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3 **NEW STOCKTON COURTHOUSE**
4 **FOR THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN:**
5 **FINAL ENVIRONMENTAL IMPACT REPORT**

6
7 **Issue Date: August 7, 2009**

8
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9 **VOLUME I**

10 **FINAL EIR**

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1 **1.0 INTRODUCTION**

2 The Administrative Office of the Courts (AOC) prepared this Final Environmental Impact
3 Report (Final EIR) to address comments received by the Judicial Council of California, AOC,
4 the Lead Agency for the Draft Environmental Impact Report (Draft EIR) for the proposed new
5 Stockton Courthouse Project. The AOC released the Draft EIR for public review on January 23,
6 2009 and recirculated a Revised Draft EIR for public review on May 7, 2009.

7 1.1 FINAL EIR COMPONENTS

8 The Final Environmental Impact Report (Final EIR) for New Stockton Courthouse Project
9 consists of revisions to the Draft EIR document and the Revised Draft EIR, the Responses to
10 public Comments, and the Mitigation Monitoring Plan.

11 1.2 PUBLIC REVIEW OF DRAFT EIR

12 The Draft EIR’s 45 day public review period began on January 23, 2009 and ended on March 9,
13 2009. The AOC held a public meeting to receive comments on the Draft EIR on February 19,
14 2009 at 2 pm in the San Joaquin Regional Transit Center in Stockton. Residents and State and
15 local agencies submitted a total of 96 comment letters during the open public comment period.

16 1.3 RECIRCULATED SECTIONS OF THE DRAFT EIR

17 The AOC recirculated selected Draft EIR sections for public review on May 7, 2009. The
18 document disclosed and analyzed changes that occurred with the proposed project and/or
19 conditions that potentially affect previous findings presented in the January 2009 Draft EIR. The
20 Revised Draft EIR presented information on the project description, cultural resources, and
21 traffic/transportation issues. The review period for the recirculated sections of the draft EIR
22 ended on June 20, 2009. During the public review period of the recirculated sections of the
23 Revised Draft EIR, five stakeholders submitted public comments.

24 1.4 RESPONSES TO COMMENTS

25 The Responses to Comments provide a record of the changes that are required in the Draft EIR,
26 as well as responses and clarifications raised by the comment letters. Together, the Draft EIR,
27 the Revised draft EIR, and the Responses to Comments record the environmental review process
28 and findings from the issuance of the Notice of Preparation through the document certification.
29 The Responses to Comments include the original comment letters submitted by each
30 commenting party (citizen, agency, etc.) followed by the AOC’s response. To facilitate reader
31 convenience, each comment has a comment code with each response linked by the same code.
32 Due to the similarity or duplication of some comments, the responses may refer a reader to a
33 previous (or subsequent) response provided elsewhere in the Response to Comment portion of
34 the Final EIR. Several Master Responses address many similar comments. These Master
35 Responses are presented before the comment letters.

1 1.5 DECISION-MAKERS' ROLES

2 In conformance with CEQA Guidelines Section 15367, the Judicial Council typically acts as the
3 “lead agency,” which is defined as the “public agency which has the principal responsibility for
4 carrying out or disapproving a project.” The Judicial Council has delegated its project approval
5 authority to the Administrative Director of the Courts (ADOC). The ADOC must prepare and
6 certify the Final EIR.

1 **2.0 DRAFT EIR COMMENTS AND RESPONSES**

2 REPOSSES TO COMMENTS

3 This section presents the Judicial Council of California, Administrative Office of the Courts
4 (AOC) responses to comments on the “Draft Environmental Impact Report, New Stockton
5 Courthouse for the Superior Court of California, County of San Joaquin,” dated January 23,
6 2009. Table 2-1 lists persons and agencies that submitted comment on the Draft EIR with the
7 date and category of the comments. All notated comment letter are included in Volume II. Since
8 many commenters presented the same or similar comments, the AOC prepared master responses
9 to the comments.

1 **Table 2-1. Comment Letters and Responses to Comments**
 2

#	Name	Date	Master Responses									Additional Individual Responses to Comments
			1	2	3	4	5	6	7	8	9	
1	Adams, Mark	March 7			x	x		x			x	
2	Appel, Robin	March 5	x			x	x					
3	Baird, David	Feb. 24			x	x			x	x		D.Baird-1
4	Barkett, Edward	March 4	x			x						
5	Barrows, Donald	March 5	x			x						
6	Berger, Phyllis	March 1	x			x		x				
7	Bowe, Tom	March 9	x			x						
8	Brown, Steven	March 5	x									
9	Burr-Siegel, Rebekah	March 5			x	x	x					R. Burr-Siegel-1
10	California Department of Transportation, Kathy Selsor	March 5										Caltrans-1-8
11	Campaign for Common Ground, Trevor Atkinson	March 6				x	x					CCG-1-14
	Campaign for Common Ground, Trevor Atkinson	June 16										CCG-2-10, 12, 13, 15, & 16
12	Chan, Clarence	March 9	x		x							
13	City of Stockton, Central Parking District, Paul Rapp	March 4	x		x	x	x					
14	City of Stockton, Cultural Heritage Board, Paul Rapp	March 5	x			x	x					Stockton Cultural Herit. Bd.-1-2
15	Coleman-Maxwell, Corie	March 6	x			x						
16	Cort Companies, Mahala Burns	March 2	x		x	x						
17	Downtown Stockton Alliance, Dennis Smallie	March 4	x			x	x					Downtown Stockton Alliance-1-2
18	Eagle, Kristine	March 5			x	x	x					K. Eagle-1
19	FEMA	Jan. 27										
20	FEMA	May 26										
21	Field, Douglas	March 6	x		x	x	x					
22	Fowler-Trinchera, Sharryl	March 6				x	x					
23	Fox, Peter	Feb. 3			x							
24	Furr, Terri	Feb. 28	x			x						
25	Garcia, Guillermo	Feb. 28	x			x						
26	Geiger, Dennis	March 4	x			x	x	x				
27	Gerrese, Jereon	March 4	x			x						
28	Ginns, Scott	Feb. 27	x		x	x	x		x			
29	Gurley, Deborah	Feb. 19			x							
30	Harris, John	March 3	x		x	x		x				
31	Hay, Dennis	March 5	x									
32	Healy Edward	March 9			x	x	x					E. Healy-1
33	Hoslett, Al Warren	March 5	x		x	x						
34	Jelloule, Aziz	Feb. 28	x			x						
35	Jones, Dennis	Feb. 28	x			x						
36	Joseph, Karen	March 6	x			x						
37	Keeling, Thomas	March 6	x		x	x						Keeling-1

#	Name	Date	Master Responses									Additional Individual Responses to Comments	
			1	2	3	4	5	6	7	8	9		
38	Klevan, Jan	Feb. 19			x	x							
39	Kozlow, Paul	March 5	x										
40	Kroloff, Belcher, Smart, Perry & Christopherson	March 6	x			x							
41	Kronlund, Honorable Barbara	Feb 27				x	x					x	BK-1 -2
42	Kronlund, Michael	March 3	x		x	x						x	
43	Krueger, Kerry	March 6	x		x	x	x						
44	Lofthus, Ort	March 5			x								O. Lofthus-1
45	Lutterman, Neil	March 4	x		x	x	x	x					
46	Maxwell, William	Jan. 25											W. Maxwell-1
47	McDaniel, Daniel	Feb. 27	x		x	x	x	x				x	McDaniel-1 -2
48	McDaniel, Daniel	May 28			x	x	x	x				x	McDaniel-1 &- 3
49	Meath, Gregory	March 1			x	x	x	x				x	
50	Mulvihill, Michael	March 6				x	x	x				x	M. Mulvihill-1
51	Neas, Joy	March 9		x									J. Neas-1-11
52	Neas, Joy	June 18		x				x					J. Neas-2, -8, -12-26
53	Nichols, Ken	March 4	x		x	x		x					K. Nichols-1
54	Qualls, David	March 5	x			x							
55	Quinn, Tim	March 7			x	x	x						T. Quinn-1
56	Ramirez, Adam	March 4	x		x	x	x	x					
57	Ranchhod, Mahesh	March 3	x		x	x	x						
58	Roberts, Reid	March 6			x	x	x	x					
59	S. & M. Ranchhod Family Trust, M. Ranchhod	March 3	x			x							
60	San Joaquin County Law Library, Jeffery Prag	March 4	x		x	x							
61	San Joaquin County Probation Department, Patricia Mazzilli	Feb. 12			x								
62	San Joaquin Regional Transit District, Donna DeMartino	March 5											San Joaquin Regional Transit District 1-2
63	Schick, John	Feb. 28	x		x								J. Schick-1
64	Schwarzenberg, Ellen	March 9			x	x	x						
65	Shackelford, John	No Date	x			x							
66	Shackelford, Lajla	March 5	x			x							
68	Shore, Dennis	March 3	x		x	x	x						
69	Sperry, Jerry	Feb. 14				x							
70	Stevenson, Steven	March 6	x			x							
71	Superior Court San Joaquin County, Honorable. William Murray, Jr.	March 9			x	x	x	x	x	x	x	x	Superior Court 1-33
72	Superior Court San Joaquin County, Honorable. William Murray, Jr.	June 15					x					X	Superior Court -10, -12, -34-38
73	Tabak, Steward	Feb. 25	x		x	x							
74	Ustach, Paul	Feb. 19				x							
75	Villapudua, Armando	March 8			x	x	x						
76	Villapudua, Carlos	Feb. 28	x			x							
77	Viri, Peter	Feb. 27	x		x	x	x	x					

#	Name	Date	Master Responses									Additional Individual Responses to Comments
			1	2	3	4	5	6	7	8	9	
78	Vlavianos, Honorable Richard	March 9	x		x	x	x	x				
79	Wellerstein ,Jeffrey	March 9	x		x	x		x				
	Written Comments from Public Meeting											
80	Gurley, Deborah	Feb. 19			x							
81	Perkowski, Leora	Feb. 19	x			x						
82	Russell, Janette	Feb. 19			x	x						Russell-1-2
83	Waters, Rob	Feb. 19	x		x	x						
84	Wellerstein, Jeffrey	March 6	x		x	x		x				
	Oral Comments from Public Meeting											
85	Addington, Ron	Feb. 19	x									
86	Aftias, Leo	Feb. 19				x						
87	Alspough, Woody	Feb. 19										Alspough-1
88	Atherstone, Nathan	Feb. 19										Atherstone-1
89	Borquet, Mark	Feb. 19										Borquet-1
90	Kristine, Eagle	Feb. 19	x		x							
91	Estrada, Rosalio	Feb. 19		x								Estrada-1-2
92	Fox, Peter	Feb. 19	x		x							
93	Geiger, Don	Feb. 19			x	x						
94	Hahn, Steve	Feb. 19			x	x	x					
95	Mozzilli, Patty	Feb. 19	x		x							
96	Ruhstaller, Larry	Feb. 19	x		x	x						
97	Smallie, Dennis	Feb. 19	x			x						
98	Souza, Dave	Feb. 19	x		x							Souza-1
99	Stevenson, Don (Steve)	Feb. 19	x									
100	Wilhoit, Doug	Feb. 19	x			x						
101	Willett, Jim	Feb. 19	x		x		x		x			
102	Zaruba, Barbara	Feb. 19	x		x	x						

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1 MASTER RESPONSES

2 **Master Response-1**

3
4 Commenters expressed their support for the AOC’s selection of the proposed project site, Hunter
5 Square, for the proposed courthouse or their opposition to the AOC’s selection of the
6 Washington Street Alternative site. These comments do not identify a deficiency in the EIR’s
7 analysis of environmental impacts, so the AOC is not taking any further action.
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15 **Master Response-2**

16
17 Commenters expressed their support for the AOC’s selection of the Washington Street
18 Alternative site or the Private Parcels Alternative site or their opposition to the proposed project
19 site, Hunter Square. These comments do not identify a deficiency in the EIR’s analysis of
20 environmental impacts, so the AOC is not taking any further action.
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28 **Master Response-3**

29
30 Commenters stated that locating the new courthouse at the Washington Street Alternative site
31 will be inconvenient and inefficient for court operations. These comments do not identify a
32 deficiency in the EIR’s analysis of environmental impacts, so the AOC is not taking any further
33 action.
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1 **Master Response-4**

2
3 Commenters stated their concern that locating the new courthouse at the Washington Street
4 Alternative site will have a negative economic impact on downtown Stockton. In addition, some
5 commenters stated that the economic impact may produce “urban decay,” which the AOC
6 considers to be economically induced disrepair and abandonment of property, and the urban
7 decay may create significant environmental impacts. The AOC acknowledges relocation of the
8 court staff, jurors and court users away from the central core of downtown Stockton may reduce
9 the economic viability of the privately owned businesses and impair occupancy levels in that
10 area. However, various factors counteract the impact to the downtown area because:

- 11
- 12 1. Substantial numbers of County employees, City employees, State of California
 - 13 employees, and others will remain in offices near the existing San Joaquin County
 - 14 Courthouse/Administration Building;
 - 15 2. Some of the Superior Court’s staff, jurors, and visitors will continue to patronize
 - 16 downtown businesses; and,
 - 17 3. Downtown Stockton is included in an existing redevelopment area which gives the City
 - 18 and the Redevelopment Agency resources to promote the development of that area.
- 19
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24 **Master Response-5**

25
26 Commenters indicated their concern that locating the new courthouse at the Washington Street
27 Alternative Site will increase traffic in the downtown area.

28
29 The Revised Draft EIR’s traffic section presumes that the potential new courthouse will generate
30 665 additional vehicle trips, and the Traffic Analysis (Appendix H) includes Figures 13 and 14
31 that display the analysts’ proposed distribution of the potential courthouse’s trips. Some of the
32 alternative’s trips include an increase in traffic between downtown Stockton and the Washington
33 Street alternative site. Although the potential Washington Street courthouse might redistribute
34 traffic and add additional vehicle trips, the Revised Draft EIR’s Section 5.3.11.2.1 concluded that
35 Washington Street alternative’s impacts at downtown intersections will be less than significant,
36 although impacts at the El Dorado/Washington Street/State Route 4 ramp intersection and two
37 State Route 4/Interstate 5 intersections will be significant and unavoidable. The State Route 4-
38 related intersection impacts are significant and unavoidable for the proposed project and all
39 alternatives.

40
41 During other times of the day, the alternative will cause an increase in traffic due to project-
42 related back and forth trips between downtown and the Washington Street alternative site.
43 However, the number of non-peak hour trips will be lower than the project’s traffic demand
44 during the peak commute periods. Since background (non-project) non-peak hour traffic volume
45 is less than peak hour periods, analysis of operating conditions during the peak commute traffic

1 hours evaluates the worst potential operating conditions and project traffic impacts during a day.
2 As noted above, the Revised Draft EIR’s Section 5.3.11.2.1 concluded that Washington Street
3 alternative’s impacts at downtown intersections (with the exception of the queuing impacts at the
4 El Dorado/Washington Street/State Route 4 ramp intersection) will be less than significant. Since
5 the AM peak hour and PM peak hour worst analyses concluded that impacts to downtown
6 intersections will be less than significant, the AOC concludes that non-peak hour traffic impacts
7 (which include an increase in trips between the area near the San Joaquin County
8 Courthouse/Administration Building and the Washington Street alternative site) to downtown
9 intersections will also be less than significant.

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16 **Master Response-6**

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18 Commenters expressed that the courthouse has historically been located near Hunter Square, the
19 land was given to the City for that purpose, and the courthouse should remain in that location.
20 Commenters also noted that they feel that Hunter Square would not have achieved historical
21 significance if it were not for the location of the courthouse immediately adjacent to the square.

22
23 The Draft EIR’s Section 4.03.3.1 concluded that “Hunter Square is a significant historic resource
24 based on its contribution to the patterns of Stockton’s cultural heritage and its association with
25 the life of Charles Weber.” The AOC did not directly link the historical significance of Hunter
26 Square to its location next to the current and past courthouses.

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32 **Master Response-7**

33 Commenters indicated that placing the courthouse at Washington Street Alternative location will
34 put court customers (e.g. sex offenders) in close proximity to the Weber Institute and the
35 Children’s Museum, both located north of this alternative location.

36
37 State and local law enforcement agencies currently maintain appropriate public safety at the
38 Court’s existing facilities, and the AOC presumes that these parties will provide appropriate
39 public safety for the proposed project or the Hunter Square Expanded, Washington Street, or
40 Private Parcels alternatives. All public gatherings produce concerns for security, but the AOC
41 concludes that the application of typical Court-related security measures for the New Stockton
42 Courthouse project will prevent significant security hazard impacts regardless of the
43 courthouse’s potential location.

1 **Master Response-8**

2 Commenters indicated that court personnel and court visitors’ safety may be at risk when
3 traveling via public transportation or walking in the vicinity of the Washington Street Alternative
4 location. The AOC is unaware of any feature of the potential Washington Street courthouse that
5 creates a safety risk. The AOC cannot speculate whether court customers currently encounter
6 security risks on public transportation, including San Joaquin Regional Transit District’s Routes
7 60 and 77 that serve the Washington Street alternative site. If the Superior Court has security
8 concerns, the AOC and the Transit District will implement security appropriate security
9 measures to resolve the concerns. If the security concerns extend to off-site areas, the AOC and
10 the local Superior Court cooperate with local law enforcement agencies to resolve the concerns.
11 The AOC concludes that the Washington Street alternative’s safety issues are a less than
12 significant impact.
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20 **Master Response-9**

21 Commenters indicated their concern that locating the new courthouse at the Washington Street
22 Alternative Site will increase traffic in the downtown area and will therefore increase greenhouse
23 gases in the downtown area. The AOC’s greenhouse gas-related analysis focuses on compliance
24 with Assembly Bill 32-mandated plans to promote global warming solutions. The Draft EIR’s
25 Section 4.02.3.6 includes analysis of Assembly Bill 32-related issues that provide evaluation of
26 the proposed project’s and alternatives’ compliance with the California Air Resources Board’s
27 Proposed Scoping Plan (California Air Resources Board 2008e) measures for new State of
28 California buildings. The analysis concluded that the proposed project and the alternatives will
29 have a less than significant impact on compliance with the plan. The Proposed Scoping Plan
30 addresses local governments’ planning efforts and the related air quality impacts of the planning
31 efforts, but the Scoping Plan does not recommend measures to revise traffic and trips for
32 government buildings or office buildings. The Scoping Plan’s transportation-related measures
33 include vehicle efficiency and mileage standards, lowering the levels of carbon in transportation
34 fuels, and transitioning the State from gasoline and diesel to cleaner-burning alternative and
35 renewable fuels. The Scoping Plan does not include measures to limit vehicle trips or trip
36 distances and the related greenhouse gas emissions. Therefore, the proposed project’s and
37 alternatives’ trip-related greenhouse gas emissions do not interfere with the State of California’s
38 plan to meet Assembly Bill 32’s requirements.
39
40
41
42
43
44
45

1 **ADDITIONAL COMMENTS**

2 ADAMS, MARK

3 For the AOC's responses to the commenter's issues, please see Master Responses 3, 4, 5, and 6.

4 ADDINGTON, RON (ORAL COMMENTS)

5 For the AOC's responses to the commenter's issues, please see Master Response 1.

6 AFTIAS, LEO (ORAL COMMENTS)

7 For the AOC's responses to the commenter's issues, please see Master Response 4.

8 APPEL, HONORABLE ROBIN

9 For the AOC's responses to the commenter's issues, please see Master Responses 1, 4, and 5.

10

11 ALSPHOUGH, WOODY (ORAL COMMENT)

12 Woody Alspough-1

13 Comment noted. This comment does not address the adequacy of the EIR, and no further
14 response is required.

15 ATHERSTONE, NATHAN (ORAL COMMENTS)

16 For the AOC's responses to the commenter's issues, please see Master Response 5.

17 BAIRD, DAVID

18 David Baird-1

19 Regarding the comment that Hunter Square is a historic location because the courthouse has been
20 located there for the last 150+ years, the Draft EIR's Section 4.03.3.1 explains the AOC's
21 conclusion that Hunter Square meets the criteria for the California Register due to its cultural
22 heritage features and its association with Charles Weber. Regarding potential cultural resource
23 impacts for the Washington Street alternative, the Draft EIR's Section 5.3.03.2.2 concludes that
24 the impacts are potentially significant, but the proposed mitigation measures will reduce the
25 impacts to a level that is less than significant for the Washington Street alternative.

26

27 For the AOC's responses to the commenter's other issues, please see Master Responses 3, 4, 7,
28 and 8.

29 BARKETT, EDWARD

30 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

31 BARROWS, DONALD

32 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

33

34

1 BERGER, PHYLLIS

2
3 For the AOC's responses to the commenter's issues, please see Master Responses 1, 4, and 6.

4
5 BORQUET, MARK (ORAL COMMENTS)

6 Mark Borquet-1

7
8 These comments do not identify a deficiency in the EIR's analysis of environmental impacts, so
9 the AOC is not taking any further action.

10 BOWE, TOM

11
12 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

13 BROWN, STEVEN

14
15 For the AOC's responses to the commenter's issues, please see Master Response 1.

16 BURR-SIEGEL, REBEKAH

17 Rebekah Burr-Siegel-1

18
19 The AOC must prepare a Statement of Overriding Considerations if the proposed project has
20 significant and unavoidable impacts to the environment. The Draft EIR concluded that the
21 proposed project (and all the alternatives) has significant and unavoidable impacts. Therefore,
22 the AOC will prepare a Statement of Overriding Considerations as part of its CEQA Findings.

23
24 For the AOC's responses to the commenter's issues, please see Master Responses 3, 4, and 5.

25 CALIFORNIA DEPARTMENT OF TRANSPORTATION

26 Caltrans-1

27
28 Analysts from the AOC and PHA surveyed visitors to the San Joaquin Courthouse/
29 Administration Building on the morning of May 22, 2008. Transportation modes for the visitors
30 were the following:

31
32 Drove alone 58%
33 Car pool 32%
34 Other 10%

35
36 Caltrans-2

37
38 Comment noted. These intersections have been clarified in the Revised Draft EIR's traffic study
39 (Appendix H). The Revised Draft EIR in Table 4-25 in Section 4.11.3.1 contains the following
40 changes:

1

13. Center/Lafayette – EB State Route 4 Off-Ramp (Signal)	AM	28.0	C	45.8	D
	PM	14.2	B	14.5	B
14. El Dorado/Lafayette – WB State Route 4 On Off Ramp (Signal)	AM	9.4	A	10.0	B
	PM	21.8	C	21.8	C
15. Stanislaus/Lafayette – EB State Route 4 On Off -Ramp (Signal)	AM	47.2	D	49.4	D
	PM	45.9	D	49.4	D

2

3

4

Caltrans-3

5

6

Regarding the Lincoln Street/Washington Street/WB State Route 4 ramp, the AOC did not analyze the potential Washington Street alternative’s traffic, because the AOC concluded that approximately 0% of the alternative’s outbound trips might use the WB State Route 4 ramp. Westbound State Route 4 serves the Port of Stockton and Rough and Ready Island, and these areas have industrial and commercial developments but few residences.

10

11

12

Regarding the EB Washington Street/SB Stanislaus Street/WB State Route 4 intersection, the Revised Draft EIR’s revised traffic analysis in Appendix H provides the Year 2013 base case PM volumes in Figure 3 and the proposed project’s traffic PM project increment volumes in Figure 7. The proposed project’s PM peak hour impact was a projected increase of 2 trips to the base case’s 189 vehicles. As shown in the Revised Draft EIR’s Table 4-25, the LOS impacts for the EB Washington Street/SB Stanislaus Street/WB State Route 4 intersection are less than significant.

18

19

20

Regarding the EB Lafayette Street/SB Stanislaus Street/EB State Route 4 ramp, the Revised Draft EIR’s revised traffic analysis in Appendix H provides the Year 2013 base case PM volumes in Figure 3 and the proposed project’s traffic PM project increment volumes in Figure 7. The proposed project’s PM peak hour impact was a projected increase of 71 trips to the base case’s 650 vehicles. Table 4-25 indicates that the LOS for the intersection remains LOS D, and the AOC concluded that the impacts will be less than significant.

26

27

Caltrans-4

28

29

The commenter refers to El Dorado Street/Washington Street/State Route 4 (Intersection 11), Stanislaus Street/Washington Street/State Route 4 (Intersection 12), Center Street/Lafayette Street/State Route 4 (Intersection 13), and Stanislaus Street/Lafayette Street/State Route 4 (Intersection 15). As stated above, the Revised Draft EIR’s new traffic study (Appendix H) updated the traffic analysis. The revised analysis indicates that LOS impacts are less than significant for the intersections (See Revised Draft EIR’s Table 4-25), but queuing impacts at the El Dorado Street/Washington Street/State Route 4 impacts are significant and immitigable. Mitigation measures are not feasible for the intersection due to the short queuing distance on El Dorado Street between Washington Street and Lafayette Street.

38

39

Caltrans-5

40

1 Comment noted. Synchro/Simtraffic analysis' output is in the Revised Draft EIR's Appendix H.
2 The AOC did not complete a queuing/blocking modeling analysis.

3
4 Caltrans-6

5
6 The Revised Draft EIR's Appendix H provides the analysis. As noted in the Revised Draft EIR's
7 Section 4.11.3.1, queuing impacts are significant and immitigable.

8
9 Caltrans-7

10
11 The Revised Draft EIR's Section 4.11.3.1 evaluates State Route 4 impacts. For the eastbound
12 State Route 4 connection with northbound Interstate 5 lanes, southbound Interstate 5 lanes, and
13 exit ramp lanes to the intersection of Lafayette Street/Center Street, the AOC concludes that the
14 project's additional trips will cause increased lane changes and therefore cause significant
15 impacts at the connection; since the AOC cannot change the State Route 4, Interstate 5, and
16 Lafayette Street/Center Street exit ramp, the AOC concludes that the project's impacts are
17 significant and unavoidable. For the westbound State Route 4's ramp to northbound Interstate 5
18 lanes and southbound Interstate 5 lanes connects with a entry ramp lanes from the intersection of
19 Lafayette Street/Center Street, the project's additional trips will cause increased lane changes
20 and therefore cause significant impacts at the connection; since the AOC cannot change the State
21 Route 4, Interstate 5, and Washington Street/Center Street entry ramp, the AOC concludes that
22 the project's impacts are significant and unavoidable. For the remaining State Route 4
23 connecting ramps, analysts did not observe merge and diverge problems, and the AOC therefore
24 concludes that the project's impacts will be less than significant.

