 USC Section 668), and the federal Endangered Species Act (ESA, 16 USC Section 153 et seq). Projects that would result in adverse affects on any federally listed threatened or endangered species are required to consult with and mitigate through consultation with the USFWS. This consultation can be pursuant to either Section 7 or Section 10 of the ESA, depending on the involvement by the federal government.

Migratory Bird Treaty Act

Birds such as the Swainson's hawk (SWHA) are migratory birds protected by the Federal Migratory Bird Treaty Act (MBTA) of 1918 (U.S.C. 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in Section 50 Code of Federal Regulations (C.F.R.) Part 10, including feathers, or other parts, nests, eggs or products, except as allowed by implementing regulations (50 C.F.R. 21). As this act protects all migratory birds, a survey should be conducted to ensure that no active nests are located in the trees prior to removing them if tree removal activities occur during the nesting season (March 1 through September 15).

The current list of species protected by MBTA can be found in Title 50, Code of Federal Regulations §10.13. This statute does not cover loss of nonnative species, such as house sparrow, European starling, and rock dove.

State

California Department of Fish and Game

CDFG administers a number of laws and programs designed to protect fish and wildlife resources. Principal of these is the California Endangered Species Act of 1984 (CESA – Fish and Game Code Section 2050 et seq), which regulates the listing and “take” of endangered and threatened species. A “take” of such a species may be permitted by CDFG through issuance of permits pursuant to Fish and Game Code Section 2081.

Prior to enactment of CESA, the designation of “Fully Protected” was used by CDFG to identify species that had been given special protection by the California Legislature by a series of statutes in the California Fish and Game Code. (See §§ 3503.5, 3505, 3511, 3513, 4700, 4800, 5050, 5515). Many fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations; however, the original statutes have not been repealed, and the legal protection they give the species identified within them remains

in place. Fully Protected species may not be taken or possessed at any time; and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock. Because endangered or threatened species can be “taken” for development purposes with the issuance of a permit by CDFG, “fully protected species” actually enjoy a greater level of legal protection than “listed” species.

CDFG maintains lists for Candidate-Endangered Species and Candidate-Threatened Species. California candidate species are afforded the same level of protection as listed species. California also designates Species of Special Concern (CSC) which are species of limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. These species do not have the same legal protection as listed species or fully protected species but may be added to official lists in the future. The CSC list is intended by CDFG as a management tool for consideration in future land use decisions. Fish and Game Code includes provisions for the protection of the nests of particular types of birds, including birds of prey (Section 3503.5).

The State’s authority in regulating activities in waters of the U.S. resides primarily with the CDFG and the State Water Resources Control Board (SWRCB). CDFG provides comments on Corps permit actions under the Fish and Wildlife Coordination Act. CDFG is also authorized under the California Fish and Game Code Sections 1600–1607 to develop mitigation measures and enter into Streambed Alteration Agreements with applicants who propose projects that would obstruct the flow of, or alter the bed, channel, or bank of a river or stream in which there is a fish or wildlife resource, including intermittent and ephemeral streams. The SWRCB, acting through the Regional Water Quality Control Board (RWQCB), must certify that a Corps permit action meets state water quality objectives (Section 401, Clean Water Act).

Sensitive Natural Community

A sensitive natural community is a biological community that is regionally rare, provides important habitat opportunities for wildlife, is structurally complex, or is in other ways of special concern to local, state, or federal agencies. CEQA identifies the elimination or substantial degradation of such communities as a significant impact. The CDFG tracks sensitive natural communities in the CNDDDB.

Local

San Joaquin County Multi-Species Habitat Conservation and Open Space Plan

The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) (San Joaquin Council of Governments, 2000) provides a strategy for balancing the need to conserve open space and the need to convert open space to non-open space use while providing for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the federal or state ESA. The SJMSCP is a 50-year plan and will be in effect until the year 2049. The SJMSCP is implemented by a Joint Powers Authority (JPA) who is responsible for conducting all required preconstruction surveys, informing an applicant of “Incidental Take” minimization measures, confirming that “Incidental Take” minimization

measures have been implemented prior to site-disturbance, and collecting development fees. Development fees are determined by the type and area of habitat converted to development.

Participation in the SJMSCP is voluntary for local jurisdictions and independent project proponents, and allows a participant to conduct permitted activities that result in or may result in “Incidental Take” of listed species covered by the SJMSCP. Participation in the SJMSCP may facilitate or expedite the approval of development projects since participants would avoid having to obtain required permits separately or authorizations directly from the regulating agencies. The JPA has obtained permits and authorizations for the conversion of a predetermined amount of open space habitat to development. These permits and authorization would cover a participant in the SJMSCP.

City of Escalon Tree Preservation

The City of Escalon’s Tree Ordinance (Ord. 147 Sections 1 through 14) guides the planting and maintenance of trees throughout the City. The tree ordinance states that no person may remove a tree located within any public street, planting easement, or street tree area without prior approval from the City of Escalon. Additionally, any person that desires to plant, cut down, destroy, or remove any trees within the street tree plan area shall be required to obtain a permit. The “street tree area” covers that area between public street right-of-way lines plus 20 feet on each side.

Environmental Setting

The project site is located within the City of Escalon, which is considered to be within the Great Valley ecological section of California. The project site is located entirely within an urban area in the center of the City of Escalon. As the site is located within an urban landscape it is comprised of paved roadways and streets, buildings, parking lots and a few vacant lots. Some of these buildings and streets are lined by ornamental trees. The project site is comprised of three habitat types: ruderal, urban, and barren.

Plant Communities and Wildlife Habitats

Plant communities are assemblages of plant species that occur together in the same area. Both species composition and relative abundance define them. The plant community descriptions and nomenclature used in this section were based on *A Guide to Wildlife Habitats of California* (Mayer and Laudenslayer, 1988). Plant communities within the project site were identified using field reconnaissance. Plant communities and habitat types that exist within the project site include ruderal, urban, and barren. As mentioned previously, the project site and its adjacent areas are not occupied by wetlands, drainages, ditches, or other waterways which would be considered waters of the U.S.

Ruderal

Ruderal vegetation occurs along roadsides and empty lots within the project site. This vegetation type is subjected to ongoing or past disturbances (e.g., vehicle use, mowing, and herbicide application). The majority of plant species that occur in these disturbed areas are various annual grasses and forbs of Eurasian origin, many of which also occur in the grasslands. Common plants

in ruderal areas include annual grasses, prickly lettuce (*Lactuca serriola*), broadleaf filaree (*erodium botrys*), curly dock (*Rumex crispus*), and Johnson grass (*Sorghum halepense*). There are also a few natives that are adapted to grow in these disturbed sites such as turkey mullein (*Eremocarpus setigerus*), hayfield tarweed (*Hemizonia congesta*), and California poppy (*Eschscholzia californica*). These areas provide limited opportunities for wildlife.

Urban

The majority of the project site is classified as urban. Vegetative structure of urban areas may contain tree grove, street strip, shade tree/lawn, lawn, and shrub cover. The urban areas within the project site are characterized by graded/barren land, dirt roadways, paved roads, houses, lawns, ornamental trees, and man-made structures. The trees that line a few of the lots are comprised of ornamental tree species such as English walnut (*Juglans regia*), Peruvian pepper tree (*Schinus molle*) and olive (*Olea europaea*), approximately 15 feet in height. This plant community supports a variety of bird species including Western scrub jay (*Aphelocoma californica*), mockingbird (*Mimus polyglottos*), and house finch (*Carpodacus mexicanus*) but would not provide suitable habitat for larger avian species such as Swainson's hawk or other raptor species. Mammals associated with the urban residential areas include the raccoon (*Procyon lotor*), opossum (*Didelphis marsupialis*), and striped skunk (*Mephitis mephitis*).

Barren

Barren areas are defined by the absence of vegetation. In urban areas within the project site, barren habitat includes pavement and buildings, which may be classified as barren as long as vegetation, including non-native landscaping is less than 2 percent total vegetation cover by herbaceous, desert, or non-wildland species and less than 10 percent cover by tree or shrub species. Barren areas within urban settings provide limited habitat for wildlife.

Wildlife Movement

Movements of wildlife generally fall into three basic categories: a) movements along corridors or habitat linkages associated with home range activities such as foraging, territory defense, and breeding; b) dispersal movements—typically one-way movements (e.g., juvenile animals leaving their natal areas or individuals colonizing new areas), and; c) temporal migration movements—these movements are essentially dispersal actions which involve a return to the place of origin (e.g., deer moving from winter grounds to summer ranges and fawning areas).

The project site is located west of low-density residential neighborhoods, a shopping center, car dealerships, several vacant lots, and a hardware store. An orchard, industrial land uses, and the Union Pacific Railroad are located to the west of the project site. Due to the extent of developed land in the vicinity of and surrounding the project site and the lack of connectivity to suitable habitat for wildlife, the project site does not provide a migration or movement corridor for wildlife.

Discussion

- a) The proposed project is consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions

of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. That document is hereby incorporated by reference and is available for review during regular business hours at the San Joaquin Council of Governments (555 E. Weber Avenue, Stockton, CA 95202) or online at: www.sjcog.org.

Special-status species lists were derived from CNDDDB, CNPS Inventory of Rare and Endangered Plants, and from the USFWS List of Endangered and Threatened Species that May Occur or be Affected by Projects in the Escalon, California USGS 7 ½ Minute Quad. **Appendix A**, Special-Status Species in the Vicinity of the Project Site, lists the special-status species from these lists and the potential for these species to occur in the project site. The following sub-sections provide a discussion of potential effects to special-status plant and animal species.

Special-Status Plants

No potential habitat for special-status plant species occurs within the McHenry Avenue Road Widening Project site due to the high degree of disturbance (vehicle use, mowing, and herbicide application) on the project site and the urban setting of the project site. Although a few empty lots adjacent to the project site are not developed, they are continually disturbed or managed, therefore preclude establishment of special-status plant species. Therefore, there is **no impact** to special-status plants.

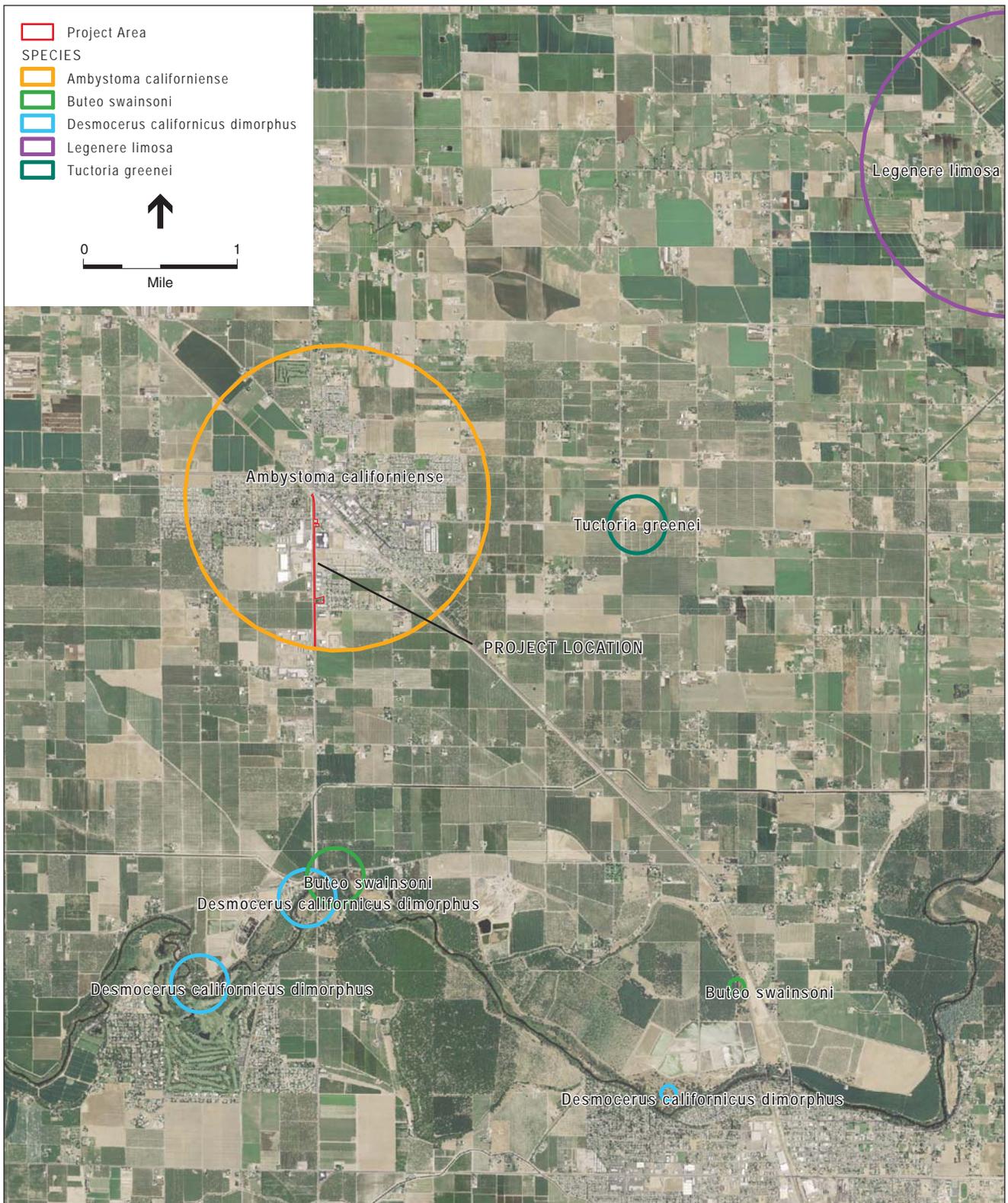
Special-Status Animals

One CNDDDB occurrence of California tiger salamander (*Ambystoma californiense*) (federally threatened and California species of concern) was recorded within the project site (**Figure 4**), however, the area is not occupied by wetland or suitable upland habitat needed to support this species.

There are two recorded occurrences of Swainson's hawks within five miles of the project site (**Figure 4**). It is unlikely that the ruderal habitat (empty lots) within the project site would provide suitable foraging habitat for Swainson's hawks (*Buteo swainsoni*) as they typically forage within open plains, grasslands, and prairies and typically nest in trees or large shrubs greater than 20 feet in height. There are no large trees that are suitable for Swainson's hawk nests within or adjacent to the project site and thus impacts to nesting Swainson's hawks are not anticipated. Although the two empty lots located east of the project site may provide limited foraging opportunities for small mammals, local birds, and occasionally raptors, it is unlikely that a prey base would be abundant enough to support or that its highly urbanized nature would attract Swainson's hawks.

As construction activities would take place within existing roadways and disturbed right-of-ways that are already disturbed by heavy traffic use or roadway maintenance, impacts to suitable foraging habitat for the Swainson's hawk are not anticipated. Therefore, there is a **less than significant** impact to special-status animals.

- b) As discussed in the setting above, no riparian habitat or sensitive natural communities exist within the general vicinity of the proposed project therefore, there would be **no impact**.
- c) As discussed in the setting above, there are no federally protected wetlands as defined by Section 404 of the Clean Water Act within or adjacent to the proposed project therefore, there would be **no impact**.



SOURCE: San Joaquin County, 2007; CNDDDB, 2009; and ESA, 2009

McHenry Avenue Road Widening Project . 208588

Figure 4
CNDDDB Species Occurrences
Within and Adjacent to the Project Site

- d) Construction of the proposed project would not substantially interfere with the movement of any native or migratory fish or wildlife species, established wildlife corridors, or impede the use of native wildlife nursery sites. Therefore, the proposed project would have **no impact**.
- e) Although the project site does not contain any native trees, two olive trees would be removed from the area located in front of the residence at 2700 McHenry Avenue (APN 247-150-02). These trees are located within 20 feet of the public street right-of-way line and are included in the City of Escalon's Street Tree Plan. As part of the proposed project, the City would obtain a tree removal permit prior to removal of the trees. The permit may include contingencies to ensure compliance with the intent and purpose of the City's Tree Ordinance such as replanting street trees. Therefore there would be **no impact**.
- f) The proposed project is located within the SJMSCP. The proposed project site is located entirely within in the City of Escalon's Land Category A (No Pay Zone). As a part of the project description, all staging and storage areas would be located on the parcels where demolition of existing buildings would occur. These parcels are located on the southeast corner of the intersection of First Street and McHenry Avenue and are also within the Land Category A (No Pay Zone). Therefore, there would be **no impact**.

References

- California Department of Fish and Game (CDFG). 1994. Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California. November 1, 1994.
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- CDFG. 2009a. Endangered, Threatened, and Rare Plants List. California Department of Fish and Game, Biogeographic Data Branch, Sacramento, CA. Data dated January 2009.
- CDFG. 2009b. Endangered and Threatened Animals List. California Department of Fish and Game, Biogeographic Data Branch, Sacramento, CA. Data dated January 2009.
- California Native Plant Society (CNPS). 2009. Inventory of Rare and Endangered Plants (online edition, v7-08d 1-12-09). California Native Plant Society, Sacramento, California. <http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>. Accessed January 12, 2009.
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- Miles, S.R. and C.B. Goudey. 1997. Ecological Subregions of California: Section and Subsection Descriptions. USDA Forest Service, Pacific Southwest Region Publication R5-EM-TP-005. San Francisco, CA.

San Joaquin Council of Governments (SJCOG). 2009. San Joaquin County Multi-Species Habitat Conservation and Open Space Plan: Fee update, EPS #15126.

San Joaquin Council of Governments (SJCOG). 2000. Stockton, California. November 14, 2000.

U.S. Fish and Wildlife Service (USFWS). 2009. Federal Endangered and Threatened Species that may be Affected by Projects in the Escalon, California 7.5-Minute Topographic Quadrangles.

Cultural Resources

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
5. CULTURAL RESOURCES— Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) The proposed project would not likely cause a significant impact to the eligibility of a historical resource. A records search of all pertinent survey and site data was conducted at the Central California Information Center at California State University, Stanislaus on November 5, 2008 (File No. 7234 L). The records were accessed by utilizing the Escalon U.S. Geological Survey (USGS) 7.5-minute quadrangle maps in San Joaquin County. The review included the proposed project site as well as a ¼ mile around the project locations. The records search included a review of the *Directory of Properties in the Historic Property Data File for San Joaquin County* for information on sites of recognized historical significance within the *National Register of Historic Places*, the *California Register of Historic Resources*, the *California Inventory of Historic Resources* (1976), the *California Historical Landmarks* (1996), the *California Points of Historical Interest* (1992), the Caltrans State and Local Bridge Survey (1989), and the *Survey of Surveys* (1989).

One previous survey included portions of the project site: Busby et al. (1996). This survey encompasses approximately 80 percent of the project site. Seven additional surveys have been recorded within ¼ mile of the project site: Corbett et al. (1996), Clements (1996), Busby et al. (1996), Love and Tang (2001), Page (1992), Busby (1996), and Wooten and Wulf (1999).

Previous surveys have identified three potentially historic structures within the project site: a residence at 1750 McHenry Avenue, a gas station at 1303 First Street, and a segment of the Tidewater-Southern Railroad line immediately adjacent to McHenry Avenue. Results from these investigations identified one resource, the residence at 1750 McHenry Avenue, as being potentially eligible for listing in the NRHP under Criteria 3/C: the residence embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. The previous survey cited the distinct architectural features of the residence, including reinforced masonry construction covered with patterned stucco, white walls, and its conspicuous chimney on the southern end of the building, as a unique combination of the Spanish Vernacular architecture of the original owner's birthplace and the contemporary residential architecture of the 1930s.

However, the updated evaluation of the residence by ESA (Attachment B) identified other similarly styled buildings constructed in Escalon dating to the same period. The use of masonry construction, patterned stucco, white walls and prominent chimneys in residential architecture can be identified in numerous residences dating from the 1930s through the 1940s in Escalon. The Spanish Vernacular architectural style and associated characteristics was a common choice of period styles available in residential architecture from the 1920s through the 1940s. The fact that the original owner may have chosen this particular style of architecture to reflect his Spanish heritage is not relevant to the assignment of historical significance under Criteria 3/C. Criteria 3/C requires that the architecture embody a rare, exemplary example of an architectural style, which the residence at 1750 McHenry Avenue does not. Because the property at 1750 McHenry Avenue does not appear to embody a rare or particularly exemplary architectural style, it fails to meet the requirements of Criteria 3/C, and therefore would not be considered an historic resource under CEQA.

Results from the field reconnaissance by ESA staff identified no standing historically significant structures located within or adjacent to the project site. Therefore, the proposed project would have no significant direct or indirect impacts on historic architectural resources. No mitigation would be required.

Based on the sufficient distance between the project site and the nearest eligible resource, no historical properties would be affected by the proposed project; therefore, this impact is considered **less than significant**.

- b) Neither the archival search nor the field reconnaissance resulted in the identification of recorded or unrecorded prehistoric or historic-era archaeological resources within the immediate project site. The project site has been extensively disturbed by urban development within the City of Escalon, making surface survey difficult and survey results inconclusive. In addition, buried archaeological resources do not always manifest themselves on the surface.

The Native American Heritage Commission (NAHC) was contacted on November 4, 2008 in order to search their Sacred Lands File and obtain a list of Native American that should be contacted concerning the proposed project. The Commission's November 13, 2008 response stated that a review of the sacred lands files failed to indicate the presence of Native American cultural resources in the immediate project site, but noted that the absence of specific site information within the sacred lands file does not indicate the absence of cultural resources within the project site. The NAHC response also included contacts who have requested information on projects such as this and who may have knowledge of cultural resources within the project site. On November 21, 2008, ESA sent letters to designated contacts with information about the proposed project and a request that they contact us if there were any questions or concerns (all NAHC correspondence can be located in Attachment A of the Cultural Resources Report, see **Appendix C**). To date, no further responses have been received.

The possibility exists for the discovery of such resources as a result of proposed project activities. Potential features or artifacts could include, but are not limited to, hearths, midden or shell deposits, lithic reduction flakes, projectile points, milling stations, historic-period structural foundations for houses, auxiliary buildings, roads, irrigation or watering systems, and trash scatters. The proposed project, therefore, would result in a **less than significant** impact on archeological resources with implementation of **Mitigation Measure CUL-1**.

- c) Paleontological resources are the fossilized evidence of past life found in the geologic record. Despite the tremendous volume of sedimentary rock deposits preserved worldwide, preservation of plant or animal remains as fossils is an extremely rare occurrence. Because of the infrequency of fossil preservation, fossils – particularly vertebrate fossils – are

considered to be nonrenewable resources. Because of their rarity, and the scientific information they can provide, fossils are considered highly significant records of ancient life.

No known paleontological resources or unique geologic features exist within the project site. Therefore, the proposed project is not likely to destroy, either directly or indirectly, a unique paleontological resource or site, or geological feature. As described in **Mitigation Measure CUL-1**, if such a resource should be encountered during construction, work would stop until the resource can be evaluated and a determination made of its significance and need for recovery, avoidance, and/or mitigation. Therefore, the proposed project would result in a **less than significant** impact on paleontological resources or unique geologic features.

- d) Based upon a records search, no human remains are known to exist within the project site. The project site has historically been used for agriculture, which reduces the probability of undiscovered human remains. In the unlikely event that human remains are discovered, work within the area will be stopped and the San Joaquin County Coroner will be notified immediately. Work will only resume after the investigation and in accordance with any requirements and procedures imposed by the San Joaquin County Coroner. In the event that the bone most likely represents a Native American interment, the Native American Heritage Commission will be notified so that the most likely descendants can be identified and appropriate treatment can be implemented. Therefore, with the incorporation of mitigation measures the proposed project would not result in any significant impacts with respect to disturbing any human remains, including those interred outside of formal cemeteries.

To ensure a **less than significant** impact in the event of an accidental discovery, **Mitigation Measure CUL-2**, in conjunction with **Mitigation Measure CUL-1**, shall be implemented.

Mitigation Measures

Mitigation Measure CUL-1: Cease Work if Prehistoric, Historic or Paleontological Subsurface Cultural Resources are Discovered During Ground-Disturbing Activities.

If cultural resources are encountered, all activity in the vicinity of the find shall cease until it can be evaluated by a qualified archaeologist. If the archaeologist determines that the resources may be significant, the archaeologist will notify the City and will develop an appropriate treatment plan for the resources. The archaeologist shall consult with Native American monitors or other appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature.

In considering any suggested mitigation proposed by the archaeologist in order to mitigate impacts to cultural resources, the project proponent will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be instituted. Work may proceed on other parts of the project site while mitigation for cultural resources is being carried out.

Mitigation Measure CUL-2: Halt Work if Human Skeletal Remains are Identified During Construction. If human skeletal remains are uncovered during project construction, the project proponent (depending upon the project component) will immediately halt work, contact the San Joaquin County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County coroner determines that the remains are Native American, the project proponent will contact the NAHC, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and

Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendents regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

References

Environmental Science Associates (ESA). 2008. McHenry Avenue Road Widening, 208588 – Cultural Resources Inventory Report. Prepared for the City of Escalon.

Geology, Soils, and Seismicity

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6. GEOLOGY, SOILS, AND SEISMICITY— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2007), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a.i-iv) The project site is flat and is located in an area of low surface rupture or fault-related surface disturbance. According to the Department of Conservation, Division of Mines and Geology Special Publication 42, the project site is not located within a delineated Alquist-Priolo Earthquake Fault Zone.

The seismic hazard most likely to impact the project site is ground shaking due to a large earthquake on one of the major active regional faults. However, the Background Report for the City of Escalon's General Plan states that the City is in a low severity zone associated with seismic ground shaking (City of Escalon, 2004). Liquefaction in soils and sediments occurs during some earthquake events, when material is transformed from a solid state into a liquid state because of increases in pressure in the pores (the spaces between soil particles). Earthquake-induced liquefaction most often occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts, but it can also occur in dry, granular soils or saturated soils with some clay content. As noted above, the project site's topography is relatively flat and is not located within a delineated Alquist-Priolo Earthquake Fault Zone. Additionally, the probability of soil liquefaction, or ground failure, actually taking place on the project site is considered to be a low to moderate hazard.

The proposed project would comply with City of Escalon building regulations and the current Uniform Building Code. This impact is considered **less than significant**.

- a) The proposed project involves constructing roadway improvements, including new curbs, gutters, and sidewalks, along an existing developed roadway. The project site primarily consists of existing paved areas as well as some areas containing weedy vegetation or exposed dirt. Compliance with the City of Escalon grading standards would minimize construction impacts to top soil erosion. This is a **less than significant** impact.
- b) As more fully described above, the proposed project site's topography is flat and is not located within a delineated Alquist-Priolo Earthquake Fault Zone. Additionally, the probability of soil liquefaction actually taking place on the project site is considered to be a low to moderate hazard. With adherence to all applicable codes and regulations, including the current Uniform Building Code, geologic hazard impacts associated with on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse would be minimized. The impact is considered to be **less than significant**.
- c) Expansive soils are those possessing clay particles that react to moisture changes by shrinking (when dry) or swelling (when wet). The extent of shrinking and swelling is influenced by the environment, including the extent of wet or dry cycles, and by the amount of clay in the soil. This physical change in the soils can react unfavorably with building foundations, concrete walkways, swimming pools, roadways, and masonry walls. Expansive soils are more common in less developed areas of San Joaquin County. In most developed areas, the existing layer of clay has been blended into more granular soils as a part of general site excavation, which helps to reduce the soil's expansiveness. The expansive ability of a type of soil is indicated by its shrink-swell potential. A soil type with high shrink-swell potential would be considered an expansive soil.

The project site consists of two types of soils: Delhi loamy sand and Honcut sandy loam. Each of these soil types are characterized by low shrink-swell potential (NRCS, 2008). This impact is **less than significant**.

- d) The proposed project would not result in or require a septic system or wastewater disposal. There is **no impact** related to soils that would be incapable of supporting septic tanks or other wastewater disposal systems.

References

City of Escalon. 2004. Escalon General Plan Update Background Report. February 2004.

Natural Resources Conservation Service (NRCS). 2008. Web Soil Survey.

<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed December 29, 2008.

Hazards and Hazardous Materials

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

Discussion

- a) Implementation of the proposed project would potentially require the transport, use, and disposal of various types and quantities of hazardous materials while constructing the curbs, gutters, and sidewalks. It is assumed that any hazardous materials involved in construction of the proposed project would be done so in accordance with federal, state, and local laws regulating hazardous materials. Operation of the proposed project would not result in the use, storage, or disposal of any hazardous materials. The proposed project would not create a significant hazard to the public or environment. This impact is **less than significant**.
- b) As stated above, the proposed project has the potential to use a variety of hazardous materials that are not specified at this time. These materials would be stored, handled, and transported per federal, state, and local regulatory requirements. The six buildings (as identified in Table 1 and including several commercial, residential, and ancillary structures) that are proposed for demolition were constructed prior to 1961 and as early as 1926. Due to their date of construction these structures could potentially contain asbestos and lead. Demolition

of these structures could result in an accidental release of hazardous materials. Hazards associated with the presence of lead and asbestos in these buildings would be **less than significant** with **Mitigation Measure HAZ-1**.

A Phase I Environmental Site Assessment (Phase I) was prepared for the Highway 120 Realignment and Escalon/McHenry Avenue Widening Projects. An Addendum Report for the Phase I was prepared to investigate potential hazardous conditions associated with the former Texaco Gas Station at 1303 First Street and the former Transformer Sub-Station located at 1828 McHenry Avenue. The Phase I Addendum Report made the following conclusions regarding potential hazards located at these two sites:

- Seven former fuel underground storage tanks (USTs) appear to have been adequately removed at the former gas station site. Potentially fuel impacted soil in the immediate vicinity of the former tank excavations may still be encountered in the road right-of-way (ROW) during construction.
- Analytical results from testing of the transformer oil on site in the early 1980s indicate the presence of polychlorinated biphenyls (PCBs). Apparently, no wipe testing or soil sampling has been conducted at the site to date. PCBs in potentially impacted soil may be encountered in the road ROW during construction (Ogden, 1995).

Construction of the roadway improvements as part of the proposed project could result in the release of hazardous materials as part of the proposed project's demolition and grading activities. This impact is **less than significant** with **Mitigation Measure HAZ-2**.

- c) The project site is located within one-quarter mile of two schools. Escalon High School is located approximately 0.25 miles northeast of the project site. First Baptist School is located 0.11 miles east of the project site. Please refer to (a) and (b) for further discussion of potential hazards related to the proposed project. Due to the temporary nature of the limited hazards associated with the proposed project, the hazards associated with implementation of the proposed project would not be considered a significant hazard to either of these schools after implementation of **Mitigation Measures HAZ-1** and **HAZ-2**. This impact is **less than significant** with mitigation.
- d) The project site is not listed on a list of hazardous materials sites prepared pursuant to Government Code Section 65962.5 (CalEPA, 2008). There is **no impact**.
- e) The project site is not located within an adopted airport land use plan or within two miles of a public airport. There is **no impact**.
- f) The project site is not located within the vicinity of a private airstrip. There is **no impact**.
- g) The proposed project would involve construction activities along the side of a busy road (McHenry Avenue) and adjacent to active businesses and neighborhoods. The proposed project would result in limiting access to these businesses and homes. Prior to approval, the City of Escalon would be required to demonstrate compliance with all emergency access requirements and other emergency standards in place in the City. Additionally, the City would be required to implement **Mitigation Measure TRAF-1** discussed below. This impact is **less than significant** with mitigation.
- h) The project site is located in a portion of the City of Escalon that is developed with residential, commercial, industrial, and agricultural land uses. The California Department of Forestry and Fire Protection characterizes the project site and its surroundings as not containing any High, Very High, or Extreme fire hazard threats (FRAP, 2005). There is **no impact**.

Mitigation Measures

Mitigation Measure HAZ-1: Prior to demolition of the four buildings located at 1303 First Street, the residence at 1740 McHenry Avenue, and the residence at 1750 McHenry Avenue, asbestos and lead-based paint surveys must be conducted. Information on the presence or absence of lead-based paint must be obtained for proper employee training and work practices during demolition of these buildings. Information on the presence or absence of asbestos shall be indicated in the National Emissions Standards for Hazardous Air Pollutants (NESHAP) notification form prior to demolition of these six buildings. The City, or the City's contractor, is required to submit notice of demolition to the San Joaquin Valley Unified Air Pollution Control District and identify whether or not asbestos is determined to be present in the structures proposed for demolition.

Mitigation Measure HAZ-2: Prior to construction, the City shall ensure that the recommendations included in the Phase I Addendum Report are implemented. These recommendations state that subsurface soil in the ROW in the vicinity of the former UST excavations in the northwest corner of the property and on the west side of the office building, at the former Texaco gas station site at 1303 First Street should be sampled for petroleum constituents in accordance with San Joaquin County Environmental Health Department (SJCEHD) requirements and, if necessary, remediated prior to construction. The recommendations also state that surface soil in the ROW in the vicinity of the former PG&E transformer sub-station site at 1828 McHenry Avenue should be sampled for PCBs in accordance with SJCEHD requirements and, if necessary, remediated prior to construction.

References

- California Department of Forestry and Fire Protection (FRAP). 2005. Fire Threat. October 20, 2005.
- California Environmental Protection Agency (CalEPA). 2008. Cortese List Data Resources. <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>. Accessed December 29, 2008.
- Ogden Environmental and Energy Services Co., Inc. (Ogden). 1995. Addendum Report to the Phase I Environmental Site Assessment, Highway 120 Realignment and Escalon/McHenry Avenue Widening Projects, Escalon, California. December 1995.

Hydrology and Water Quality

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
8. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river or, by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a, f) Construction of the proposed project has the potential to expose bare soil and potentially generate other water quality pollutants that could be exposed to precipitation and subsequent entrainment in surface runoff. Construction activities involving soil disturbance, excavation, cutting/filling, and grading activities could result in increased erosion and sedimentation to surface waters. Construction materials such as asphalt, concrete, and equipment fluids could be exposed to precipitation and subsequent runoff. If precautions are not taken to contain contaminants, construction could produce contaminated stormwater runoff (nonpoint source pollution), a major contributor to the degradation of water quality.

During construction and grading, erosion and sediment control measures will be implemented in accordance with City of Escalon's Standard Specifications for dust control, erosion and sedimentation control, and site cleanup for the reduction of pollutants in runoff (Section 01500, Construction Facilities and Temporary Controls, and Section 001561, Site Cleanup).

The proposed project would result in the disturbance of over one acre and could disturb up to five acres of land. In accordance with the National Pollutant Discharge Elimination System (NPDES) permit program under Section 402(p) of the Clean Water Act, the proposed project would be required to obtain a General Construction Permit through the Central Valley Regional Water Quality Control Board. Implementation of **Mitigation Measure HYDRO-1** would ensure compliance with NPDES requirements and minimize impacts to water quality to **less than significant**.

- b) The proposed project involves construction of road improvements in segments along McHenry Avenue. The proposed roadway improvements cover an area no more than one acre. A majority of the project site is paved. The project site is not used for groundwater recharge. The increase in impervious surfaces is incremental. The proposed project would not result in any long-term operational activities. Consequently, the proposed project would not require a water supply. The impact to groundwater supply is **less than significant**.
- c, d) There are no streams or rivers located on or near the project site. Additionally, the project site is located within an existing developed urban area primarily covered by impervious surfaces. Runoff from the project site would increase slightly over existing conditions where portions of the project site currently covered by dirt would be paved over and replaced with gutters, curbs, and sidewalks. However, the proposed project would improve drainage conditions along McHenry Avenue where the proposed project would connect previously constructed curbs, gutters, and sidewalks. The improvements proposed as part of the proposed project would not result in an increase in flooding on or off the project site. This project would result in **no impact** to streams or rivers.
- d) The City of Escalon's storm drainage system depends on the South San Joaquin Irrigation District's (SSJID) existing system of irrigation laterals to transport storm drainage from the City, with a portion drained into the industrial ponds at the City's waste water treatment plant. The City is divided into ten drainage sheds. Each of these areas contains a storm drainage system that collects runoff within the drainage shed and then transports it to a City-maintained storm drain basin (City of Escalon, 2007).

The project site is located within Storm Drain System 4, which directs all storm drainage into the wastewater treatment plant. The drainage basin for Drain System 4 is located approximately 650 feet east of McHenry Avenue between Roosevelt Avenue and Countrywood Lane. In 2000, this basin was expanded to 36.8 acre feet and will ultimately be expanded to 41.8 acre feet. The drainage basin is sufficient for current development (City of Escalon, 2007).

Construction of the proposed curbs and gutters along McHenry Avenue would connect to existing curbs and gutters that are within Drain System 4. The proposed project would fill in gaps between the existing curbs and gutters, which would improve the efficiency of the existing gutters to transport stormwater runoff along McHenry Avenue. The proposed project would result in a slight increase in impervious surfaces where new sidewalks, curbs, or gutters would be constructed along the edges of vacant dirt lots. Runoff from the project site would be drained more efficiently and minimize the potential for localized flooding in ungraded areas or alongside vacant lots after construction of the proposed project. The proposed project would not exceed the capacity of existing storm drainage facilities. This impact is **less than significant**.

- g, h) The City of Escalon is outside of the 100-year flood plain (City of Escalon, 2004). Additionally, the proposed project does not propose to construct any new housing. There is **no impact**.
- i) The City of Escalon is located within the dam inundation area for dams on the Stanislaus River (City of Escalon, 2004). However, the proposed project would not place people or structures within the dam inundation area since the project only consists of constructing roadway improvements. There is **no impact**.
- j) The City of Escalon is not located near any tidally influenced water bodies nor is the City located near any large bodies of water that could be affected by a tsunami or seiche. Additionally, the project site is flat and the lack of water bodies nearby also limits the possibility of a mudflow hazard to the project site. There is **no impact**.

Mitigation Measures

Mitigation Measure HYDRO-1: The construction contractor will prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) for construction of the proposed project for compliance with required NPDES construction permitting and to reduce the intensity of potential water quality impacts associated with construction of the proposed project. The SWPPP shall identify pollutant sources that may affect the quality of stormwater discharge and shall require the implementation of Best Management Practices (BMPs) to reduce pollutants in storm water discharges during construction.

BMPs may include, but would not be limited to:

- Excavation and grading activities shall be scheduled for the dry season only (April 30 to October 15), to the extent possible. This will reduce the chance of severe erosion from intense rainfall and surface runoff.
- If excavation occurs during the rainy season, storm runoff from the construction area shall be regulated through a storm water management/erosion control plan that shall include temporary onsite silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material shall be covered and runoff diverted away from exposed soil material. If work stops due to rain, a positive grading away from slopes shall be provided to carry the surface runoff to areas where flow would be controlled, such as the temporary silt basins. Sediment basins/traps shall be located and operated to minimize the amount of off-site sediment transport. Any trapped sediment shall be removed from the basin or trap and placed at a suitable location on-site, away from concentrated flows, or removed to an approved disposal site.
- Temporary erosion control measures (such as fiber rolls, staked straw bales, detention basins, check dams, geofabric, sandbag dikes, and similar measures) shall be provided until construction is complete or landscaping is established and can minimize discharge of sediment into nearby waterways. All storm drains shall be protected from sedimentation using such measures.
- Sediment shall be retained on-site by a system of sediment basins, traps, or other appropriate measures.
- No disturbed surfaces will be left without erosion control measures in place during the rainy season, from October 15th through April 30th.

- Erosion protection shall be provided on all cut-and-fill slopes. Landscaping shall be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).
 - Construction-related stormwater BMPs selected and implemented for the proposed project shall be in place and operational prior to the onset of major earthwork on the project site. The construction phase facilities shall be maintained regularly and cleared of accumulated sediment as necessary.
- Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, vandalism, and accidental release to the environment. All stored fuels and solvents will be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals shall be designated as responsible for prevention and cleanup activities.
- Equipment shall be properly maintained in designated areas with runoff and erosion control measures to minimize accidental release of pollutants.

References

City of Escalon. 2007. City of Escalon Storm Drainage Master Plan. Prepared by ECO:Logic and Kjeldsen, Sinnock, and Neudeck, Inc. December 2007.

City of Escalon. 2004. Escalon General Plan Update Background Report. February 2004.

Land Use and Land Use Planning

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9. LAND USE AND LAND USE PLANNING— Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) The proposed project would be located within an existing developed area of the City of Escalon. The project proposes to remove three residences (including the caretaker’s building located at 1303 First Street) and two businesses along McHenry Avenue between First Street and Roosevelt Avenue. These structures are located directly adjacent to a neighborhood, with mobile homes to the north and single family homes to the east. As discussed in the description of the project, the City would provide relocation assistance to the residents and business owners pursuant to local and state law. Construction and demolition activities as part of the proposed project would be constructed along the edge of the neighborhood. Construction and demolition activities are temporary and the completed project improvements would not represent a physical barrier between the neighborhood and McHenry Avenue. Temporary disruption to neighborhood access and traffic operations around the project site would be addressed through implementation of **Mitigation Measure TRAF-1**. After implementation of mitigation this impact would be **less than significant**.
- b) The proposed project does not propose any new land uses for the project site and would not result in permanent operational activities that would result in an effect on the environment. Additionally, the proposed project would not result in any land use conflicts. As discussed under a) of the Air Quality section, the proposed project would not conflict with any applicable air quality plans. Temporary environmental effects associated with construction of the proposed project include potential hazards and hazardous materials, water quality impacts from stormwater runoff, noise, and traffic impacts. These potential impacts are less than significant with implementation of mitigation measures and are discussed in their respective sections throughout this Initial Study: Hazards and Hazardous Materials, Noise, and Transportation and Traffic. Short-term hazards, noise, and traffic impacts would be minimized to a less than significant level after implementation of the applicable mitigation measures: **Mitigation Measures HAZ-1, HAZ-2, HYDRO-1, NOISE-1, NOISE-2, NOISE-3, and TRAF-1**. This impact is **less than significant** with mitigation.
- c) Please see f) under the Biological Resources section. This impact is **less than significant**.

Mineral Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10. MINERAL RESOURCES—Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a, b) According to the City of Escalon General Plan Background Report (2004), the City of Escalon has no significant mining resources or mining operations, therefore there will be **no impact** to mineral resources.

References

City of Escalon. 2004. Escalon General Plan Update Background Report. February 2004.

Noise

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11. NOISE—Would the project:				
a) Result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Introduction to Noise Descriptors

To describe noise environments and to assess impacts on noise-sensitive areas, a frequency weighting measure, which simulates human perception, is commonly used. It has been found that A-weighting of sound levels best reflects the human ear's reduced sensitivity to low frequencies, and correlates well with human perceptions of the annoying aspects of noise. The A-weighted decibel scale (dBA) is cited in most noise criteria. Decibels are logarithmic units that conveniently compare the wide range of sound intensities to which the human ear is sensitive. **Table 3, Typical Noise Levels**, identifies decibel levels for common sounds heard in the environment.

Several time-averaged scales represent noise environments and consequences of human activities. The most commonly used noise descriptors are equivalent A-weighted sound level over a given time period (Leq); average day-night 24-hour average sound level (Ldn) with a nighttime increase of 10 dBA to account for sensitivity to noise during the nighttime; and community noise equivalent level (CNEL), also a 24-hour average that includes both an evening and a nighttime weighting. Noise levels are generally considered low when ambient levels are below 45 dBA, moderate in the 45 - 60 dBA range, and high above 60 dBA. Outdoor day/night sound levels (Ldn) vary over 50 dBA, depending on the specific type of land use. The Ldn noise levels average approximately 35 dBA in wilderness areas, 40 to 50 dBA in small towns or wooded residential areas, 75 dBA in major metropolis downtown areas, and 85 dBA near major freeways and airports. Although

people often accept the higher levels associated with very noisy urban residential and residential-commercial zones, they nevertheless are considered to be adverse levels of noise with respect to public health because of sleep interference.