25
26 Caltrans-8

27
28 The Revised Draft EIR's Appendix H provides the output data for the AOC's revised traffic
29 analysis.

30 CAMPAIGN FOR COMMON GROUND, TREVOR ATKINSON

31 For the AOC's responses to several of the commenter's issues, please see Master Responses 4
32 and 5. Additional responses are below.

33
34 Campaign for Common Ground-1

35
36 Comment noted. The AOC has corrected the figure letters.

37
38 Campaign for Common Ground-2

39
40 Local governments' zoning regulations do not apply to the State of California. The project does
41 not need zoning action by the City.

42
43 Campaign for Common Ground-3

44
45 Comment noted. The AOC has corrected the sentence.

1
2 **Revision:** On Page 4-9, line 21, the following changes have been made:
3 In addition, the proposed courthouse will ~~add~~ use a portion of the Main Street mall

4
5 Campaign for Common Ground-4

6
7 Since local governments' design regulations do not apply to the State of California, the AOC did
8 not include the regulations in the Draft EIR. The AOC's design efforts typically attempt to be
9 consistent with local regulations.

10
11 Campaign for Common Ground-5

12
13 The Draft EIR states on page 4-9 that the loss of the existing open space is a less than significant
14 impact because the approximately 0.1-acre reduction of open space is not a substantial
15 degradation of the existing visual character and aesthetic quality resources. Regarding the future
16 of the existing courthouse/administration building parcel, the AOC is discussing possible
17 cooperation with the County, but the AOC cannot presume that it can reach a future agreement
18 with the County to ensure that the AOC and County will coordinate their separate project's
19 development of open space. The County has stated its intent to develop new open space features,
20 but the County has not made a commitment to proceed with development.

21
22 Campaign for Common Ground-6

23
24 Comment noted. The AOC has corrected the sentence.

25
26 Revision: On Page 4-36, line 28-29, the AOC has made the following changes:
27 ~~The property on which the current courthouse sits, and the property on which it sits, has been~~
28 ~~designated as City of Stockton Landmark #11, as it is on the former site of the 1853 courthouse.~~

29
30 Campaign for Common Ground-7

31
32 Regarding the recommendation that the AOC add a mitigation measure to include the reuse of
33 the existing fountain with a new base as part of the proposed water feature, the Draft EIR
34 includes the AOC's conclusion that the fountain is not a significant historic resource. Therefore,
35 there is no need for a historic resources mitigation measure for the fountain. The fountain is the
36 City's property, and the City will determine the fountain's future use.

37
38 Regarding the recommendation that the State and the City designate Hunter Square as a historic
39 site, the AOC has no authority to designate Hunter Square as a historic site. The State Historical
40 Resources Commission has authority for designation of resources for the California Register of
41 Historic Resources. The Stockton City Council has authority for the City's designations, and the
42 Revised Draft EIR notes that the City's Cultural Heritage Board recently recommended
43 designation of Hunter Square as a historic site.

44
45 Regarding the recommendation that a mitigation measure be added to utilize existing building
46 materials such as the art pieces and statue "Goddess of Justice," the AOC concludes that use of

1 the materials is consistent with the Draft EIR’s Cultural Resources 1 mitigation measure (The
2 courthouse’s public spaces will provide display spaces for a history of Hunter Square..., the
3 history of San Joaquin courthouses..., and public are related to Hunter Square’s link to
4 Stockton’s cultural heritage.” Although the AOC recognizes the benefits of displaying the
5 materials in the proposed new courthouse or on its grounds and has expressed its interest in
6 displaying the materials in the proposed new courthouse, the materials are property of the
7 County, and the County will determine the future fate of the materials.
8

9 Campaign for Common Ground-8

10
11 The commenter notes that the chances of finding human remains are slim. The Draft EIR’s
12 Section 4.03.3.3 states that the AOC has no evidence that burials occurred within the project
13 area, and the document’s analyses of the alternatives also state that there is no evidence of
14 burials at the alternatives’ sites. Since the AOC lacks any evidence that there are human remains
15 at the proposed project’s site or any of the alternatives’ sites and the AOC has no evidence that
16 anyone has encountered human remains in the vicinities of the sites, the AOC has no evidence to
17 support a conclusion that the impacts are potentially significant. As discussed under Disturbance
18 of Human Remains (Sections 4.03.2.2 and 4.03.3.3), the AOC will comply with Public Resource
19 Code Section 5097.
20

21 Campaign for Common Ground-9

22
23 Comment noted. The Hunter Square area is a public right of way and does not have an
24 Assessor’s Parcel Number. Consequently, it does not have a designation under the general plan
25 or a zoning designation.
26

27 Campaign for Common Ground-10

28
29 Comment noted. On page 4-63 line 18-20, Section 4.07.3.1, under Conformance with Local
30 Plans and Policies - Potential Impacts (Post-Construction, Operation, and Maintenance), it is
31 indicated that the City will designate the property’s zoning classification.
32

33 Campaign for Common Ground-11

34
35 Comment noted. Final EIR’s text is shown below.
36

37 **Revision:** On Page 6-1, lines 34-38, the following changes have been made:

38 Development of the proposed project will produce an irreversible significant environmental
39 change due to the loss of Hunter Square Plaza as a historic resource. The loss of the resource is a
40 significant irreversible environmental change.
41

42 Campaign for Common Ground-12

43
44 The commenter proposes that the AOC ought to add a mitigation measure for the Washington
45 Street alternative that provides a continuous, free shuttle service between the proposed
46 Washington Street site and the downtown core facilities. The San Joaquin Regional Transit

1 District serves the Washington Street alternative’s site with its Routes 60 and 77. The Revised
2 Draft EIR’s Section 5.3.11.2.1 provided a revised traffic analysis for the Washington Street
3 alternative’s intersection impacts; the revised analysis concluded that traffic impacts will be less
4 than significant on downtown intersections except for impacts at the El Dorado
5 Street/Washington Street intersection, which has immitigable queuing impacts (some impacts for
6 the State Route 4-related impacts). Since there are no other potentially significant intersection
7 impacts, mitigation measures (such as providing a shuttle service) are unnecessary. Shuttle
8 service between the Washington Street alternative’s site and downtown areas provides no
9 mitigation for State Route 4-related impacts.

10
11 The Draft EIR’s Table 5-5 in Section 5.3 describes the AOC’s proposed parking facilities for the
12 project; since Table 5-5 lists 930 parking spaces, the AOC concludes that there is no significant
13 impact for parking issues or a need for a shuttle-related parking mitigation measure.

14
15 Campaign for Common Ground-13

16
17 The commenter notes that redesign of the proposed project might eliminate operational impacts
18 to the Main Street Mall for exit ramps onto the Main Street Mall. The Final EIR presents
19 mitigation measures that the AOC will adopt to reduce the potential for pedestrian: vehicle
20 incidents. The AOC concludes that the mitigation measures will reduce the hazard impacts to a
21 level that is less than significant.

22
23 Campaign for Common Ground-14

24
25 The comment states that the lack of public parking in the downtown area may be a significant
26 impact. The Draft EIR’s Section 4.11.3.6 parking analysis stated that the proposed project will
27 eliminate the existing parking in Hunter Square, and it evaluated parking garages and parking
28 resources that are within 2-3 blocks of the proposed project location for public users and court
29 staff. The analysis assumes that approximately 250 additional parking spaces will be needed for
30 jurors, visitors, and court staff. The analysis concluded that the existing parking garages and on-
31 street parking within two blocks of the proposed courthouse location will accommodate the need
32 for 250 additional parking spaces for jurors, visitors, and staff (see Draft EIR’s Tables 4-23 and
33 4-24). Therefore, the AOC concludes that the project’s parking impacts will be less than
34 significant.

35
36
37 Campaign for Common Ground-15

38
39 Comment noted. The figure letters are correct.

40
41 Campaign for Common Ground-16

42
43 The AOC has updated Table 5-9, “Summary of Significant Impacts Before Mitigation
44 and After Mitigation.”

1 Campaign for Common Ground-17

2

3 The AOC will provide information through its website
4 (http://www.courtinfo.ca.gov/programs/occm/projects_sanjoaquin.htm).

5

6 CHAN, CLARENCE

7

8 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 3.
9 CITY OF STOCKTON, CENTRAL PARKING DISTRICT, PAUL RAPP

10 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, and 5.
11 CITY OF STOCKTON, CULTURAL HERITAGE BOARD

12

13 For the AOC's responses to several of the commenter's issues, please see Master Responses 1, 4,
14 and 5. Additional responses are below.

15

16

17 Stockton Cultural Heritage Board-1

18

19 Comment noted. These comments do not identify a deficiency in the EIR's analysis of
20 environmental impacts, so the AOC is not taking any further action.

21

22 Stockton Cultural Heritage Board-2

23

24 Comments and requests noted. These comments do not identify a deficiency in the EIR's
25 analysis of environmental impacts, so the AOC is not taking any further action.

26

COLEMAN-MAXWELL, CORIE

27

28 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.
29 CORT COMPANIES, MAHALA BURNS

30

31 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.
32 DOWNTOWN STOCKTON ALLIANCE, DENNIS SMALLIE

33

34 For the AOC's responses to several of the commenter's issues, please see Master Responses 1, 4,
35 and 5. Additional responses are below.

36

37 Downtown Stockton Alliance-1

38

39 Comment noted.

40

1 Downtown Stockton Alliance-2

2

3 Comment noted.

4 EAGLE, KRISTINE

5 For the AOC's responses to several of the commenter's issues, please see Master Responses 3, 4,
6 and 5. Additional responses are below.

7

8 Kristine Eagle-1

9 The AOC must prepare a Statement of Overriding Considerations if the proposed project has
10 significant and unavoidable impacts to the environment. The Draft EIR concluded that the
11 proposed project (and all the alternatives) has significant and unavoidable impacts. Therefore,
12 the AOC will prepare a Statement of Overriding Considerations as part of its CEQA Findings.

13 EAGLE, KRISTINE (ORAL COMMENTS)

14

15 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 3.

16 ESTRADA, ROSALIO (ORAL COMMENTS)

17 For the AOC's responses to several of the commenter's issues, please see Master Response 2.
18 Additional responses are below.

19

20 Rosalio Estrada-1

21

22 The new courthouse will accommodate growth in the downtown. The existing courthouse will be
23 transferred to the County and will no longer be used as a court facility. The Court's Master Plan
24 includes plans for a new courthouse in the southern portion of the county that will be a full
25 service facility – not a limited service facility as currently exists. This will allow cases that are
26 heard in the downtown Stockton court facilities to be moved to south county, thus accounting for
27 long term growth.

28

29 Rosalio Estrada-2

30

31 Mr. Estrada incorrectly states that 500 new parking spaces will be put on Main Street as part of
32 the project. The project does not involve the development of any parking spaces. The proposed
33 project includes plans for open space surrounding the new courthouse and thus will still be
34 available for use by the public and will no longer be used as a parking lot.

35

36

37 **FEMA-1**

38

39 The Flood Insurance Maps have been reviewed, and the proposed project site and the alternative
40 locations are not located within a Regulatory floodway. Comment is noted.

41

42 **FEMA-2**

43

1 The City of Stockton and San Joaquin County floodplain managers have been contacted (March
2 13, 2009). The proposed project site and alternative site locations are not located in areas
3 regulated for other floodplain management requirements.

4
5 FIELD, DOUGLAS

6
7 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, and 5.
8 FOWLER-TRINCHERA, SHARRYL

9
10 For the AOC's responses to the commenter's issues, please see Master Responses 4 and 5.
11 FOX, PETER

12
13 For the AOC's responses to the commenter's issues, please see Master Response 3.
14
15 FOX, PETER (ORAL COMMENTS)

16
17 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 3.
18
19 FURR, TERRI

20
21 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.
22 GARCIA, GUILLERMO

23
24 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.
25 GEIGER, DENNIS

26
27 For the AOC's responses to the commenter's issues, please see Master Responses 1, 4, 5, and 6.
28 GEIGER, DON (ORAL COMMENTS)

29
30 For the AOC's responses to the commenter's issues, please see Master Responses 3 and 4.
31 GERRESE, JEREON

32
33 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.
34 GINNS, SCOTT

35

1 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, 5, and
2 7.

3 GURLEY, DEBORAH (WRITTEN COMMENTS FROM PUBLIC MEETING)

4
5 For the AOC's responses to the commenter's issues, please see Master Response 3.

6 HAHN, STEVE (ORAL COMMENTS)

7
8 For the AOC's responses to the commenter's issues, please see Master Responses 3, 4, and 5.
9 HARRIS, JOHN

10
11 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, and 6.

12
13 HAY, DENNIS

14
15 For the AOC's responses to the commenter's issues, please see Master Response 1.

16 HEALY, EDWARD

17 For the AOC's responses to several of the commenter's issues, please see Master Responses 3, 4,
18 and 5. Additional responses are below.

19
20 Edward Healy-1

21
22 The AOC must prepare a Statement of Overriding Considerations if the proposed project has
23 significant and unavoidable impacts to the environment. The Draft EIR concluded that the
24 proposed project (and all the alternatives) has significant and unavoidable impacts. Therefore,
25 the AOC will prepare a Statement of Overriding Considerations as part of its CEQA Findings.

26 HOSLETT, AL WARREN

27
28 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.

29 JELLOULE, AZIZ

30
31 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

32 JONES, DENNIS

33
34 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

35 JOSEPH, KAREN

36
37 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

1 KEELING, THOMAS

2
3 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.

4 KLEVAN, JAN

5
6 For the AOC's responses to the commenter's issues, please see Master Responses 3 and 4.

7 KOZLOW, PAUL

8
9 For the AOC's responses to the commenter's issues, please see Master Response 1.

10

11 KROLOFF, BELCHER, SMART, PERRY & CHRISTOPHERSON

12
13 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

14 KRONLUND, HONORABLE BARBARA

15
16 For the AOC's responses to the commenter's issues, please see Master Responses 4, 5, and 9.
17 Additional responses are below.

18

19 Hon. Barbara Kronlund-1

20 State and local law enforcement agencies currently maintain appropriate public safety at the
21 Court's existing facilities, and the AOC presumes that these parties will provide appropriate
22 public safety for the proposed project or the Hunter Square Expanded, Washington Street, or
23 Private Parcels alternatives. All public gatherings produce concerns for security, but the AOC
24 concludes that the application of typical Court-related security measures for the New Stockton
25 Courthouse project will prevent significant security hazard impacts regardless of the
26 courthouse's potential location.

27

28 Hon. Barbara Kronlund-2

29 The Stockton Police Department provides police services for the downtown area around the
30 existing San Joaquin County Courthouse/Administration Building and for the area around the
31 Worknet Building, Children's' Museum, the Weber Institute and the Stockton Unified School
32 District's buildings along S. Van Buren Street, and privately owned buildings along the east side
33 of Madison Street. State and local law enforcement agencies currently maintain appropriate
34 public safety at the Court's existing facilities. If the AOC selects the Washington Street
35 alternative site for the new courthouse, the AOC presumes that State and local law enforcement
36 agencies will provide appropriate public safety for the potential Washington Street alternative's
37 courthouse facilities. The Stockton Police might transfer some of its resources from the current
38 San Joaquin County Courthouse/Administration location to the Washington Street area, but the
39 AOC concludes that the potential modification of the Police Department's operations will be a
40 minor adjustment of its current operations within its current area of operations.

41

1 KRONLUND, MICHAEL

2

3 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, and 8.

4 KRUEGER, KERRY

5

6 For the AOC's responses to the commenter's issues, please see Master Response 1, 3, 4, and 5.

7 LOFTHUS, ORT

8 For the AOC's responses to several of the commenter's issues, please see Master Responses 1, 3,
9 and 4. Additional responses are below.

10

11 Ort Lofthus-1

12

13 Comment noted.

14

15 Ort Lofthus-2

16

17 Comment noted.

18 LUTTERMAN, NEIL

19

20 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, 5, and
21 6.

22 MAXWELL, WILLIAM

23 For the AOC's responses to several of the commenter's issues, please see Master Response 2.
24 Additional responses are below.

25

26 William Maxwell-1

27 San Joaquin County's plans are outside the scope of this EIR. The AOC's project is the
28 construction of a new courthouse and transfer of existing operations into the new courthouse.
29 The project does not include the demolition of the existing courthouse or the construction of a
30 parking garage.

31

32

33 MCDANIEL, DANIEL

34

35 For the AOC's responses to several of the commenter's issues, please see Master Responses 1, 3,
36 4, 5, and 6. Additional responses are below.

37

38 Daniel McDaniel-1

39

40 Comment noted.

1
2 Daniel McDaniel-2

3
4 The AOC completed a Phase II Environmental Site Assessment of the proposed project and
5 Washington Street alternative project sites in April 2009. The assessment concluded that the
6 contaminant levels in soils on both sites were below the limit of detection or at very low
7 concentrations that are well below any public health or regulatory benchmark. As with any site
8 that has been used previously for commercial or industrial purposes, construction activities
9 excavation and construction might find contaminants. If construction activities encounter
10 contamination, the AOC will ensure that the responsible parties remove and remediate any
11 contaminated soils and sources of contamination.

12
13 Daniel McDaniel-3

14
15 The AOC is referring to the Hunter Square alternative as the proposed project. The AOC has not
16 designated any alternative as the environmentally preferred alternative. As noted in the Revised
17 Draft EIR's Section 5.6, the AOC considers either the Washington Street alternative or the
18 Private parcels alternative as the environmentally superior alternative.

19
20 MEATH, GREGORY

21
22 For the AOC's responses to the commenter's issues, please see Master Responses 3, 4, 5, 6, and
23 8.

24 MOZZILLI, PATTY (ORAL COMMENTS)

25
26 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 3.

27 MULVIHILL, MICHAEL

28 For the AOC's responses to several of the commenter's issues, please see Master Responses 4, 5,
29 6, and 8. Additional responses are below.

30
31 Michael Mulvihill-1

32
33 Comment noted. This comment does not address the adequacy of the EIR, and the AOC does
34 not need a further response.

35 NEAS, JOY

36 For the AOC's responses to the commenter's issues, please see Master Response 2. Additional
37 responses are provided below.

38
39 Joy Neas-1

40
41 Comment noted. The Draft EIR's Section 4.01.3.1 concludes that loss of the fountain and loss of
42 open space are potentially significant impacts to visual character and aesthetic quality, and the

1 section concludes that mitigation measures will reduce impacts to a level that is less than
2 significant.

3
4
5
6 Joy Neas-2

7
8 This commenter questions the City's ownership rights for the Hunter Square site. The comment
9 does not address the adequacy of the EIR, and the AOC does not need a further response.

10
11 Joy Neas-3

12
13 Comment noted. The Draft EIR concluded that Hunter Square site is a significant cultural
14 resource. The AOC has no authority to designate Hunter Square as a historic site. The State
15 Historical Resources Commission has authority for designation of resources for the California
16 Register of Historic Resources. The Stockton City Council has authority for the City's
17 designations, and the Revised Draft EIR notes that the City's Cultural Heritage Board recently
18 recommended designation of Hunter Square as a historic site.

19
20
21 Joy Neas-4

22
23 The Draft EIR's Section 4.01.3.1 concludes that loss of the fountain is a potentially significant
24 impact to visual character and aesthetic quality, and the section concludes that mitigation
25 measures will reduce the impact to a level that is less than significant. After removing the
26 fountain, the AOC will deliver the fountain's components to the City. Since the fountain is the
27 City's property, the City will determine the future of the fountain.

28
29 Joy Neas-5

30
31 Comment noted. Mitigation measure Recreation 1 includes the incorporation of public art in the
32 design of the new courthouse.

33
34 Joy Neas-6

35
36 Comment noted. The Hunter Square Expanded alternative includes demolition of the buildings
37 located on the three private parcels adjacent to the west side of Hunter Square. These building
38 were evaluated for their historical significance in the Draft EIR and were found not to be
39 considered historic resources, and therefore the impact to these buildings is less than significant.

40
41 Joy Neas-7

42
43 Regarding incorporation of the Day & Night façade into the planned open space for the Hunter
44 Square Expanded alternative, the AOC concludes that the façade will be inconsistent with the
45 potential design of the courthouse.

1 Joy Neas-8

2

3 The commenter proposes linking the courthouse’s driveway to El Dorado Street rather than the
4 Main Street mall. The proposal requires acquisition of access through two privately owned
5 parcels, and it forces Sheriff’s buses, service vehicles, and other vehicles to enter and depart via
6 El Dorado Street. The AOC concludes that the turning movements of buses and trucks from El
7 Dorado into a driveway and from the driveway onto El Dorado will create a significant traffic
8 hazard. The public space around the proposed courthouse will provide space for public
9 interaction, and the Draft EIR’s Section 4.07.3.1 describes the AOC’s understanding of the
10 Downtown Business Alliance’s plans to re-locate the Farmers Market. The Draft EIR’s table 4-1
11 includes the AOC’s estimates for projected courthouse-related vehicle trips on the Main Street
12 mall. As noted in Section 4.01.3.1, the AOC concludes that the project’s traffic impacts to
13 aesthetic and visual resources will have a less than significant impact.

14

15 Joy Neas-9

16

17 The new courthouse will have increased security features compared to the existing courthouse.
18 The sallyport will be located below ground underneath the new courthouse building. The
19 location of the new sallyport will be safer and more secure than the sallyport in the existing
20 courthouse, and it will be located farther from the Bob Hope Theater than is the existing
21 courthouse and its sallyport.

22

23 Joy Neas-10

24

25 Regarding the commenter’s parking concerns, the Draft EIR’s Section 4.11.3.6 provides the
26 AOC’s analysis of parking impacts for the proposed project. The analysis determined that the
27 existing parking facilities in the area have adequate space to absorb the minor increase in parking
28 spaces needed for this project. Consequently, the proposed project will have a less than
29 significant impact on parking. No mitigation measures are required.

30

31 Joy Neas-11

32

33 Comment noted. See [Campaign for Common Ground-12](#).

34

35 Joy Neas-12

36

37 The Revised Draft EIR’s traffic analysis presents data that indicates that the proposed project’s
38 and alternatives’ traffic impacts to the El Dorado Street/Weber Avenue intersection will be less
39 than significant. Therefore, no mitigation is necessary.

40

41

42 Joy Neas-13

43 The Draft EIR’s Section 4.03.1.5 states that Stockton’s residents and visitors have used Hunter
44 Square for a parking lot throughout its history.

45

46 Joy Neas—14

1
2 As shown in the Draft EIR's Figure 4, although the proposed Hunter Square project will include
3 substantial areas of public and landscaped space around the proposed courthouse, the proposed
4 project will eliminate most of the current park portion of Hunter Square. The proposed project's
5 mitigation measures include a replacement water feature on the Main Street mall between Hunter
6 Street and El Dorado Street.

7
8
9 Joy Neas-15

10
11 The commenter disputes that the project site (Hunter Square) is not located in the previously
12 proposed City's downtown historic district since it is in the heart of downtown. The Draft EIR's
13 Section 4.03.3.1 states that the proposed project site is not located within the City's downtown
14 historic district. Hunter Square is not located within the boundaries of the proposed Downtown
15 Commercial District identified by the Revised Draft Downtown Stockton Historic Resources
16 Survey (Architectural Resources Group, 2000). The City does not have a historic district in
17 downtown Stockton (Personal Communication, Paul Rapp, Chairperson, City of Stockton
18 Cultural Heritage Board to Jerome Ripperda, AOC. March 17, 2009).

19
20 Joy Neas-16

21 The Revised Draft EIR's Section 4.3.3.1 concludes that the proposed Hunter Square
22 courthouse's impacts to Hunter Square will be significant and unavoidable.

23
24 Joy Neas-17

25 The AOC has attempted to maximize the public and landscaped space around the proposed
26 project's courthouse, but the AOC must balance the amount of public and landscaped space with
27 the need to adequate space for public entries, security operations, and operational needs of the
28 Superior Court. As noted in the Draft EIR's Section 4.10.3.1, the AOC concludes that the project
29 will eliminate approximately 0.1 acres of the park, but mitigation measures Recreation 1 and
30 Recreation 2 will reduce this impact to a level that is less than significant.

31
32 Joy Neas-18

33
34 After removing the existing fountain, the AOC will deliver the fountain components to the City.
35 As stated above, the fountain is City property, and the City will determine the fountain's future
36 use. The Draft EIR's Section 4.01.3.1 concludes that mitigation measure Aesthetics 2,
37 construction of a new water feature on the Main Street mall, will reduce the fountain-related
38 impacts to a level that is less than significant.

39
40 Joy Neas-19

41 See Campaign for Common Ground-5.

42
43 Joy Neas-20

44 Comment noted. Based on the AOC's analysis of the project's parking needs and the available
45 parking resources, the Draft EIR's Section 4.11.3.6 concluded that the project's parking impacts
46 were less than significant.

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Joy Neas-21

The AOC based its projections of future transportation modes of staff persons, jurors, and visitors on the AOC's 2008 transit survey (see Superior Court 9).

Joy Neas-22

The commenter's comments for page 34 refer to the revised Draft EIR's Section 5.3.11.2.4 Hazards Posed by Design Features. The AOC concludes that mitigation measures Traffic 5, Traffic 6, and Traffic 7 will reduce the potential significant traffic hazard impacts to a level that is less than significant.

Joy Neas-23

The AOC's traffic analysts' concluded that retiming signal lights will not reduce impacts at the El Dorado Street/Washington Street/State Route 4 intersection to a level that is less than significant.

Joy Neas-24

The Hunter Square Expanded and Private Parcels alternatives include demolition of the buildings immediately west of Hunter Square, and the Private Parcels alternatives includes demolition of the Bank of America building. The AOC concluded that the impacts of these demolitions will be less than significant.