**TABLE 3
TYPICAL NOISE LEVELS**

Noise Level (dBA)	Outdoor Activity	Indoor Activity
90+	Gas lawn mower at 3 feet, jet flyover at 1,000 feet	Rock Band
80-90	Diesel truck at 50 feet	Loud television at 3 feet
70-80	Gas lawn mower at 100 feet, noisy urban area	Garbage disposal at 3 feet, vacuum cleaner at 10 feet
60-70	Commercial area	Normal speech at 3 feet
40-60	Quiet urban daytime, traffic at 300 feet	Large business office, dishwasher next room
20-40	Quiet rural, suburban nighttime	Concert hall (background), library, bedroom at night
10-20	None	Broadcast / recording studio
0	Lowest threshold of human hearing	Lowest threshold of human hearing

Source: Caltrans Technical Noise Supplement, 1998.

Noise Setting

ESA used a Metrosonics Model db3080 sound level meter for the short-term noise measurements. The meter was calibrated to ensure the accuracy of the measurements. Four short-term noise level measurements were taken in the vicinity of the project site to determine the existing noise level in the area. The data gathered from the meters includes all the ambient noise (background and intermittent noises) at the microphone and does not separate different audible sources. The noise measurement locations and the results are presented in **Table 4**.

**TABLE 4
EXISTING NOISE ENVIRONMENTS NEAR THE PROJECT SITE**

Measurement Location	Time Period		5-minute Leq (dBA)	Noise Sources
	Monday December 22, 2008			
Location 1 50 feet from center of McHenry Ave. and Roosevelt Ave. on sidewalk of Roosevelt Ave.	11:14 – 11:19 a.m. 11:27 – 11:32 a.m.	66, 65	Traffic on McHenry 73 dBA – Semi Truck driving 73 dBA – Tow Truck 72 dBA – RV	
Location 2 100 feet from center of McHenry Ave. and Roosevelt Ave. on sidewalk of Roosevelt Ave.	11:21 – 11:26 a.m.	60	Traffic on McHenry 71 dBA – Cement Truck 70 dBA – Semi Truck 63 dBA – City Truck	
Location 3 50 feet from McHenry Avenue between Narcissus Way and Catherine Way	11:50 – 11:55 a.m.	65	Traffic on McHenry 76 dBA – Truck with trailer 70 dBA – Small Truck 67 dBA – Car traffic	

Sensitive Receptors

Sensitive receptors that could be affected by noise from the proposed project (specifically the construction phase) would be 15-20 residences located in and around the same block as the demolition area (near the intersections of First Street and McHenry Avenue and Roosevelt Avenue and McHenry Avenue) and approximately 70 feet away at the closest distance.

Applicable Regulations

City of Escalon General Plan

Objectives and policies from the City of Escalon's General Plan Noise Element that are relevant to the proposed project are shown below:

Objective A. To protect the citizens of the City from the harmful and annoying effects of exposure to excessive noise.

Objective C. To preserve the tranquility of residential areas by preventing noise producing uses from encroaching upon existing or planned noise-sensitive uses.

Policy 10. Noise created by temporary activities necessary to provide construction or required services should be permitted for the shortest duration possible and limited to time periods that will have the least possible adverse impact on surrounding land uses.

City of Escalon Noise Ordinance

The Noise Ordinance controls construction noise by enforcement of Section 8.16.030F, Enumeration of Public Nuisances.

F. The loud and raucous operation or use of any of the following before 7:00 a.m. or after 9:00 p.m. daily (except Saturday and Sunday and state or federal holidays, when the prohibited time shall be before 8:00 a.m. and after 9:00 p.m.):

F6. Any of the following: heavy equipment (such as but not limited to bulldozer, steam shovel, road grader, back hoe), ground drilling and boring equipment (such as but not limited to derrick or dredge), hydraulic crane, and boom equipment, portable power generator or pump, pavement equipment (such as but not limited to pneumatic hammer, pavement breaker, tamper, compacting equipment), pile-driving equipment, vibrating roller, sand blaster, gunite machine, trencher, concrete truck and hot kettle pump;

F7. Any construction, demolition, excavation, erection, alteration, or repair activity.

Discussion

a) Construction Noise Effects

Construction activity noise levels at and near the proposed project construction areas would fluctuate depending on the particular type, number, and duration of uses of various pieces of construction equipment. Construction-related material haul trips would raise ambient noise levels along haul routes, depending on the number of haul trips made and types

of vehicles used. **Table 5** shows typical noise levels during different construction stages. **Table 6** shows typical noise levels produced by various types of construction equipment. No pile driving is proposed as part of the proposed project's construction activities.

**TABLE 5
TYPICAL CONSTRUCTION
NOISE LEVELS**

Construction Phase	Noise Level (dBA, Leq) ^a
Ground Clearing	84
Excavation	89
Foundations	78
Erection	85
Finishing	89

^a Average noise levels correspond to a distance of 50 feet from the noisiest piece of equipment associated with a given phase of construction and 200 feet from the rest of the equipment associated with that phase.

**TABLE 6
TYPICAL NOISE LEVELS FROM
CONSTRUCTION EQUIPMENT**

Construction Equipment	Noise Level (dBA, Leq at 50 feet)
Dump Truck	88
Portable Air Compressor	81
Concrete Mixer (Truck)	85
Scraper	88
Jack Hammer	88
Dozer	87
Paver	89
Generator	76
Pile Driver	101
Backhoe	85

Noise from construction activities generally attenuates at a rate of 6 to 7.5 dBA per doubling distance. Based on the proposed project site layout and terrain, an attenuation of 6 dBA is assumed. The closest residence is about 70 feet from demolition and finishing activities. These residences would experience maximum noise levels at about 86 dBA. Construction noise at these levels would be greater than existing noise levels at nearby sensitive receptor locations.

Noise generated by demolition, grading and finishing activities associated with short-term construction of the proposed project would result in a substantial increase in noise at the nearest residences and would be significant without mitigation especially if construction occurs at night and results in sleep disturbance. With implementation of **Mitigation Measures NOISE-1, NOISE-2, and NOISE-3**, this impact would be **less than significant**.

Operational Noise Effects

The proposed project would have no long-term effects on noise levels. Once construction is completed noise levels would return to levels similar to the existing noise environment.

- b) As shown in **Table 7**, use of heavy equipment for project construction generates vibration levels up to 0.089 peak particle velocity (PPV) or 87 root mean square (RMS) at a distance of 25 feet. Assuming a large bulldozer would be used 70 feet from the nearest residence, vibration levels at the nearest sensitive receptor would be about 74 RMS and 0.004 PPV from the bulldozer. Other sensitive receptors in the proposed project vicinity would be exposed to vibration levels at incrementally lower levels. This vibration impact would be **less than significant**.
- c) The proposed project would have no long-term effects on noise levels. Once construction is completed noise levels would return to levels similar to the existing noise environment.
- d) The project would temporarily increase ambient noise levels in the project vicinity. See the discussion regarding construction noise from operations under a) above.

TABLE 7
VIBRATION VELOCITIES FOR CONSTRUCTION EQUIPMENT

Equipment/Activity	PPV at 25 ft (inches/second) ^a	PPV at nearest receptor to the Proposed Project (70 feet)	RMS at 25 ft (Vdb) ^c	RMS at nearest receptor to the Proposed Project (70 feet)
Large Bulldozer ^b	0.089	0.004	87	74

^a Buildings can be exposed to ground-borne vibration levels of 0.2 PPV without experiencing structural damage.

^b The nearest receptor for the large bulldozer was assumed to be 70 feet.

^c The human annoyance response level is 80 RMS.

SOURCE: ESA, 2007; Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006.

- e) There are no airports within two miles of the City of Escalon. There would be no impact from airports upon people residing or working in the vicinity of the proposed project.
- f) There are no airports within two miles of the City of Escalon. There would be no impact from airports upon people residing or working in the vicinity of the proposed project.

Mitigation Measures

Mitigation Measure NOISE-1: Construction activities shall be limited to between 7:00 a.m. and 9:00 p.m. Monday through Saturday to avoid noise-sensitive hours of the day. Construction activities shall be prohibited on Sundays and holidays.

Mitigation Measure NOISE-2: Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number with the City of Escalon in the event of noise complaints. An onsite complaint and enforcement manager shall track and respond to noise complaints.

Mitigation Measure NOISE-3: Project construction shall minimize any unnecessary noise in the staging area including, but not limited to, the following measures:

- No amplified sources (e.g., stereo “boom boxes”) shall be used in the vicinity of residences during project construction.
- Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer’s specifications) and by shrouding or shielding impact tools.

References

- City of Escalon. 2005. City of Escalon General Plan. Adopted June 6, 2005.
- City of Escalon. 2009. Escalon Municipal Code, Title 8 (Health and Safety), Section 8.16.030. <http://www.codepublishing.com/ca/escalon/>. Accessed January 12, 2009.
- Cunniff, Patrick. 1977. *Environmental Noise Pollution*.
- U.S. Environmental Protection Agency (EPA). 1971. *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*. December 1971.

Population and Housing

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) The proposed project consists of constructing roadway improvements along McHenry Avenue and does not propose the construction of new homes. The roadway improvements would not be capacity enhancing. There is **no impact**.
- b, c) In order to construct the proposed roadway improvements, the proposed project would displace the residents of three houses and two businesses between First Street and Roosevelt Avenue. As part of the proposed project (see Description of Project above) and pursuant to State law, the City would provide relocation assistance for these residents to find new homes within the City of Escalon. The proposed project would also provide assistance for relocation of the businesses. The displacement of three homes within the City does not constitute a significant amount of housing that would necessitate the construction of replacement housing. Additionally, the displacement of the businesses also would not necessitate construction of additional buildings for the businesses. According to the California Department of Finance (DOF), the City has a residential vacancy rate of 3.55 percent that could accommodate the housing needs of the residents that would be displaced by the proposed project (DOF, 2008). This impact is **less than significant**.

References

State of California, Department of Finance (DOF). 2008. E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2008, with 2000 Benchmark. Sacramento, California. May 2008.

Public Services

<u>Issues (and Supporting Information Sources):</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13. PUBLIC SERVICES— Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a.i) The Escalon Fire District, formed in 1912, provides fire suppression and rescue operations around the clock to a district that covers 65 square miles of primarily agricultural land. The district includes the City of Escalon, and is located in the southeast corner of San Joaquin County. The district’s main station is located at 1749 Coley Avenue in the City of Escalon. Station #2 is located on the northern edge of the district on Highway 120 just east of Van Allen Road, and houses two pieces of equipment including engine 1-4, water tender 1-6 and the antique 1916 La France engine. This site was chosen in order to maintain a maximum 5- mile limit from either of the stations to any location in the district.

There are 35 volunteers who operate eight different pieces of equipment owned by the district. At the present time all operations are conducted from the district’s main station on Coley Avenue in downtown Escalon. The current ISO fire insurance rating is 5, indicating a relatively low probability for severe fire losses. The maximum time of arrival to any Escalon emergency is approximately three minutes. The proposed project is a roadside improvement project; it will not create additional demands on the Escalon Fire District, therefore there is **no impact** to fire protection services.

- a.ii) The Escalon Police Department provides around the clock police services for the City of Escalon, which encompasses an approximate area of 2.5 square miles. The Escalon Police Department is located at 1855 Coley Avenue at Third Street in Escalon. The department offers 24-hour police service and is open to the public Monday through Friday from 7:30 a.m. to 5:30 p.m. unless otherwise posted. The department consists of a Chief of Police, two supervisory/field training officers, one school resource/D.A.R.E. officer, one traffic officer, and six patrol officers. The support personnel consists of an animal control officer, community services officer and records manager/support services supervisor. These personnel are assisted by eight reserve officers, four police explorer scouts-cadets, and fourteen active retired senior patrol volunteers. The proposed project is a roadside

improvement project; it will not create additional demands on the Escalon Police Department, therefore there is **no impact** to police protection services.

a.iii) The Escalon Unified School District encompasses the City limits. The District includes four elementary schools, one middle school, one high school, one continuation school, and one community day school. The proposed project would complete roadside improvements to McHenry Avenue and would not generate any additional demand on the Escalon Unified School District or contribute to insufficient capacity within local schools. The proposed project will have **no impact** on local schools.

a.iv) See the Recreation section below. There is **no impact**.

References

City of Escalon. 2004. Escalon General Plan Update Background Report. February 2004.

Recreation

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a, b) The proposed project is a roadside improvement project; it would not contribute to an increase in the local population, and no additional demand on existing neighborhood and regional parks would be created. The proposed project would have **no impact** on the use of existing neighborhood and regional parks.

Transportation and Traffic

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15. TRANSPORTATION AND TRAFFIC— Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a, b) The purpose of the proposed project is to construct roadside improvements (gutters, sidewalks, etc.) along McHenry Avenue (between First Street and Narcissus Way). The proposed project would not generate an increase in new traffic or contribute to insufficient levels of service in the area after construction and demolition activities are completed. Implementation of the proposed project may create temporary construction-related impacts to pedestrian sidewalks; however, upon completion the proposed project would provide increased continuity for pedestrian circulation and access. Anticipated impacts to business access and parking are considered minor in scale and short-term in nature. For the reasons stated above, the impacts to traffic and circulation are considered **less than significant**.
- c) The proposed project does not include structures or uses that would affect air traffic patterns, nor is an airport located in proximity to the project site. Therefore, the proposed project would not result in substantial safety risks related to air traffic and would have **no impact**.
- d) The proposed project would not involve redesign or reconfiguration of roadways, and there would be no incompatible types of vehicles introduced. Therefore the proposed project would have **no impact** on road hazards.
- e) As discussed in the description of the project, existing traffic movements are expected to be maintained during construction of the proposed project. However, there could be temporary minor traffic delays during the construction period, which could inhibit emergency access. Implementation of **Mitigation Measure TRAF-1** would ensure that traffic disruption impacts are minimized to a **less than significant** level.

- f) The proposed project would not generate additional parking demand, nor will it remove any existing parking; therefore, there will be **no impact** on parking capacity.
- g) The proposed project will not conflict with adopted policies, plans, or programs supporting alternative transportation; therefore, this impact is considered **less than significant**.

Mitigation Measures

Mitigation Measure TRAF-1: The construction contractor for the proposed project shall implement a standard traffic management plan to minimize traffic disruption and ensure adequate access is maintained to surrounding residential areas and businesses. Whenever feasible, temporary signage shall be installed notifying the public of closures or detours and the expected duration of the closure. Temporary disruptions to access for businesses in the area shall be minimized by coordinating construction activities to provide alternative access points and by ensuring that all businesses have at least one open driveway during the construction period.

Utilities and Service Systems

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) The proposed project would not generate substantial amounts of wastewater or introduce additional contaminants. As discussed in item c), below, stormwater from the area inside the project site is currently treated at the City's wastewater treatment plant. There would be **no impact**.
- b) The proposed project would not require the construction of additional wastewater or water treatment facilities. There would be **no impact**.
- c, e) The proposed project would construct new curbs and gutters in an existing developed urban area. These curbs and gutters would fill in gaps to previously constructed curbs and gutters, which would improve storm drainage along McHenry Avenue. Storm drainage in this area is directed to the City's wastewater treatment plant. As discussed above (see the Hydrology and Water Quality section), the proposed project would not result in a significant increase in stormwater runoff and would not result in a significant impact to the City's storm drainage system or impact the capacity of the wastewater treatment plant. The construction impacts of the curb and gutter is considered in the entirety of this IS. Therefore, this impact is **less than significant**.
- d) The proposed project consists of roadway improvements and would not require water supply. The project would require some non-potable water for dust control. There is **no impact** to water supply resources.

- f) Solid waste in the City of Escalon is transported to Covanta Waste to Energy Facility in Crows Landing and Forward Landfill, Inc. in Manteca. Covanta is permitted to receive up to 3,200 tons per day (City of Escalon, 2004). The remaining capacity is unknown. Forward Landfill, Inc. has a remaining capacity of 23.7 million cubic yards and is expected to close in 2020. Forward Landfill, Inc. is permitted to accept construction and demolition waste (CIWMB, 2008).

The proposed project would generate waste from temporary construction activities and demolition of the residences and businesses along McHenry Avenue between First Street and Roosevelt Avenue. The landfills that serve the City have the capacity to accept waste generated by the proposed project. This is a **less than significant** impact.

- g) The proposed project would comply with all federal, state, and local statues and regulations related to solid waste. There will be **no impact**.

References

California Integrated Waste Management Board (CIWMB). 2008. Active Landfills Profile for Forward Landfill, Inc. (39-AA-0015).
<http://www.ciwmb.ca.gov/Profiles/Facility/Landfill/LFProfile1.asp?COID=4&FACID=39-AA-0015>. Accessed January 6, 2009.

City of Escalon. 2004. Escalon General Plan Update Background Report. February 2004.

Mandatory Findings of Significance

<u>Issues (and Supporting Information Sources):</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17. MANDATORY FINDINGS OF SIGNIFICANCE—				
Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) Per the impact discussions above, the potential of the proposed project to substantially degrade the environment is **less than significant**.
- b) The project site is located in a developed urban area primarily utilized for residential and commercial related land uses. The proposed project serves to complete improvement work that has already begun and is with the City’s General Plan and zoning ordinance. No major infrastructure projects are proposed that would overlap or interact with the proposed project. Therefore, the cumulative impact is **less than significant**.
- c) The proposed project would not cause substantial adverse effects on human beings. Effects related to hazardous materials, air quality, and noise are discussed above, and would not result in any significant and unavoidable impacts. This impact is considered **less than significant**.

References

City of Escalon. 2005. City of Escalon General Plan. Adopted June 6, 2005.

Appendix A

Potentially Impacted Special-Status Species in the Project Area

APPENDIX A

Potentially Impacted Special-Status Species in the Project Area

Scientific Name Common name	Listing Status USFWS/ CDFG/CNPS	General Habitat	Potential for Project to Impact
Mammals			
<i>Eumops perotis californicus</i> Western mastiff bat	--/CSC/--	Isolated occurrences in northern California. Roosts primarily in crevices within cliffs and canyons, occasionally in buildings. Primarily feeds on moths. Maternity colonies active May through July.	Unlikely -Preferred roosting/maternity habitat does not occur on proposed project. There are no documented occurrences within 5 miles of the project area. No CNDDDB occurrences within 5 miles of the project area.
Birds			
<i>Buteo swainsoni</i> Swainson's hawk	--/CT/--	Forages in open plains, grasslands, and prairies; typically nests in trees or large shrubs.	Low -Nesting and breeding habitat does not occur with the vicinity of the project area. However, two documented occurrences are located within 5 miles of the project area. Open spaces adjacent to the project area may provide suitable foraging habitat.
Reptiles			
<i>Clemmys marmorata marmorata</i> Northwestern pond turtle	FSC/--/--	Occurs in and adjacent to perennial aquatic habitats, especially streams and ponds below 6,000 feet in elevation. Prefers open, grassy south-facing slopes for nest sites.	Unlikely - Suitable habitat is not within the vicinity of the project area. There are no wetlands or streams within or adjacent to the study area. No CNDDDB occurrences within 5 miles of the project area.
<i>Thamnophis gigas</i> Giant garter snake	FT/CT/--	Generally inhabits marshes, sloughs, ponds, slow-moving streams, ditches, and rice fields that have water from early spring till mid-fall. Emergent vegetation (cattails and bulrushes), open areas for sunning and high ground for hibernation and cover.	Unlikely - Suitable habitat is not within the vicinity of the project area. There are no wetlands or streams within or adjacent to the study area. No CNDDDB occurrences within 5 miles of the project area. No CNDDDB occurrences within 5 miles of the project area.
Amphibians			
<i>Ambystoma californiense</i> California tiger salamander	FT/--/--	Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Needs underground refuges and vernal pools or other seasonal water sources.	Low - One CNDDDB occurrence is found within the project area and vicinity, however, suitable habitat is not within the vicinity of the project area. Site is disturbed.
<i>Rana aurora draytonii</i> California red-legged frog	FT/CSC/--	Breeds in slow moving streams, ponds, and marshes with emergent vegetation; forages in nearby uplands within about 200 feet.	Unlikely - Suitable habitat is not within the vicinity of the project area. There are no wetlands or streams within or adjacent to the study area. No CNDDDB occurrences within 5 miles of the project area.

Scientific Name Common name	Listing Status USFWS/ CDFG/CNPS	General Habitat	Potential for Project to Impact
Fish			
<i>Hypomesus transpacificus</i> Delta smelt	FT/CT--	Open surface waters in the Sacramento/San Joaquin Delta. Seasonally in Suisun Bay, Carquinez Strait and San Pablo Bay. Found in Delta estuaries with dense aquatic vegetation and low occurrence of predators. May be affected by downstream sedimentation.	Unlikely- Suitable habitat is not within the vicinity of the project area. There are no rivers or streams within or adjacent to the project area. No CNDDDB occurrences within 5 miles of the project area.
<i>Oncorhynchus mykiss</i> Central Valley steelhead	FT/--/-	This ESU enters the Sacramento and San Joaquin Rivers and their tributaries from July to May; spawning from December to April. Young move to rearing areas in and through the Sacramento and San Joaquin Rivers, Delta, and San Pablo and San Francisco Bays.	Unlikely- Suitable habitat is not within the vicinity of the project area. There are no rivers or streams within or adjacent to the project area. No CNDDDB occurrences within 5 miles of the project area.
<i>Oncorhynchus tshawytscha</i> Central Valley Chinook salmon (Winter-run)	FE/CE/-	This ESU enters the Sacramento River December to May; spawning peaks May and June. Upstream movement occurs more quickly than in spring run population. Young move to rearing areas in and through the Sacramento River, Delta, and San Pablo and San Francisco Bays.	Unlikely- Suitable habitat is not within the vicinity of the project area. There are no rivers or streams within or adjacent to the project area. No CNDDDB occurrences within 5 miles of the project area.
Invertebrates			
<i>Desmocerus californicus dimorphus</i> Valley elderberry longhorn beetle	FT/--/-	Breeds and forages exclusively on elderberry shrubs (<i>Sambucus mexicana</i>) typically associated with riparian forests, riparian woodlands, elderberry savannas, and other Central Valley habitats. Occurs only in the Central Valley of California. Prefers to lay eggs in elderberries 2–8 inches in diameter; some preference shown for “stressed” elderberries.	Unlikely- No elderberry shrubs occur within the vicinity of the project area. One CNDDDB occurrence is recorded within 5 miles of the project area.
<i>Branchinecta lynchi</i> Vernal pool fairy shrimp	FT/--/-	Entire life cycle in small ephemeral pools and pool basins found in grass and mud bottom swales, and basalt flow depression pools in unplowed grasslands. Lies dormant in dry pool sediments.	Unlikely- No suitable habitat within the project area. There are no vernal pools within the project area. No CNDDDB occurrences within 5 miles of the project area.
<i>Lepidurus packardii</i> Vernal pool tadpole shrimp	FE/--/-	Inhabits pools containing clear to highly turbid water that range from very small to very large in size. Lies dormant in dry pool sediments.	Unlikely- No suitable habitat within the project area. There are no vernal pools within the project area. No CNDDDB occurrences within 5 miles of the project area.
Vascular Plants			
<i>Blepharizonia plumosa</i> Big tarplant	--/--/1B.1	Annual herb, generally found in Valley and foothill grasslands, 100-1660 feet in elevation. Blooms Jul-Oct.	Unlikely- No suitable habitat within the project area. Site heavily disturbed. Plant species not observed within the project area. No CNDDDB occurrences within 5 miles of the project area.

Scientific Name Common name	Listing Status USFWS/ CDFG/CNPS	General Habitat	Potential for Project to Impact
<i>Clarkia rostrata</i> Beaked clarkia	FSC/--/1B.3	Occurs on north-facing slopes in Valley and foothill grassland and cismontane woodland.	Unlikely- No suitable habitat within the project area. Site heavily disturbed. Plant species not observed within the project area. No CNDDDB occurrences within 5 miles of the project area.
<i>Eryngium racemosum</i> Delta button-celery	--/CE/1B.1	Occurs in clay soil under vernal moist conditions in riparian habitats (riparian scrub). Blooms Jun-Sep.	Unlikely- No suitable habitat within the project area. Site heavily disturbed. Plant species not observed within the project area. No CNDDDB occurrences within 5 miles of the project area.
<i>Legenere limosa</i> legenere	--/1B	Occurs in vernal pool beds. 1-880 m elevation. Blooms Apr-Jun. 1-880 m elevation.	Unlikely- No suitable habitat within the project area. Site heavily disturbed. Plant species not observed within the project area. One CNDDDB occurrence was observed within 5 miles of the project area.
<i>Neostapfia colusa</i> Colusa grass	FT/CE/1B.1	Found in the bottoms of large, deep vernal pools. Blooms May-Aug.	Unlikely- No suitable habitat within the project area. Site heavily disturbed. Plant species not observed within the project area. No CNDDDB occurrences within 5 miles of the project area.
<i>Orcuttia inaequalis</i> San Joaquin Valley orcutt grass	FT/CE/1B.1	Endemic to vernal pools of the San Joaquin Valley.	Unlikely- No suitable habitat within the project area. Site heavily disturbed. Plant species not observed within the project area. No CNDDDB occurrences within 5 miles of the project area.
<i>Tuctoria greenei</i> Greene's tuctoria	FE/CR/1B.1	Occurs under vernal-flooded conditions in vernal-pool habitats, many historical occurrences are extirpated	Unlikely- No suitable habitat within the project area. Site heavily disturbed. Plant species not observed within the project area. One CNDDDB occurrence is recorded within 5 miles of the project area.

SOURCE: ESA, 2009; CDFG 2009, USFWS 2009.

NOTES:

Status Codes

Federal (U.S. Fish and Wildlife Service):

- BEPA = Bald Eagle Protection Act
- FE = Listed as Endangered by the Federal Government
- FT = Listed as Threatened by the Federal Government
- FPE = Proposed for Listing as Endangered
- FPT = Proposed for Listing as Threatened
- FC = Candidate for Federal Listing
- FSC = Federal Species of Special Concern
- FX = Critical Habitat Designated for Species
- FP = Proposed for Listing as Threatened or Endangered
- FD = Federally Delisted
- SLC = Federal Species of Local Concern

State (California Department of Fish and Game):

- CE = Listed as Endangered by the State of California
- CT = Listed as Threatened by the State of California
- CR = Listed as Rare by the State of California (plants only)
- CSC = California species of special concern
- FPS = California Fully protected bird species

California Native Plant Society:

- List 1A = Plants believed extinct
- List 1B = Plants rare, threatened, or endangered in California and elsewhere
- List 2 = Plants rare, threatened, or endangered in California but more common elsewhere
- List 3 = Plants about which more information is needed
- List 4 = Plants of limited distribution

Appendix B

URBEMIS Results



Urbemis 2007 Version 9.2.4

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Documents and Settings\mxm\Desktop\Donnie and Ben Review\escalon\escalon construction.urb924

Project Name: Escalon Construction

Project Location: San Joaquin Valley APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

CONSTRUCTION EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
2010 TOTALS (tons/year unmitigated)	0.21	1.67	0.85	0.00	0.14	0.09	0.23	0.03	0.08	0.11	169.74

Construction Unmitigated Detail Report:

CONSTRUCTION EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
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2010	0.21	1.67	0.85	0.00	0.14	0.09	0.23	0.03	0.08	0.11	169.74
Demolition 04/05/2010-05/07/2010	0.06	0.54	0.24	0.00	0.10	0.03	0.13	0.02	0.02	0.04	57.03
Fugitive Dust	0.00	0.00	0.00	0.00	1.24	0.00	1.24	0.26	0.00	0.26	0.00
Demo Off Road Diesel	0.05	0.44	0.19	0.00	0.00	0.02	0.02	0.00	0.02	0.02	42.01
Demo On Road Diesel	0.01	0.10	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13.42
Demo Worker Trips	0.00	0.00	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.60
Fine Grading 04/12/2010-06/11/2010	0.09	0.80	0.37	0.00	0.04	0.04	0.07	0.01	0.04	0.04	80.68
Fine Grading Dust	0.00	0.00	0.00	0.00	0.04	0.00	0.04	0.01	0.00	0.01	0.00
Fine Grading Off Road Diesel	0.09	0.77	0.33	0.00	0.00	0.04	0.04	0.00	0.03	0.03	73.78
Fine Grading On Road Diesel	0.00	0.03	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.03
Fine Grading Worker Trips	0.00	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.88
Asphalt 05/17/2010-07/30/2010	0.06	0.33	0.25	0.00	0.00	0.03	0.03	0.00	0.03	0.03	32.03
Paving Off-Gas	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving Off Road Diesel	0.05	0.33	0.19	0.00	0.00	0.03	0.03	0.00	0.03	0.03	26.93
Paving On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.18
Paving Worker Trips	0.00	0.00	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.92
Coating 07/29/2010-07/30/2010	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Architectural Coating	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Coating Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Phase Assumptions

Phase: Demolition 4/5/2010 - 5/7/2010 - Type Your Description Here

Building Volume Total (cubic feet): 76700

Building Volume Daily (cubic feet): 19200

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On Road Truck Travel (VMT): 266.67

Off-Road Equipment:

- 1 Scrapers (313 hp) operating at a 0.72 load factor for 8 hours per day
- 2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 8 hours per day
- 2 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Fine Grading 4/12/2010 - 6/11/2010 - Default Fine Site Grading Description

Total Acres Disturbed: 0.3

Maximum Daily Acreage Disturbed: 0.08

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 44.44

Off-Road Equipment:

- 1 Scrapers (313 hp) operating at a 0.72 load factor for 8 hours per day
- 2 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day
- 2 Water Trucks (189 hp) operating at a 0.5 load factor for 8 hours per day

Phase: Paving 5/17/2010 - 7/30/2010 - Default Paving Description

Acres to be Paved: 0.3

Off-Road Equipment:

- 4 Cement and Mortar Mixers (10 hp) operating at a 0.56 load factor for 6 hours per day
- 1 Pavers (100 hp) operating at a 0.62 load factor for 7 hours per day
- 1 Rollers (95 hp) operating at a 0.56 load factor for 7 hours per day
- 1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 7 hours per day

Phase: Architectural Coating 7/29/2010 - 7/30/2010 - Default Architectural Coating Description

Rule: Residential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 130

Rule: Residential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 130

Rule: Nonresidential Interior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Rule: Nonresidential Exterior Coatings begins 1/1/2005 ends 12/31/2040 specifies a VOC of 250

Appendix C

Cultural Resources Inventory Report



January 2009

To: Ray Weiss, Project Manager

From: Kathy Anderson, Associate II

Subject: McHenry Avenue Road Improvements, 208588 – Final Cultural Resources Inventory Report

On November 18, 2008 a reconnaissance survey of the McHenry Avenue Road Improvement project area was conducted by ESA cultural resources associate Kathy Anderson. The survey was conducted to identify cultural resources that may be impacted by the proposed project, specifically inspecting the buildings identified for removal in the proposed project. This letter report summarizes the findings from the survey and archival research, and offers recommendations to avoid impacts to these resources. This report may be used in support of an Initial Study under the California Environmental Quality Act (CEQA).

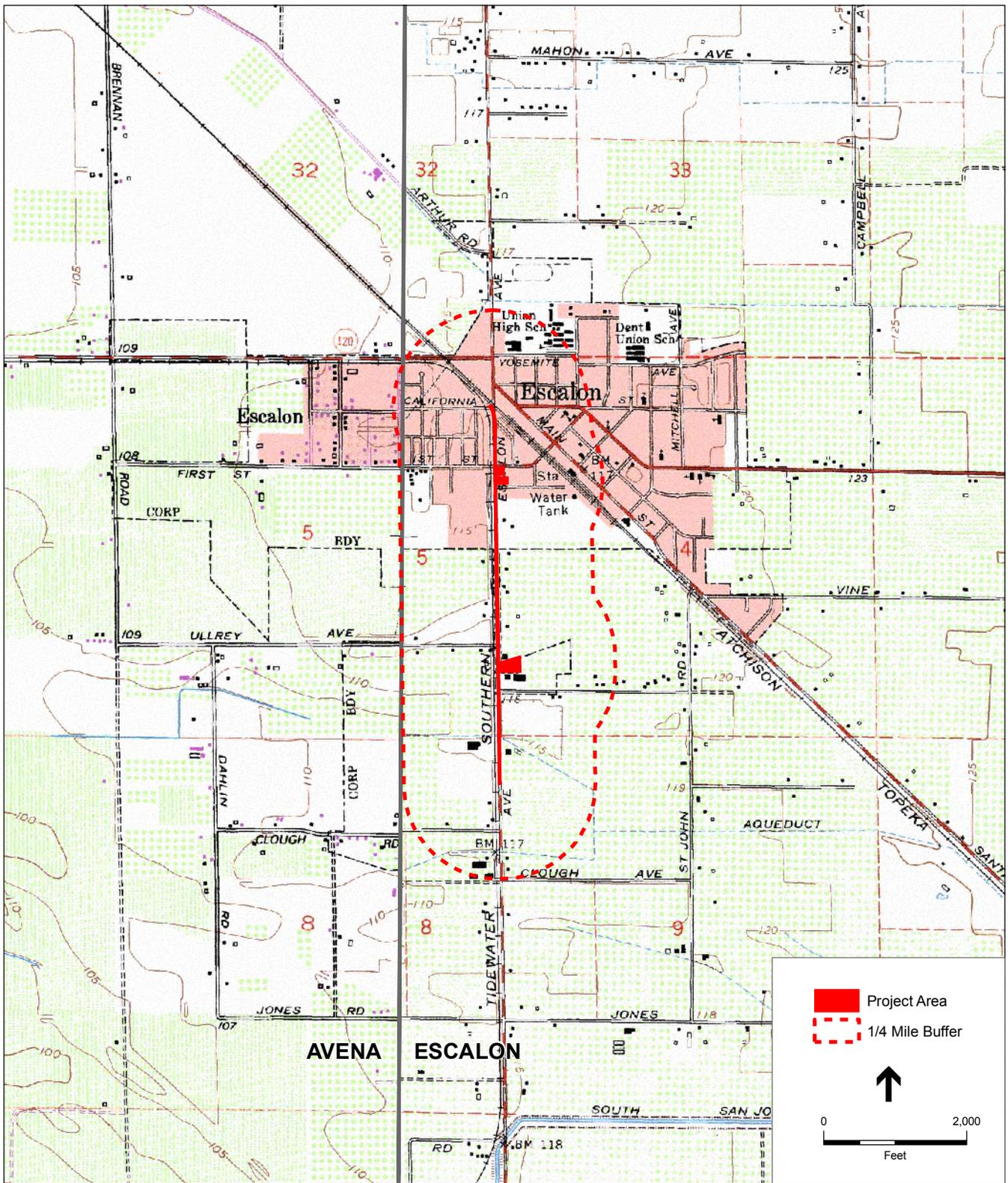
Background

The project site is located within the jurisdictional boundaries of the City of Escalon, San Joaquin County, California. The City of Escalon is proposing to complete the construction of improvements to approximately 1 mile of McHenry Avenue (between First Street and Narcissus Way), consisting of road improvements and adding new curbs and gutters (**Figure 1**). The Proposed Project would removal several structures located along the east side of McHenry Avenue between First Street and Roosevelt Street (1303 First Street, 1740 McHenry Avenue, and 1750 McHenry Avenue). The proposed project would also necessitate the removal of several trees from the area in front of the residence at 2700 McHenry Avenue. Therefore, this Cultural Resources Inventory Report focuses primarily on the analysis and evaluation of these structures for their eligibility for listing in either the California Register of Historic Resources or the National Register of Historic Places. Also provided in this report is a discussion of potential impacts to archaeological and paleontological resources.

Environmental Setting

Prehistoric Setting

A three-part cultural chronological sequence, the Central California Taxonomic System (CCTS) was developed by archaeologists to explain local and regional cultural change in prehistoric central California from about 4,500 years ago to the time of European contact (Lillard, Heizer, and Fenenga, 1939; Beardsley, 1948, 1954). In 1969, several researchers who met at U.C. Davis worked out several substantive taxonomic problems that had developed with the CCTS.



SOURCE: USGS, 1968; and ESA, 2008

McHenry Avenue Widening Project . 208588

Figure 1
Project Area

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The Windmill Pattern was the earliest comprehensive view of the region, at around the terminal-Paleo-Indian Period to Lower Archaic (~6,000 B.C. to ~3,000 B.C.) (Beardsley, 1954; Heizer & Fenenga, 1939; Ragir, 1972). This cultural horizon reflected a people well adapted to riverine and marshland environments. Scholars have maintained that these Penutian speakers came from the Columbia Plateau or western Great Basin and settled in the bountiful Delta region where they gave rise to many of the Bay Area cultures that survived up to historic times, such as the Costanoan, Miwok, Yokut, and Wintun (Fagan, 1995).

The Windmill economy was diffuse in breadth, a common trait among peoples during this time, whereby the people would make use of a wide range of resources so as to reduce risk in times of resource shortfall, such as those caused by climatic shifts. The artifactual evidence of the Windmill tradition suggests a wide range of specialized technology suited to the diffuse nature of their diet. These artifacts included large projectile points (spear or dart tips), baked-clay net sinkers, bone fish hooks, and spears. Mortars and milling slabs are predominant during this time period, as well as charmstones and abalone shell and olive snail ornaments and beads (Beardsley 1948; Heizer, 1949; Heizer and Fenenga 1939; Ragir, 1972).

The subsequent Berkeley Pattern or Cosumnes culture (~2,000 B.C. to A.D. 300), comparable to the emerging Archaic Period in California prehistory (3,000 B.C. to A.D. 1000), reflected a change in socioeconomic complexity and settlement patterns. Many of the settlements of this period, given their size and intensity of use, demonstrated that the populations were denser and more sedentary, yet continued to exploit a diverse resource base—from woodland to grassland and marshland, to bayshore resources throughout the San Francisco Bay Area (Bickel, 1978; King, 1974). Moreover, the Archaic Period was indicative of increasing sociopolitical complexity and the radiation of peoples into new ecological niches (Chartkoff & Chartkoff, 1984).

Out of the Cosumnes Tradition came the Hotchkiss Tradition (or “Late Horizon”) by the Emergent Period, or about 500 A.D. The peoples of the Hotchkiss Tradition were likely flourishing in the Stockton and Delta region up to contact with Europeans. Indeed, the materials recovered related to the Hotchkiss Tradition—mortars and pestles, bone awls, bow and arrow—were in many ways similar to those identified at Buena Vista Lake—further indicating the trade relationships that were maintained between the Delta inhabitants and the southern San Joaquin Valley peoples.

Ethnographic Setting

At the time of European contact, the planning area was inhabited by the Northern Valley Yokuts. Because of the early decimation of the aboriginal populations in the San Joaquin Valley, most information regarding the Northern Valley Yokuts is gleaned from translated accounts by the Spanish military and missionaries. A summary of these sources has been compiled by W. J. Wallace (1978), and it is upon this work that this brief ethnographic setting is based.

Northern Valley Yokuts territory is defined roughly by the crest of the Diablo Range on the west, and the foothills of the Sierra Nevada on the east. The southern boundary is located approximately where the San Joaquin River

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bends northward, and the northern boundary is roughly half way between the Calaveras and Mokelumne Rivers. The Yokuts may have been fairly recent arrivals in the San Joaquin Valley, perhaps being pushed out of the foothills about 500 years ago.

Population estimates for the Northern Valley Yokuts vary from 11,000 to more than 31,000 individuals. Populations were concentrated along waterways and on the more hospitable east side of the San Joaquin River. Villages, or clusters of villages, made up “miniature tribes” (tribelets) lead by headmen. The number of tribelets is estimated at 30 to 40; each tribe spoke their own dialect of the Yokuts language. Combined with the Southern Valley Yokuts and the Foothill Yokuts dialects, these tongues formed the Yokutsan linguistic family of the Penutian Stock (Shipley 1978).

Principal settlements were located on the tops of low mounds, on or near the banks of the larger watercourses. Settlements were composed of single family dwellings, sweathouses, and ceremonial assembly chambers. Dwellings were small and lightly constructed, semi-subterranean and oval. The public structures were large and earth covered. Northern Valley Yokut settlements tended to remain in place for long periods of time due to the abundance of riverine resources in the area.

Subsistence among the Northern Valley Yokuts revolved around the waterways and marshes of the lower San Joaquin Valley. Fishing with dragnets, harpoons, and hook and line yielded salmon, white sturgeon, river perch, and other species of edible fish. Waterfowl and small game attracted to the water also provided a source of protein. The contribution of big game to the diet was probably minimal. Vegetal staples included acorns, tule roots, and seeds.

Goods not available locally were obtained through trade. Paiute and Shoshone groups on the eastern side of the Sierra were suppliers of obsidian (volcanic glass used for tools). Shell beads and mussels were obtained from Salinan and Coastanoan groups. Trading relations with Miwok groups yielded baskets and bows and arrows. Overland transport was facilitated by a network of trails, and tule rafts were used for water transport.

Most Northern Valley Yokuts groups had their first contact with Europeans in the early 1800s, when the Spanish began exploring the Delta. The gradual erosion of Yokuts culture began during the mission period. Epidemics of European diseases played a large role in the decimation of the native population. With the secularization of the mission and the release of neophytes, tribal and territorial adjustments were set in motion. People returned to other groups, and a number of polyglot “tribes” were formed. The final blow to the aboriginal population came with the Gold Rush and its aftermath. In the rush to the southern mines, native populations were pushed out of the way, and out of their existing territories. Ex-miners settling in the fertile valley applied further pressure to the native groups, and altered the landforms and waterways of the valley. Many Yokuts resorted to wage labor on farms and ranches. Others were settled on land set aside for them on the Fresno and Tule River Reserves.

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Historic Setting

Lieutenant Gabriel Moraga left the Mission San Jose September 21, 1806 and was the first European to enter the San Joaquin Valley to explore the Californian interior in search of suitable locations for missions. During his exploration Moraga named the San Joaquin River which was later used to designate the county.

In 1827, Euro-American trappers, including Jedediah Strong Smith, began to enter to the region in order to hunt the fur bearing animals that inhabited the Central Valley. Settlement of the valley was aided by the issuing of land grants, with Spanish, and later Mexican, governors giving settlers large sections of land to use for farming and raising cattle. Prior to the Gold Rush, the San Joaquin Valley was devoted to grazing and hunting, as immense herds of cattle and some horses roamed the valley (Thompson and West County History).

With the resulting influx of population resulting from the discovery of gold in 1848, the production of food was needed to support the mines, and the San Joaquin Valley developed to become an agricultural supplier. Some of the miners, disappointed in the search for gold, turned to farming in the fertile swamp lands in the San Joaquin Valley.

The earliest history of Escalon dates to 1852, when John Wheeler Jones became the first recorded homesteader in the area. The community obtained its name from the Jones' son, James. The younger son was reading a book at the Stockton library when he came across the Spanish word "Escalon" meaning stair step. The appeal of the word caused Jones to use it in naming the substantial region of land he had since inherited from his father. In 1867, James Jones constructed a two-story brick house, the "Brick Mansion of the Prairie," which currently stands near the intersection of Park Avenue and Pioneer Street (City of Escalon, 2005).

Escalon was surveyed and laid out in 1895 by James Jones, due in part to the establishment of the San Francisco and San Joaquin Valley Railroad (which eventually became a part of the Santa Fe Railroad system). The Tidewater Southern Railway, located immediately west of the project area, opened in 1913. The line began as an electric interurban carrying passengers and freight between Stockton and Modesto, eventually extending to Manteca in the 1920s and non-electrically in 1935 from Modesto to Turlock. The Tidewater ceased carrying passengers in 1932, and halted electric freight hauling in 1948. Since then diesel powered freight trains have operated on the line (Corbett and Minor, 1996).