Joy Neas-25

The AOC's mitigation for potential Center Street/Weber Avenue hazards for pedestrians is the addition of pedestrian "islands" to the median areas. The AOC considers this mitigation to be the same as the commenter's suggested "raised median."

Joy Neas-26

Comment noted.

Joy Neas-27

Comment noted. The comments do not identify a deficiency in the EIR's analysis of environmental impacts, so the AOC is not taking any further action.

NICHOLS, KENNETH

For the AOC's responses to several of the commenter's issues, please see Master Responses 1, 3, 4 and 6. Additional responses are below.

Kenneth Nichols-1

1 Comment noted. This comment does not address the adequacy of the EIR and no further
2 response is required.

3 PERKOWSKI, LEORA (WRITTEN COMMENTS FROM PUBLIC MEETING)

4
5 For the AOC's responses to the commenter's issues, please see Master Response 4.

6 QUALLS, DAVID

7
8 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

9 QUINN, TIM

10 For the AOC's responses to several of the commenter's issues, please see Master Responses 3, 4,
11 and 5. Additional responses are below.

12
13 Tim Quinn-1

14
15 The AOC must prepare a Statement of Overriding Considerations if the proposed project has
16 significant and unavoidable impacts to the environment. The Draft EIR concluded that the
17 proposed project (and all the alternatives) has significant and unavoidable impacts. Therefore,
18 the AOC will prepare a Statement of Overriding Considerations as part of its CEQA Findings.

19
20 RAMIREZ, ADAM

21
22 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, 5, and
23 6.

24 RANCHHOD, MAHESH

25
26 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, and 5.

27 ROBERTS, REID

28
29 For the AOC's responses to several of the commenter's issues, please see Master Responses 3, 4,
30 5, and 6.

31 ROSSELL, JANETTE (WRITTEN COMMENTS FROM PUBLIC MEETING)

32
33 For the AOC's responses to several of the commenter's issues, please see Master Responses 3
34 and 4.

35
36 Janette Rossell-1

37
38 The commenter states that the Draft EIR does not consider the Washington Street alternative's
39 impacts related to visual impacts at the existing San Joaquin Courthouse/Administration

1 Building. As noted in the Draft EIR's Section 3.4.4, the AOC understands that the County does
2 not plan to occupy the vacated space for long-term operations. Since the County owns the
3 building, either the County will maintain the building and there will be no change in the
4 appearance of the building and no visual impacts, or the County will remove the vacated Court
5 Wing.

6
7 Janette Rossell-2

8
9 The impact of shadows on the properties surrounding the Washington Street Alternative site is
10 evaluated in the Draft EIR Section 5.3.01.2.4. As stated, "The new courthouse's shadows at the
11 Washington Street Alternative site will primarily affect the properties north and east of the
12 proposed building, which does not include public facilities. Since the courthouse's shading of
13 the museum and school will occur for only limited portions of the day, the AOC concludes that
14 shading impacts from the proposed project will be less than significant."

15
16 RUHSTALLER, LARRY (ORAL COMMENTS)

17
18 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.
19 S. & M. RANCHHOD FAMILY TRUST, M. RANCHHOD

20
21 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.
22 SAN JOAQUIN COUNTY LAW LIBRARY, JEFFERY PRAG

23
24 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.
25 SAN JOAQUIN COUNTY PROBATION DEPARTMENT, PATRICIA MAZZILLI

26
27 For the AOC's responses to the commenter's issues, please see Master Response 3.
28 SAN JOAQUIN REGIONAL TRANSIT DISTRICT

29
30 San Joaquin Regional Transit District-1

31
32 Comment noted.

33
34 San Joaquin Regional Transit District-2

35
36 The commenter recommends and requests an expanded review of traffic impacts for the
37 Washington Street alternative and states that the alternative will require provisions for public
38 transit including new service between downtown and the site. In addition, the commenter states
39 that many trips indicated as pedestrians within the AOC's traffic study will transfer from walking
40 to riding public transit or driving personal vehicles. Finally, the commenter recommends a

1 finding of potentially significant impact associated with the Washington Street alternative to
2 include additional mitigations for public transit amenities in the site design.

3
4 Regarding the Washington Street alternative's traffic impacts, the Revised Draft EIR provided a
5 revised traffic analysis; [Master Response-5](#) provides a summary of the revised impacts.

6 Regarding the commenter's statement that many trips indicated as pedestrians within the AOC's
7 traffic study will transfer from walking to riding public transit or driving personal vehicles, the
8 revised Draft EIR's analysis includes assumptions for increased trips within downtown Stockton,
9 but the impacts on downtown Stockton intersections were less than significant (except as noted
10 in [Master Response-5](#)). The Draft EIR concluded that the Washington Street alternative includes
11 no conflict with policies, plans, or programs supporting alternative transportation and had
12 impacts that are less than significant. The AOC expects that operation of a courthouse on
13 Washington Street will increase ridership on the routes that serve the Washington Street area, but
14 increased transit ridership does not create a conflict with transit policies.

15
16 Regarding provision of public transit for the Washington Street alternative, the District's system
17 map¹ shows that the District's Routes 60 and 77 provide access to the site via Washington Street
18 and Weber Avenue. Both routes link to the District's Downtown Transit Center. As stated above,
19 the AOC expects that operation of a courthouse on Washington Street will increase ridership on
20 the routes 60 and 77, but increased transit demand does not create a conflict with transit policies.

21 SCHICK, JOHN

22
23 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 3.
24 Additional responses are below.

25
26
27 John Schick-1
28 Comment noted

29
30 SCHWARZENBERG, ELLEN

31
32 For the AOC's responses to the commenter's issues, please see Master Responses 3, 4, and 5.
33 SHACKELFORD, JOHN

34
35 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.
36 SHACKELFORD, LAJLA

37
38 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

¹ Available at http://sanjoaquinrtd.com/maps_and_schedules/system-map/SYSMAP-WWH_20081005/System-Map_200807_wor.html. Accessed on June 16, 2008.

1 SHORE, DENNIS

2

3 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, and 5.

4 SMALLIE, DENNIS (ORAL COMMENTS)

5

6 For the AOC's responses to the commenter's issues, please see Master Responses 4 and 1.

7 SOUZA, DAVE (ORAL COMMENTS)

8

9 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 3.

10 Additional responses are below.

11

12

13 Dave Souza-1

14

15 Comment noted.

16 SPERRY, JERRY

17

18 For the AOC's responses to the commenter's issues, please see Master Response 4.

19 STEVENSON, STEVEN

20

21 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

22

23 STEVENSON, (STEVE) DON (ORAL COMMENTS)

24

25 For the AOC's responses to the commenter's issues, please see Master Response 1.

26 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN

27 For the AOC's responses to the commenter's issues, please see Master Responses 3, 4, 5, 6, 7, 8,
28 and 9. Additional responses are below.

29

30 Superior Court-1

31

32 As noted in the Draft EIR's Section 5.6, CEQA Guidelines Section 15126.6 (e) requires a lead
33 agency to identify a environmentally superior alternative, and the AOC's Draft EIR designated
34 the Washington Street alternative as the environmentally superior alternative because it had the
35 fewest significant and unavoidable impacts. In the Revised Draft EIR, Section 5.3.11.2.1
36 summarized the revised traffic analysis of the Washington Street alternative with the conclusion
37 that the alternative will have significant and unavoidable traffic impacts. Due to the revised
38 analysis, the Revised Draft EIR's Section 5.6 states that the Washington Street alternative and
39 the Private parcels alternative both have two significant and unavoidable impacts. The Revised

1 Draft EIR's Table 5-11 shows that the Hunter Square proposed project and the Hunter Square
2 Expanded alternative both have three significant and unavoidable impacts. To designate the
3 environmentally superior alternative, the AOC uses the criterion of fewest significant and
4 unavoidable impacts. Therefore, the Revised Draft EIR states that either the Washington Street
5 alternative or the Private Parcels alternative is the environmentally superior alternative.
6 Superior Court-2

7
8 In response to the commenter's statement that: "...the record demonstrates overriding
9 considerations...", the AOC concludes that the comments do not identify a deficiency in the
10 EIR's analysis of environmental impacts, and the AOC is not taking any further action.

11
12 Superior Court-3

13
14 The AOC notes the commenter's statements regarding the Draft EIR's alternatives. These
15 comments do not identify a deficiency in the EIR's analysis of environmental impacts, so the
16 AOC is not taking any further action.

17
18 Superior Court-4

19
20 Comment noted. For the Hunter Square Expanded alternative, the AOC has changed page 5-7's
21 text:

22
23 "Therefore, the project will create approximately 0.5 acre of additional park space. The new
24 courthouse's open space will provide attractive new architectural and landscaping features. ~~The~~
25 ~~project will provide new open space areas that are only slightly smaller than the existing park~~
26 ~~space;~~ however, the replacement space will be fragmented and less buffered from nearby
27 congestion."

28
29
30
31 Superior Court-5

32
33 The commenter states that the Hunter Square proposed project and the Hunter Square Expanded
34 alternative do not eliminate all of the available downtown open space; the statements refer to the
35 Draft EIR's Section 4.01.3.1 for Hunter Square and Section 5.4.01.2.1 for the Hunter Square
36 Expanded alternative. The AOC has added descriptions of the DeCarli Square and Weber Points
37 Events Center to Section 4.01.1.1.

38
39 Superior Court-6

40
41 The commenter states that the County plans to raze the current courthouse and build a new plaza
42 once the Superior Court moves to the proposed new courthouse, and the County's new plaza will
43 be superior to the existing Hunter Square. The statement refers to the Draft EIR's Section
44 4.01.3.1. The AOC understands that the County intends to develop more open space. However,
45 the County's plans for the existing courthouse and surrounding area are outside the scope of the
46 AOC's CEQA analysis.

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Superior Court-7

The commenter refers to the Main Street mall area and the Draft EIR’s project description in Section 1.4.1 and discusses extension of the proposed project’s courthouse into the Main Street mall. The Main Street mall is the City’s property, and the AOC’s proposed project does not include acquisition of portions of the Main Street mall or construction of the courthouse on the mall.

Superior Court-8

The commenter states that the Draft EIR’s traffic analysis has erroneous assumptions. The AOC agreed that the assumptions were no longer correct, and the Revised Draft EIR and its Appendix H provide a revised traffic analysis using revised assumptions.

Superior Court-9

The AOC conducted a commuter survey on April 29, 2008. Respondents included persons who proceeded through the security screening facilities and persons who possessed credentials that allowed them to bypass the security screening facilities. Respondents did not include uniformed visitors. All survey participants were volunteers. The AOC collected 50 surveys from non-credentialed persons and 50 credentialed persons. The survey data included mode of travel (single-occupant vehicle, car-pool travel, public transit, bicycle travel, and walking), parking location, and ZIP code of the trip’s origin.

Superior Court-10

The commenter refers to the Draft EIR’s Section 4.11.3.1, but the comments are also pertinent to the traffic impacts of the Hunter Square Expanded and Private Parcels alternatives. Although the Revised Draft EIR included a new traffic analysis, the new traffic analysis’ evaluation did not include any evaluation of San Joaquin Street intersections.

The AOC’s analysis of potential traffic impacts did not attempt to analyze every intersection, but analysts chose intersections that seemed most important and likely to develop significant impacts. During initial evaluations of downtown Stockton’s streets, the AOC’s made the following observations:

- San Joaquin Street does not directly connect to the State Route 4 ramps, while El Dorado Street and Center Street and Stanislaus Street do connect with State Route 4 ramps. Therefore, travel routes from State Route 4 to the Stewart-Eberhardt Parking Garage or the Edmund McCoy Parking Garage via northbound/southbound San Joaquin Street require more turns and more passages through traffic-signal-controlled or stop-sign-controlled intersections than travel routes using northbound El Dorado Street/southbound Center Street or northbound/southbound Stanislaus Street;
- San Joaquin Street is a two-way street, and therefore its traffic signals lack synchronization to promote smooth movement of vehicles sequentially through multiple

1 intersections. In contrast, El Dorado Street and Center Street are one-way streets with
2 separately synchronized traffic signals that promote smooth traffic movement
3 sequentially through multiple intersections; and

- 4 • The San Joaquin Street/Main Street intersection’s traffic signal includes a 3-phase signal
5 sequence for San Joaquin Street vehicles, Main Street vehicles, and pedestrians that slows
6 vehicle movement through the intersection;

7
8 The AOC’s analyst and the traffic study analysts found northbound and southbound travel on
9 San Joaquin Street to be slower and more complicated than northbound movement on El Dorado
10 Street and southbound movement on Center Street. Therefore, the AOC concentrated its traffic
11 analysis on El Dorado Street and Center Street rather than San Joaquin Street. The AOC’s
12 analysts traveled many times on San Joaquin Street, but they did not observe traffic conditions
13 that indicated that San Joaquin Street intersections had potentially significant traffic impacts.

14 15 **Superior Court-11**

16
17 The commenter expresses concerns that the AOC failed to analyze traffic exiting State Route 4 at
18 Stanislaus Street and proceeding on westbound Washington Street to northbound San Joaquin
19 Street. The AOC’s analysis of potential traffic impacts did not attempt to analyze every
20 intersection, but analysts chose intersections that seemed most important and likely to develop
21 significant impacts. The AOC did not analyze traffic traveling from Stanislaus Street to
22 westbound Washington Street to northbound San Joaquin Street because analysts concluded that
23 a Stanislaus Street and Weber Avenue route was as direct as the Washington Street and San
24 Joaquin Street route and the Stanislaus Street and Weber Avenue route was faster. Also, as noted
25 above, the San Joaquin Street/Main Street intersection’s traffic signal includes a 3-phase signal
26 sequence for San Joaquin Street vehicles, Main Street vehicles, and pedestrians that slows
27 vehicle movement through the San Joaquin Street/Main Street intersection. In addition, analysts
28 did not encounter substantial pedestrian: vehicle complications during trips on Stanislaus Street
29 and Weber Avenue to the McCoy Parking Garage. The AOC’s analysts traveled on San Joaquin
30 Street, but they did not observe traffic conditions that indicated that San Joaquin Street
31 intersections had potentially significant traffic impacts.

32
33 The commenter also noted that: “This path is actually the most direct route from the freeway
34 [westbound State Route 4] to the parking lots under the freeway, the County Motor Pool/Hunter
35 Street Parking Garage on San Joaquin, the Channel Street Garage at the corner of San Joaquin
36 and Channel, and the Edmund Coy parking garage which is one block west of San Joaquin and
37 Channel.” The AOC agrees that westbound Washington Street provides a direct link to the
38 parking lots under the freeway and the County Motor Pool Garage on San Joaquin; however, San
39 Joaquin Street does not provide access to the public entrance of the County Motor Pool Garage
40 on Hunter Street. The AOC understands that the Superior Court supports staff and juror parking
41 in the Stewart-Eberhardt and McCoy Parking Garages, but the AOC has no information that
42 substantial numbers of the Superior Court’s staff park under the freeway; therefore, the AOC did
43 not monitor parking in the parking lots under the freeway.

44 45 **Superior Court-12**

1
2 The AOC’s traffic analysts did perform Draft EIR-related traffic surveys at a time when
3 construction activities were occurring for the new County administration building. However, the
4 construction activities did not involve any apparent traffic lane closures or modifications on
5 Weber Avenue or San Joaquin Street. The traffic analysts traveled on San Joaquin Street and did
6 not observe any construction-related traffic complications on San Joaquin Street that caused
7 modification of traffic flow. Therefore, the AOC concludes that the construction did not affect
8 the AOC’s traffic analyses.
9

10 **Superior Court-13**

11
12 The Revised Draft EIR presents a revised traffic analysis that concludes that El Dorado
13 Street/Weber Avenue impacts are less than significant for the preferred alternative and the other
14 alternatives.
15

16 **Superior Court-14**

17
18 The Revised Draft EIR presents a revised traffic analysis, and it does not include the mitigation
19 measures presented on the Draft EIR’s page 4-101.
20

21 **Superior Court-15**

22
23 The commenter states that the EIR ought to emphasize that the new courthouse facility will not
24 cause increased parking demand. However, the Draft EIR’s Section 4.11.3.6 states that the
25 proposed project (and Hunter Square Expanded alternative) will eliminate 50 parking spaces in
26 the Hunter Square parking lot. In addition, the proposed project, Hunter Square Expanded
27 alternative, and Private Parcels alternative will all produce a new courthouse facility that will
28 serve more visitors, jurors, and staff than the Superior Court’s current operations in the San
29 Joaquin Courthouse/Administration Building. Also, since the County will occupy some of the
30 Superior Court’s current space in the existing San Joaquin Courthouse/Administration Building,
31 the County’s re-use of the space, which is part of the AOC’s project, will increase parking
32 demand in the vicinity of the new courthouse. For these reasons, the AOC concluded that the
33 proposed project (and the Hunter Square Expanded alternative and the Private Parcels
34 alternative) will increase parking demand in the vicinity of the new courthouse. The AOC’s
35 parking analyses included the increased parking demand in the analyses of parking impacts, and
36 the AOC concluded that the impacts are less than significant for the preferred project and the
37 alternatives.
38

39 **Superior Court-16**

40
41 The commenter disagrees with the Draft EIR’s Section 4.11.3.6 and states: “There is no basis for
42 the prediction of 100 new visitor trips. As for juror counts, it is difficult to predict daily counts.
43 The number of jurors appearing on any one day is highly variable.”
44

45 The Draft EIR’s Section 4.11.3.6 states: “When the Court begins operations in the new
46 courthouse, the AOC expects that the Court will add approximately [an] additional 100 juror and

1 approximately 100 visitor and staff trips per day.” To estimate future juror trips, the AOC
2 evaluated the Superior Court’s juror population for the period from May 5, 2008 through May
3 23, 2008. For the fifteen days of juror data, the AOC averaged the five highest daily AM juror +
4 returning juror counts; the average was 299 jurors. Since the project will increase the Superior
5 Court’s courtrooms by approximately 36% from the existing 22 in the San Joaquin County
6 Courthouse/Administration Building to the proposed project’s 30 courtrooms, the AOC assumed
7 that a 36% increase in courtrooms will produce a 36% increase of jurors, which equals 107² new
8 jurors.
9

10 For visitor and staff trips, the Draft EIR’s Traffic Study noted that the traffic survey counted 505
11 individuals (jurors and visitors) arriving during the peak AM hour. The AOC assumed a 36%
12 increase in arrivals, which equals 181 persons. Subtracting 100 jurors from the 181 persons
13 yields 81 visitors; since the traffic survey indicated that approximately 68 per cent of visitors
14 drive alone while 32 per cent car pool, the AOC assumed that visitor vehicle trips will equal 68
15 trips.³ Since the AOC assumed that the Superior Court will add 30 employees (see Draft EIR’s
16 Section 1.0), and the traffic study indicated that 88 per cent of staff drive alone, the total new
17 staff trips equal 29 trips. The sum of 29 staff trips plus 68 visitor trips equals 97 trips.
18

19 **Superior Court-17**

20

21 The commenter states that the EIR ought to acknowledge that the Washington Street site is
22 inconsistent with a project objective. The AOC disclosed the alternatives’ impacts in the Draft
23 EIR and the Revised Draft EIR, but the AOC did not to evaluate the alternatives’ feasibilities in
24 the Draft EIR and the Revised Draft EIR.
25

26 **Superior Court-18**

27

28 The commenter states that: “The Draft EIR notes that the distance between the Hunter Square
29 site and the Washington Square [Street] site is one-third of a mile. The relevant distance is
30 actually at least one-half mile.” The AOC presumes the comment refers to the Draft EIR’s third
31 paragraph of Section 1.6. The AOC agrees that the walking distance or driving distance between
32 Hunter Square and the potential Washington Street alternative site is not “one-third of a mile.”
33

34 **Superior Court-19**

35

36 The commenter states that the Washington Street alternative will produce increased downtown
37 traffic during the day and an increase parking demand in the Washington Street area. The
38 Revised Draft EIR traffic analysis’ Figure 2 shows the base case traffic distribution for the peak
39 AM hour, Figure 6 shows the proposed project’s increment traffic distribution, and Figure 13
40 shows the alternative’s increment traffic distribution. The trip distribution differences of Figures
41 6 and 13 for downtown intersections show the traffic analysts’ presumptions for courthouse-
42 related redistribution of traffic. For the El Dorado Street/Washington Street, El Dorado
43 Street/Weber Avenue, Center Street/Washington Street, and Center Street/Weber Avenue

² 299 jurors x 0.36 = 107 jurors

³ 81 trips x 68% drive-alone vehicles = 55 trips; 81 trips x 32% car pool vehicles (assume 2 persons per vehicle) = 13 trips; and 55 trips + 13 trips = 68 trips

1 intersections, analysts added substantial westbound trips on Washington Street and Weber
2 Avenue to the Washington Street alternative's analysis. Although the Washington Street
3 alternative increases westbound traffic, it also reduces traffic to the Stewart-Eberhardt Parking
4 Garage, McCoy Parking Garage, and other downtown parking areas near the existing San
5 Joaquin County Courthouse/Administration Building. The Washington Street alternative may
6 produce increased westbound downtown traffic during the day, but the AOC's analyses indicate
7 that reviewers must also consider the alternative's reduction of current downtown traffic and the
8 traffic analysis' conclusion that projected impacts on the downtown's intersections are less than
9 significant.

10
11 Regarding the alternative's potential parking impacts, the Draft EIR's Section 4.11.1.5 describes
12 the AOC's assumptions for parking resources for the alternative, and Section 4.11.3.6 explains
13 the AOC's conclusion that the alternative's parking impacts will be less than significant.

14 15 **Superior Court-20**

16
17 As noted previously, the Revised Draft EIR's traffic analysis presents a new traffic evaluation of
18 all of the alternatives' traffic impacts. The Revised Draft EIR's Table 5-9 presents intersection
19 Level of Service results for AM traffic peak hour and the PM traffic peak hour for the
20 Washington Street alternative. The AOC's CEQA-related traffic analyses focus on the AM
21 traffic peak and the PM traffic peak because the peak hours have the highest traffic volumes of a
22 workday and therefore have the greatest potential to display traffic problems. In addition, a
23 courthouse's AM traffic peak hour produces the highest hourly arrivals at a courthouse and
24 therefore the highest hourly trip generation. The interaction of the AM traffic peak and the
25 courthouse's AM traffic peak hour therefore produces the greatest potential courthouse-related
26 traffic impact.

27
28 As shown in the Revised Draft EIR's Table 5-9, the Washington Street alternative's traffic delay
29 and level of service impacts during the AM peak traffic hour and the PM peak traffic hour to the
30 City's downtown intersections are very minor, and the levels of service remain "A" or "B" for
31 the City's intersections (except for the Center Street/Weber Avenue intersection, which has a
32 "C" rating). The "A," "B," and "C" ratings indicate that the intersections are not close to the "E"
33 threshold for triggering CEQA potentially significant impacts. Since traffic volumes during the
34 AM peak and PM peak are much greater than traffic during other times of a work day and the
35 AOC's traffic analysts did not observe any evidence of potentially significant non-peak hour
36 traffic problems in the downtown area, the AOC believes that additional traffic from law offices
37 and other agency staff will have non-peak impacts that are less than significant. As shown in the
38 Revised Draft EIR's Table 5-9, the alternative's AM peak traffic indicates that the alternative's
39 impacts on downtown intersections will be less than significant; since potential non-peak traffic
40 volumes from downtown law office staff and other agency staff will be less than the AM peak
41 hour's staff, juror, and visitors traffic volume and the base case non-peak traffic will be less than
42 AM peak traffic volumes, the AOC concludes that the impacts of non-peak trips by downtown
43 law office staff and other agency staff will be less than significant.

44 45 **Superior Court-21**

1 The commenter states that the Draft EIR’s traffic analysis did not examine other potential routes
2 from the Washington Street alternative’s site to State Route 4. The Revised Draft EIR’s traffic
3 analysis revises the trip distribution for the alternative and includes an evaluation of traffic
4 utilizing the Center Street/Weber Avenue intersection. The projected impacts are less than
5 significant. The analysis does not evaluate the Center Street/Market Street intersection because
6 traffic on Market Street between Commerce Street and Center Street is very low. The AOC’s
7 analysis of potential traffic impacts did not attempt to analyze every intersection, but analysts
8 concentrated on intersections that seemed most important and likely to develop significant
9 impacts.

10
11 **Superior Court-22**

12
13 The commenter states that the Draft EIR’s traffic analysis did not examine other potential routes
14 from the downtown area via Weber Avenue to Washington Street alternative’s site. The Revised
15 Draft EIR’s traffic analysis revises the trip distribution for the alternative (See Figures 13 and 14
16 of the Revised Draft EIR’s Appendix H) and includes an evaluation of traffic utilizing Weber
17 Avenue. As shown in the Revised Draft EIR’s Table 5-9, the projected impacts are less than
18 significant.

19
20 **Superior Court-23**

21
22 The commenter disagrees with the Draft EIR’s conclusion that impacts at the Madison
23 Street/Weber Avenue intersection are less than significant and states that the AOC must evaluate
24 traffic impact on the Weber Institute pedestrians. Figure 13 of the Revised Draft’s traffic study
25 illustrates the traffic analysts’ trip distribution for the Madison Street/Weber Avenue intersection
26 and other nearby intersections. Since Madison Street does not provide a connection to the
27 alternative’s parking lots, analysts concluded that it will not carry significant southbound
28 Madison Street vehicle trips to the courthouse during the AM peak hour. Analysts projected that
29 22 northbound vehicles will depart the alternative site on Madison Street during the AM peak
30 hour; since analysts determined that baseline northbound Madison Street was 32 vehicles, the
31 projected increase in traffic is very minor, and the AOC concludes that hazard impacts at the
32 intersection will be less than significant.

33
34 **Superior Court-24**

35
36 Regarding the commenter’s concerns for potential traffic controls or other pedestrian-related
37 crossing features at the Madison Street/Weber Avenue and Madison Street/Market Street
38 intersections, the AOC’s analysts concluded that vehicle traffic at these intersections will be
39 small. Since the intersections have stop sign controls and good visibility, the AOC concludes that
40 pedestrian: vehicle traffic hazard impacts will be less than significant.