The advent of irrigation in the 1910s and 1920s encouraged the flourishing of agricultural production in Escalon, including the production of fruits and vegetables as well as year round pastures for herds of cattle. Escalon served the surrounding farming community, providing schools and markets, throughout the early twentieth century (Corbett and Minor, 1996).

Originally known as Farmington Road, McHenry Avenue has been in use since at least the 1870s. Farmington was a major town in southeast San Joaquin County prior to the establishment of Escalon, and Farmington Road

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connected the community with the Stanislaus River to the south and Lone Tree Creek to the north, passing by the residence of John Jones. In the early 20th century, Farmington Road became an important regional route, and by 1930 the road had been paved along its entire length. In the 1920s, Farmington road became known as Escalon Road, and in the 1930s the name changed again to the Escalon-Bellota Road. Since the 1960s the stretch of road south of SR 120 has been referred to as McHenry Avenue (Corbett and Minor, 1996).

With the turn of the century and the advent of the automobile as the predominant means of transportation, buildings were designed and constructed to accommodate them. Gas stations were one of the first unique structures created specifically to serve automobile travelers. They were constructed on street corners in order to facilitate the flow of incoming and outgoing traffic and to maximize the number of customers. The architecture of these buildings reflected the contemporary styles of the early to mid-twentieth century.

Built as a Texaco station in 1926, the gas station located at 1303 First Street was designed to blend in with the surrounding residential area. The auxiliary buildings, including a restroom, caretaker's residence, and garage were constructed in 1942 and 1952. The original owner, Casey Matt, operated the station until 1970. At that time the building remained vacant until ca. 1992, when it was occupied by a barber shop. The property is still owned by the Matt family (Busby et al, 1996).

The residence at 1750 McHenry Avenue was constructed for Victor Gonzales, a Spanish immigrant, in 1938. Gonzales was a long time resident of Escalon and the residence remained in his ownership until his death in 1992. (Busby et al, 1996).

The residence at 1740 McHenry Avenue was constructed in 1961 and is typical in style and construction as other residences of the same time period. The square structure has a cross-gable roof with composition shingles, horizontal sliding windows, vinyl windows, and the exterior is clad in stucco.

An olive tree was located in front of the row of eucalyptus trees surrounding the residence at 2700 McHenry Avenue. According to assessor data, the residence at 2700 McHenry Avenue dates to 1933, with the eucalyptus trees surrounding the property presumed to date at a later period; however, no record of the olive tree or eucalyptus trees was encountered during archival research.

Regulatory Setting

Implementation of the proposed project will require compliance with Section 106 of the NHPA (16 USC 470 et seq., 36 CFR 800, 36 CFR 60, and 36 CFR 63). Applicants for State Revolving Fund funds are required to demonstrate to the satisfaction of the State Historic Preservation Officer (SHPO) that the project complies with Section 106 of the NHPA.

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Federal

The Section 106 review process normally involves a four-step procedure described in the regulations implementing Section 106 of the NHPA (36 CFR Part 800):

- Identify and evaluate historic properties in consultation with the SHPO and interested parties;
- Assess the effects of the undertaking on properties that are eligible for inclusion in the NRHP;
- Consult with the SHPO, other agencies, and interested parties to develop an agreement that addresses the treatment of historic properties and notify the Advisory Council on Historic Preservation; and
- Proceed with the project according to the conditions of the agreement.

Archaeological and architectural resources (buildings and structures) are protected through the NHPA of 1966 (16 USC 470f) and its implementing regulation, Protection of Historic Properties (36 CFR Part 800), the Archaeological and Historic Preservation Act of 1974, and the Archaeological Resources Protection Act of 1979. Section 106 of the NHPA requires federal agencies to consider the effects of a proposed project on historic properties prior to implementation and to afford the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Office a reasonable opportunity to comment on any project that would adversely affect properties eligible for listing on the National Register of Historic Places (NRHP). Section 101(d)(6)(A) of the NHPA allows properties of traditional religious and cultural importance to a tribe to be determined eligible for inclusion in the NRHP. Under the NHPA, a resource is significant if it meets the NRHP listing criteria at 36 CFR 60.4, which states:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

The American Indian Religious Freedom Act of 1978 allows access to sites of religious importance to Native Americans. On federal land, the Archaeological Resources Protection Act (ARPA) and Native American Graves Protection and Repatriation Act (NAGPRA) would apply. ARPA assigns penalties for vandalism and the unauthorized collection of archaeological resources on federal land and provides for federal agencies to issue

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permits for scientific excavation by qualified archaeologists. NAGPRA assigns ownership of Native American graves found on federal land to their direct descendants or to a culturally affiliated tribe or organization and provides for repatriation of human remains and funerary items to identified Native American descendants.

State

CEQA mandates that significant impacts to historic resources be determined during the project planning stage. Guidelines for determining if a resource is historically significant, and would cause a substantial adverse change in the significance of the resource are provided in Section 15064.5. CEQA refers to the California Register for guidance in determining if a property is significant. The California register defines what constitutes a significant historic property and contains guidelines and criteria for determining the significance at the local level.

For the purposes of CEQA, a historical resource is a resource listed in, or determined eligible for listing in the California Register of Historical Resources. When a project may impact an archaeological site, it needs to be determined whether the site is a historical resource, which is defined as:

Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California may be considered an historical resource. Generally, the resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources including the following:

- A. is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- B. is associated with the lives of persons important in our past;
- C. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- D. has yielded, or may be likely to yield, information important in prehistory or history.

For the California Register of Historical Resources, a historical resource must be eligible at the local, state or national level under one (or more) of four criteria, and retain integrity. Integrity is the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance. Historic resources must meet one of the criteria of significance and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and association.

Local

City of Escalon 2005 General Plan

A review of the applicable City of Escalon 2005 General Plan Objectives and Policies pertaining to the preservation of cultural resources includes the following:

Community Design Element

- 8.2.B.12. Strengthen the City's sense of history by identifying and preserving historic residential structures throughout the community.
- 8.3.A.3 Strengthen the City's sense of history by identifying and preserving historic structures throughout the community.

Methods

Archival

A cultural resources records search of pertinent survey and site data was conducted by staff at the Central California Information Center (CCIC), Stanislaus State University, on November 5, 2008 (File No. 7234 L) (**Attachment A**). The information center staff accessed the records for the Escalon U.S. Geological Survey Topographic 7.5" Quadrangles and included the project area along with a quarter-mile radius. The records search included a review of the Directory of Properties in the Historic Property Data File for San Joaquin County (Office of Historic Preservation, 2008) for information on sites of recognized historical significance in the National Register of Historic Places, California Register of Historical Resources, California Inventory of Historic Resources, California Historical Landmarks, and California Points of Historical Interest.

Field Methods

On November 18, 2008 field reconnaissance was conducted by an architectural historian to obtain a general impression of the area's potential to yield significant cultural resource sites and to visually inspect project areas for potential historic architectural resources.

Native American Consultation

Cultural resource identification inquiries included a letter to the Native American Heritage Commission (NAHC) requesting a review of the sacred lands file in regards to the Planning Area and a list of Native American contacts within the region. The NAHC provided a list of contacts who have requested information on projects such as this, and who may have knowledge of cultural resources within the Planning Area. On November 21, 2008, ESA sent letters to the designated NAHC contacts with information about the proposed project and a request that they contact us if there were any questions or concerns (all NAHC correspondence can be located in **Attachment B**).

Results

Archival

The records search conducted by the Central California Information Center, Stanislaus State University, indicated that no prehistoric or historic archaeological resources had been identified within the project area. The CCIC recorded seven historic structures located within or adjacent to the project area. The results of the records search is provided below on Table 1.

**TABLE 1
 RECORDED HISTORIC STRUCTURES WITHIN OR IMMEDIATELY ADJACENT TO THE PROJECT AREA**

Primary Number	Description	Within Project Area?
P-39-00015/446	Tidewater-Southern Railroad	Yes
P-39-00112/445	Atchison Topeka and the Santa Fe Railroad	No
P-39-00439	Electric distribution lines along McHenry Avenue/Escalon Avenue	No
P-39-04167	Residence at 1750 McHenry Avenue	Yes
P-39-04168	Gas Station at 1303 First Street	Yes
P-39-04169	Trailer Court at 1666 McHenry Avenue	No
P-39-04170	Residence at 1606-1610, 1616 McHenry Avenue	No

Source: CCIC, 2008

The CCIC records identified the presence of two recorded structures within the project area: the gas station at 1303 First Street and the residence at 1750 McHenry Avenue. Each of these is described below.

1303 First Street. The gas station at 1303 First Street, located within the project area, was identified and surveyed by Corbett and Minor in 1996. The gas station was constructed in 1926, with its associated restroom and residence constructed in 1942, and associated garage constructed in 1952. The Corbett and Minor evaluation stated that the building was determined to be ineligible for listing in either the California Register or National Register due to lack of integrity (Corbett and Minor, 1996).

1750 McHenry Avenue. The Spanish Vernacular residence at 1750 McHenry Avenue was also evaluated by Corbett and Minor in 1996. According to that report, the single family residence was intended to recall the original owner's Spanish birthplace, and has distinct architectural features of the Spanish Vernacular style, including masonry construction covered with patterned stucco, white walls, and its conspicuous chimney on the southern end of the building. The residence was determined to be eligible for listing in the National Register of Historic Places under Criteria C, that the residence embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values (Corbett and Minor, 1996).

1740 McHenry Avenue. The single story vernacular residence at 1740 McHenry Avenue was constructed in 1961. The square structure has a cross-gable roof with composition shingles, horizontal sliding windows, vinyl windows, and the exterior is clad in stucco.

Other Resources. Resources identified as adjacent to the project area included a segment of the Atchison, Topeka and the Santa Fe Railroad, a segment of the Tidewater-Southern Railroad, the 1912 electric distribution lines along McHenry Avenue/Escalon Avenue, a 1948 trailer court at 1666 McHenry Avenue, and the 1930s residences at 1606-1610, 1616 McHenry Avenue. None of these resources were determined to be considered eligible for listing in either the NRHP or California Registers.

Landscape elements/Trees. An olive tree was identified within the proposed project area, in front of the residence at 2700 McHenry Avenue. This tree is not part of the row of eucalyptus trees surrounding the residence at 2700 McHenry Avenue, and no reference to the specific tree could be identified through archival research.

Tidewater-Southern Railroad. The tracks of the Tidewater-Southern Railway (now Union Pacific) run through the western section of Escalon, paralleling McHenry Avenue on the west. The tracks consist of steel track laid on wood ties. All associated railroad buildings have been demolished, and previous evaluations determined that the segment of the Tidewater Southern line has lost its integrity, and is therefore not considered eligible for listing in either the NRHP or California Registers.

Findings of the CCIC Archival Search

The CCIC identified 15 historic structures that had been recorded within ¼ mile of the project area, and are described in Table 2, below. The CCIC also provided a list of previous investigations undertaken within, immediately adjacent to, and within a ¼ mile of the project area. These are described in Table 3, below.

**TABLE 2
 RECORDED HISTORIC STRUCTURES WITHIN OR IMMEDIATELY ADJACENT TO THE PROJECT AREA**

Primary Number	Description
P-39-0436	Escalon Packers Warehouse / Peerless Milling Company
P-39-0437	Water and auxiliary water systems in California Street ROW
P-39-0438	Sanitary sewer and storm sewer systems on California and First Streets
P-39-0440	Residence
P-39-0441	Commercial buildings
P-39-0442	Commercial building
P-39-0443	Residential and commercial use building
P-39-0444	Commercial building
P-39-0452	Produce stand, residence, shed
P-39-04171	Industrial Building
P-39-04172	Residence
P-39-04173	Motel
P-39-04174	Residence
P-39-04245/CA-SJO-0275H	Telegraph line

Source: CCIC, 2008

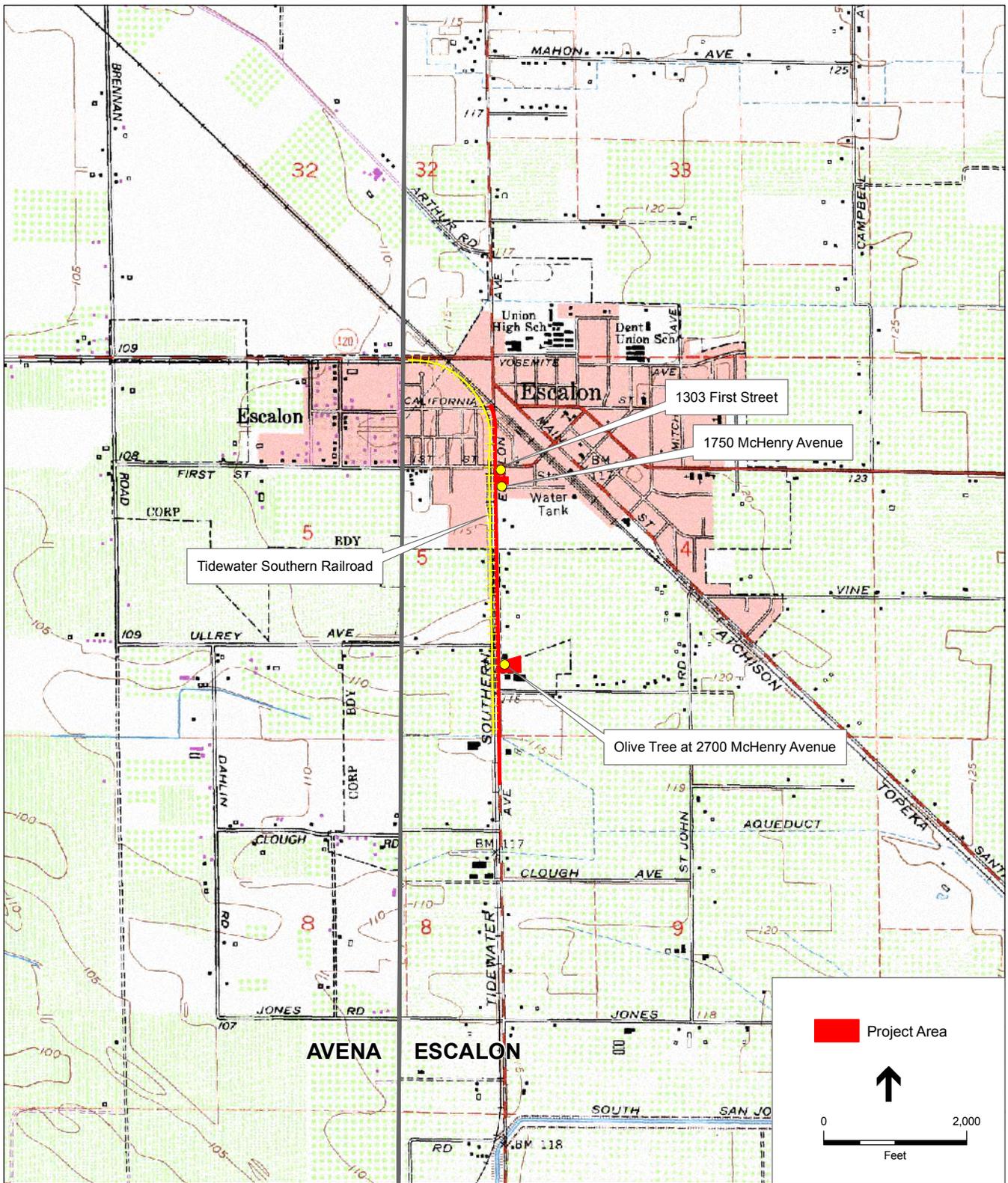
**TABLE 3
 PREVIOUS INVESTIGATIONS DONE WITHIN ¼ MILE OF THE PROJECT AREA**

CCIC Report #	Author Date	Within Project Area	Adjacent to Project Area	Within ¼ mile of the Project Area
SJ-4193	Busby et al. (1996)	X		
SJ-3358	Corbett et al. (1996)		X	
SJ-3366	Clements (1996)		X	
SJ-3367	Busby et al. (1996)		X	
SJ-5170	Love and Tang (2001)		X	
SJ-2544	Page (1992)			X
SJ-3380	Busby (1996)			X
SJ-3654	Wooten and Wulf (1999)			X

Source: CCIC, 2008

Field

On November 18, 2008 field reconnaissance was conducted by an ESA architectural historian to obtain a general impression of the area’s potential to yield significant cultural resource sites and to visually inspect project areas for potential historic architectural resources. Of the three structures identified for potential demolition, two were determined to date to older than fifty years (1303 First Street and 1750 McHenry Avenue). The property at 1740 McHenry Avenue is less than 50 years old, and therefore, was not evaluated because it would not be eligible for listing in the National or State Registers due to its relatively recent date of construction. Both of the properties at 1303 First Street and 1750 McHenry Avenue had been previously identified and evaluated in 1996 by Corbett and Minor. The locations of these resources, as well as the locations of the olive tree adjacent to 2700 McHenry Avenue and the Tidewater Southern Railroad, are reflected on **Figure 2**. Given that the original DPR forms for 1303 First Street and 1750 McHenry Avenue are more than five years old, ESA reevaluated these properties and prepared updated DPR forms, which are included in **Attachment C**.



McHenry Avenue Improvements Project. 208588
 SOURCE: USGS, 1968; and ESA, 2008

Figure 2
 Resources Analyzed Within and Adjacent to the Project Area

Property Descriptions and Findings



McHenry Avenue Road Improvement Project. 208588
SOURCE: ESA, 2008

Figure 3
1303 First Street

1303 First Street. The property consists of a gas station, small restroom building and a small house and garage. The gas station is a rectangular structure covered by a shallow pitched hip roof. The roof of the open service area is supported by a pair of square brick posts. The building is clad in stucco which appears to have been altered, as do the wood framed windows on the front and sides of the building. Several of the original sashes have been replaced with aluminum. No gas pumps remain on the service island. The restroom building is a small rectangular structure with a stud frame clad in stucco. It has a shallow pitched roof similar to the gas station. The house is a small rectangular building with a stud frame, v-groove siding, and wood double hung windows. The gable roof is clad in corrugated metal. The one story, flat roofed garage is clad in panels of sheet metal, with portions of the building covered in plywood and vinyl.

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The status of the resource at 1303 First Street was not determined to have altered significantly enough to result in a change to the 1996 evaluation. The resource was found to be ineligible for listing in either the California or National Registers, and therefore not considered a historic resource in terms of CEQA. The reevaluation by ESA confirmed the findings from the 1996 evaluation.



SOURCE: ESA, 2008

McHenry Avenue Road Improvement Project. 208588

Figure 4
1750 McHenry Avenue

1750 McHenry Avenue. The one and a half story single family residence is constructed of hollow clay masonry tile, and has a single story garage constructed of concrete blocks which appears to date later than the original construction date of the house. The roof of the house is cross gabled and unsymmetrical, with two ridgelines that meet at the same height but extend down to different levels. An oversized dormer faces McHenry Avenue, and the roof is covered with irregularly laid wood shingles with rafters exposed on all sides. There is a chimney on the

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south end of the building, as well as a bow window. All the walls are covered with textured stucco in a rectangular block pattern. The steel sashes of the windows throughout the house are painted turquoise, and the wood trim and stucco are painted white.

The 1996 evaluation of this structure determined it to be eligible for listing in the National Register of Historic Places under Criteria C, that the residence embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. The previous survey cited the distinct architectural features of the residence, including reinforced masonry construction covered with patterned stucco, white walls, and its conspicuous chimney on the southern end of the building, as a unique combination of the Spanish Vernacular architecture of the original owner's birthplace and the contemporary residential architecture of the 1930s (see **Attachment D**).

However, the reevaluation of the residence identified other similarly styled buildings constructed in Escalon dating to the same period. The use of masonry construction, patterned stucco, white walls and prominent chimneys in residential architecture can be identified in numerous residences dating from the 1930s through the 1940s in Escalon. The Spanish Vernacular architectural style and associated characteristics was a common choice of period styles available in residential architecture from the 1920s through the 1940s. The fact that the original owner may have chosen this particular style of architecture to reflect his Spanish heritage is not relevant to the assignment of historical significance under Criteria 3/C. Criteria 3/C requires that the architecture embody a rare, exemplary example of an architectural style, which the residence at 1750 McHenry Avenue does not. Because the property at 1750 McHenry Avenue does not appear to embody a rare or particularly exemplary architectural style, it fails to meet the requirements of Criteria 3/C, and therefore and would not be considered an historic resource in terms of CEQA.



McHenry Avenue Road Improvement Project. 208588
SOURCE: ESA, 2008

Figure 5
Landscaping at 2700 McHenry Avenue

Landscaping. An olive tree is located in front of the residence at 2700 McHenry Avenue (see Figure 4). Neither the archival research nor the field survey identified this tree as a historic resource or important landscape element associated with an historic property. As such, this landscape element is not considered historical resources as defined by CEQA.

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Native American Consultation

Cultural resource identification inquiries also included a letter to the Native American Heritage Commission requesting a review of the sacred lands file in regards to the Planning Area and a list of Native American contacts within the region. The Commission's November 13, 2008 response stated that a review of the sacred lands files failed to indicate the presence of Native American cultural resources in the immediate project area, but noted that the absence of specific site information within the sacred lands file does not indicate the absence of cultural resources within the project area. The NAHC response also included contacts who have requested information on projects such as this and who may have knowledge of cultural resources within the Planning Area. On November 21, 2008, ESA sent letters to designated contacts with information about the proposed project and a request that they contact us if there were any questions or concerns (all NAHC correspondence can be located in **Attachment A**). To date, no further responses have been received.