41
42 **Superior Court-25**

43
44 The commenter proposes consideration of modifications of Market Street. Market Street is
45 already a one-way eastbound street from Lincoln Street through downtown Stockton.

1 **Superior Court-26**

2
3 Comment noted. The AOC has added text to clarify the availability of parking spaces to the
4 public.

5
6 Revision: On Page 5-43, lines 5-6, the following changes have been made:
7 Table 5-5 lists data for the alternative’s proposed parking. A total of 930 parking spaces will be
8 available at the Washington Street location. The court’s staff may use approximately 300 spaces,
9 and approximately 630 parking spaces will be available to jurors and visitors.

10
11 **Superior Court-27**

12
13 See [San Joaquin Regional Transit District-2](#).

14
15 **Superior Court-28**

16 The commenter states their understanding that the AOC intends to address environmental issues
17 in the Draft EIR, that the AOC does not intend to evaluate the economic feasibility of the various
18 alternatives in the Draft EIR, and that the AOC will evaluate the economic feasibility of the
19 alternatives will be part of the Findings in the Final EIR. The AOC did prepare the Draft EIR to
20 evaluate environmental impacts, and the AOC did not evaluate the economic feasibility of the
21 alternatives in the Draft EIR. The AOC does not intend to evaluate the economic feasibility of
22 the alternatives in the Final EIR.

23
24
25 **Superior Court-29**

26
27 Comment noted. The units have been changed from the metric units to English units.

28
29 **Superior Court-30**

30
31 Comment noted. The AOC has corrected the figure letters.

32
33 **Superior Court-31**

34
35 The Draft EIR’s Section 5.3.05.2.2 concluded that the alternative’s impacts are potentially
36 significant and included mitigation measures. As noted by the commenter, the Draft EIR’s Table
37 EX-1 includes “Less Than Significant Impact” for the issue. The AOC completed a Phase II
38 Environmental Site Assessment for the Washington Street alternative project site in April 2009.
39 The Phase II assessment concluded that contaminant levels were below the limit of detection or
40 at very low concentrations below any public health or regulatory benchmark. The AOC has
41 therefore concluded that the potential impacts are less than significant. The AOC has changed
42 Section 5.3.05.2.2 and left Table EX-1 unchanged.

43
44 **Superior Court-32**

45
46 Comment noted. The AOC has modified the text. See [Campaign for Common Ground-11](#).

1
2 **Superior Court-33**

3
4 Comment noted. The alternatives do not affect the need for a statement of overriding
5 considerations. CEQA Guidelines Section 15093 (a)... If the specific economic, legal, social,
6 technological, or other benefits of a proposed project outweigh the unavoidable adverse
7 environmental effects, the adverse environmental effects may be considered “acceptable.” (b)
8 When the lead agency approves a project which will result in the occurrence of significant
9 effects which are identified in the final EIR but are not avoided or substantially lessened, the
10 agency shall state in writing the specific reasons to support its action based on the final EIR
11 and/or other information in the record. The statement of overriding considerations shall be
12 supported by substantial evidence in the record.
13

14 **Superior Court-34**

15
16 The AOC notes the Superior Court’s clarification of its occupied space in the Court Wing of the
17 San Joaquin County Courthouse/Administration Building. The clarification reduces the Revised
18 Draft EIR Section 4.11.2.2’s assumption for the net new courthouse development from 235,000
19 BGSF to approximately 218,000 BGSF. Since the Revised Draft EIR’s Traffic Impact Study
20 (Appendix H) assumed 1.97 trips per 1,000 BGSF, the clarification reduces base case traffic trips
21 by approximately 34 trips. Since the report’s Figure 3 that the projected base case peak hour
22 traffic volume for the El Dorado Street/Washington Street/State Route 4 ramp intersection is
23 over 3,200 vehicles during the AM peak hour, the AOC assumes that the clarification’s very
24 small reduction in trips will not change the intersection impacts.
25

26 **Superior Court-35**

27
28 Although the Superior Court will vacate most of its leased space at 540 East Main Street, the
29 Revised Draft EIR’s Traffic Impact Study (Appendix H) assumes that another tenant will occupy
30 the space. Therefore, the Superior Court’s move from the facility will not change the base case
31 traffic assumptions.
32

33 **Superior Court-36**

34
35 Although the County may transfer employees from other leased space in downtown Stockton to
36 the vacated space in the San Joaquin County Courthouse/Administration Building, AOC assumes
37 that another tenant will occupy the space. Therefore, the County’s move from other leased space
38 will not change the base case traffic assumptions.
39

40 **Superior Court-37**

41
42 Comment noted. The Revised Draft EIR’s Traffic Impact Study (Appendix H) provides
43 estimated distribution of courthouse-related trips (for example, Figure 6 for AM traffic peak
44 hour) based on the assumption that most courthouse trips for the proposed project will end at the
45 Stewart-Eberhardt Garage or the McCoy Garage. Although the study utilizes existing traffic
46 counts to distribute 2013 base case traffic (for example, Figure 2 for AM traffic peak hour), it

1 does not include assumptions for County employees' trips to specific parking areas as part of the
2 base case trip distribution.

3
4 **Superior Court-38**

5
6 Comment noted. The Final EIR includes corrected text.

7
8
9 TABAK, STEWART

10
11 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.
12 U.S. DEPARTMENT OF HOMELAND SECURITY FEMA REGION IX, GREGOR BLACKBURN

13 USTACH, PAUL

14
15 For the AOC's responses to the commenter's issues, please see Master Response 4.

16
17 VILLAPUDUA, ARMANDO

18
19 For the AOC's responses to the commenter's issues, please see Master Responses 3, 4, and 5.
20 VILLAPUDUA, CARLOS

21
22 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.
23 VIRI, PETER

24
25 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, 5, and
26 6.
27 VLAVIANOS, HONORABLE RICHARD

28
29 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, 5, and
30 6.
31 WATERS, ROB (WRITTEN COMMENTS FROM PUBLIC MEETING)

32
33 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.
34 WELLERSTEIN, JEFFREY

35
36 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 4, and 6.

1 WILHOIT, DOUG (ORAL COMMENTS)

2

3 For the AOC's responses to the commenter's issues, please see Master Responses 1 and 4.

4 WILLETT, JIM (ORAL COMMENTS)

5

6 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, 5, and 7.

7 ZARUBA, BARBARA (ORAL COMMENTS)

8

9 For the AOC's responses to the commenter's issues, please see Master Responses 1, 3, and 4.

10

11

12

1 **3.0 REVISIONS TO THE DRAFT EIR**

2 This chapter presents all of the revisions made to the Draft EIR (including the Revised Draft
3 EIR) due to staff-initiated changes or as a response to received comments. New text is
4 underlined and deleted text is identified with double strikethrough. Text changes are presented
5 in the page order in which they appear in the Draft EIR.

6

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10	

1 **ACRONYMS AND ABBREVIATIONS**

2	$\mu\text{g}/\text{m}^3$	Micrograms per cubic meter
3	AOC	Administrative Office of the Court
4	APN	Assessor's Parcel Number
5	B.P.	Before present
6	CalEPA	California Environmental Protection Agency
7	CARB	California Air Resources Board
8	CCR	California Code of Regulations
9	CEQA	California Environmental Quality Act
10	CFR	Code of Federal Regulations
11	CNEL	Community Noise Equivalent Level
12	dB	Decibels
13	dBA	A-weighted decibels
14	DNL	Day/Night Average Sound Level
15	DPR	California Department of Parks and Recreation
16	DTSC	Department of Toxic Substances Control
17	EIR	Environmental impact report
18	EPA	U.S. Environmental Protection Agency
19	FEMA	Federal Emergency Management Agency
20	gpd/acre	Gallons per day per acre
21	Hz	Hertz
22	Ldn	Same as the DNL
23	LEED	Leadership in Energy and Environmental Design
24	Leq	Equivalent sound level
25	Lmax	The instantaneous maximum noise level
26	L50	The noise level that is equaled or exceeded 50 percent of the specified time
27	L90	The noise level that is equaled or exceeded 90 percent of the specified time
28	LUST	Leaking underground storage tank
29	MGD	Million gallons per day
30	MICR	Million incremental cancer risk
31	MMTCO ₂ E	Million tons of carbon dioxide equivalent
32	NPDES	National Pollutant Discharge Elimination System

ACRONYMS AND ABBREVIATIONS (Continued)

1	OPR	Office of Planning and Research
2	PM ₁₀	Particulate matter with an aerodynamic diameter less than 10 micrometers
3	PM _{2.5}	Particulate matter with an aerodynamic diameter less than 2.5 micrometers
4	ppm	Parts per million
5	SWPPP	Stormwater pollution prevention plan
6	WQMP	Water quality management plan

1 **1.0 EXECUTIVE SUMMARY**

2 The AOC has prepared this Environmental Impact Report (EIR) for the proposed new Stockton
3 Courthouse Project. The AOC is the lead agency directing preparation of the EIR in association
4 with its consultant, Tetra Tech EM Inc.

5 The AOC is proposing a new courthouse in downtown Stockton in Hunter Square, which is
6 adjacent to the existing San Joaquin County Courthouse building at 222 East Weber Avenue.
7 The new courthouse building will face Weber Avenue and will be 12 stories tall and
8 approximately 325,000 building gross square feet. The new courthouse will have 30 courtrooms
9 compared with the existing courthouse’s 22. Total projected staff is approximately 300.

10 The EIR evaluates a total of four alternatives: the “No Project” alternative, the Hunter Square
11 Expanded alternative, the Washington Street alternative, and the Private Parcels alternative. The
12 Hunter Square Expanded alternative includes several properties adjacent to the proposed project
13 for potential acquisition that provide additional space and give the AOC more flexibility for
14 development of the project. AOC is also considering the Washington Street alternative, which is
15 approximately one-third mile direct distance (one-half mile walking or driving distance) from the
16 proposed project site. This site is vacant and will provide ample space for the project. A Bank
17 of America parcel, several additional private parcels, and a City of Stockton parcel form a fourth
18 alternative, the Private Parcel alternative. The Private Parcel alternative is adjacent to Hunter
19 Square Plaza.

20 Public comments during the environmental scoping process identified Cultural Resources and
21 Parking as important issues for evaluation. These and a wide range of other issues are evaluated
22 in this EIR.

23 The proposed project will result in significant unavoidable impacts to ~~visual resources and~~
24 ~~aesthetics,~~ cultural resources, construction-related noise, ~~recreation,~~ and traffic increase and level
25 of service hazards. The Hunter Square Expanded alternative will result in significant and
26 unavoidable impacts to cultural resources, construction-related noise, and traffic increase and
27 level of service hazards. The Washington Street alternative will result in significant and
28 unavoidable impacts to construction-related noise and traffic increase and level of service. The
29 Private Parcel alternative will result in significant and unavoidable impacts to construction-
30 related noise and traffic increase and level of service. [Table ES-1](#) lists the EIR’s impact
31 conclusions.

32 Transportation impacts associated with some traffic increase, a decrease in intersection levels of
33 service, and parking are potentially significant for the proposed project, but they can be reduced
34 to below significant levels with mitigation. In addition, the project will also have potentially
35 significant impacts in the following areas: visual character and aesthetic quality, construction-
36 related air quality emissions, underground cultural and paleontological resources that may be
37 encountered during excavation, hazardous materials, and land use conflict associated with

1 ~~potential conflicts with the downtown Farmer’s Market, and vibration-related noise impacts~~
2 ~~during construction.~~

3 The California Environmental Quality Act (CEQA) requires identification of an
4 “environmentally superior” alternative, in addition to the “No Project” Alternative. ~~The~~
5 ~~Washington Street Alternative was identified as the “Environmentally Preferred Alternative.”~~
6 ~~This alternative will avoid or reduce the potential impacts identified above. The~~
7 environmentally superior alternative among the remaining alternatives will be the Washington
8 Street alternative or the Private Parcels alternative. Both of these alternatives will result in
9 only two significant and unavoidable impacts. A technical study prepared for Transportation is
10 contained in [Appendix H](#). An independent Cultural Resources evaluation was also conducted
11 and incorporated into the Cultural Resources discussion. Additional investigations supporting
12 the cultural resources analysis are included in [Appendix F and G](#).

13 1.1 INTRODUCTION AND PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

14 The AOC is responsible for implementation of the Trial Court Facilities Act of 2002 (Chapter
15 1082, Statutes of 2002) (as amended), which requires transfer of responsibility for funding and
16 operation of trial court facilities from California counties to the State of California. To provide
17 new facilities for the Superior Court of California, County of San Joaquin, the AOC is proposing
18 to acquire a new courthouse parcel in downtown Stockton, construction of a new courthouse, and
19 operation of the courthouse for the court.

20 The AOC is preparing this EIR in conformance with CEQA to evaluate and disclose the
21 environmental impacts of the proposed New Stockton Courthouse (the proposed project). For
22 CEQA compliance, a lead agency must prepare an EIR when there is substantial evidence that
23 a project could have a significant effect on the environment. The purpose of an EIR is to
24 provide decision makers, public agencies, and the public with an objective and informational
25 document that fully discloses the potential environmental effects of the proposed project.

26 1.2 CEQA EIR PROCESS

27 This EIR assesses the environmental impacts of a new courthouse, in addition to a range of
28 alternatives that may avoid or reduce potential impacts associated with the proposed project.
29 The CEQA process includes the following principal activities to prepare an EIR:

- 30 • Initial Scoping—Determination of whether to prepare an EIR or a Negative
31 Declaration;
- 32 • Initial Study (optional, but prepared for this proposed project);
- 33 • Release of Notice of Preparation and Public Scoping Meeting;
- 34 • Preparation of a Draft EIR evaluating potentially significant issues;
- 35 • Release of Draft EIR for 45-Day Public Review and Comment;

- 1 • Draft EIR Public Hearing;
- 2 • Preparation of a Final EIR consisting of Response to Comments on Draft EIR and
- 3 Mitigation Monitoring Program;
- 4 • Distribution of Lead Agency’s responses to comments received from public
- 5 agencies; and
- 6 • Lead Agency certification of Final EIR and approval or denial of project.

7 **1.2.1 Notice of Preparation and Initial Study**

8 In accordance with Section 15063 of the CEQA Guidelines, the AOC prepared a Notice of
9 Preparation for this EIR (see Appendix A) in 2008 that described the project and potential issues
10 to be studied in the EIR. The AOC circulated the Notice of Preparation to responsible and
11 trustee agencies and interested parties to provide notification that the AOC was preparing an EIR
12 for the project and to solicit guidance on the scope and content of this document. The AOC held
13 a public scoping meeting on July 30, 2008, in downtown Stockton to discuss the project and
14 CEQA process and to provide an opportunity for interested parties to make scoping comments.
15 Appendix B summarizes stakeholders’ comments on the Notice of Preparation and the scoping
16 meeting. Public comments during the environmental scoping process identified cultural
17 resources and parking as important issues for evaluation.

18 The Notice of Preparation included an Initial Study (Appendix A), which identified the
19 issues that are the focus of this EIR. Appendix B contains the comments received in response
20 to the Notice of Preparation and the summary of stakeholders’ comments from the scoping
21 meeting.

22 **1.2.2 Public Review of the Draft EIR**

23 ~~The Draft EIR’s 45 day public review period began on January 23, 2009 and ended on March 9,~~
24 ~~2009. This document constitutes the Draft EIR. It describes the project and the environmental~~
25 ~~setting (existing conditions), identifies the project’s environmental impacts, identifies mitigation~~
26 ~~measures for impacts found to be significant or potentially significant, and analyzes project~~
27 ~~alternatives.~~

28 ~~The AOC will circulate this Draft EIR for public review and comment for a period of 45 days.~~
29 ~~During this period, stakeholders may submit comments to the lead agency on the Draft EIR’s~~
30 ~~accuracy and completeness. The 45-day public review period will be January 23, 2009, to~~
31 ~~March 9, 2009. When the public review period is complete, the AOC will prepare a Final EIR~~
32 ~~that will include stakeholders’ comments on the Draft EIR, the AOC’s responses to the~~
33 ~~comments, any revisions to the Draft EIR, and any new available information. Together, the~~
34 ~~Draft EIR and Final EIR will make up the EIR for the proposed project.~~

35 ~~Interested parties can submit written comments to the AOC during this 45-day review period via~~
36 ~~postal mail, e-mail, or fax to:~~

1 ~~Mr. Jerome Ripperda~~
2 ~~Administrative Office of the Courts~~
3 ~~Office of Court Construction and Management~~
4 ~~2860 Gateway Oaks, Suite 400~~
5 ~~Sacramento, CA 95833-3509~~
6 ~~E-mail: Jerry.Ripperda@jud.ca.gov~~
7 ~~Phone: (916) 263-8865~~
8 ~~FAX: (916) 263-8140~~

9 The AOC held a public meeting to receive comments on the Draft EIR on February 19, 2009 at 2
10 pm in the San Joaquin Regional Transit Center in Stockton. Residents and State and local
11 agencies submitted a total of 96 comment letters during the open public comment.

12 ~~The AOC will hold a public meeting to discuss the project and the AOC's CEQA compliance on~~
13 ~~February 19, 2009, at the Downtown Transit Center Boardroom at 421 East Weber Avenue in~~
14 ~~Stockton, California. Interested parties can submit oral and written comments during the~~
15 ~~February 19 public meeting.~~

16 **1.2.3 Recirculated Sections of The Draft EIR**

17 The AOC recirculated selected Draft EIR sections for public review on May 7, 2009. The
18 document disclosed and analyzed changes that occurred with the proposed project and/or
19 conditions that potentially affect previous findings presented in the January 2009 Draft EIR. The
20 Revised Draft EIR presented information on the project description, cultural resources, and
21 traffic/transportation issues. The review period for the recirculated sections of the draft EIR
22 ended on June 20, 2009. During the public review period of the recirculated sections of the
23 Revised Draft EIR, five stakeholders submitted public comment letters.

24 **1.2.34 EIR Organization**

25 The Draft EIR contains the following sections:

- 26 • **Chapter 1, Executive Summary.** Summarizes the proposed project, alternatives
27 analyzed, and potential environmental impacts.
- 28 • **Chapter 2, Introduction.** Describes the purpose of the EIR, CEQA EIR process;
29 and organization of the EIR.
- 30 • **Chapter 3, Project Description.** Describes the proposed project location and
31 objectives, and provides a detailed project description.
- 32 • **Chapter 4, Environmental Setting, Potential Impacts, and Mitigation Measures.**
33 Describes existing conditions in the vicinity of proposed facilities, discusses project
34 consistency with relevant local plans and policies, and identifies the environmental
35 impacts associated with the project operation, as well as presents mitigation measures
36 for the potential environmental impacts studied in the EIR.

- 1 • **Chapter 5, Alternatives.** Discusses a range of alternatives to the proposed project,
2 or to the location of the proposed project, that could feasibly attain most of the basic
3 objectives of the project, but that will avoid or substantially reduce any of the
4 significant effects of the project, and evaluates the comparative merits of the
5 alternatives.
- 6 • **Chapter 6, CEQA Considerations.** Discusses several issues required by CEQA,
7 including significant unavoidable impacts, significant irreversible effects, growth
8 inducing impacts, and cumulative impacts to the project.
- 9 • **Chapter 7, Report Personnel.** Lists the names and associations for the persons
10 involved in drafting this EIR.
- 11 • **Chapter 8, Literature Cited.** Lists the documents used to prepare this EIR.

12 1.3 PROJECT DESCRIPTION

13 The AOC proposes to construct a new courthouse in Stockton’s Hunter Square for the court.
14 The proposed courthouse property is immediately west of the county’s existing Courthouse and
15 Administration Building, which is at 222 East Weber Avenue. The AOC’s proposed project
16 consists of:

- 17 • The AOC’s acquisition of an approximately 1-acre parcel through a donation
18 from the City of Stockton,
- 19 • Design and construction of a new courthouse facility,
- 20 • Modification of a portion of the Main Street mall, the Main Street fountain, and
21 an adjacent park area,
- 22 • Movement of the court’s staff and operations from the existing courthouse and
23 other leased space in downtown Stockton to the new courthouse,
- 24 • Addition of vehicle traffic to a portion of the Main Street mall, and
- 25 • Operation of the new courthouse by the AOC to support the court’s operations.

26 1.3.1 Project Background

27 The county opened the existing San Joaquin County Courthouse in 1963. Located at 222 East
28 Weber Avenue, the court occupies two connected buildings – the Court Wing, the southern wing
29 of the complex, and a portion of the Administration Wing, the northern wing of the complex.
30 The courthouse had only 10 courtrooms when it opened in 1963, but the county subsequently
31 converted some of the building’s office space into 12 additional courtrooms. Many of the
32 courtrooms are deficient and provide limited functionality. The courthouse’s holding cell space
33 for detainees is inadequate, and the modified design of the court’s space presents many security
34 challenges including the need to walk in-custody detainees in public hallways. The jury assembly
35 room is cramped and uninviting, and there are few places for jurors to wait before of trial

1 sessions begin other than public hallways. Space for the court’s administrative operations is also
2 seriously deficient.

3 The court has 22 courtrooms in the Stockton Courthouse, and the ~~AOC and~~ court operates
4 ~~recently began operating in~~ a temporary leased facility in Stockton that currently has six ~~three~~
5 courtrooms. The AOC and the court will add another two ~~five~~ courtrooms to temporarily serve
6 new judicial officers and staff before construction of the proposed new courthouse.

7 **1.3.2 Purpose and Objectives of the Proposed Project**

8 The purpose of the proposed project is to provide the court with a new courthouse. The project’s
9 objectives are to provide:

- 10 • A new courthouse with improved security features, public access and public service
11 features, and working and operational features for the court’s staff;
- 12 • Courthouse facilities that increase the efficiency of the court’s staff and operations
13 and increase the court’s ability to serve residents of San Joaquin County;
- 14 • Courthouse facilities that promote efficient interaction and communication between
15 the court’s staff and other government agencies’ staff and between the court’s staff
16 and other parties involved in judicial proceedings;
- 17 • A new courthouse that is as accessible as the current courthouse for persons involved
18 in judicial proceedings, government agency personnel, and the public; and
- 19 • Court facilities that comply with the State of California’s Building Code.

20 The AOC expects that the new courthouse will help the court offer expanded services and serve
21 the increasing number of visitors who will otherwise visit the court’s downtown Stockton
22 facilities.

23 **1.3.3 Project Location**

24 The AOC’s preferred site is the Hunter Square parking area and a portion of the adjacent park
25 (see [Figures 1 and 2](#)) in Stockton. The proposed courthouse property is located immediately
26 west of the existing Courthouse and Administration Building. The AOC intends to acquire this
27 site through a donation from the city, and the AOC also intends to acquire temporary license
28 rights for a portion of the city’s Main Street mall and an adjacent park area (see [Figure 3](#)). A
29 parking lot occupies the northern portion of the site, and a small park occupies the southern
30 portion of the site.

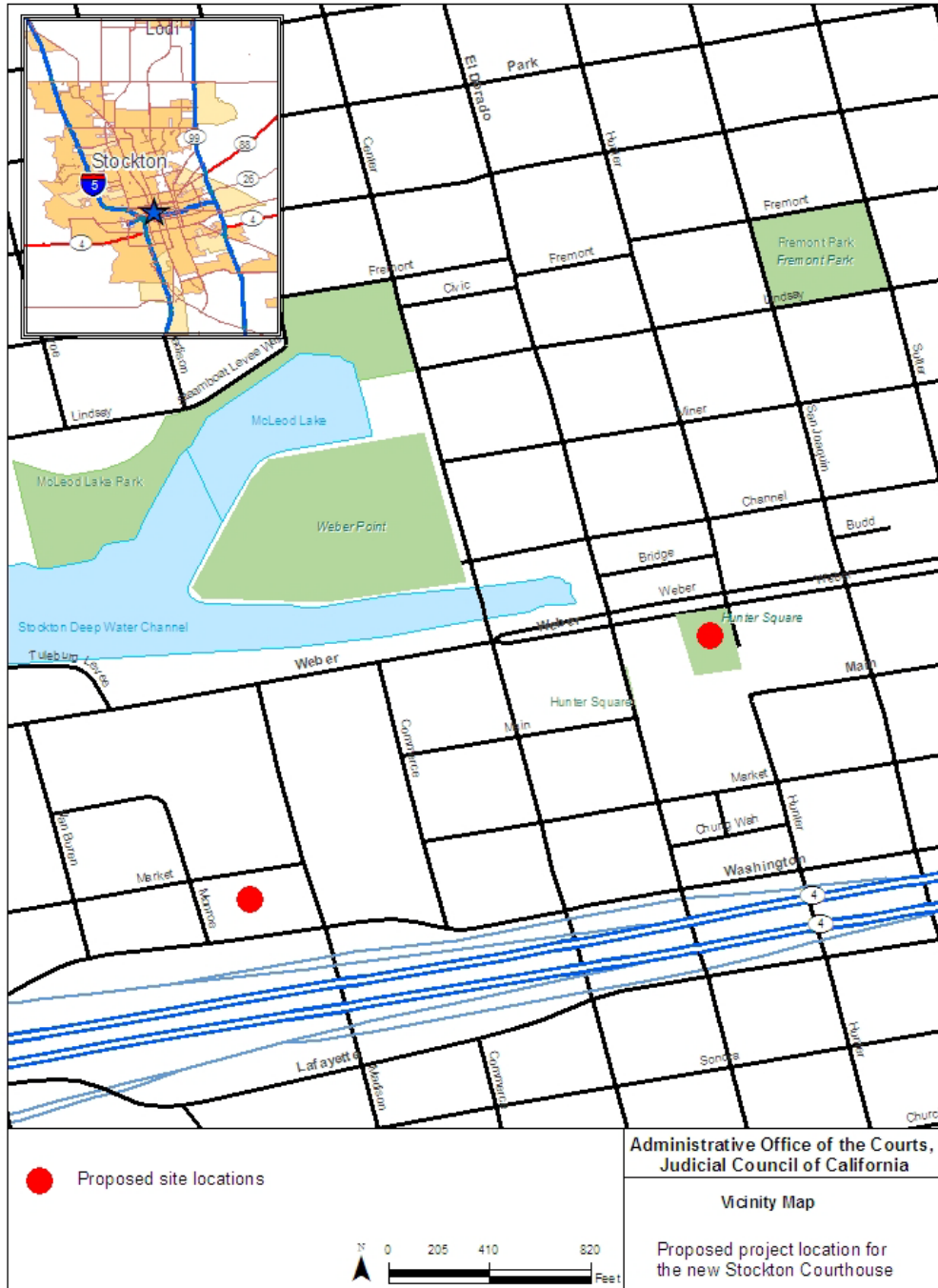
31 The proposed new courthouse site has not been assigned an Assessor’s Parcel Number (APN),
32 but the AOC understands that the proposed courthouse parcel will extend from the northeast
33 corner of parcel 149-020-05 to the northwest corner of parcel 149-020-16 to the southwest corner
34 of parcel 149-020-16 and to the southeast corner of parcel 149-020-12. The project includes
35 formal creation of the parcel ~~establishment of its land use designation as commercial, and~~

1 ~~classification of its zoning designation as Commercial Downtown (CD), which is consistent with~~
2 ~~adjacent parcels.~~

3 1.4 PROJECT CHARACTERISTICS

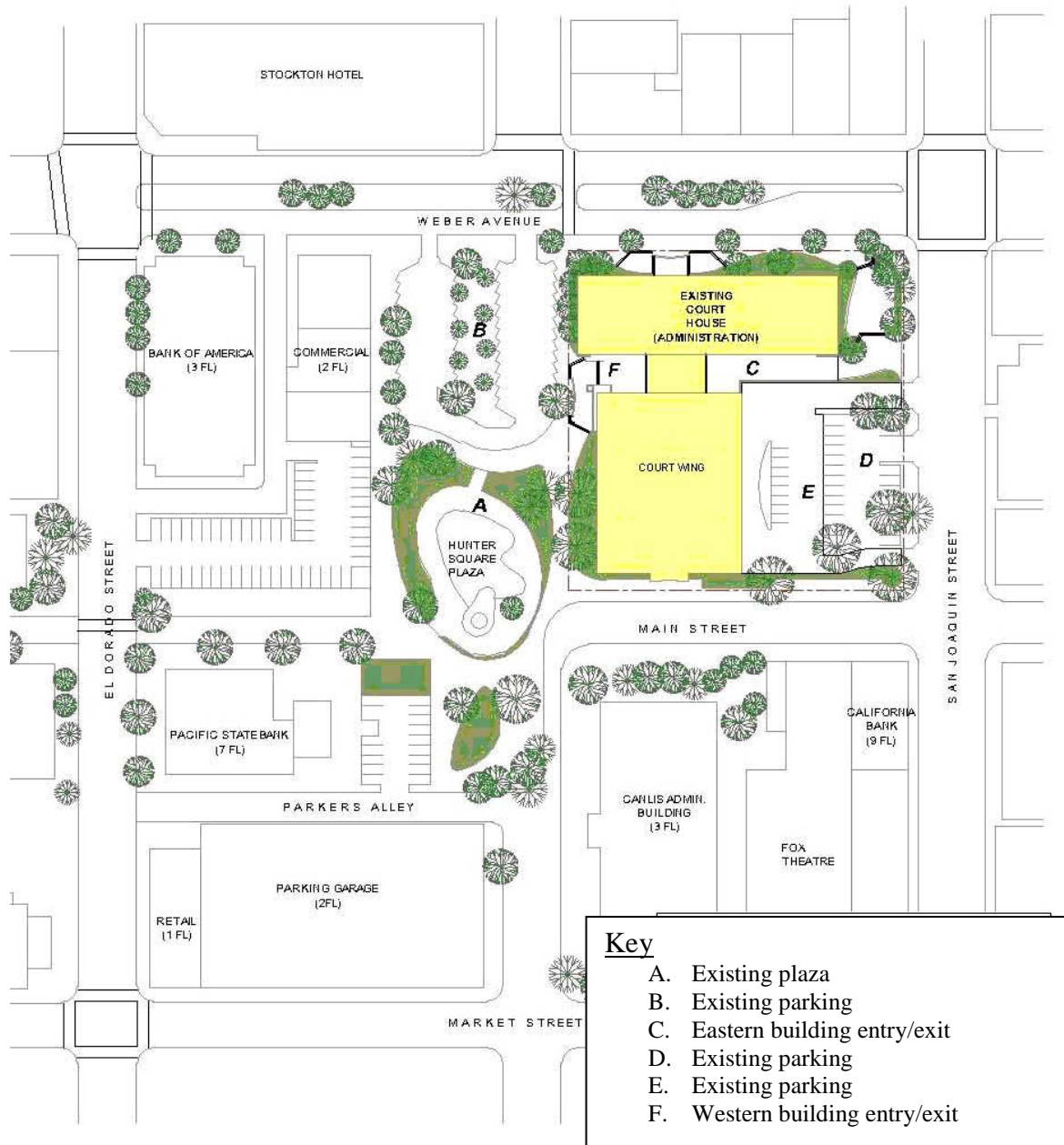
4 **1.4.1 New Courthouse**

5 The proposed project includes the AOC's acquisition of the approximately 1-acre Hunter Square
6 parcel through a donation from the city, design and construction of a new courthouse, and
7 operation of the courthouse for the court. [Figures 1 and 2](#) show the proposed project location,
8 and [Figure 4](#) provides a conceptual site plan.



1
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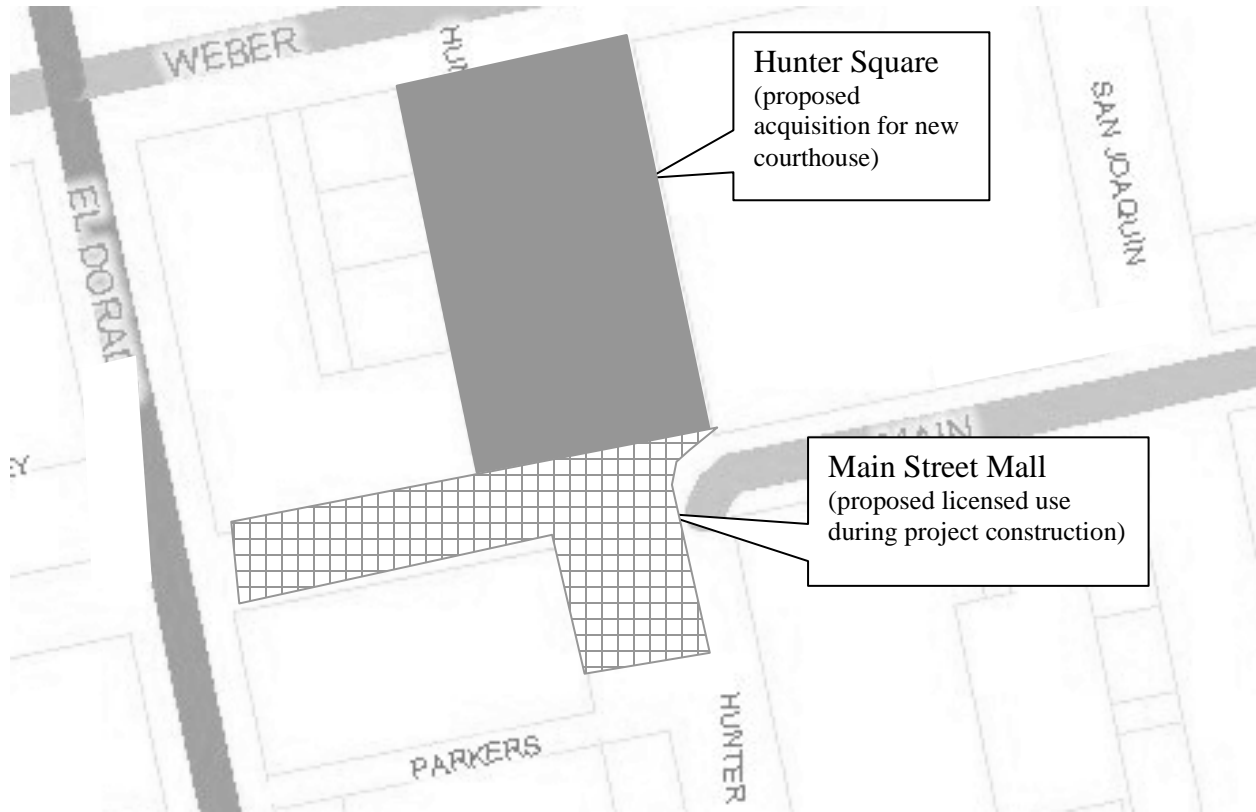
Figure 1. Vicinity Map of Proposed Courthouse



1

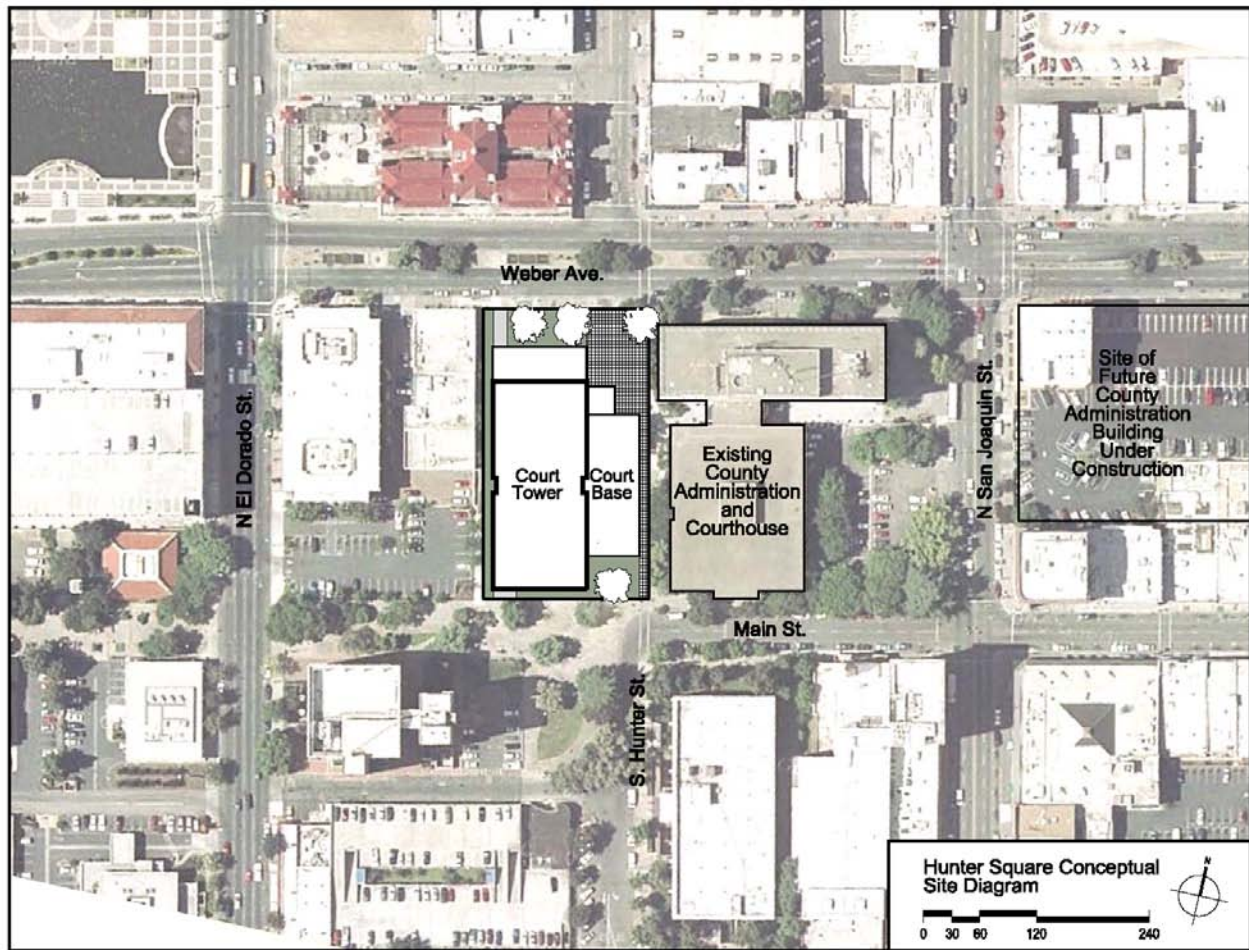
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Figure 2. Existing Downtown Stockton Courthouse



1
2

Figure 3. Proposed Project Site – Acquisition and License Property



1

2

Figure 4. Site Plan for Proposed New Stockton Courthouse

3 The new courthouse building's entrance will face northeastward toward Weber Avenue and the
4 existing Courthouse and Administration Building. The new courthouse will be 12 stories and
5 approximately 240 feet tall, and it will have approximately 325,000 building gross square feet
6 of space. The lower four to six floors of the building (the "podium") will be approximately
7 160 feet wide (east/west direction) and approximately 220 feet long (north/south direction).
8 The upper portions of the building (the "tower") will be approximately 100 feet wide
9 (east/west direction) and approximately 220 feet long (north/south direction). Thus, the
10 "tower" of the building will have a smaller footprint than the "podium." The footprint of the
11 entire building will be approximately 0.8 acre. The new courthouse building will have a
12 basement that extends approximately 15 feet below ground surface.

1 The building's entrance will face northeast toward Weber Avenue and the Courthouse and
2 Administration Building, but it will be set back approximately 50 feet from Weber Avenue. The
3 courthouse will have a plaza and public area between the building and Weber Avenue; landscaped
4 areas on the east, south, and west sides of the building; and secure vehicle access facilities on the
5 south side. The AOC understands that the county plans to construct a public plaza on the site of
6 the Courthouse and Administration Building after the AOC completes the proposed courthouse.
7 The courthouse's landscaped grounds will be adjacent to the county's future plaza.

8 The new courthouse will have 30 courtrooms and associated judicial chambers, a lobby and
9 entrance area, jury assembly and meeting areas, the Office of the Clerk of the Court, executive
10 administrative offices, security operations area, office space for the court's staff, a public document
11 review area, meeting rooms, waiting rooms, and building support space. The lower floors of the
12 new courthouse will contain central clerk functions, public counters, and high-seating capacity
13 courtrooms. The courthouse's public spaces will provide display spaces for a history of Hunter
14 Square, the history of San Joaquin courthouses, and public art. Remaining courtrooms, additional
15 court support space, and court administration offices will occupy the upper floors.

16 The new courthouse will support felony, misdemeanor, traffic infractions, miscellaneous
17 infractions, civil, small claims, juvenile dependency, mental health, probate, and family law
18 functions. The courtrooms will have holding capability for in-custody detainees and access to a
19 separate secure circulation system to maximize functional flexibility of the courtrooms.

20 Secure parking for judicial officers and court executives, a sallyport (a secured building entrance
21 that connects to a secured building area), sheriff's facilities, in-custody detainee holding
22 facilities, and building service areas will be in the building's basement. The southern courthouse
23 grounds will include a ramp that will connect the Main Street pedestrian mall to the basement.
24 The basement will also have an exit ramp and driveway connection to Weber Avenue for
25 sheriff's buses and service vehicles.

26 The project will modify the Main Street mall between South Hunter Street and El Dorado Street.
27 The AOC's construction contractor will remove the existing raised pool and fountain during
28 construction. The AOC will enhance the landscaping, benches, and pavement of the new water
29 feature area.

30 As noted above, the courthouse project will add a driveway across the Main Street mall to allow
31 delivery vehicles, sheriff's buses, judicial officers, and court executives to enter the courthouse's
32 entrance ramp to the courthouse's basement. The AOC will add a driveway cut to the mall near
33 the Main Street intersection with South Hunter Street.

34 The AOC will seek Leadership in Energy and Environmental Design (LEED) Silver Certification
35 for the new courthouse. The LEED system includes criteria for green practices that incorporate
36 sustainability, water efficiency, energy and atmosphere, materials and resources, indoor

1 environmental quality, and innovation and design processes. Projects earn points for attaining
2 criteria listed in the LEED checklist (Appendix C). Achieving a LEED Silver rating requires
3 obtaining 33 to 39 points out of 69 possible points.

4 The AOC estimates that the total project cost will be approximately \$232 million without
5 financing or land costs. The AOC's proposed project schedule is:

- 6 • Acquire the courthouse site in 2009,
- 7 • Prepare preliminary plans, drawings, and bid documents in late 2009 and 2010,
- 8 • Prepare working drawings in 2010,
- 9 • Bid and award the construction contract in early 2011,
- 10 • Begin construction in 2011,
- 11 • Complete construction in early 2013,
- 12 • Vacate the court's space in the Courthouse and Administration Building and other
13 leased space in Stockton and begin court operations in the new courthouse in early
14 2013, and
- 15 • Transfer the AOC's interest in the Courthouse and Administration Building to the
16 county after the court begins operations in the new courthouse.

17 **1.4.2 Parking**

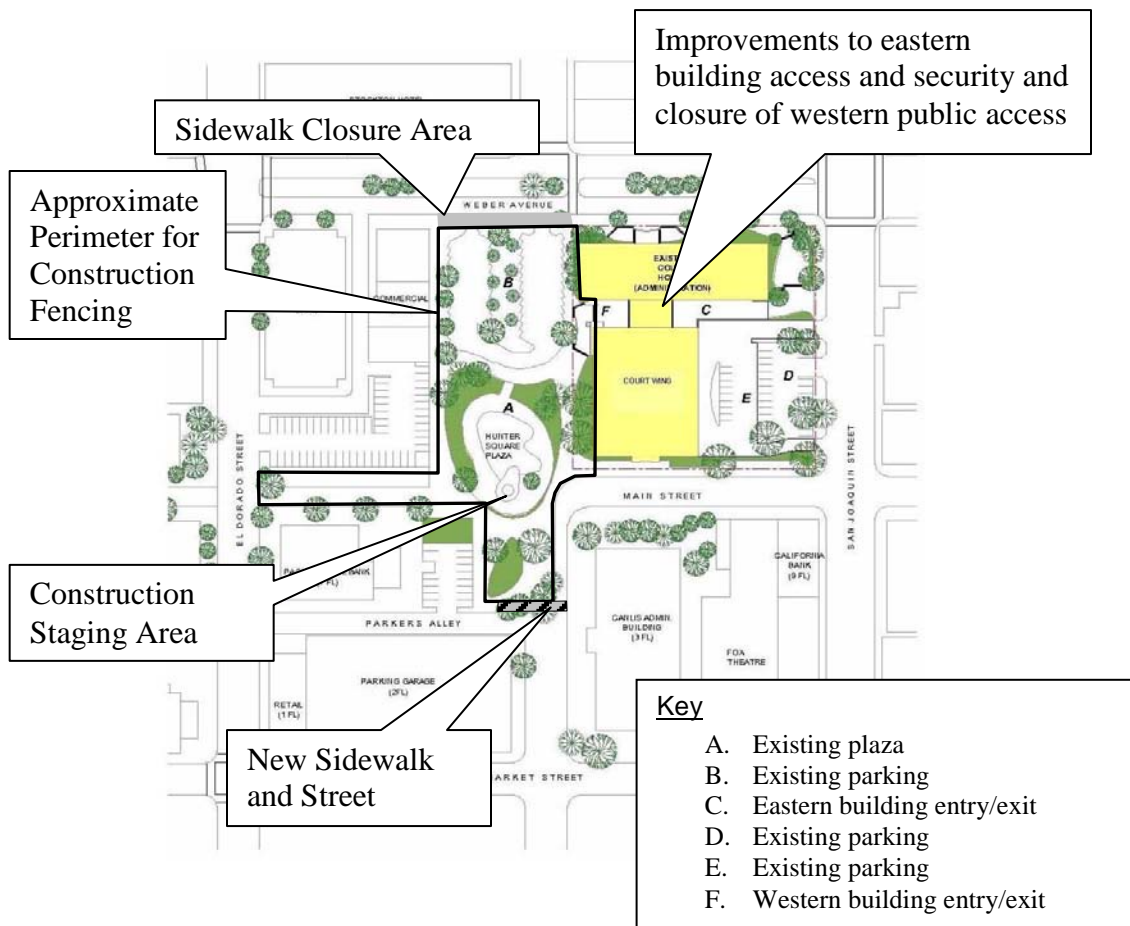
18 The proposed project will provide approximately 40 secure parking spaces for judicial
19 officers and court administrators. The court's staff, visitors, and jurors will continue to park in
20 off-site parking lots or metered city parking spaces. Nearby parking structures include the
21 Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, the Channel Street Parking
22 Garage, and the county's Motor Pool Parking Garage (with public access on South Hunter
23 Street). The project will eliminate the existing Hunter Square parking lot and several metered on-
24 street parking spaces on Weber Avenue and on East Main Street.

25 **1.4.3 Plans and Arrangements for Construction of the Proposed Courthouse**

26 To facilitate construction operations, the AOC intends to license space adjacent to the
27 proposed courthouse site. Figure 5 shows the proposed licensed or leased areas that the AOC's
28 construction contractor will use for staging. The AOC's construction contractor will establish
29 security fencing around the perimeter of the proposed courthouse site and the staging areas.
30 To minimize risks to public safety and construction operations, the AOC will seek the county's
31 approval to improve access features and security operations for the eastern entrance to the
32 Courthouse and Administration Building, close public entry to the western entrance to the San
33 Joaquin Courthouse and Administration Building, require use of the building's eastern entrance

1 for access to the building, and maintain a secured emergency egress pathway from the
 2 Courthouse and Administration Building’s western entrance and emergency exits to Main
 3 Street and Weber Avenue.

4 The AOC will seek the city’s approval for closure of the existing Weber Avenue sidewalk along
 5 the northern side of the Hunter Square parcel. The AOC will also seek the city’s approval for
 6 partial closure of the Main Street pedestrian mall, but the AOC will keep part of the southern
 7 portion of the mall open to maintain a pedestrian pathway between El Dorado Street and South
 8 Hunter Street. The AOC’s proposed pedestrian pathway will include a new sidewalk segment
 9 near South Hunter Street and a new pedestrian crossing of South Hunter Street. The AOC’s
 10 contractor may remove some trees from the mall or some tree limbs from individual trees.



11

12 **Figure 5: Site Plan for Proposed Temporary Construction Staging Area**

1 The AOC expects that its construction contractor will use Main Street for transportation of
2 construction materials to the proposed courthouse site; vehicles will presumably proceed through
3 downtown Stockton and pass through the San Joaquin Street/Main Street intersection to a gate at
4 the intersection of Hunter Street and Main Street. Construction operation-related vehicles may
5 exit the construction area via the Hunter Street/Main Street gate to southbound Hunter Street or
6 from Main Street onto northbound El Dorado Street. The AOC will seek the city's approval to
7 close some parking spaces on Main Street between San Joaquin Street and Hunter Street.

8 Construction operations for site clearing, excavation and grading, foundation work, trenching,
9 steel assembly, building exterior assembly, final grading, paving, and landscaping will occur on
10 weekdays from 7 a.m. to approximately 4 p.m. Excavation of the building's basement will
11 include removal and off-site transportation of soil. The AOC intends to minimize pile-driving
12 operations by pre-drilling piling holes, but foundation work will require some pile-driving
13 operations. The AOC will restrict pile-driving operations to the hours from 7 a.m. to 4 p.m.
14 Once the construction contractor has completed assembly of the building's exterior, the
15 contractor's interior building work may occur on weekends from 7 a.m. to approximately 4 p.m.
16 or after 4 p.m. on weekdays. The AOC will restrict the construction contractor's delivery of
17 construction materials to weekday hours from 9 a.m. to 4 p.m. and removal of construction
18 debris to weekday hours from 7 a.m. to 4 p.m.

19 **1.4.4 Court's Withdrawal from the Current Courthouse Building**

20 The court has facilities in the Courthouse and Administration Building, the new Stockton
21 Courthouse annex located at 540 East Main Street, the Juvenile Justice Center in French Camp,
22 and branches of the Court in Lodi, Manteca, and Tracy. The new Stockton Courthouse will
23 replace the existing courthouse and the court's leased space in downtown Stockton.

24 After completion of the new courthouse in 2013, the court will transfer its operations from the
25 courthouse and leased courthouse annex to the new courthouse, except for record storage that
26 will remain in its current location, in the Courthouse annex on East Main Street. The AOC
27 understands that the county does not plan to occupy the vacated space for long-term operations
28 (County of San Joaquin 2008~~9~~).

29 **1.5 DISCRETIONARY PROJECT APPROVALS**

30 The AOC is responsible for approving this project. The State of California's Public Works
31 Board must also approve the selection and acquisition of real property for the location or
32 expansion of State of California facilities. The board also approves plans, allocates funds, and
33 establishes the timing of major construction projects.

34 The AOC must acquire title to the land for the new courthouse from the city. The Stockton City
35 Council must rely on the AOC's EIR as a basis for its decision to transfer the property to the
36 state.

1 Construction of a new courthouse on Hunter Square is the AOC’s preferred project. The AOC
2 has identified three alternatives. The Hunter Square Expanded includes the Hunter Square parcel
3 plus three privately owned parcel, an alley, and a portion of a privately owned parking lot. The
4 Washington Street parcel is approximately 0.3 mile southwest of the existing courthouse.

5 1.6 ENVIRONMENTAL ANALYSIS

6 The Draft EIR evaluates the environmental effects of the proposed project, assesses the
7 significance of the impacts, and proposes mitigation measures for potentially significant impacts.
8 For each environmental resource in Chapter 4, the EIR presents the environmental setting,
9 analytical framework, and description of the project’s potential impacts and mitigation measures.

10 The environmental setting discussion introduces the environmental resource to the reader. An
11 EIR must include a description of the existing physical environmental conditions in the vicinity
12 of the project to provide the “baseline condition” that will be used to compare project-related
13 impacts (CEQA Guidelines Section 15125). Normally, the baseline condition is the physical
14 condition that exists when the lead agency publishes a Notice of Preparation. The AOC
15 published the project’s Notice of Preparation on July 21, 2008. However, CEQA Guidelines
16 recognize that the date for establishing an environmental baseline cannot be rigid. Since
17 physical environmental conditions may vary over a range of time periods, a lead agency may
18 reasonably and appropriately use an environmental baseline that differs from the date of the
19 Notice of Preparation when it results in a more accurate or conservative environmental analysis.