Thresholds of Significance

In accordance with the thresholds for significance identified in CEQA Appendix G, the project would result in a significant impact on the environment if it would:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5;
- b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5;
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- d) Disturb any human remains, including those interred outside of formal cemeteries;

Impact Discussion

- a) Results from the archival search as well as the field reconnaissance by ESA architectural historians identified two standing structures dating older than 50 years located within the proposed project area. Previous architectural surveys identified one structure (the residence at 1750 McHenry Avenue) as potentially eligible for listing in the NRHP under Criteria C (**Attachment D**). However, the reevaluation of this property by ESA determined that the residence fails to meet the criteria for listing in either the California Register or National Register of Historic Places, and is therefore not considered an historic resource in terms of CEQA. The property at 1303 First Street, as well as the olive tree in front of 2700 McHenry Avenue, were also determined ineligible for listing in either the National or California Registers, and are therefore not considered historic resources. As a result, demolition of the properties at 1303 First Street and 1750 McHenry Avenue, as well as the olive tree in front of 2700 McHenry Avenue, due to the proposed project would have a less-than-significant impact on historic resources. No mitigation is required.

The Tidewater Southern Railroad line parallels McHenry Avenue in the vicinity of the proposed project; however, there would be no direct impacts to this RR as a result of the roadway improvement project. No mitigation is required.

- b) The records search of all pertinent survey and data performed at the Central California Information Center did not identify any recorded archaeological resources on or near the project site. The majority of the unpaved project area is currently covered by residential and commercial landscaping. The surface of the project area was inspected in areas of good surface visibility and a cursory survey of paved or otherwise covered portions of the project site. Surface evidence of archaeological or cultural resources was not identified during site reconnaissance.

Cultural institutions, lifeways, culturally valued viewsheds, places of cultural association, and other sacred places and trust assets must also be considered in accordance with the National Environmental Policy Act (NEPA) (40 CFR 1501.2), Executive Order 12898, and other authorities (Executive Order 13175, Executive Order 13007, NAGPRA). Executive Order 13007 specifically addresses sacred sites and consultations with Native American tribes.

The Native American Heritage Commission (NAHC) was contacted on November 4, 2008, to request a database search for sacred lands or other cultural properties of significance to local Native Americans. The sacred lands survey, received on November 13, 2008, did not identify the presence of cultural resources in the project area. The NAHC provided a list of Native American contacts that might have further knowledge of the project area with respect to cultural resources and potential impacts to those resources that could occur as a result of the proposed project. Each person or organization identified by NAHC list was contacted by letter on November 21, 2008, to request information about locations of importance to Native Americans (See **Attachment B**). To date, no responses have been received.

The project area has been greatly disturbed by the construction of McHenry Avenue, previous underground utilities, adjacent structures, and has been subject to extensive redeposition, which tends to bury the archaeological record deeply or destroy it. None of the proposed actions would require excavation deeper than 10 feet. Therefore, the majority of construction activity would occur within the upper horizon of fluvial deposits that would not likely contain intact archaeological deposits. Federal regulations (36 CFR Part 800.13(b) include provisions for the discovery of historic properties during the implementation of an undertaking and state that the agency official shall make reasonable efforts to avoid, minimize, or mitigate adverse effects to such properties. In the event of an accidental discovery of archaeological resources, implementation of Mitigation Measure CUL-1 would reduce the potential impact to less than significant.

Mitigation Measure CUL-1: Cease Work if Prehistoric or Historic Subsurface Cultural Resources are Discovered During Ground-Disturbing Activities. If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources will be halted and the project proponent will consult with a qualified archaeologist and tribal monitor to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the project proponent and the archaeologist will meet to determine the appropriate avoidance measures or other appropriate mitigation. The project proponent (as applicable) will make the final determination. All significant cultural materials recovered will be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

In considering any suggested mitigation proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project proponent will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

- c) Paleontological resources are the fossilized evidence of past life found in the geologic record. Despite the tremendous volume of sedimentary rock deposits preserved worldwide, preservation of plant or animal remains as fossils is rare. Because of the infrequency of fossil preservation, fossils – particularly vertebrate fossils – are considered to be nonrenewable resources. Because of their rarity, and the scientific information they can provide, fossils are considered highly significant records of ancient life.

Rock formations that are considered of paleontological sensitivity are those rock units that have yielded significant vertebrate or invertebrate fossil remains. These include, but are not limited to, sedimentary rock units that contain significant paleontologic resources anywhere within its geographic extent. The project area is underlain by previously disturbed Holocene floodplain deposits. These types of sediments would not likely yield significant paleontological remains because they are surface deposits and are not fossil-bearing rock units; therefore, no impacts to these types of resources are expected.

- d) No evidence exists to indicate that burials occurred within the project area. The project area is located in an area that may have been attractive to prehistoric inhabitants based on its proximity to fresh water resources. Therefore, it is possible that buried archaeological sites could occur within the study area. To ensure a less-than-significant impact in the event of an accidental discovery, Mitigation Measure CUL-3 shall be implemented.

Mitigation Measure CUL-2: Halt Work if Human Skeletal Remains are Identified During Construction. If human skeletal remains are uncovered during project construction, the project proponent (depending upon the project component) will immediately halt work, contact the San Joaquin County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County coroner determines that the remains are Native American, the project proponent will contact the NAHC, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

With implementation of these mitigation measures, impacts to cultural resources in the project area will be avoided or minimized, and are not likely to be significant.

References

- Busby et al., 1996. McHenry Avenue and Escalon Road Project, City of Escalon, San Joaquin County. California Department of Transportation District 10. 10-SJO-120, K.P. 26.63-27.89. Cultural Resources Assessment. For EIP Associates, Inc.
- Corbett & Minor, 1996. State Route 120 Project, City of Escalon, San Joaquin County. California Department of Transportation District 10. 10-SJO-120, K.P. 26.63-27.89. Historic Architectural Survey Report. For Basin Research Associates, Inc and EIP Associates, Inc.
- CCIC, 2008. McHenry Road Widening Project, Escalon; ESA #208588. CCIC File No7234 L.
- Kroeber, A. L., 1925, *Handbook of the Indians of California*. Bureau of American Ethnology Bulletins, No. 78. Smithsonian Institution: Washington, D.C.
- Moratto, M. J., 1984, *California Archaeology*. Smithsonian Press: San Diego, CA.
- Hoover, M. B., H. E. Rensch, E. G. Rensch, W. N. Abeloe. 2002. *Historic Spots in California*. Revised by Douglas E. Kyle. Palo Alto, CA: Stanford University Press.
- Gudde, Erwin G. 1998. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press.

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Northeast Information Center (NEIC), 207666 Walton Waterline Project Records Search, December 4, 2007,
NEIC File No: D07-128.

Wilson, N. L. and A. H. Towne. 1978. Nisenan. In *California*, edited by R. F. Heizer, pp. 387–397. Handbook of
North American Indians, vol. 8, W. C. Sturtevant, general editor. Smithsonian Institution, Washington,
D.C.

Attachment A: Central California Information Center Records Search Results

Attachment B: Native American Heritage Commission Consultation

Attachment C: DPR Form Updates

Attachment D: Original Evaluation form for 1750 McHenry Avenue

Attachment A
Central California Information
Center Records Search Results





CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology – California State University, Stanislaus

One University Circle, Turlock, California 95382

(209) 667-3307 - FAX (209) 667-3324

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: November 5, 2008

CCIC File #: 7234 L

Project: McHenry Avenue Road Widening
Project, Escalon; ESA #208588

Katherine Anderson, Associate II
ESA/Land Management
8950 Cal Center Drive, Bldg. 3, Suite 300
Sacramento, CA 95826

Dear Ms. Anderson,

We have conducted a records search as per your request for the above-referenced project area located on the Escalon USGS 7.5-minute quadrangle map in San Joaquin County.

Search of our files includes review of our maps for the specific project area and a one-quarter-mile radius of the project area (as specified by the client), and review of the National Register of Historic Places, the California Register of Historical Resources, the *California Inventory of Historic Resources* (1976), the *California Historical Landmarks* (1996), and the *California Points of Historical Interest* listing (May 1992 and updates), the Directory of Properties in the Historic Property Data File (HPDF) and the Archaeological Determinations of Eligibility (ADOE) (Office of Historic Preservation current computer lists dated 8/18/2008 and 8/08/2008), the CALTRANS State and Local Bridge Survey (1989 and updates), the *Survey of Surveys* (1989), GLO Plats, and other pertinent historic data available at the CCIC for each specific county.

The following details the results of the records search:

(Please note that we have not been kept apprised of *locally-designated* historic sites, properties or districts).

Prehistoric or historic resources within the project area:

No prehistoric resources have been reported to the Information Center.

No historic archaeological resources have been reported to the Information Center.

Recorded historic structures that may overlap the project area (or they may be immediately adjacent); copies of records attached:

Primary #	Trinomial	Resource Attributes
P-39-000015/446	---	Tidewater-Southern Railroad (the preferred Primary # is P-39-000015)
000112/445	---	Atchison Topeka and Santa Fe Railroad (the preferred Primary # is P-39-000112)
000439	---	Electrical distribution lines along McHenry Ave./Escalon Avenue
004167	---	Residence at 1750 McHenry
004168	---	Gas station at 1303 First Street
004169	---	Trailer court at 1666 McHenry
004170	---	Residence at 1606-1610, 1616 McHenry

None of the above were found in the HPDF for Escalon and vicinity.

Please also check the attached pages 1-2 of the HPDF (Escalon listings) for other properties that may be in the project area that we do not have files for.

The following historic maps have also been attached for your use; please see for details:

- GLO Plat for T2S/R9E (sheet #44-114, dated 1853-1854)
- GLO Plat for T1S/R9E (sheet #44-014, dated 1851-1854)
- GLO Plat for T1S/R9E (sheet #44-015, dated 1851-1857)
- Map Number Three from *History of San Joaquin County, California with Illustrations* (Thompson and West 1879; 1968 reprint)
- 1941 Farmington 15', U.S. Army Corps of Engineers version (1:62500 scale)
- 1953 Escalon USGS 7.5'

Historic buildings and sites in Escalon are discussed in the attached pages from *Cities & Towns of San Joaquin County since 1847* (Hillman and Covello 1985:95-106).

Prehistoric or historic resources within a one-quarter-mile radius of the project area:

No prehistoric or historic archaeological resources have been reported to the Information Center.

Recorded historic structures; records attached:

Primary #	Trinomial	Resource Attributes
P-39-000436*	---	Escalon Packers Warehouse/Peerless Milling Co.
000437	---	Water and auxiliary water systems in California St. ROW

Primary #	Trinomial	Resource Attributes
P-39- 000438	---	Sanitary sewer and storm sewer systems on California and First Streets
000440*	---	Residence
000441	---	Commercial bldgs.
000442*	---	Commercial bldg.
000443*	---	Residential and commercial use bldg.
000444	---	Commercial bldg.
000452*	---	Produce stand, residence, shed
004171	---	Industrial bldg.
004172	---	Residence
004173	---	Motel
004174	---	Residence
004245	000275H	Telegraph line

* properties shown on the HPDF printout

See also the historic maps listed previously, as well as the HPDF pages.

Resources known to have value to local cultural groups:

None have been formally reported to the Information Center.

Previous investigations within the project area: Title pages and NADB printouts attached:

One study reported that is clearly in the project area:

CCIC Report #	Author/Date
SJ-4193	Busby et al. (1996)

Several others either overlapping one end of the project or immediately adjacent:

CCIC Report #	Author/Date
SJ- 3358	Corbett et al. (1996)
3366	Clements (1996)
3367	Busby et al. (1996)
5170	Love and Tang (2001)

Previous investigations within a one-quarter-mile radius of the project area: Title pages and NADB printouts attached:

CCIC Report #	Author/Date
SJ- 2544	Page (1992)
3380	Busby (1996)
3654	Wooten and Wulf (1999)

Comments: In accordance with State law, if any historical resources are found during construction, work is to stop and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find.

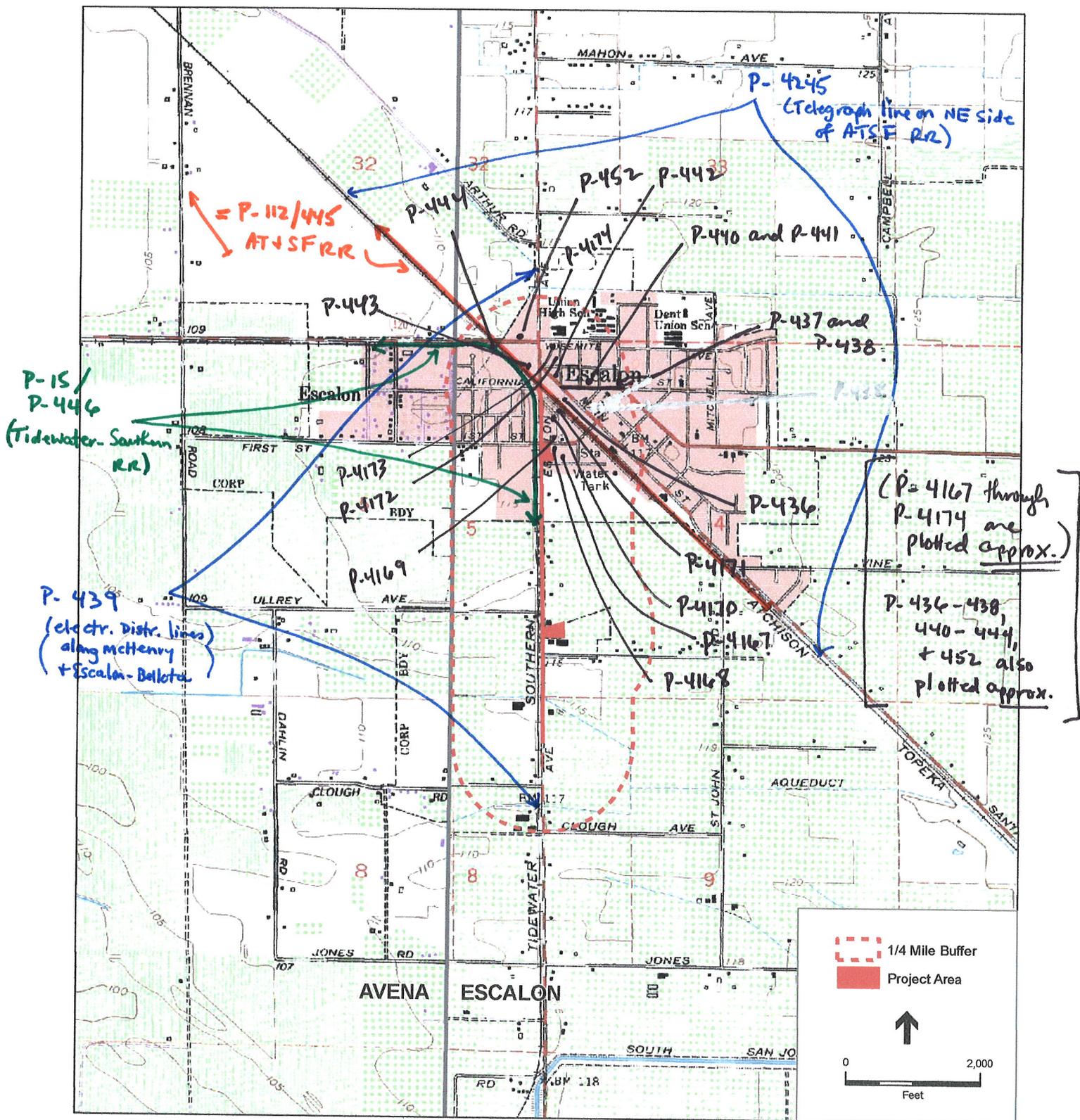
We understand that you will be conducting an archaeological study of the proposed project that is the subject of this records search. We look forward to receiving one copy of your report of findings which should include two copies each of site records for all historical resources documented.

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Please sign and return the attached **Access Agreement** form. Billing is attached, payable within 60 days of receipt of the invoice.

Sincerely,



Robin Hards, Assistant Research Technician
Central California Information Center
California Historical Resources Information System



SOURCE: USGS, 1968; and ESA, 2008

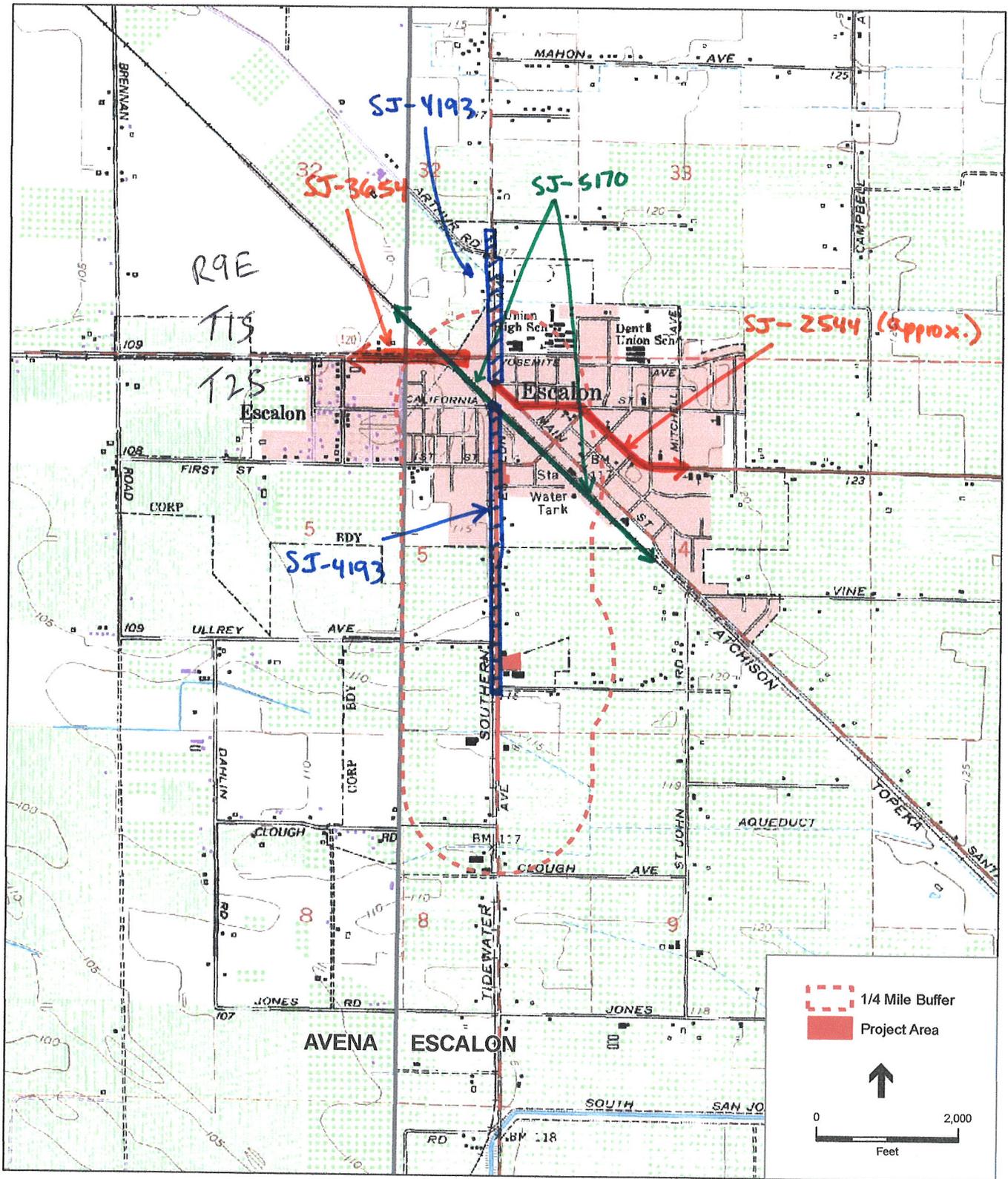
CCIC # 7234L

McHenry Avenue Widening Project. 20xxxx

Figure 1

Project Area with 1:24K Topo

(Primary # prefix is P39-)
Site/structure map



SOURCE: USGS, 1968; and ESA, 2008

CCIC # 7234 L
 Studies, map 1 of 2

McHenry Avenue Widening Project. 20xxxx
Figure 1
 Project Area with 1:24K Topo

Attachment B
Native American Heritage
Commission Consultation



November 4, 2008

Debbie Pilas-Treadway
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

SUBJECT: Request for Search of Sacred Lands Files and Native American Contact List

Dear Ms. Treadway:

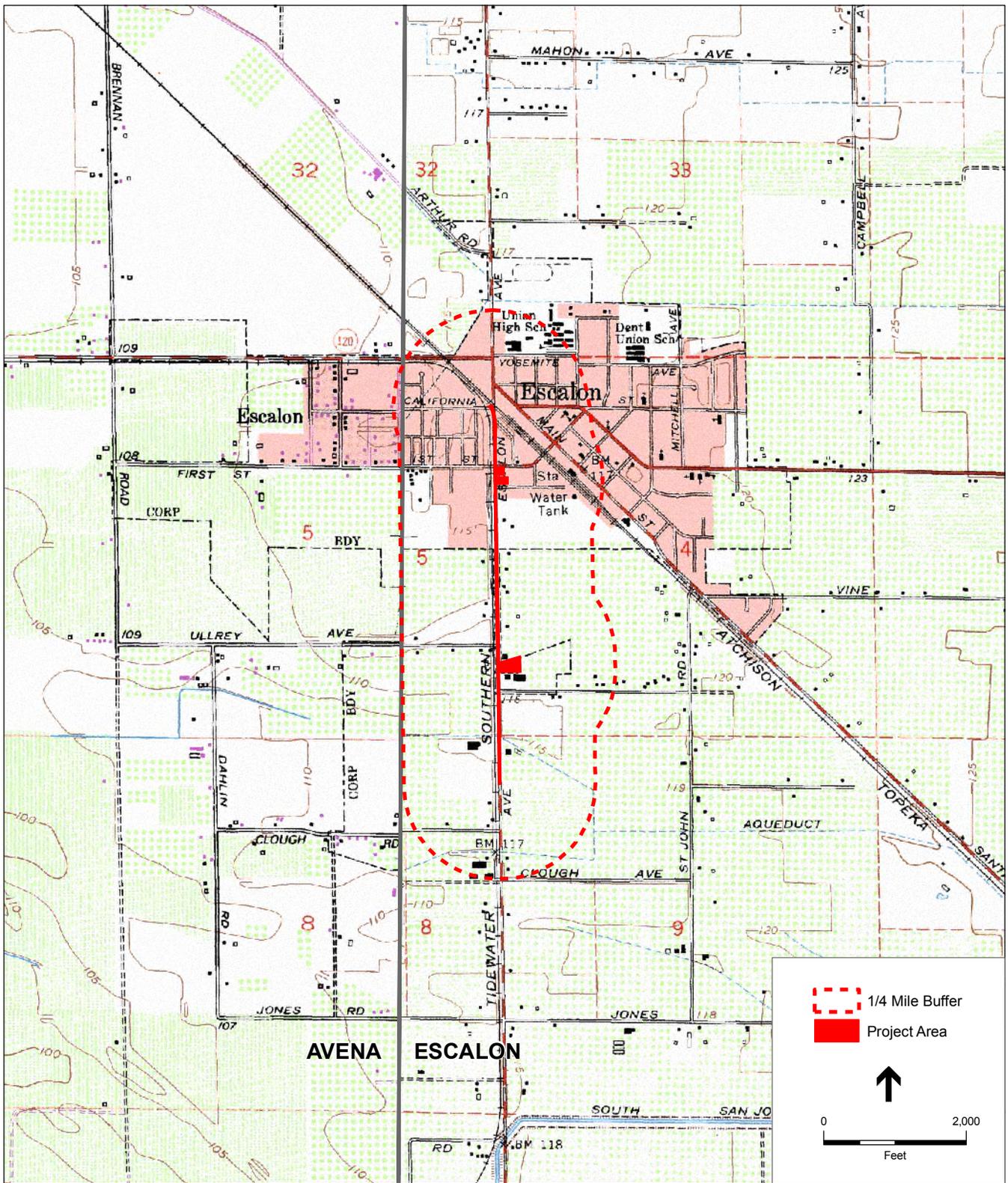
ESA is conducting environmental studies for the McHenry Avenue Road Widening project, Escalon, San Joaquin County. The project is located on the Escalon USGS 7.5' Quad; T/R 02S, 09E(See attached map). The project would include the improvement and expansion of McHenry Avenue in Escalon, and the possible removal or relocation of several structures located adjacent to the road.