20 The EIR evaluates a total of four alternatives: the “No Project” alternative, the Hunter Square
21 Expanded alternative, the Washington Street alternative, and the Private Parcels alternative. The
22 Hunter Square Expanded alternative includes several properties adjacent to the proposed project
23 for potential acquisition that provide additional space and give the AOC additional flexibility for
24 development of the project. AOC is also considering the Washington Street alternative, which is
25 approximately one-third mile, direct distance (one-half mile walking or driving distance), from
26 the proposed project site. This site is vacant and will provide ample space for the project. A
27 Bank of America parcel, several additional private parcels, and a City of Stockton parcel form a
28 fourth alternative, the Private Parcel alternative. The Private Parcel alternative is adjacent to
29 Hunter Square Plaza.

30 The proposed project will result in significant and unavoidable impacts to historic resources,
31 construction-related noise, and traffic,~~and traffic hazards~~. The Hunter Square Expanded
32 alternative will result in significant and unavoidable impacts to historic resources,
33 construction-related noise, and traffic,~~and traffic hazards~~. The Washington Street alternative
34 will result in significant and unavoidable impacts to construction-related noise and traffic. The
35 Private Parcel alternative will result in significant and unavoidable impacts to construction-
36 related noise and traffic. [Table EX-1](#) lists the EIR’s impact conclusions.

1 **TABLE ES-1. SUMMARY OF THE PROPOSED PROJECT’S IMPACTS AND THE ALTERNATIVES’ IMPACTS**

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
1. AESTHETICS/VISUAL RESOURCES–Will the project:					
(Construction Phase) Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
(Post-Construction, Operation, and Maintenance Phase) Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>Less than Significant Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>
	<p><i>Proposed mitigation for potentially significant impacts:</i> Aesthetics 1—To prevent the new courthouse from generating high-velocity ground borne winds, the AOC will include building features that will intercept winds moving down the building’s face toward the ground and prevent substantial wind impact to pedestrians; Aesthetics 2—The AOC will construct a new water feature on the Main Street mall between South Hunter Street and El Dorado Street. The water feature will provide attractive visual features, will create cascading water sounds that can be detected in the surrounding area, and will create mist to cool the adjacent area; and Aesthetics 3—For every tree that the AOC removes from the Main Street pedestrian mall, the AOC will replace the removed tree with a new tree. In addition, for every tree that the AOC removes from the Main Street pedestrian mall, the AOC will ensure the planting of four new trees along streets that are between the proposed new courthouse site and the City’s Stewart-Eberhardt Parking Garage, between the proposed new courthouse site and the City’s Coy Parking Garage, or between the proposed new courthouse and other parking facilities. Significance of impact after mitigation: <i>Less than significant</i></p>				
Have a substantial adverse affect on a scenic vista?	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
	<p><i>Proposed mitigation for potentially significant impacts:</i> Aesthetics 2—The AOC will construct a new water feature on the Main Street mall between South Hunter Street and El Dorado Street. The water feature will provide attractive visual features, will create cascading water sounds that can be detected in the surrounding area, and will create mist to cool the adjacent area Significance of impact after mitigation: <i>Less than significant</i></p>				

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Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
Substantially damage scenic resources?	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>No Impact—Less than Significant Impact</i>
	<p><i>Proposed mitigation for potentially significant impacts:</i></p> <p>Aesthetics 2—The AOC will construct a new water feature on the Main Street mall between South Hunter Street and El Dorado Street. The water feature will provide attractive visual features, will create cascading water sounds that can be detected in the surrounding area, and will create mist to cool the adjacent area.</p> <p>Aesthetics 3—For every tree that the AOC removes from the Main Street pedestrian mall, the AOC will replace the removed tree with a new tree. In addition, for every tree that the AOC removes from the Main Street pedestrian mall, the AOC will ensure the planting of four new trees along streets that are between the proposed new courthouse site and the City’s Stewart-Eberhardt Parking Garage, between the proposed new courthouse site and the city’s Coy Parking Garage, or between the proposed new courthouse and other parking facilities.</p> <p><i>Significance of impact after mitigation: Less than significant</i></p>				
Create a new source of substantial light or glare that will adversely affect day or nighttime views?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Create a new source of substantial shading?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
2. AIR QUALITY—Will the project:					
Conflict with or obstruct implementation of the applicable air quality plan?	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>
(Construction Phase) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
(Post-Construction, Operation, and Maintenance Phase) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Produce 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?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
(Construction Phase) Expose sensitive receptors to substantial pollutant concentrations?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
(Post-Construction, Operation, and Maintenance Phase) Expose sensitive receptors to substantial pollutant concentrations?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Create objectionable odors affecting a substantial number of people?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Conflict with the state goal of reducing greenhouse gas emissions in California to 1990 levels by 2020, as set forth by the timetable established in Assembly Bill 32, California Global Warming Solutions Act of 2006?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
3. CULTURAL RESOURCES—Will the project:					
Cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.5?	Significant & Unavoidable Impact	<i>No Impact</i>	Significant & Unavoidable Impact	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
	<p><i>Proposed mitigation for potentially significant impacts:</i></p> <p>Cultural Resources 1—<i>The courthouse’s public spaces will provide display spaces (including a plaque designating Hunter Square as a historic site) for a history of Hunter Square (including its association with Charles Weber), the history of San Joaquin courthouses (including Hunter Square’s association with the courthouses), and public art related to Hunter Square’s link to Stockton’s cultural heritage;</i></p> <p>Cultural Resources 2—<i>As recommended by the Historic Environment Consultant’s report, the proposed new courthouse project will maximize new public space around the proposed Courthouse with open space and landscaping to accommodate public use;</i></p> <p>Cultural Resources 3 (Aesthetics 2)—<i>The AOC will construct a new water feature on the Main Street mall between South Hunter Street and El Dorado Street; and</i></p> <p>Cultural Resources 4—<i>To maximize public space and accommodate public use. As stated earlier, the AOC understands that the County is updating its Master Plan for the existing Courthouse/Administration Building (County of San Joaquin 2008), and the county’s plans include demolition of the existing building and construction of a large plaza on the site. The AOC will coordinate layout and design of its proposed parcel’s public space with the county to maximize public space and accommodate public use.</i></p> <p><i>Significance of impact after mitigation: Significant and unavoidable</i></p>				
Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>Potentially Significant Impact unless Mitigated</i>

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
	<p><i>Proposed mitigation for potentially significant impacts:</i> Cultural Resources 5—An archaeological monitor will be present during site-clearing activities that expose bare ground. Project personnel will not collect cultural resources found on the project site. If the construction contractor encounters archaeological resources during initial construction clearing, the construction contractor will halt all work within 100 feet of the discovery, and a qualified archaeologist will ascertain the nature of the discovery and the significance of the find. The archaeologist will provide proper management recommendations including avoidance, evaluation, or a mitigation plan to prevent any significant adverse effects on the resource. <i>Significance of impact after mitigation: Less than significant</i></p>				
Disturb any human remains, including those interred outside of formal cemeteries?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
4. GEOLOGY AND SOILS—Will the project:					
Expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Expose people or structures to potential substantial adverse effects involving strong seismic ground shaking?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Expose people or structures to potential substantial adverse effects involving ground failure (including subsidence or liquefaction-induced lateral spreading)?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Expose people or structures to potential substantial adverse effects involving expansive soil?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Destroy a unique paleontological resource or site?	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>Potentially Significant Impact unless Mitigated</i>
	<p><i>Proposed mitigation for potentially significant impacts:</i> Geology I—If paleontological resources are encountered during construction, all work will be halted within a 30-foot radius of the finding and a qualified paleontologist will evaluate the discovery, determine its significance, and to provide proper management recommendations. Project personnel will not collect paleontological resources <i>Significance of impact after mitigation: Less than significant</i></p>				

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Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
5. HAZARDS AND HAZARDOUS MATERIALS—Will the project:					
Result in a safety hazard in the vicinity of an airport or airstrip for people visiting or working in the project area?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>
	<p><i>Proposed mitigation for potentially significant impacts:</i></p> <p>Hazards 1—The AOC will <u>conducted</u> a Phase II Environmental Site Assessment (April 2009) to provide additional data for evaluating the potential for future exposure to hazardous materials that may be affecting the shallow groundwater beneath the proposed project site. This If the Phase II Environmental Site Assessment identified <u>no additional hazardous materials above regulatory action levels.</u> However, the AOC will <u>continue to monitor the construction site for hazardous materials and, if any are discovered, will remediate the site by removing the contaminated materials and sources of contamination, and will dispose of the materials in full compliance with all legal requirements.</u></p> <p>Hazards 2—If hazardous materials are found during excavation of the project site for the new courthouse, the AOC will remediate the site by removing the contaminated materials and sources of contamination and will dispose of the materials in full compliance with all legal requirements.</p> <p><i>Significance of impact after mitigation: Less than significant</i></p>				
6. HYDROLOGY AND WATER QUALITY—Will the project:					
Violate any water quality standards or waste discharge requirements?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
7. LAND USE AND PLANNING—Will the project:					
(Construction Phase) Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>	<i>No Impact</i> <i>Potentially Significant Impact unless Mitigated</i>
	<p><i>Proposed mitigation for potentially significant impacts:</i></p> <p>Land Use 1—If the Downtown Alliance has not moved the Farmer’s Market prior to the start of construction of the proposed courthouse, the AOC’s construction contractor will close its staging area’s Main Street driveway from 10:30 a.m. to 1:30 p.m. on Fridays when the Downtown Stockton Alliance is holding the Farmer’s Market on Main Street.</p> <p><i>Significance of impact after mitigation: Less than significant</i></p>				

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
(Post-Construction, Operation, and Maintenance Phase) Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>
8. NOISE—Will the project result in:					
Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project or generation of excessive ground-borne vibration or ground-borne noise levels?	SIGNIFICANT & UNAVOIDABLE IMPACT	<i>No Impact</i>	SIGNIFICANT & UNAVOIDABLE IMPACT	SIGNIFICANT & UNAVOIDABLE IMPACT	SIGNIFICANT & UNAVOIDABLE IMPACT
	<p><i>Proposed mitigation for potentially significant impacts:</i></p> <p>Noise 1—Muffle stationary noise sources and enclose them within temporary sheds, incorporate insulation barriers, or employ other measures to the extent feasible.</p> <p>Noise 2—Use equipment and trucks equipped with the best available noise control techniques (for example, improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible).</p> <p>Noise 3—Ensure all construction equipment is properly maintained and operated and equipped with mufflers.</p> <p>Noise 4—Limit pile driving operations and generation of other loud noise-generating operations to hours between 8 a.m. and 5 p.m. (Monday through Saturday) If feasible, the noisiest phases of construction (such as pile driving) should be limited to less than 10 days at a time. To be consistent with Stockton General Plan Policy HS-2.11, no construction will occur on Sundays or national holidays without a written permit from the city.</p> <p>Noise 5—Use hydraulically or electrically powered impact tools (such as jack hammers, pavement breakers, and rock drills) for project construction wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves should be used where feasible. Quieter methods or tools, such as using drills rather than impact tools, should be used whenever feasible.</p>				

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
	<p>Noise 6—To further mitigate pile driving and other extreme noise-generating construction impacts, a set of site-specific noise attenuation measures should be completed under the supervision of a qualified acoustical consultant. These attenuation measures should include as many of the following control strategies as feasible: (1) erect temporary plywood noise barriers around the construction site, particularly along the northern boundary nearest the residential land uses; (2) implement “quiet” pile-driving technology (such as pre-drilling piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; (3) use noise control blankets on building structures to reduce noise emissions from the site; and (4) monitor the effectiveness of noise attenuation measures by collecting noise measurements.</p> <p>Noise 7—The project applicant will be responsible for implementing the following measures to further control and monitor construction noise: (1) establishing a procedure for notifying the AOC staff of complaints; (2) posting on-site signs pertaining to permitted construction days and hours, complaint procedures, and whom to notify in the event of a problem; (3) listing telephone numbers for the on-site construction complaint manager (during regular construction hours and off-hours); (4) designating an on-site construction complaint manager for the project; (5) notifying the city, county, courthouse administrator, and any other land users within 300 feet of the project construction area about the estimated duration of the pile-driving activity at least 30 days in advance; and, (6) conducting a pre construction meeting with the job inspectors and the general contractor and on-site project manager to confirm that noise mitigation and practices (including construction hours, notification of area businesses, and posted signs) are completed.</p> <p>Noise 8—The construction contractor will conduct crack surveys before pile driving that could cause architectural damage to nearby structures. The survey will include any buildings within 50 feet of pile driving locations and within 100 feet of historical buildings or buildings in poor condition. The surveys will be done by photographs, video tape, or visual inventory, and will include inside as well as outside locations. All existing cracks in walls, floors, and driveways should be documented with sufficient detail for comparison after construction to determine whether actual vibration damage occurred. A post-construction survey should be conducted to document the condition of the surrounding buildings after the construction is complete.</p> <p><i>Significance of impact after mitigation: Significant and unavoidable</i></p>				
9. PUBLIC SERVICES – Will the project:					
Result in substantial impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for Fire protection services?	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>
Result in substantial impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection services?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
Result in substantial impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for schools, parks, and other public facilities and services?	No Impact	No Impact	No Impact	No Impact	No Impact
10. RECREATION – Will the project:					
Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Potentially Significant Impact unless Mitigated	No Impact	Potentially Significant Impact unless Mitigated <i>Less than Significant Impact</i>	No Impact	Less than Significant Impact
	<p><i>Proposed mitigation for potentially significant impacts:</i></p> <p>Recreation 1 (Aesthetics 1)—The proposed courthouse will include open space for public use on the courthouse parcel and include features such as benches, attractive landscaping including large trees that enhance the aesthetic and visual value of the space by providing substantial shade at the time that the AOC completes construction, public artwork, and other features to enhance the quality of the new courthouse’s outdoor public spaces;</p> <p>Recreation 2—As part of the AOC’s construction of the new water feature in the Main Street mall (see mitigation measure Aesthetics 2 in Section 4.01.3.1), the AOC will improve the landscaping, public amenities, and other features of the Main Street Mall between South Hunter Street and El Dorado Street and the area bounded by the Main Street Mall, S. Hunter Street, and Parker’s Alley.</p> <p><i>Significance of impact after mitigation: Less than significant</i></p>				
Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	No Impact	No Impact	No Impact	No Impact	No Impact
11. TRANSPORTATION/TRAFFIC—Will the project:					
Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?	SIGNIFICANT & UNAVOIDABLE IMPACT	No Impact	SIGNIFICANT & UNAVOIDABLE IMPACT	<u>SIGNIFICANT & UNAVOIDABLE IMPACT</u>	SIGNIFICANT & UNAVOIDABLE IMPACT
	<p><i>Proposed mitigation for significant and unavoidable impacts: no mitigation is available.</i></p> <p><i>Significance of impact after mitigation: Significant and unavoidable</i></p>				
Exceed a level of service standard established by the county congestion management agency for designated roads or highways?	Less than Significant Impact	No Impact	Less than Significant Impact	Less than Significant Impact	Less than Significant Impact

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
Produce a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>	<i>No Impact</i>
Substantially increase hazards because of a design feature (such as sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	<p><i>Potentially Significant Impact unless Mitigated</i> SIGNIFICANT & UNAVOIDABLE IMPACT</p>	<i>No Impact</i>	<p><i>Potentially Significant Impact unless Mitigated</i> SIGNIFICANT & UNAVOIDABLE IMPACT</p>	<i>Potentially Significant Impact unless Mitigated</i>	<i>No Impact</i>
<p><i>Proposed mitigation for potentially significant impacts:</i></p> <p>Traffic 2 (2013 Scenario)—The poor Level of Service condition for the El Dorado/Weber intersection is based on highly conservative assumptions that all traffic from the courthouse project and the approved projects—Stockton City Hall and San Joaquin County Administration Building are new projects and will use Weber Street as the main access. In reality, project-related traffic will be spread out to garages throughout the downtown area rather than concentrating on Weber Avenue. As such, the Level of Service E and F conditions as predicted in the study are not likely to occur. No mitigation is available for the intersection of El Dorado/Weber Street other than to promote public transit and bicycle use by providing free bus passes for employees and installing bike racks and lockers and shower facilities at the new courthouse. Survey results indicated very few employees currently use public transit or ride bikes to work. In addition, the AOC will encourage alternative transportation by implementing a Parking, Transit, and Alternative Modes Plan, which will include the following elements:</p> <ul style="list-style-type: none"> • Preferential parking for high efficiency/low impact vehicles, • Compact vehicle and motorcycle parking, • Courthouse vanpool or shuttle, • Transit passes for courthouse employees, • Secure bike parking, bike lockers, and • Shower facilities for bike commuters. <p>Traffic 1—For the Weber Avenue and North Hunter Street crosswalk, the proposed project will re-locate the existing transit stop from its location adjacent to Hunter Square and west of the Weber Avenue and North Hunter Street crosswalk to a new location of Weber Avenue that is east of the Weber Avenue and North Hunter Street crosswalk. The new transit stop will be at least 1.5 bus lengths east of the crosswalk. This mitigation measure will reduce the potential hazard impacts for the Weber Avenue and North Hunter Street crosswalk to a level that is less than significant;</p>					

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
	<p>Traffic 2—For the Main Street and South Hunter Street crosswalk, the proposed project will provide five improvements.</p> <ol style="list-style-type: none"> a) <u>First, the project will revise the lane geometry of the western portion of East Main Street near its intersection with S. Hunter Street to merge the current two lanes into one lane;</u> b) <u>Second, the project will repaint the crosswalk to enhance its visibility;</u> c) <u>Third, the project will eliminate Main Street parking spaces that are within 30 feet of the crosswalk;</u> d) <u>Fourth, the project will add structural improvements (such “bulb outs” or curb peninsulas that extend into the street) to the crosswalk that reduce the crosswalk’s length across Main Street; and</u> e) <u>Fifth, the project will add a stop sign to the intersection to control westbound Main Street traffic and a stop sign to control Main Street mall traffic that is exiting from the proposed new courthouse. The combination of the five components of this mitigation measure will reduce the potential hazard impacts for the Weber Avenue and North Hunter Street crosswalk to a level that is less than significant;</u> <p>Traffic 3—For the Main Street mall, the proposed project will provide a warning sound system at the courthouse’s exit ramps that will provide a sound signal when vehicles emerge from the courthouse’s ramps onto the mall. In addition, the project will add light signals similar to the signal system at the El Dorado Street and Main Street crosswalk so that vehicles exiting the courthouse ramps will trigger the light system, and the lights will alert pedestrians near the project’s truncated dome mats. In addition, The AOC will add a combination of features to the Main Street pedestrian mall that will emphasize that it is a street where pedestrians and cyclists have legal priority over motorists. The features will include:</p> <ul style="list-style-type: none"> • <u>Appropriate signage indicating shared use of the space by pedestrians and vehicle drivers;</u> • <u>Very slow speed limits;</u> • <u>Traffic calming strategies such as narrow and often curving traffic lanes that require the driver to slow down for maneuvering through the lanes, textured paving or speed bumps that read through to the driver, and appropriate signage of speed limitations and enforcement of the speed limit; and</u> • <u>Maintenance of a safe pedestrian route for visually impaired users set off from the primary vehicular pathway by a combination of landscape buffers, raised planters, grasscrete, barney rubble (a combination of flat recycled broken concrete interspersed with plantings), tactile warning strips including but not limited to raised dot paving, bollards and benches and other forms of street furniture, audible sound warnings that traffic is present, and effective street lighting to maintain pedestrian safety.</u> 				

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
	<p>Traffic 4—For the Center Street/Weber Avenue intersection, the AOC will add pedestrian “islands” to the median areas of the Center Street crosswalks that traverse Weber Avenue;</p> <p>Traffic 5—For the Weber Avenue/Van Buren Street crossing, the AOC will add pedestrian crosswalks to the south side of Weber Avenue at Van Buren Street. The AOC will also add pedestrian “peninsulas” to the southwestern and southeastern corners of the Weber Avenue/Van Buren Street intersection; and</p> <p>Traffic 6—For Washington Street/Madison Street intersection, the AOC will add crosswalks to all crossings of the intersection and a pedestrian-controlled traffic control for the intersection.</p> <p>These mitigation measures will reduce the potential hazard impacts for the Main Street mall to a level that is less than significant. Significance of impact after mitigation: Significant and unavoidable</p>				
Result in inadequate emergency access?	No Impact	No Impact	No Impact	No Impact	No Impact
Result in inadequate parking capacity?	Less than Significant Impact	No Impact	Less than Significant Impact	Less than Significant Impact	Less than Significant Impact
Conflict with adopted policies, plans, or programs supporting alternative transportation (such as bus turnouts, bicycle racks)?	Less than Significant Impact	No Impact	Less than Significant Impact	Less than Significant Impact	Less than Significant Impact
12. UTILITIES AND SERVICE SYSTEMS—Will the project:					
Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less than Significant Impact	No Impact	Less than Significant Impact	Less than Significant Impact	Less than Significant Impact
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?	Less than Significant Impact	No Impact	Less than Significant Impact	Less than Significant Impact	Less than Significant Impact
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?	No Impact	No Impact	No Impact	No Impact	No Impact
Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Less than Significant Impact	No Impact	Less than Significant Impact	Less than Significant Impact	Less than Significant Impact

Environmental Resource and Issue	Proposed Project	No Project Alternative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<i>Less than Significant Impact</i>	<i>No Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>	<i>Less than Significant Impact</i>

1 Transportation impacts associated with some traffic increase, a decrease in intersection levels of
2 service, and parking are potentially significant for the proposed project, but they can be reduced
3 to below significant levels with mitigation. In addition, the project will also result in potentially
4 significant impacts in the following areas: aesthetic quality and visual resources, scenic vista,
5 scenic resources, cultural and paleontological resources; hazardous materials; land use conflict;
6 recreation, and traffic.

7 CEQA requires identification of an “environmentally superior” alternative, in addition to the “No
8 Project” Alternative. The Draft EIR identifies either the Washington Street Alternative or the
9 Private Parcels Alternative as the “Environmentally Preferred Alternative.” Both of these
10 alternatives will avoid or reduce the potential impacts identified above. An independent Cultural
11 Resources evaluation was also conducted and has been incorporated into the Cultural Resources
12 discussion. Additional investigations supporting the cultural resources analysis are included in
13 [Appendix F and G](#). A technical study prepared for Transportation is contained in [Appendix H](#).

14

1 **2.0 INTRODUCTION**

2 The AOC is responsible for implementation of the Trial Court Facilities Act of 2002 (Chapter
3 1082, Statutes of 2002) (as amended), which requires transfer of responsibility for funding and
4 operation of trial court facilities from California counties to the State of California. The County
5 of San Joaquin transferred responsibility for the Stockton Courthouse to the State of California in
6 2007. To provide new facilities for the Superior Court of California, County of San Joaquin, the
7 AOC is proposing acquisition of a new courthouse parcel in downtown Stockton, construction of
8 a new courthouse, and operation of the courthouse for the court.

9 **2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT**

10 The AOC is preparing this EIR in conformance with CEQA to evaluate and disclose the
11 environmental impacts of the proposed New Stockton Courthouse (the proposed project). For
12 CEQA compliance, a lead agency must prepare an EIR when there is substantial evidence that a
13 project could have a significant effect on the environment. The purpose of an EIR is to provide
14 decision makers, public agencies, and the public with an objective and informational document
15 that fully discloses the potential environmental effects of the proposed project. The EIR process
16 is specifically designed to provide an objective evaluation of potentially significant direct,
17 indirect, and cumulative impacts of the proposed project; identify alternatives that reduce or
18 eliminate the project’s significant effects; and identify feasible measures that mitigate significant
19 effects of the project. In addition, CEQA requires that an EIR identify the adverse impacts that
20 remain significant after mitigation.

21 **2.2 CEQA EIR PROCESS**

22 This EIR assesses the environmental impacts of a new courthouse, in addition to a range of
23 alternatives that may avoid or reduce potential impacts associated with the proposed project. For
24 preparation of an EIR, the CEQA process includes the following principal activities:

- 25 • Initial Scoping—Determination of whether to prepare an EIR or a Negative Declaration;
- 26 • Initial Study (optional, but prepared for this proposed project);
- 27 • Release of Notice of Preparation and Public Scoping Meeting;
- 28 • Preparation of a Draft EIR evaluating potentially significant issues;
- 29 • Release of Draft EIR for 45-Day Public Review and Comment;
- 30 • Draft EIR Public Hearing;
- 31 • Preparation of a Final EIR consisting of Response to Comments on Draft EIR and
32 Mitigation Monitoring Program;
- 33 • Distribution of Lead Agency’s responses to comments received from public
34 agencies; and
- 35 • Lead Agency certification of Final EIR and approval or denial of project.

1 **2.2.1 Notice of Preparation and Initial Study**

2 In accordance with Section 15063 of the CEQA Guidelines, the AOC prepared a Notice of
3 Preparation for this EIR (see Appendix A). The Notice of Preparation describes the project and
4 potential issues to be studied in the EIR. The AOC circulated the Notice of Preparation to
5 responsible and trustee agencies and interested parties to provide notification that the AOC was
6 preparing an EIR for the project and to solicit guidance on the scope and content of this
7 document. The AOC held a public scoping meeting on July 30, 2008, in downtown Stockton to
8 discuss the project and CEQA process and to provide an opportunity for interested parties to
9 make scoping comments. Appendix B summarizes stakeholders' comments on the Notice of
10 Preparation and the scoping meeting.

11 The Notice of Preparation included an Initial Study, which identified the issues that are the focus
12 of this EIR. The Initial Study concluded that the project could result in significant impacts to
13 environmental resources. This EIR provides further evaluation of the project's potential impacts
14 for the following resources:

- 15 • Aesthetics and Visual Resources;
- 16 • Air Quality;
- 17 • Cultural Resources;
- 18 • Geology, Soils, and Seismicity;
- 19 • Hazards and Hazardous Materials;
- 20 • Hydrology and Water Quality;
- 21 • Land Use, Plans, and Policies;
- 22 • Noise;
- 23 • Public Services;
- 24 • Recreation;
- 25 • Traffic and Circulation; and
- 26 • Utilities and Service Systems.

27 The Initial Study concluded that the proposed project will have no impact or a less-than-significant
28 effect on the following environmental resources: Agricultural Resources, Biological Resources,
29 Mineral Resources, and Population and Housing. This EIR will not provide further discussion of
30 these four resources as a result. Please see the Initial Study in Appendix A for a discussion of
31 these topics.

32 The AOC received responses to the Notice of Preparation from agencies, organizations, and
33 individuals. Appendix B contains the comments received in response to the Notice of
34 Preparation and the summary of stakeholders' comments from the scoping meeting.

1 **2.2.2 Public Review of the Environmental Impact Report**

2 This document constitutes the Draft EIR. It describes the project and the environmental setting
3 (existing conditions), identifies the project’s environmental impacts, identifies mitigation
4 measures for impacts found to be significant or potentially significant, and analyzes project
5 alternatives.

6 The AOC circulated this Draft EIR for public review and comment for a period of 45 days.
7 During this period, stakeholders were able to submit comments on the Draft EIR’s accuracy
8 and completeness to the lead agency. The 45-day public review period was from January 23,
9 2009, to March 9, 2009. Following this public review period, the AOC prepared a revised
10 Draft EIR for several project description, cultural resource, and traffic/transportation issues.
11 The 45- day public review period for the revised Draft EIR was from May 9, 2009 to June 20,
12 2009. The AOC has prepared the Final EIR that includes stakeholders’ comments on the Draft
13 EIR, the AOC’s responses to the comments, any revisions to the Draft EIR, and any new
14 available information. Together, the Draft EIR and Final EIR make up the EIR for the
15 proposed project.

16 Interested parties were able to submit written comments to the AOC during the 45-day review
17 periods via postal mail, email, or fax to:

18 Mr. Jerome Ripperda
19 Administrative Office of the Courts
20 Office of Court Construction and Management
21 2860 Gateway Oaks, Suite 400
22 Sacramento, CA 95833-3509
23 E-mail: Jerry.Ripperda@jud.ca.gov
24 Phone: (916) 263-8865
25 FAX: (916)-263-8140

26 The AOC held a public meeting to discuss the project and the AOC’s CEQA compliance on
27 February 19, 2009, at the Downtown Transit Center Boardroom at 421 East Weber Avenue in
28 Stockton, California. Interested parties were able to submit oral and written comments during the
29 February 19 public meeting.

30 **2.2.3 Lead Agency**

31 In conformance with CEQA Guidelines Section 15367, the Judicial Council typically acts as the
32 “lead agency,” which is defined as the “public agency which has the principal responsibility for
33 carrying out or disapproving a project.” The Judicial Council has delegated its project approval
34 authority to the AOC. Therefore, as the CEQA lead agency, the AOC must prepare and certify
35 (approve) the Final EIR. The AOC’s Administrative Director of the Courts is responsible for the
36 AOC’s adoption of the Final EIR and approval of the proposed project.

1 **Lead Agency Contact:**

2 Mr. Jerome Ripperda, Environmental Analyst
3 Administrative Office of the Courts
4 Office of Court Construction and Management
5 2860 Gateway Oaks Drive, Suite 400
6 Sacramento, CA 95833-3509
7 E-mail: Jerry.Ripperda@jud.ca.gov
8 Phone: (916) 263-8865
9 FAX: (916)-263-8140.

10 **2.2.4 Responsible Agencies**

11 A “responsible agency” is a public agency, other than the lead agency, that has
12 responsibility for carrying out or approving a project (Public Resources Code Section 21069).
13 For this courthouse project, the city must approve the state’s proposed acquisition of the
14 project site, various license agreements, and AOC proposals for mitigation proposals on
15 city property.

16 **2.2.5 Mitigation Monitoring and Reporting Program**

17 If a lead agency adopts changes to a project to mitigate significant impacts on the
18 environment, then the lead agency must adopt a reporting and mitigation monitoring program
19 for the mitigation measures. The AOC will include any measures adopted as conditions for
20 approval of the project in a Mitigation Monitoring and Reporting Program to verify
21 compliance.

22 **2.2.6 Final EIR and EIR Certification**

23 The responses to comments, the Draft EIR, any revisions or additions to the Draft EIR, and
24 the Mitigation Monitoring Plan will constitute the Final EIR. Before the AOC can approve
25 the project, the AOC must certify that it has completed the EIR in compliance with CEQA;
26 that the Administrative Director of the Courts has reviewed and considered the information
27 in the EIR; and that the EIR reflects the independent judgment of the AOC. The AOC must
28 also make findings on the project’s impacts and the adequacy of the project’s mitigation
29 measures. If the AOC approves the project with significant unavoidable impacts, the AOC
30 must state the reasons for its actions and include a Statement of Overriding Considerations
31 in the record of project approval and the Notice of Determination (CEQA Guidelines
32 Section 15093.c).

1 2.3 EIR ORGANIZATION

2 The Draft EIR contains the following sections:

- 3 • **Chapter 1, Executive Summary.** Summarizes the proposed project, alternatives
4 analyzed, and potential environmental impacts.
- 5 • **Chapter 2, Introduction.** Describes the purpose of the EIR, CEQA EIR process;
6 and organization of the EIR.
- 7 • **Chapter 3, Project Description.** Describes the proposed project location and
8 objectives, and provides a detailed project description.
- 9 • **Chapter 4, Environmental Setting, Potential Impacts, and Mitigation Measures.**
10 Describes existing conditions in the vicinity of proposed facilities, discusses project
11 consistency with relevant local plans and policies, and identifies the environmental
12 impacts associated with the project operation, as well as presents mitigation measures
13 for the potential environmental impacts studied in the EIR.
- 14 • **Chapter 5, Alternatives.** Discusses a range of alternatives to the proposed project,
15 or to the location of the proposed project, that could feasibly attain most of the basic
16 objectives of the project, but that will avoid or substantially reduce any of the
17 significant effects of the project, and evaluates the comparative merits of the
18 alternatives.
- 19 • **Chapter 6, CEQA Considerations.** Discusses several issues required by CEQA,
20 including significant unavoidable impacts, significant irreversible effects, growth
21 inducing impacts, and cumulative impacts to the project.
- 22 • **Chapter 7, Report Personnel.** Lists the names and associations for the persons
23 involved in drafting this EIR.
- 24 • **Chapter 8, Literature Cited.** Lists the documents used to prepare this EIR.

25

1 **3.0 PROJECT DESCRIPTION**

2 The AOC proposes to construct a new courthouse in Stockton’s Hunter Square for the court.
3 The proposed courthouse property is immediately west of the county’s existing Courthouse and
4 Administration Building, which is at 222 East Weber Avenue. The AOC’s proposed project
5 consists of:

- 6 • The AOC’s acquisition of an approximately 1-acre parcel through a donation from the
7 City of Stockton,
- 8 • Design and construction of a new courthouse facility,
- 9 • Modification of a portion of the Main Street mall, the Main Street fountain, and an
10 adjacent park area,
- 11 • Movement of the court’s staff and operations from the existing courthouse and other
12 leased space in downtown Stockton to the new courthouse,
- 13 • Addition of vehicle traffic to a portion of the Main Street mall, and
- 14 • Operation of the new courthouse by the AOC to support the court’s operations.

15 **3.1 PROJECT BACKGROUND**

16 The county opened the existing San Joaquin County Courthouse in 1963. Located at 222 East
17 Weber Avenue, the court occupies two connected buildings – the Court Wing, the southern wing
18 of the complex, and a portion of the Administration Wing, the northern wing of the complex.
19 The courthouse had only 10 courtrooms when it opened in 1963, but the county subsequently
20 converted some of the building’s office space into 12 additional courtrooms. Many of the
21 courtrooms are deficient and provide limited functionality. The courthouse’s holding cell space
22 for detainees is inadequate, and the modified design of the court’s space presents many security
23 challenges, including the need to walk in-custody detainees in public hallways. The jury
24 assembly room is cramped and uninviting, and there are few places for jurors to wait before trial
25 sessions begin, other than public hallways. Space for the court’s administrative operations is also
26 seriously deficient.

27 The court has 22 courtrooms in the Stockton Courthouse, and the AOC and court recently began
28 operating in a temporary leased facility in Stockton that currently has three courtrooms. The
29 AOC and the court will add another five courtrooms to temporarily serve new judicial officers
30 and staff before construction of the proposed new courthouse.

31 **3.2 PURPOSE AND OBJECTIVES OF THE PROPOSED PROJECT**

32 The purpose of the proposed project is to provide the court with a new courthouse. The project’s
33 objectives are to provide:

- 1 • A new courthouse with improved security features, public access and public
2 service features, and working and operational features for the court's staff;
- 3 • Courthouse facilities that increase the efficiency of the court's staff and operations
4 and increase the court's ability to serve residents of San Joaquin County;
- 5 • Courthouse facilities that promote efficient interaction and communication
6 between the court's staff and other government agencies' staff and between the
7 court's staff and other parties involved in judicial proceedings;
- 8 • A new courthouse that is as accessible as the current courthouse for persons
9 involved in judicial proceedings, government agency personnel, and the public;
10 and
- 11 • Court facilities that comply with the State of California's Building Code.

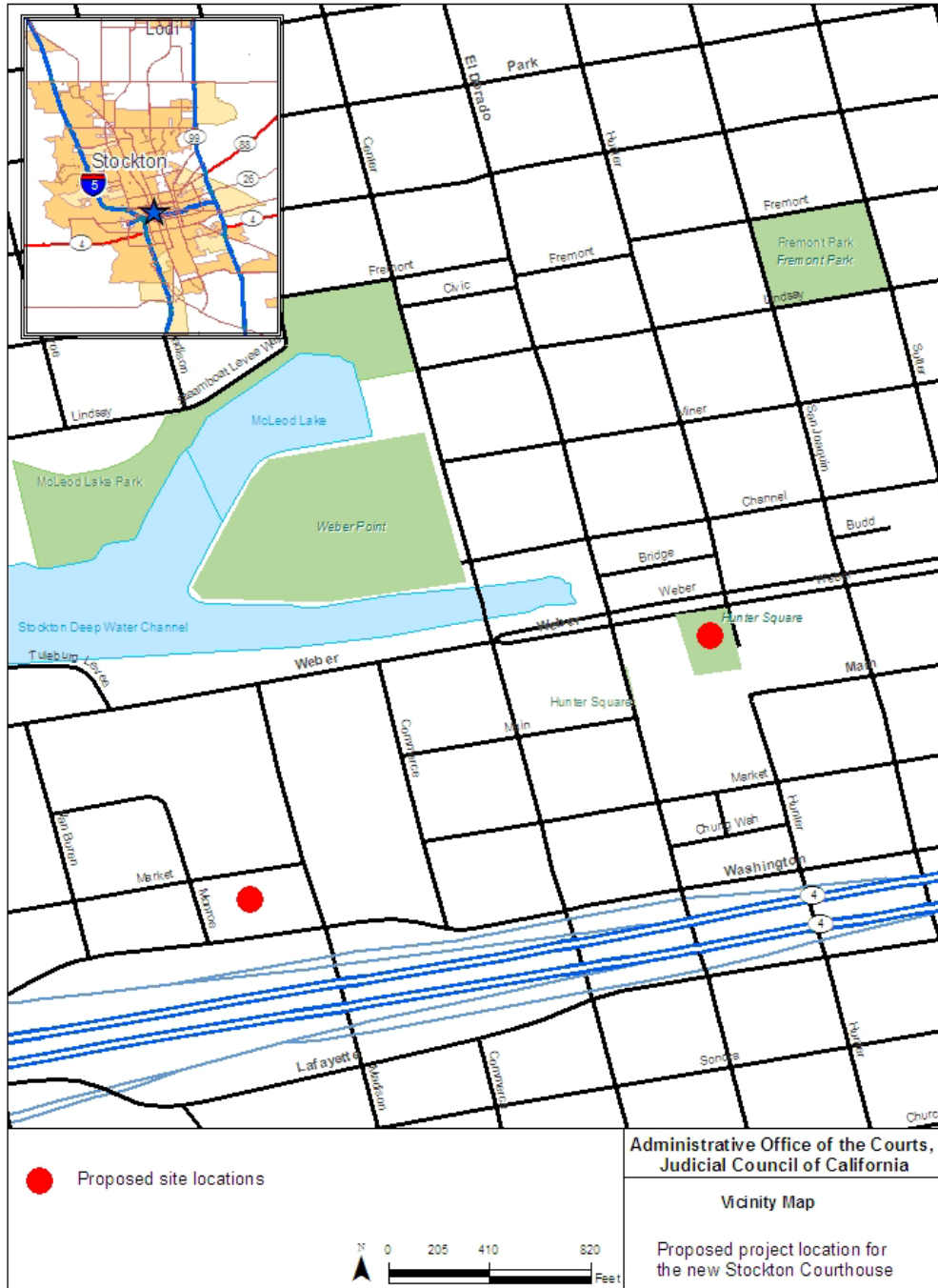
12 The AOC expects that the new courthouse will help the court offer expanded services and
13 serve the increasing number of visitors who will otherwise visit the court's downtown
14 Stockton facilities.

15 3.3 PROJECT LOCATION

16 Stockton is located in the San Joaquin Valley in Central California, near the center of San
17 Joaquin County, 60 miles east of the San Francisco Bay area and 40 miles south of
18 Sacramento. The Sierra Nevada range is east of the city, and the California Delta of the San
19 Joaquin and Sacramento Rivers is west of the city.

20 The AOC's preferred site is the Hunter Square parking area and a portion of the adjacent park
21 (see [Figures 1 and 2](#)). The site is delineated by East Weber Avenue to north, the existing San
22 Joaquin County Courthouse and Administration Building to the east, the Main Street pedestrian
23 mall to the south, and private parcels to the west. The AOC intends to acquire this site from the
24 city, and the AOC also intends to acquire temporary license rights for a portion of the city's
25 Main Street mall and an adjacent park area (see [Figure 3](#)). A parking lot occupies the northern
26 portion of the site, and a small park occupies the southern portion of the site. The site is partially
27 vegetated with grasses, shrubs, and trees.

28 The proposed new courthouse site has not been assigned an APN, but the AOC understands
29 that the proposed courthouse parcel will extend from the northeast corner of parcel 149-020-05
30 to the northwest corner of parcel 149-020-16 to the southwest corner of parcel 149-020-16 and
31 to the southeast corner of parcel 149-020-12. The project includes formal creation of the
32 parcel, establishment of its land use designation as commercial, and classification of its zoning
33 designation as Commercial Downtown (CD), which is consistent with adjacent parcels.



1
2

Figure 1. Vicinity Map of Proposed Courthouse

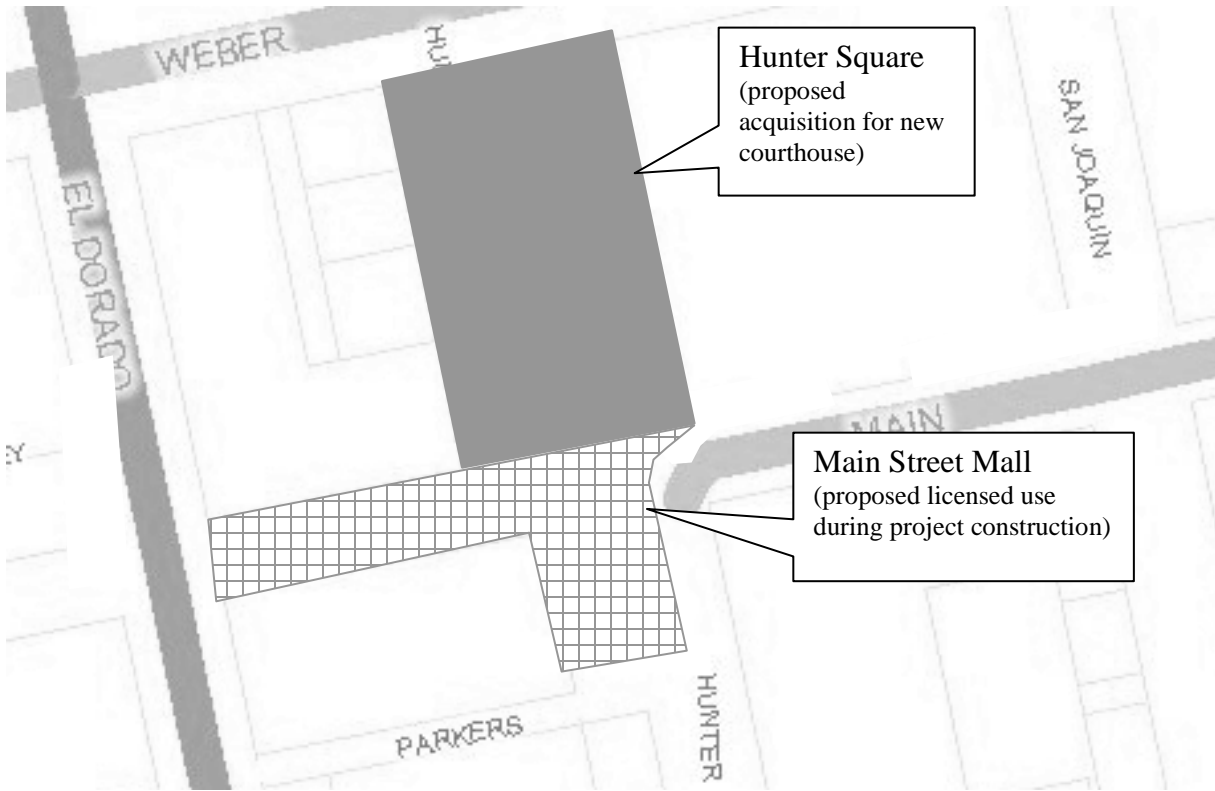


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2
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Figure 2. Existing Downtown Stockton Courthouse

1

2



3

4

Figure 3. Proposed Project Site – Acquisition and License Property

5

The proposed courthouse property is located immediately west of the existing Courthouse and Administration Building. The following structures and land uses are adjacent to the project site:

7

8

- North—East Weber Avenue and the Stockton Hotel that includes ground-floor retail and five floors of affordable housing;

9

10

- East—Existing San Joaquin County Courthouse and Administration Building;

11

- South—Main Street pedestrian mall, a small park area south of the Main Street mall and adjacent to South Hunter Street, and the Pacific State Bank building and its parking lot; and

12

13

- West—Commercial buildings and parking lots.

14

1 3.4 PROJECT CHARACTERISTICS

2 **3.4.1 New Courthouse**

3 The proposed project includes the AOC’s acquisition of the approximately 1-acre Hunter Square
4 parcel through a donation from the city, design and construction of a new courthouse, and
5 operation of the courthouse for the court. [Figures 1 and 2](#) show the proposed project location,
6 and [Figure 4](#) provides a conceptual site plan.

7 The new courthouse building’s entrance will face northeastward toward Weber Avenue and the
8 existing Courthouse and Administration Building. The new courthouse will be 12 stories and
9 approximately 220 feet tall, and it will have approximately 325,000 building gross square feet of
10 space. The lower four to six floors of the building (the “podium”) will be approximately 160 feet
11 wide (east/west direction) and approximately 220 feet long (north/south direction). The upper
12 portions of the building (the “tower”) will be approximately 100 feet wide (east/west direction)
13 and approximately 220 feet long (north/south direction). Thus, the “tower” of the building will
14 have a smaller footprint than the “podium.” The footprint of the entire building will be
15 approximately 0.8 acres. The new courthouse building will have a basement that extends
16 approximately 15 feet below ground surface.

17 The building’s entrance will face northeast toward Weber Avenue and the Courthouse and
18 Administration Building, but it will be set back approximately 50 feet from Weber Avenue. The
19 courthouse will have a plaza and public area between the building and Weber Avenue; landscaped
20 areas on the east, south, and west sides of the building; and secure vehicle access facilities on the
21 south side. The AOC understands that the county plans to construct a public plaza on the site of
22 the Courthouse and Administration Building after the AOC’s completion of the proposed
23 courthouse. The courthouse’s landscaped grounds will be adjacent to the county’s future plaza.

24 The new courthouse will have 30 courtrooms and associated judicial chambers, a lobby and
25 entrance area, jury assembly and meeting areas, the Office of the Clerk of the Court, executive
26 administrative offices, security operations area, office space for the court’s staff, a public document
27 review area, meeting rooms, waiting rooms, and building support space. The lower floors of the
28 new courthouse will contain central clerk functions, public counters, and high-seating capacity
29 courtrooms. The courthouse’s public spaces will provide display spaces for a history of Hunter
30 Square, the history of San Joaquin courthouses, and public art. Remaining courtrooms, additional
31 court support space, and court administration offices will occupy the upper floors.

32 The new courthouse will support felony, misdemeanor, traffic infractions, miscellaneous
33 infractions, civil, small claims, juvenile dependency, mental health, probate, and family law
34 functions. The courtrooms will have holding capability for in-custody detainees and access to
35 a separate secure circulation system to maximize functional flexibility of the courtrooms.

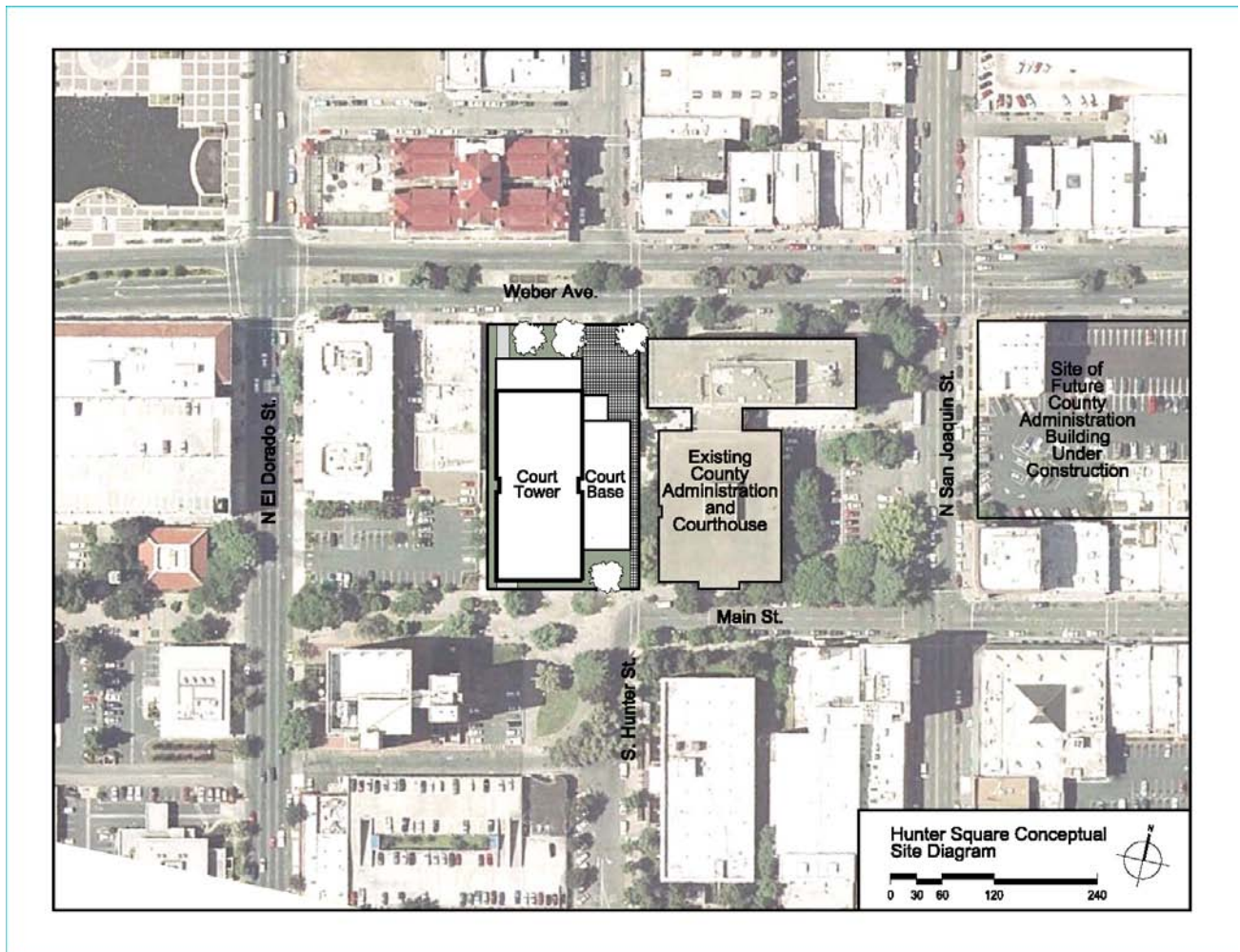


Figure 4. Plan for Proposed New Stockton Courthouse

3 Secure parking for judicial officers and court executives, a sallyport (a secured building entrance
4 that connects to a secured building area), sheriff's facilities, in-custody detainee holding facilities,
5 and building service areas will be in the building's basement. The southern courthouse grounds
6 will include a ramp that will connect the Main Street pedestrian mall to the basement. The
7 basement will also have an exit ramp and driveway connection to Weber Avenue for sheriff's
8 buses and service vehicles.

9 The project will modify the Main Street mall between South Hunter Street and El Dorado Street.
10 The AOC's construction contractor will remove the existing raised pool and fountain during
11 construction. The AOC will enhance the landscaping, benches, and pavement of the new water
12 feature area.

1 The AOC will base the design of the new courthouse on its *Principles of Design for California*
2 *Court Buildings* (available at
3 http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf). The
4 AOC adapted these principles from the *Guiding Principles for Federal Architecture* by Daniel
5 Patrick Moynihan, Hon. AIA, and on the *Excellence in Public Buildings Initiative*, by Stephan
6 Castellanos, FAIA, former State Architect of California. These principles include:

- 7 • Court buildings shall represent the dignity of the law, the importance of the activities
8 within the courthouse, and the stability of the judicial system;
- 9 • Court buildings shall represent an individual expression that is responsive to local
10 context, geography, climate, culture, and history, and shall improve and enrich the
11 sites and communities where they are located;
- 12 • Court buildings shall represent the best in architectural planning, design, and
13 contemporary thought, and shall have requisite and adequate spaces that are planned
14 and designed to be adaptable to changes in judicial practice;
- 15 • Court buildings shall be economical to build, operate, and maintain;
- 16 • Court buildings shall provide a healthy, safe, and accessible environment for all
17 occupants; and
- 18 • Court buildings shall use proven best design and construction practices and
19 technology with careful use of natural resources.