In an effort to provide an adequate appraisal of all potential impacts that may result from the proposed project, ESA is requesting that a search be conducted of the sacred lands files and records of traditional cultural properties that may exist within or adjacent to the project area. I would also like to request a list of Native American individuals and organizations that should be contacted about potential sites and resources of importance to Native Americans.

Thank you for your time and cooperation regarding this matter. Please contact me at 916-564-4500 if you have any questions.

Sincerely,

Katherine Anderson
Cultural Resource Associate



SOURCE: USGS, 1968; and ESA, 2008

McHenry Avenue Widening Project. 20xxxx

Figure 1

Project Area with 1:24K Topo

STATE OF CALIFORNIAArnold Schwarzenegger, Governor**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: da_nahc@pacbell.net



November 13, 2008

Katherine Anderson
ESA Community Development
8950 Cal Center Drive, Bldg. 3
Sacramento, CA 95826

Sent by Fax: 916-564-4501
Number of Pages: 2

Re: Proposed McHenry Avenue Rd. Widening project, San Joaquin County

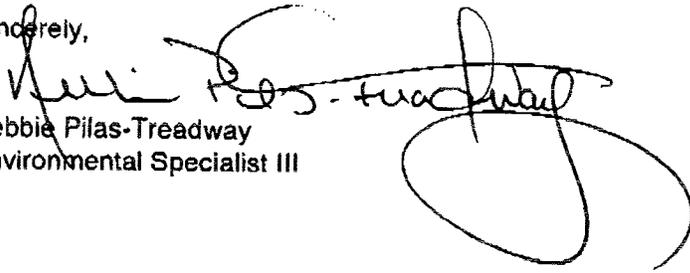
Dear Ms. Anderson:

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4038.

Sincerely,


Debbie Pilas-Treadway
Environmental Specialist III

Native American Contacts
San Joaquin County
November 13, 2008

Katherine Erolinda Perez
 PO Box 717
 Linden , CA 95236
 (209) 887-3415

Ohlone/Costanoan
 Northern Valley Yokuts
 Bay Miwok

Southern Sierra Miwuk Nation
 Jay Johnson, Spiritual Leader
 5235 Allred Road
 Mariposa , CA 95338
 209-966-6038

Miwok
 Pauite
 Northern Valley Yokut

Southern Sierra Miwuk Nation
 Anthony Brochini, Chairperson
 P.O. Box 1200
 Mariposa , CA 95338
 tony_brochini@nps.gov
 209-379-1120
 209-628-0085 cell

Miwok
 Pauite
 Northern Valley Yokut

Southern Sierra Miwuk Nation
 Les James, Spiritual Leader
 PO Box 1200
 Mariposa , CA 95338
 209-966-3690

Miwok
 Pauite
 Northern Valley Yokut

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed McHenry Ave Road Widening project, San Joaquin county.



9191 Towne Centre Drive
Suite 340
San Diego, CA 92122
858.638.0900 **phone**
858.638.0910 **fax**

www.esassoc.com

November 21, 2008

Katherine Erolinda Perez
PO Box 717
Linden, CA 95236

Subject: McHenry Avenue Road Widening Project, Escalon, CA

Dear Ms. Perez:

ESA is conducting environmental studies for the McHenry Avenue Road Widening project, Escalon, San Joaquin County. The project is located on the Escalon USGS 7.5' Quad; T/R 02S, 09E (See attached map). The project would include the improvement and expansion of McHenry Avenue in Escalon, and the possible removal or relocation of several structures located adjacent to the road.

In an effort to address any potential impact to archaeological or ethnographic resources, we are seeking comments from Native American representatives; your name was supplied to us by the Native American Heritage Commission as a contact for this area. We would appreciate your comments identifying any concerns or issues pertinent to this project.

Thank you for your time and cooperation regarding this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Katherine Anderson
Cultural Resources Associate

Attachments



9191 Towne Centre Drive
Suite 340
San Diego, CA 92122
858.638.0900 **phone**
858.638.0910 **fax**

www.esassoc.com

November 21, 2008

Southern Sierra Miwuk Nation
Jay Johnson, Spiritual Leader
5235 Allred Road
Mariposa, CA 95338

Subject: McHenry Avenue Road Widening Project, Escalon, CA

Dear Mr. Johnson:

ESA is conducting environmental studies for the McHenry Avenue Road Widening project, Escalon, San Joaquin County. The project is located on the Escalon USGS 7.5' Quad; T/R 02S, 09E (See attached map). The project would include the improvement and expansion of McHenry Avenue in Escalon, and the possible removal or relocation of several structures located adjacent to the road.

In an effort to address any potential impact to archaeological or ethnographic resources, we are seeking comments from Native American representatives; your name was supplied to us by the Native American Heritage Commission as a contact for this area. We would appreciate your comments identifying any concerns or issues pertinent to this project.

Thank you for your time and cooperation regarding this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Katherine Anderson
Cultural Resources Associate

Attachments



9191 Towne Centre Drive
Suite 340
San Diego, CA 92122
858.638.0900 **phone**
858.638.0910 **fax**

www.esassoc.com

November 21, 2008

Southern Sierra Miwuk Nation
Anthony Brochini, Chairperson
PO Box 1200
Mariposa, CA 95338

Subject: McHenry Avenue Road Widening Project, Escalon, CA

Dear Mr. Brochini:

ESA is conducting environmental studies for the McHenry Avenue Road Widening project, Escalon, San Joaquin County. The project is located on the Escalon USGS 7.5' Quad; T/R 02S, 09E (See attached map). The project would include the improvement and expansion of McHenry Avenue in Escalon, and the possible removal or relocation of several structures located adjacent to the road.

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Thank you for your time and cooperation regarding this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Katherine Anderson
Cultural Resources Associate

Attachments



9191 Towne Centre Drive
Suite 340
San Diego, CA 92122
858.638.0900 **phone**
858.638.0910 **fax**

www.esassoc.com

November 21, 2008

Southern Sierra Miwuk Nation
Les James, Spiritual Leader
PO Box 1200
Mariposa, CA 95338

Subject: McHenry Avenue Road Widening Project, Escalon, CA

Dear Mr. James:

ESA is conducting environmental studies for the McHenry Avenue Road Widening project, Escalon, San Joaquin County. The project is located on the Escalon USGS 7.5' Quad; T/R 02S, 09E (See attached map). The project would include the improvement and expansion of McHenry Avenue in Escalon, and the possible removal or relocation of several structures located adjacent to the road.

In an effort to address any potential impact to archaeological or ethnographic resources, we are seeking comments from Native American representatives; your name was supplied to us by the Native American Heritage Commission as a contact for this area. We would appreciate your comments identifying any concerns or issues pertinent to this project.

Thank you for your time and cooperation regarding this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Katherine Anderson
Cultural Resources Associate

Attachments

Attachment C

DPR Form Updates



*Recorded by: Katherine Anderson, ESA

*Date: 11/18/08

Continuation

Update

*P2. Location: Not for Publication Unrestricted *a. County: Escalon

*b. USGS 7.5' Quad: Escalon Date: 1968 T 2S; R 9E; ¼ of ¼ of Sec ; M.D. B.M.

c. Address: 1303 First Street City: Escalon Zip: 95320

d. UTM: Zone: 10 ; mE/ mN (G.P.S.)

e. Other Locational Data: Elevation:
APN 227-090-001

*P3a. No significant changes have occurred to the property since the 1996 evaluation.

*P5a. 1303 First Street, Escalon, CA 95320. facing east.



P11. Report Citation: ESA, 2008. Initial Study for the McHenry Avenue Road Widening. Prepared for the City of Escalon, San Joaquin County, CA.

B10. Significance: The status of the resource at 1303 First Street was not determined to have altered significantly enough to result in a change to the 1996 evaluation.

B13. Remarks: Under the construction of the proposed project, this building will be demolished.

*Recorded by: Katherine Anderson, ESA

*Date: 11/18/08

Continuation

Update

*P2. Location: Not for Publication Unrestricted *a. County: Escalon
*b. USGS 7.5' Quad: Escalon Date: 1968 T 2S; R 9E; ¼ of ¼ of Sec ; M.D. B.M.
c. Address: 1750 McHenry Ave City: Escalon Zip: 95320
d. UTM: Zone: 10 ; mE/ mN (G.P.S.)
e. Other Locational Data: Elevation:
APN 227-090-003

*P3a. No significant changes have occurred to the property since the 1996 evaluation.

*P5a. 1750 McHenry Avenue, Escalon, CA 95320. facing north.



P11. Report Citation: ESA, 2008. Initial Study for the McHenry Avenue Road Widening. Prepared for the City of Escalon, San Joaquin County, CA.

***B10. Significance:** the 1996 evaluation of this structure determined it to be eligible for listing in the National Register of Historic Places under Criteria C, that the residence embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. The previous survey cited the distinct architectural features of the residence, including reinforced masonry construction covered with patterned stucco, white walls, and its conspicuous chimney on the southern end of the building, as a unique combination of the Spanish Vernacular architecture of the original owner's birthplace and the contemporary residential architecture of the 1930s.

However, current analysis of the residence identified other similarly styled and constructed buildings in Escalon dating to the same period. The use of masonry construction, patterned stucco, white walls and prominent chimney in residential architecture can be identified in numerous residences dating from the 1930s through the 1940s in Escalon. The Spanish Period Revival architectural style and associated characteristics chosen by the original owner was common in residential architecture from the 1920s through the 1940s. In addition, the thought process behind the decision of the original owner to adopt specific architectural characteristics is not relevant to the assignment of historical significance under Criteria C. Criteria C requires that the architecture embody a rare, exemplary example of an architectural style, which the residence at 1750 McHenry Avenue fails to do. Therefore, this building fails to meet the criteria for listing in either the California Register or National Register of Historic Places.

B13. Remarks: Under the construction of the proposed project, this building will be demolished.

Attachment D
Original Evaluation Form for
1750 McHenry Avenue



CALIFORNIA DEPARTMENT OF TRANSPORTATION
ARCHITECTURAL INVENTORY/EVALUATION FORM

MAP REFERENCE NO. 16

Escalon 7.5'

County - Route - Postmile: () LISTED () DETERMINED ELIGIBLE
SJO 120 KP 26.63-27.89 (x) APPEARS ELIGIBLE () APPEARS INELIGIBLE

IDENTIFICATION

- 1. Common Name: None
- 2. Historic Name: Victor Gonzalez Residence
- 3. Street or rural address: 1750 McHenry Avenue
City: Escalon Zip Code: 95320 County: San Joaquin
- 4. Parcel Number: 227-090-0003 Present Owner: Laura Gonzalez
Address: 1750 McHenry Avenue City: Escalon Zip Code: 95320
- 5. Ownership is: () Public (x) Private
- 6. Present Use: residence Original Use: residence

DESCRIPTION

- 7a. Architectural Style: Spanish Vernacular
- 7b. Briefly describe the present PHYSICAL CONDITION of the site or structure and describe any major alterations from its original condition:

(See Continuation Sheet)

- 8. Construction Date: 1938 or 1939
Estimated: (x) Factual: ()
 - 9. Architect: Unknown
 - 10. Builder: Unknown
 - 11. Approx. property size (in feet)
Frontage: 73 Depth: 150
 - 12. Date of enclosed photo(s):
January 1996
- Photographer: William Kostura

[Photograph attached to Continuation Sheet]

13. **Condition:** Excellent (x) Good () Fair () Deteriorated ()

14. **Alterations:** None

15. **Surroundings: (Check more than one if necessary)** Open land ()
Scattered buildings () Densely built-up () Residential (x)
Industrial () Commercial () Other:

16. **Threats to site:** None known () Private Development () Zoning ()
Vandalism () Public Works Project ()
Other:

17. **Is the structure:** On its original site? (x) Moved? () Unknown? ()

18. **Related features:** Formal plantings

SIGNIFICANCE

19. **Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site):**

(See Continuation Sheet)

20. **Main theme of historic resource:** **Location sketch map**
(If more than one is checked,
number in order of importance) (see APE map)

- Architecture (x) Arts & Leisure ()
- Economic/Industrial ()
- Exploration/Settlement ()
- Government () Military () Religion ()
- Social/Education ()

21. Sources:

Gebhard, David and Robert Winter.
1977 A Guide to Architecture in Los Angeles and Southern California.
Santa Barbara and Salt Lake City: Peregrine Smith

Pereira, John. Interview in Escalon by William Kostura, 31 January and 1
February, 1996.

Gonzalez, Bill. Telephone interview by Michael Corbett, 15 February, 1996.

22. **Date form Prepared:** February, 1996
By: M. Corbett, W. Minor and W. Kostura
Organization: Corbett & Minor
Address: 2054 University Avenue, Suite 505
City: Berkeley, CA
Zip Code: 94704
Phone: (510) 548-4123

Continuation Sheet 1

Item 7b continued

This single family residence is at the northeast corner of McHenry Avenue and Roosevelt Avenue, with about seventy feet of frontage on McHenry and a depth of 150 feet on Roosevelt. The house is set back from both streets, with lawns on both sides, foundation plants, and street trees and plants along Roosevelt. There are straight sidewalks along both streets and curvilinear sidewalks leading from each street to the front door.

The house is of hollow clay tile masonry construction, grouted with concrete and reinforced with steel rebar. It is one-and-a-half stories in height over a basement. Toward the rear of the house is a one-story, hipped roof garage which faces Roosevelt Street. This is of concrete block construction, and appears to have been built later than the main part of the house. With the exception of the new metal roll-up doors in the garage, the exterior of this house has a high degree of integrity. Inside, the walls are plastered, there are cove cornices and built-in linen closets.

The composition of this house is dominated by its boldly scaled and complex roofline. The roof is cross-gabled, and unsymmetrical. Although the ridgelines of the two gables meet at the same height, the eaves of the gables extend down to different levels. The front gable is more steeply pitched, its eaves extend down to within several feet of the ground; and the result is that the side gable's eave meets the front gable at a level well above the latter's eave.

The roofline is further complicated by an oversized dormer facing McHenry at the south end of the house. Although its gable has a gentler pitch than that of the main front gable, the two relate well because they have an identical, simple fascia trim in the eaves and louvered vents in arched openings. The pitch of the roofs of the dormer and the main side gable are the same. Rafters are exposed on all sides, and the roof is covered with irregularly laid wood shingles.

Both the massing of the house and the roofline are punctuated by a tapering chimney on the south end which rises to a level a few feet above the ridgeline. The chimney is partially imbedded within the wall. A bow window in the end wall near the chimney repeats a curve found in arched windows on the front wall. All walls of the house and the dormer are clad in stucco. The stucco is given texture by means of rectangular block patterns, and these blocks convey the impression that the house is built of rubble masonry, covered by stucco. By way of contrast, industrial rectangular steel sash windows are used throughout the house. This steel sash is painted turquoise and the wood trim and stucco siding on the house is painted white.

In appearance, this house bears a superficial resemblance to Period Revival Style houses, with its irregular silhouette, steep gable, round arches, and stucco walls. However, the intention of the design was to recall houses in the childhood home of the owner, in Spain. Its principal Spanish elements are its masonry construction covered with patterned stucco, its white walls, and its conspicuous chimney on the south end of the building. These features recall the common domestic architecture of Spain and the Mediterranean region of southern Europe. This is distinct from both the Period Revival Style which is usually built of wood and stucco and recalls northern European vernacular houses, and the Spanish Colonial Revival Style which usually has red tile roofs and recalls the 16th to early 19th century architecture built by the Spanish in America. At the same time, this is an Americanized version of a Spanish vernacular house, set in a lawn with sidewalks and shrubs, like typical American houses, and similar to other American houses of the 1930s in its plan and massing. The mix of vernacular European imagery and steel windows is characteristic of the 1930s.

Continuation Sheet 2

The solid wood front door is original, and has an ornamental metal grill. Ornamental lanterns flank the entry at the level of the spring of the arch.

Landscaping is formal, with a large lawn on three sides, carefully trimmed hedges, small trees, and a curvilinear sidewalk leading to the front door.

Item 19 continuedHistory

This house occupies Lots 10, 12, and 13 of Block 1 of the Lindstrom Addition to Escalon, a subdivision platted in 1911. The house was built around 1938 for Victor Gonzalez who immigrated from Spain. According to Gonzalez' son the house was intended to recall his Spanish birthplace. Gonzalez worked for Escalon Packers as a truck driver at the time he built the house. Shortly afterwards he established his own trucking business and later ran a cement contracting business in Tracy ("Gonzalez Redi-Mix"). Gonzalez resided here until his death around 1992.

Evaluation

This house is an unusual example of a modest suburban house of the 1930s, mixing Spanish Vernacular imagery (steep gables, textured stucco walls, tapered chimney) with modern industrial windows and fenestration (steel sash, including a band of steel-sash windows that wraps around three walls of the dormer). Its most distinctive feature is its reinforced hollow tile construction. The design was intended to evoke the Spanish birthplace of the man who built it. As yet undocumented, the house appears to have been designed by an architect. The house is unusually well built for its time and place. The walls are hollow clay tile masonry grouted with concrete and reinforced with steel rebar. Interior walls finished in plaster, cove cornices, built-in linen closets and a basement are unusual features. The house is in excellent condition and possesses a high degree of integrity.

The house appears to be eligible for the NRHP at the local level of significance under criterion C, for the period 1938.

1750 McHenry Avenue

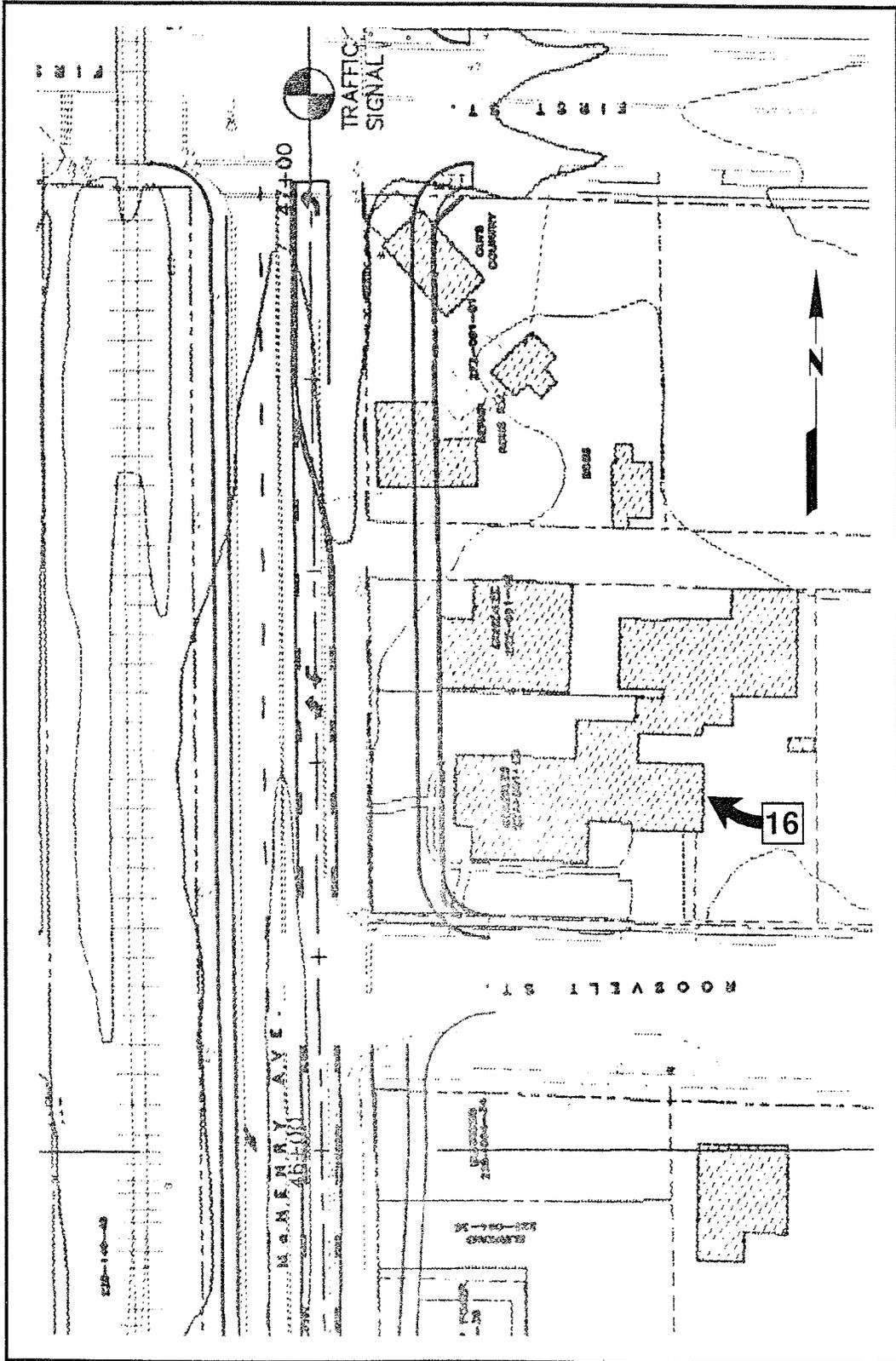
P-39-00416 7

Continuation Sheet 3 (Photographs)



Residence, view east (APN #227-090-0003)

Continuation Sheet 4 (Sketch Map)



Appendix D

Comments on the Draft Initial Study

APPENDIX D

Comments on the Draft Initial Study

Introduction

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority prior to taking action on them. The City of Escalon (City) is the CEQA lead agency for the proposed McHenry Avenue Road Widening Project (proposed project) and has prepared an initial study to identify the environmental impacts associated with the proposed project.

During the 30 day public/state agency review period (May 6th to June 5th, 2009) for the initial study, the City received several comment letters related to the initial study. This appendix provides a copy of each comment letter received and includes responses to individual comments.

Summary of Comment Letters

The public agencies and individuals that submitted comments on the draft initial study are listed below in Table D-1. As shown in the table, each comment letter has been designated by a specific letter and number that will be used to refer to particular comments and responses.

Each comment letter identified in Table D-1 is provided in this appendix, with individual responses to each of the comment letters also provided below. The content of each letter has been divided into individual comments. To assist in referencing these comments and providing a link to the responses, each comment letter has been assigned a letter and number combination (i.e. A1, A2, etc.) and each individual comment within the letter a corresponding number. Letters received from public agencies have been assigned the letter “A”, followed by a number (which in most cases indicates the sequence in which the letter was written or received). For example, the first agency letter (San Joaquin Valley Air Pollution Control District) received is identified as “Letter A1”, the second agency letter as “Letter A2”, and so forth. Letters from individuals have been assigned the letter “I”. This category follows the same numbering assignment as described previously (I1, I2, I3, etc.). The responses provided below are organized in a similar fashion.

**TABLE D-1
SUMMARY OF COMMENT LETTERS**

Commenter	Letter Date	Letter Code
Public Agencies – State and Local (County, City, etc.)		
San Joaquin Valley Air Pollution Control District	May 12, 2009	A1
California Department of Transportation (Caltrans)	May 20, 2009	A2
San Joaquin Council of Governments	June 4, 2009	A3
County of Stanislaus	June 16, 2009	A4
Individuals		
Roger and Laura Madsen	May 12, 2009	I1
Brian Balsbaugh	May 29, 2009	I2
William J. Burrows	June 2, 2009	I3
Pacific Gas and Electric Company	June 3, 2009	I4
Greg Matukitis	June 8, 2009	I5

Response to Comments

Letter A1. San Joaquin Valley Air Pollution Control District

Response to Comment A1-1: The commenter indicates that they have reviewed the initial study for the proposed project and indicates that the project is not expected to result in a significant adverse impact on air quality. As indicated on pages 15 to 18 of the initial study, the City concurs with the San Joaquin Valley Air Pollution Control District’s comment. No further response required.

Response to Comment A1-2: The commenter states that the proposed project would be subject to District Rule 9510 (Indirect Source Review) because full build-out of the project would exceed 9,000 square feet of space. Although the proposed project involves a study area that covers approximately 4.95 acres, the proposed street improvement project involves the construction of roadway sidewalks and gutters that would not expand the existing vehicle capacity of the roadway or result in the construction of new land uses that would generate additional air quality emissions. Consequently, as stated on page 16 of the initial study, the proposed project is considered exempt from the San Joaquin Valley Air Pollution Control District’s Indirect Source Review rule, which applies to new developments (i.e., residential, commercial, etc.) that create substantial amounts of air pollution.

Consistent with City practice, the City will comply with all applicable air district rules including Regulation VIII (Fugitive PM10 Prohibitions) as applicable to the proposed project.

Letter A2. California Department of Transportation (Caltrans)

Response to Comment A2-1: The commenter states that they have no comment on the proposed project. No further response required.

Letter A3. San Joaquin Council of Governments

Response to Comment A3-1: The commenter states that the project is subject to the provisions of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In reviewing habitat mapping data for the SJMSCP, it appears that the proposed project site (including McHenry Avenue and affected right-of-way area) is located entirely within the City of Escalon's Land Category A (No Pay Zone) Zone. However, it appears that the southernmost section of the project (between Catherine and Narcissus Way) is located adjacent to a parcel of currently fallow/disturbed land designated as Category C (Agricultural). As a signatory to the SJMSCP, the City has every intention of complying with the requirements of the plan. As part of the project's final design phase, the City will determine to what extent (if any) land within the Category C Zone will be affected and comply with the appropriate requirements of the SJMSCP.

Letter A4. County of Stanislaus

Response to Comment A4-1: The commenter states that they have no comment on the proposed project. No further response required.

Letter I1. Roger and Laura Madsen

Response to Comment I1-1: The commenter provides additional information regarding the age and condition of the olive trees located on the property at 2700 McHenry Avenue. The commenter also requests that the affected olive trees be relocated on the existing property. Comment noted. It is assumed that consideration of this request can be made with the City during the right-of-way acquisition phase of the project.

Response to Comment I1-2: The commenter states that the initial study provides no information on the right-of-way acquisition phase of the project. Comment noted. The focus of the initial study is to identify and analyze the environmental impacts of a particular project consistent with the requirements of CEQA. For the property acquisition phase of the project, the City will follow local and state requirements (California Relocation Assistance Law, Government Code Sections 7260-7277) regarding relocation assistance and payments of benefits to affected property and business owners. The City anticipates working directly with affected property owners to address specific concerns during the property acquisition phase of the project.

Letter I2. Brian Balsbaugh

Response to Comment I2-1: The commenter agrees with the intent of the project and requests that the sidewalks be made more usable. The City concurs with this request. One of the goals of the project is to improve pedestrian access along McHenry Avenue through the installation of new curbs and sidewalks within the project study area.

Letter I3. William J. Burrows

Response to Comment I3-1: The commenter requests additional information regarding the possible affects to several parcels. As previously stated in the response to Comment I1-2, the City has every intention to comply with local and state requirements (California Relocation Assistance Law, Government Code Sections 7260-7277) regarding relocation assistance and payments of benefits to affected property and business owners. The City anticipates working directly with affected property owners to address specific concerns during the property acquisition phase of the project.

The commenter's concern regarding the PG&E transformer pad is noted. As indicated on page 37 of the initial study, the City intends to comply with the hazardous materials recommendations outlined in the Phase I Addendum Report for the project study area. These recommendations state that surface soil in the vicinity of the former PG&E transformer sub-station site at 1828 McHenry Avenue should be sampled for PCBs in accordance with San Joaquin County Environmental Health Department (SJCEHD) requirements and, if necessary, remediated prior to construction.

Letter I4. Pacific Gas and Electric Company

Response to Comment I4-1: The commenter acknowledges reviewing the initial study for the proposed project and requests that any potential impacts to existing PG&E utility service or infrastructure be addressed in the initial study. The proposed roadway improvement project is not anticipated to affect PG&E's ability to provide existing or future utility service to its customers. Additionally, consistent with City policy, the City of Escalon will coordinate with all affected public service and utility providers to minimize any construction-related impacts to existing infrastructure or levels of service.

Letter I5. Greg Matukitis

Response to Comment I5-1: The commenter requests continued information regarding the property acquisition phase of the project. As previously stated in the response to Comment I1-2, the City has every intention to comply with local and state requirements (California Relocation Assistance Law, Government Code Sections 7260-7277) regarding relocation assistance and payments of benefits to affected property and business owners. The City anticipates working directly with affected property owners to address specific concerns during the property acquisition phase of the project.

Letter A1



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT



May 12, 2009

CITY OF ESCALON
PLANNING DEPT.

Duane Peterson
Community Development Director
City of Escalon
Community Development Department
1855 Coley Ave.
Escalon, CA 95320

Project: McHenry Avenue Road Widening Project
District Reference No: 20090296

Dear Mr. Peterson:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of completing street improvements along portions of McHenry Avenue and offers the following comments:

1. The project is expected to have no significant adverse impact on air quality. A1-1
2. The proposed project would be subject to District Rule 9510 (Indirect Source Review) because upon full build-out the project would exceed 9,000 square feet of space; A1-2

Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than seeking final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees, be made a condition of the project's approval

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

Letter A1

3. The proposed project may be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

A1-3

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

If you have any questions or require further information, please call Kanya Ellington, M.S., at (559) 230-5934.

Sincerely,

Dave Warner
Director of Permits Services


for Arnaud Marjollet
Permit Services Manager

DW: ke

Cc: File

DEPARTMENT OF TRANSPORTATION
P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN
LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194

Letter A2



*Flex your power!
Be energy efficient!*

CITY OF ESCALON
PLANNING DEPT.

May 20, 2009

10-SJ-120-PM 17.00
SCH#2009052017
McHenry Avenue
Widening Project

John Abrew
Planning Division
City of Escalon
1854 Main Street
Escalon, CA 95320

Dear Mr. Abrew:

Thank you for your letter to the California Department of Transportation, District 10 Planning, requesting our review of the Mitigated Negative Declaration (MND) for the proposed McHenry Avenue Widening Project located on McHenry Avenue between First Street and Narcissus Way in Escalon. The Department has the following comment:

Traffic Operations has no comment for the work within the city/county Right of Way. However, any work on the State Right of Way requires an encroachment permit.

A2-1

If you have any questions or would like to discuss our comments in more detail, please contact Kathy Selsor at (209) 948-7190 (e-mail: kathy_selsor@dot.ca.gov) or me at (209) 941-1921.

Sincerely,

TOM DUMAS, CHIEF
OFFICE OF METROPOLOTAN PLANNING

c: SMorgan CA Office of Planning and Research

Mr. Abrew
May 20, 2009
Page 2

Letter A2

bc: TDumas IGR
M Omar Traf Ops
NMagsayo Permits

Letter A3



S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 468-3913 • FAX (209) 468-1084

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

**SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.**

To: Duane Peterson, Community Development Director City of Escalon
From: Anne-Marie Poggio-Castillou, Regional Habitat Planner, SJCOG, Inc.
Date: June 4, 2009

Local Jurisdiction Project Title: McHenry Avenue Road Widening Project

Assessor Parcel Number(s): 227-090-01, -02, -03 & 247-150-02

Local Jurisdiction Project Number: N/A

Total Acres to be converted from Open Space Use: 4.95

Habitat Types to be Disturbed: Urban and Agricultural Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

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JUN 08 2009

CITY OF ESCALON
PLANNING DEPT.

Dear Mr. Peterson:

SJCOG, Inc. has reviewed application for the McHenry Avenue Road Widening Project. This project includes the construction of a variety of roadway improvements along portions of McHenry Avenue. This would include but not limited to the construction of curbs, gutters, and sidewalks. All of the improvements would occur along the eastern side of McHenry Avenue.

A3-1

The city of Escalon is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

This Project is subject to the SJMSCP. This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjco.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- Sign and Return Incidental Take Minimization Measures to SJMSCP staff (given to project applicant after pre-construction survey is completed)
- Pay appropriate fee based on SJMSCP findings. **Fees shall be paid in the amount in effect at the time of issuance of Building Permit**
- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 468-3913.

Letter A3

2 | SJCOG, Inc.



S J C O G, Inc.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 468-3913 • FAX (209) 468-1084

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department,
Other: _____

FROM: Anne-Marie Poggio-Castillou, Regional Habitat Planner, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) Implement Incidental Take Minimization Measures (ITMMs) PRIOR to site disturbance. Do not authorize site disturbance until receipt of a signed Agreement to Incidental Take Minimization Measures (ITMMs) AND verification that all applicable ITMMs have been implemented.
- 2) Pay SJMSCP fees. Fees shall be paid in the amount in effect at the time of issuance of Building Permit (see also Appendix). Do not issue a Use Permit until receipt of a Certificate of Payment or Verification of Payment to the Local Jurisdiction (e.g., Receipt) AND verification that all applicable ITMMs have been implemented prior to ground disturbance.

Project Title: McHenry Avenue Road Widening Project

Landowner: _____

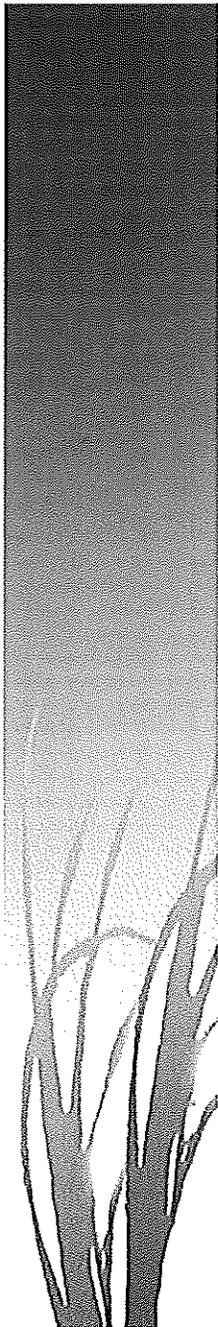
Applicant: John Abrew, City Engineer

Assessor Parcel #s: 227-090-01, -02, -03 & 247-150-02

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Duane Peterson, Community Development Director

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.



Letter A4



CHIEF EXECUTIVE OFFICE
Richard W. Robinson
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Monica Nino-Reid
Assistant Executive Officer

Stan Risen
Assistant Executive Officer

1010 10th Street, Suite 6800, Modesto, CA 95354
P.O. Box 3404, Modesto, CA 95353-3404
Phone: 209.525.6333 Fax 209.544.6226

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

June 16, 2009

John Abrew, City Engineer
City of Escalon
PO Box 248
Escalon, CA 95320

**SUBJECT: ENVIRONMENTAL REFERRAL – CITY OF ESCALON –
MCHENRY AVENUE ROAD WIDENING PROJECT**

Mr. Abrew :

A4-1

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has no comments at this time.

The ERC appreciates the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Raul Mendez', is written over a large, faint oval shape.

Raul Mendez, Senior Management Consultant
Environmental Review Committee

cc: ERC Members

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JUN 26 2009

CITY OF ESCALON
PLANNING DEPT.

Letter I1

Mr. Duane Peterson
Community Development Director
City of Escalon
PO Box 248
Escalon, CA 95320

May 12, 2009

Dear Mr. Peterson.

We are writing you with regards to the McHenry Avenue Road Widening Project. My wife and I own the house and property at 2700 Mc Henry and take an active interest in several Escalon affairs, although we live in New Mexico.

We printed out most of the report that is available through the internet. One part of the report stands out to us. There are two olive trees on our property that would be affected by the road widening project. Your document reports only one olive tree. One of the trees is rather small, but thriving. The small olive tree had been severely damaged when an automobile hit the tree by accident. That was a few years ago, at that time we decided to save the tree, and we have!

11-1

Therefore: We want the two olive trees transplanted on our property when and if the project is finalized.

There was a question about how old the olive trees are. My wife recalls her mother picking olives for pickling when she was a child. The trees were probably planted in the 1920's

Your report says nothing about taking over a small portion of our property, that of course is another thing that must be in the document and I found no referrals about how the city would proceed on that.

11-2

Another thing you may find interesting. The Escalon Historical Society had a very nice book printed about Escalon. The front cover shows a man riding a racing sulky. The sulky was being pulled by a burro, the rider in the cart was an uncle of my wife and the burro belonged to my wife, the burro's name was Pete.



Roger and Laura Madsen
820 Gunnison
Grants, NM
87020

cc: John Abrew, City Engineer

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JUN 5 2009

CITY OF ESCALON
PLANNING DEPT.

Letter I2

May 29,2009

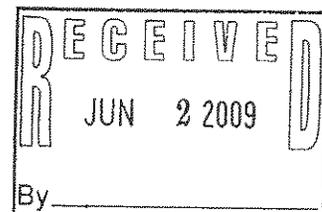
To the City of Escalon
RE: McHenry Avenue Road Widening Project

I have no problem with the plan to complete the street improvements by extending curbs, gutters, sidewalks, and bicycle lanes through the remaining unimproved portions of McHenry Avenue. I think it is a good idea.

My question is "What about making the existing sidewalks usable?" The current City building project has the sidewalk blocked unnecessarily with temporary fence, and there are signs blocking the sidewalk in front of the shopping center. One can certainly not negotiate the sidewalks with a wheelchair – I have tried it. I was forced to use the street to get through.

I2-1

Sincerely,
Brian Balsbaugh
Escalon, CA



Letter I3

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JUN 5 2009

CITY OF ESCALON
PLANNING DEPT.

WILLIAM J. BURROWS.
25931- MILLER AVE
ESCALON CA 95320
209-838-7473
JUNE 2, 2009

CITY OF ESCALON
PO BOX 248
ESCALON CA 95320

ATTN MR. JOHN ABREW CITY ENGINEER

RE: WIDENING OF N^W HENRY ROAD

SIR:

I OWN TWO LOTS AT ROOSEVELT & N^W HENRY, 13-1
APD# 227-090-34 AND APD# 227-090-35.

I FOUND NO MENTION OF THESE IN YOUR STUDY,
AS TO WHAT IS WANTED OF THEM AND WHAT WOULD
HAPPEN TO WHAT IS LEFT OF THEM.

YOU SAID IN OUR CONVERSATION ON THE
PHONE (6-1-09) THAT THIS WAS JUST AN INITIAL
STUDY, AND REST WOULD FOLLOW LATER ON.

I AM ALSO CONCERNED ABOUT THE P.G. & E
TRANSFORMER PAD AT THE SW CORNER OF POSSIBLE
CONTAMINATION OF P.P.P AS SO STATED IN THE INITIAL
STUDY.

I AM. William J. Burrows.

Letter I4



**Pacific Gas and
Electric Company™**

Evan Stewart Technical & Land
Land Agent Services
4040 West Lane
Stockton, CA 95204
Office: (209) 942-1436
Fax: (209) 942-1485
E-mail: erse@pge.com

June 3, 2009

City of Escalon
Attn: Duane Peterson
PO Box 248
1854 Main Street
Escalon, CA 95320

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CITY OF ESCALON
PLANNING DEPT.

RE: Public Notice of Availability of Initial Study for McHenry Avenue Road Widening Project.

Dear Mr. Peterson:

Thank you for the opportunity to comment on the above mentioned document for this project. Pacific Gas and Electric has the following comments to offer:

14-1

PG&E presently owns and operates electric and gas facilities within and adjacent to the proposed project area. Issues which may create conflict due to their impact on our easements and facilities include, but are not limited to, the permanent or temporary change in grade, the planting of certain types of vegetation, and the construction of structures.

To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

If the relocation of existing PG&E facilities to accommodate the proposed development is deemed to be necessary, the relocation should be covered by the environmental review for the proposed development and the requesting party will be responsible for the associated costs. The relocation of certain PG&E facilities could require formal approval from the CPUC. If required, this approval process could take up to two years to complete. Please note that it is not always feasible to relocate our facilities, so it is essential to design the project attempting to avoid the existing utilities if possible.

We would also like to note that continued development consistent with the City of Escalon General Plans will have a direct or cumulative impact on PG&E's electric and gas systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing electric and gas transmission and distribution facility does not necessarily mean the facility has capacity to connect new loads.



**Pacific Gas and
Electric Company**

Letter I4

Evan Stewart
Land Agent

Technical & Land
Services
4040 West Lane
Stockton, CA 95204
Office: (209) 942-1436
Fax: (209) 942-1485
E-mail: erse@pge.com

Expansion of distribution lines and related facilities is a necessary consequence of growth and development.

I4-1
(cont.)

As required by law, the environmental documents for proposed development projects should include adequate evaluation of direct and cumulative impacts to utility systems, the utility facilities needed to serve those developments and any potential environmental issues associated with extending utility service to the proposed project. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

In order to ensure that all PG&E issues are addressed, the Project Coordinator should be encouraged to coordinate with PG&E in the early stages of planning. This is especially important if there is any possibility that we would need to relocate our facilities or provide new service to the area due to the lengthy duration of these processes.

The California Constitution vests in the CPUC exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

PG&E remains committed to working with the City of Escalon to provide timely, reliable and cost effective Electric and Gas service to the area. PG&E would appreciate being copied on future correspondence as the project develops.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Evan Stewart
Land Agent

Letter I5

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JUN 5 2009

Monday, June 08, 2009

John Abrew, City Engineer
City of Escalon

CITY OF ESCALON
PLANNING DEPT.

Subject:: McHenry Avenue Road Widening Project

First of all, we would like to thank you for making the time to meet with us Wednesday to discuss the McHenry Road Widening Project. We intended to study the project document more thoroughly, but with the recent deaths of our father and brother, we have not put our energies into dealing with this project. Although it was not our intent to sell our property at First and McHenry, we do want to cooperate and work with you on this matter as it progresses in the future. Please keep us informed.

15-1

On behalf of the Matt family,
Greg Matukitis