20 The AOC will seek LEED Silver Certification for the new courthouse. The LEED system
21 includes criteria for green practices that incorporate sustainability, water efficiency, energy and
22 atmosphere, materials and resources, indoor environmental quality, and innovation and design
23 processes. Projects earn points for attaining criteria listed in the LEED checklist (Appendix C).
24 Achieving a LEED Silver rating requires obtaining 33 to 39 points out of 69 possible points.

25 The AOC estimates that the total project cost will be approximately \$232 million without
26 financing or land costs. The AOC's proposed project schedule is:

- 27 • Acquire the courthouse site in 2009,
- 28 • Prepare preliminary plans, drawings, and bid documents in late 2009 and 2010,
- 29 • Prepare working drawings in 2010,
- 30 • Bid and award the construction contract in early 2011,
- 31 • Begin construction in 2011,
- 32 • Complete construction in early 2013,
- 33 • Vacate the court's space in the Courthouse and Administration Building and other
34 leased space in Stockton and begin court operations in the new courthouse in early
35 2013, and

- 1 • Transfer the AOC’s interest in the Courthouse and Administration Building to the
2 county after the court begins operations in the new courthouse.

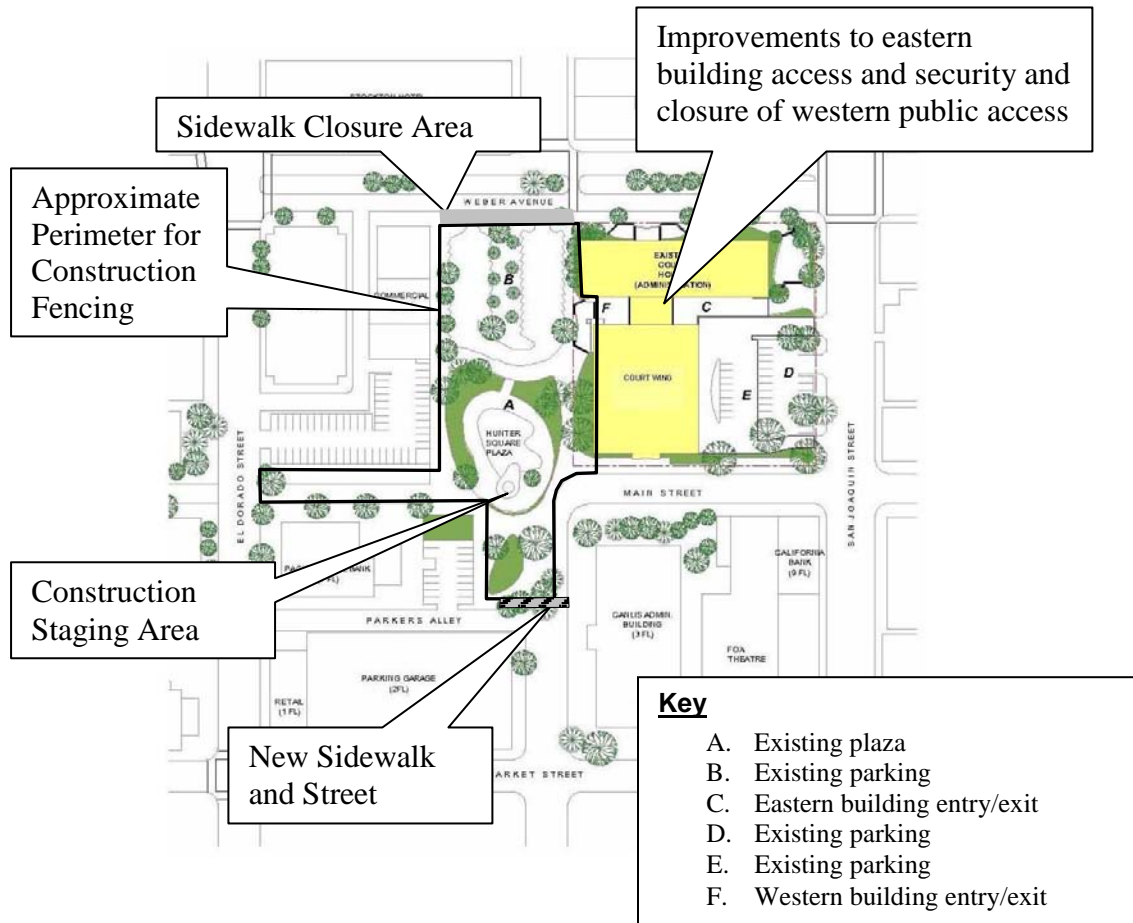
3 **3.4.2 Parking**

4 The proposed project will provide approximately 40 secure parking spaces for judicial
5 officers and court administrators. The court’s staff, visitors, and jurors will continue to park
6 in off-site parking lots or metered city parking spaces. Nearby parking structures include the
7 Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, the Channel Street
8 Parking Garage, and the county’s Motor Pool Parking Garage (with public access on South
9 Hunter Street). The project will eliminate the existing Hunter Square parking lot and several
10 metered on-street parking spaces on Weber Avenue and on East Main Street.

11 **3.4.3 Plans and Arrangements for Construction of the Proposed Courthouse**

12 To facilitate construction operations, the AOC intends to license space adjacent to the proposed
13 courthouse site. [Figure 5](#) shows the proposed licensed or leased areas that the AOC’s construction
14 contractor will use for staging. The AOC’s construction contractor will establish security fencing
15 around the perimeter of the proposed courthouse site and the staging areas. To minimize risks to
16 public safety and construction operations, the AOC will seek the county’s approval to improve
17 access features and security operations for the eastern entrance to the Courthouse and Administration
18 Building, close public entry to the western entrance to the San Joaquin Courthouse and
19 Administration Building, require use of the building’s eastern entrance for access to the building, and
20 maintain a secured emergency egress pathway from the Courthouse and Administration Building’s
21 western entrance and emergency exits to Main Street and Weber Avenue.

22 The AOC will seek the city’s approval for closure of the existing Weber Avenue sidewalk
23 along the northern side of the Hunter Square parcel. The AOC will also seek the city’s
24 approval for partial closure of the Main Street pedestrian mall, but the AOC will keep part of
25 the southern portion of the mall open to maintain a pedestrian pathway between El Dorado
26 Street and South Hunter Street. The AOC’s proposed pedestrian pathway will include a new
27 sidewalk segment near South Hunter Street and a new pedestrian crossing of South Hunter
28 Street. The AOC’s contractor may remove some trees from the mall or some tree limbs from
29 individual trees. In the landscaped plaza area southwest of the intersection of Hunter Street
30 and Main Street, the AOC will establish a construction exclusion zone around the plaza’s large
31 Cedar of Lebanon (*Cedrus deodora*) tree, but the AOC’s construction contractor may remove
32 several smaller olive and crape myrtle trees. The AOC’s construction contract will include
33 replacement of removed trees with a ratio of five new shade trees for each tree removed from
34 the Main Street mall and a ratio of three new crape myrtle, olive, or other ornamental trees for
35 each removed olive or crape myrtle tree. The AOC’s contractor will plant the trees in the Main
36 Street mall area or on city property within two blocks of the new courthouse.



1

2 **Figure 5. Site Plan for Proposed Temporary Construction Staging Area**

3 The AOC expects that its construction contractor will use Main Street for transportation of
 4 construction materials to the proposed courthouse site; vehicles will presumably proceed through
 5 downtown Stockton and pass through the San Joaquin Street/Main Street intersection to a gate at
 6 the intersection of Hunter Street and Main Street. Construction operation-related vehicles may exit
 7 the construction area via the Hunter Street and Main Street gate to southbound Hunter Street or
 8 from Main Street onto northbound El Dorado Street. The AOC will seek the city’s approval for
 9 closure of some parking spaces on Main Street between San Joaquin Street and Hunter Street.

10 Construction operations for site clearing, excavation and grading, foundation work, trenching,
 11 steel assembly, building exterior assembly, final grading, paving, and landscaping will occur on
 12 weekdays from 7 a.m. to approximately 4 p.m. Excavation of the building’s basement will
 13 include removal and off-site transportation of soil. The AOC intends to minimize pile-driving
 14 operations by pre-drilling piling holes, but foundation work will require some pile-driving
 15 operations. The AOC will restrict pile-driving operations to the hours from 7 a.m. to 4 p.m.
 16 Once the construction contractor has completed assembly of the building’s exterior, the

1 contractor's interior building work may occur on weekends from 7 a.m. to approximately 4 p.m.
2 or after 4 p.m. on weekdays. The AOC will restrict the construction contractor's delivery of
3 construction materials to weekday hours from 9 a.m. to 4 p.m. and removal of construction
4 debris to weekday hours from 7 a.m. to 4 p.m.

5 **3.4.4 Court's Withdrawal from the Current Courthouse Building**

6 After the new courthouse is completed in 2013, the court will transfer its operations from the
7 courthouse and leased courthouse annex to the new courthouse, except for record storage that
8 will remain in its current location. The AOC understands that the county does not plan to
9 occupy the vacated space for long-term operations (County of San Joaquin 2008~~9~~).

10 **3.5 EXISTING CONDITIONS**

11 The court has facilities in the Courthouse and Administration Building, the new Stockton
12 Courthouse annex located at 540 East Main Street, the Juvenile Justice Center in French Camp,
13 and branches of the court in Lodi, Manteca, and Tracy. The new Stockton Courthouse will
14 replace the existing courthouse and the court's leased space in downtown Stockton.

15 **3.5.1 San Joaquin County Courthouse**

16 The county opened the Courthouse and Administration Building in 1963. The court occupies
17 two connected buildings —the entire Court Wing (the southern wing of the building), and a
18 portion of the Administration Wing (the northern wing of the building). The county also has
19 offices in the Administration Wing. Currently, the building's entrance is located on the western
20 side of the building, facing the parking lot north of Hunter Square. Parking is available in
21 metered on-street spaces around the courthouse, in a parking area immediately west of the
22 courthouse in Hunter Square, and in parking lots and parking structures near the courthouse.

23 **3.5.2 Courthouse Annex Facility in Downtown Stockton**

24 The court opened its ~~new~~ downtown Stockton Courthouse annex at 540 East Main Street (the old
25 downtown location for J.C. Penny) in July 2008. Three judicial officers, support staff, Family
26 Court Services department, Records Department, Pro Per Clinic, and a satellite Department of
27 Child Support Services office operate in the facility. The ~~new~~ annex has three courtrooms on the
28 first floor, and the AOC and the Court recently completed a jury assembly room and three
29 additional courtrooms on the second floor. The AOC and court expect to add two~~five~~ additional
30 courtrooms. ~~The additional courtrooms and a jury assembly room~~ on the second floor ~~will~~
31 accommodate five of the six additional judgeships that the court expects to receive in the
32 upcoming years until the proposed new downtown courthouse opens in 2013. The leased space
33 provides more working space for support staff, private conference rooms for attorneys' meetings
34 with their clients, and an easily accessible Pro Per Clinic and self-help center for the public.
35 After the new courthouse is completed in 2013, the court will transfer most of its operations from

1 this leased facility to the new courthouse. The court plans to retain approximately 30,000 square
2 feet of space in the basement for records storage.

3 **3.5.3 Current Court Operations**

4 **Table 3-1** lists the judicial services that the court provides at its various facilities. The court
5 currently has 33 active courtrooms: 25 courtrooms in Stockton and two courtrooms in each of
6 the other facilities.

7 The court supports civil, criminal, family, juvenile delinquency, juvenile dependency, probate,
8 and traffic operations in Stockton (Table 3-1). The court's staff includes a Management Services
9 unit, an Administrative Services Unit, a Family and Children's Court Services unit, and a Court
10 Technical Services unit. The court currently has approximately 270 staff in its downtown
11 Stockton facilities.

12 The court summons jurors for judicial proceedings. Although the court's need for jurors depends
13 on the number of cases needing jurors and the types of pending judicial proceedings, the capacity
14 of the court's juror assembly room in the San Joaquin County Courthouse/Administration
15 Building limits the maximum number of new jurors to approximately 200 jurors. The jury
16 assembly room in the Courthouse annex will accommodate 80 jurors when the Court opens the
17 annex's second floor.

18 Tuesdays are typically the days with the greatest number of courthouse visitors for the courts: the
19 hour from 7:45 to 8:45 a.m. has the maximum number of entries; the hour with the greatest
20 courthouse population is 8:30 to 9:30 a.m. The courthouse population typically declines from the
21 early peak until noon, rises to a second peak from 1:00 to 2:00 p.m., and then declines steeply to a
22 population low between 4:00 to 5:00 p.m. The court's judicial proceedings and trials generally
23 begin at 8:30 a.m. and conclude before 4:30 p.m. The Clerk's Offices are open from 7:30 a.m. to
24 4:00 p.m., Monday through Friday, excluding legal holidays.

25 **3.6 EXISTING PLANS AND POLICIES**

26 Existing plans and policies include the City of Stockton Redevelopment Agency's Downtown
27 Stockton Strategic Action Plan, the Stockton Municipal Code, and the Stockton General Plan
28 2035 designations described in this section.

29 **3.6.1 General Plan**

30 The City of Stockton General Plan 2035 identifies public facilities and services issues and states
31 that the city will coordinate with government agencies to use available sites near existing
32 neighborhoods and arterial streets that are appropriate for supporting government facilities. The

1 general plan does not currently have a land use designation for the proposed project site. It is
2 located within the Amended West End Redevelopment Project Area.

3 **3.6.2 Zoning**

4 The proposed project site does not currently have a zoning designation.

1 **Table 3-1: Judicial Facilities of the Court of California, County of San Joaquin**

Operation	Jurisdiction	Stockton Crths.	Stockton Annex	Juv. Just. Center	Tracy	Manteca	Lodi
Civil - Unlimited & Limited Jurisdiction	Disputes involving money, title or possession of real property, and special cases such as change of name and injunctions	X	*				
Civil - Limited Jurisdiction	Disputes involving money, title or possession of real property, and special cases such as change of name and injunctions				X		X
Civil - Small Claims	Disputes involving money, title, or possession of real property	X			X		X
Criminal - Felony	Preliminary felony hearings	X				X	X
	Felony trials	X					
Criminal - Misdemeanors	Misdemeanor arraignments	X				X	X
Traffic	Misdemeanor trials	X			X		X
Traffic	Jurisdiction over vehicle code infractions, most local limited civil infractions, and minor misdemeanors	X			X		X
Unlawful Detainers	Disputes involving landlords and tenants	X			X		X
Family Law	Jurisdiction over cases involving dissolutions of marriage and division of property, restraining orders, child support, child custody and visitation, and mediation		X				
Drug Court	Matches a defendant to an appropriate level of substance abuse treatment and monitors compliance	X					
Domestic Violence Court	Disputes in many forms between two people in an intimate relationship	X	Restrain. Orders		Restrain. Orders	Restrain. Orders	Restrain. Orders
Mental Health Court Probate	Conservatorship actions (cases involving mental health)	X	<u>X</u>				
	Handles decedents' estates, guardianship, minors, and conservatorship of adults who are unable to provide for their personal needs or manage their financial resources	X					
Appellate Calendar	Conservatorship actions		X				
Appellate Calendar	Evaluates appeals involving limited jurisdiction civil cases, misdemeanors, & infractions	X					
Juvenile Delinquency	Responsible for adjudicating matters regarding minors			X			
Juvenile Dependency	Responsible for matters concerning abuse or neglect to determine whether a minor should be made a ward of the court	X					
Juvenile DUI	Responsible for adjudicating matters regarding minors			X			
Juvenile Traffic & Infractions	Responsible for adjudicating matters regarding minors			X	X		X
* = future use							

1 **3.6.3 Other Relevant Plans and Policies**

2 Other relevant plans and policies include the following:

- 3 • San Joaquin Valley Unified Air Pollution Control District’s Air Quality
4 Management Plan;
- 5 • Regional Transportation Improvement Program for San Joaquin County;
- 6 • San Joaquin County Regional Transportation Plan;
- 7 • City stormwater policies;
- 8 • County of San Joaquin General Plan;
- 9 • City redevelopment plans such as the Downtown Stockton Strategic Plan and the
10 Strong Neighborhood Initiative; and
- 11 • City of Stockton Development Code.

12 3.7 DISCRETIONARY PROJECT APPROVALS

13 The AOC is responsible for approving this project. The State of California’s Public Works
14 Board must also approve the selection and acquisition of real property for the location or
15 expansion of State of California facilities. The board also approves plans, allocates funds, and
16 establishes the timing of major construction projects.

17 The AOC must acquire title to the land for the new courthouse from the city. The Stockton City
18 Council must rely on the AOC’s EIR as a basis for its decision to transfer the property to the state.

19

1 **4.0 ENVIRONMENTAL ANALYSIS**

2 Chapter 4 evaluates the environmental effects of the proposed project, assesses the significance
3 of the impacts, and proposes mitigation measures for potentially significant impacts. For each
4 environmental resource in Chapter 4, the EIR presents the environmental setting, analytical
5 framework, and description of the project’s potential impacts and mitigation measures.

6 The environmental setting discussion introduces the environmental resource to the reader. An EIR
7 must include a description of the existing physical environmental conditions in the vicinity of the
8 project to provide the “baseline condition” that will be used to compare project-related impacts
9 (CEQA Guidelines Section 15125). Normally, the baseline condition is the physical condition that
10 exists when the lead agency publishes a Notice of Preparation. The AOC published the project’s
11 Notice of Preparation on July 21, 2008. However, CEQA Guidelines recognize that the date for
12 establishing an environmental baseline cannot be rigid. Since physical environmental conditions
13 may vary over a range of time periods, a lead agency may reasonably and appropriately use an
14 environmental baseline that differs from the date of the Notice of Preparation when it results in a
15 more accurate or conservative environmental analysis.

16 The analytical framework discussion explains the AOC’s analytical methods and
17 considerations to the reader. The discussion first identifies methodology used to analyze
18 potential environmental impacts; second, it discusses the regulatory background with a
19 summary of laws, regulations, plans, policies, and relevant to each environmental resource;
20 finally, the discussion identifies the AOC’s standard of significance (or threshold of
21 significance). CEQA Guidelines Section 15064.07 defines a threshold of significance (or
22 standard of significance) as an identifiable quantitative, qualitative, or performance level of a
23 particular environmental effect; effects that exceed the threshold will normally be significant,
24 and effects that comply with the threshold will normally be less than significant.

25 CEQA Guidelines Section 15382 defines a “significant effect” as “a substantial, or potentially
26 substantial, adverse change in any of the physical conditions within the area affected by the
27 project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or
28 aesthetic significance. An economic or social change by itself shall not be considered a
29 significant effect on the environment [but] may be considered in determining whether the
30 physical change is significant.” The EIR uses the following terms to describe the level of
31 significance of impacts identified during the course of the environmental analysis:

- 32 • **Significant and Unavoidable Impact**—Impact that exceeds the defined
33 standards of significance and cannot be eliminated or reduced to a less-than-
34 significant level through implementation of feasible mitigation measures.
- 35 • **Potentially significant**—Impacts include those cases where it is not precisely
36 clear whether a significant effect will occur; the analysis in these instances
37 conservatively assesses the worst-case conditions, but the discussion
38 acknowledges that there is uncertainty regarding the extent of the impact.

- 1 • **Less-Than-Significant Impact**—Impact that does not exceed the defined
2 thresholds of significance. This term is also used when mitigation measures
3 identified can reduce a pre-mitigation impact to a less-than-significant level.
- 4 • **No Impact**—The project will result in no impact.

5 The impacts and mitigation measures discussion describes the project’s potential environmental
6 impacts and presents the AOC’s conclusion that the environmental impacts are significant and
7 unavoidable, potentially significant, less than significant, or no impact based on the thresholds of
8 significance. If the proposed project will produce a potentially significant impact or a significant
9 impact, the analysis describes feasible mitigation measures. For each potentially significant
10 impact or significant impact, the discussion evaluates whether proposed mitigation measures will
11 reduce the impacts to a level that will be less than significant or if the impact will remain
12 significant and unavoidable.

13 The analysis of environmental impacts considers both the construction and operational phases
14 associated with implementation of the proposed project. As required by CEQA Guidelines
15 Section 15126.2(a), the analyses address appropriate direct, indirect, short-term, long-term,
16 on-site, and off-site impacts for the environmental issues.

17 4.1 AESTHETICS AND VISUAL RESOURCES

18 This section evaluates the project’s potential impacts to aesthetics and visual resources.

19 4.1.1 Environmental Setting

20 The proposed Hunter Square project site is in downtown Stockton. The northern portion of the
21 proposed courthouse site is a parking lot with several trees, while the southern portion of the
22 proposed courthouse site is a park with a lawn, landscaping, and a pool (see [Figure 2](#)). Weber
23 Avenue runs along the northern edge of the proposed courthouse site; the San Joaquin
24 Courthouse and Administration Building is east of the site; a portion of the Main Street
25 pedestrian mall with its fountain are south of the site; and two-story buildings and parking lots
26 are west of the site. Concrete sidewalks extend around all sides of the parcel.

27 The existing seven-story Courthouse and Administration Building wing and the three-story
28 courthouse wing are east of the proposed courthouse site. A three-story County of San Joaquin
29 administration building is southeast of the proposed courthouse parcel, and commercial buildings
30 and a parking structure are south of the parcel. A seven-story bank building is southwest of the
31 proposed site, and three two-story commercial buildings are west of the site. Weber Avenue and
32 the five-story Hotel Stockton are north of the proposed courthouse site. The hotel is listed in
33 the National Register of Historic Places. It has commercial businesses on the ground floor, and
34 the upper floors are affordable housing.

1 **4.1.1.1 Visual and Aesthetic Features**

2 The parking lot on the northern portion of the proposed courthouse site covers approximately
3 0.7 acre. Trees grow on the edges of the parking lot and the lot's central island. Since the lot is
4 immediately adjacent to the courthouse's public entrance, the parking lot is typically full most
5 weekdays, and numerous drivers cruise through the lot searching for a parking space, dropping
6 off passengers, or picking up passengers.

7 The southern portion of the proposed courthouse site is approximately 0.5 acre. This portion of
8 the parcel includes an irregularly shaped raised concrete pool, a concrete sidewalk around the
9 pool, and a low brick retaining wall around the sidewalk. A lawn surrounds the sidewalk, and
10 several trees and large shrubs are on the periphery of the lawn area.

11 The city's fountain and a raised pool are in the Main Street Mall near South Hunter Street,
12 although the northern portion of the raised pool extends into the project site. The pool is
13 approximately 90 feet long in the north-south direction and 45 to 60 feet wide in the east-west
14 direction; the pool's water depth is approximately 12 inches. The pool's bottom is light blue.
15 The southern side of the pool has an approximately 3-foot-tall brick wall above the pool; the wall
16 supports an upper pool that drops water into the ground-level pool. The upper pool is
17 approximately 4 feet above the ground and drains into the Hunter Square pool.

18 The fountain is approximately 25 feet tall and sits on a small basin that is approximately 5 feet
19 wide. The fountain consists of dark vertical pipes that are approximately 6 inches in diameter,
20 and the pipes form a column that is approximately 3 feet in diameter at the base and tapers to a
21 single pipe at the fountain's apex. Ten pipes are approximately 2 feet to 6 feet long, and four
22 pipes are 15 feet to 25 feet long. The apertures from the four tallest pipes release water that falls
23 to the pool at the base of the fountain. The fountain's water output creates a cascading sound
24 that extends at least 150 feet (AOC 2008b) and adds mist to the air around the fountain. The
25 fountain's structural components, falling water, the cascading water sound, and mist provide a
26 distinct contrast with the adjacent mall area and the nearby courthouse entrance.

27 The city's Main Street pedestrian mall extends along the south side of the proposed courthouse
28 parcel and is approximately 45 feet wide. The western portion of the mall within approximately
29 220 feet of El Dorado Street has relatively mature trees that provide extensive shade on the mall;
30 since this western portion is adjacent to El Dorado Street and the Bank of America's parking lot,
31 vehicle noise is noticeable. The eastern portion of the mall is relatively unshaded by vegetation
32 cover, has an open exposure, and has little vehicle noise.

33 The park area continues in the area south of the Main Street mall and the fountain area and west
34 of South Hunter Street. This park area covers approximately 0.25 acre and contains a large
35 evergreen Cedar of Lebanon (*Cedrus deodora*) tree, several approximately 15-foot-tall olive
36 trees (*Olea europea*) a crape myrtle tree (*Lagerstromia indica*), benches, a sidewalk, and a lawn.

1 Since the ~~current main~~ entrance is on the Courthouse and Administration Building's ~~west-east~~
2 side, large numbers of people walk on the building's adjacent sidewalks, the Hunter Square
3 parking lot, the Hunter Square pool area, and the Main Street mall. The Hunter Square pool
4 area offers a convenient and relatively undisturbed seating area, and there are often people sitting
5 around the pool on days with comfortable weather conditions. The Main Street pedestrian mall
6 provides a vehicle-free space for pedestrian movement or other activities.

7 **4.1.1.2 Wind and Microclimate**

8 During the summer, wind in the Stockton area blows predominantly from the west; local
9 residents refer to this wind pattern as the "Delta breeze." The Delta breeze is a strong onshore
10 atmospheric flow that typically develops in the Sacramento–San Joaquin River Delta at the
11 Carquinez Strait in the early afternoon. As the afternoon progresses, the sea-breeze front
12 advances into the interior Central Valley, bringing relatively cool and humid marine air into
13 the region. The Delta breeze can cool the air in the Stockton area by anywhere from 5°F to
14 10°F, and can increase wind speeds by 5 to 10 miles per hour.

15 During the winter when storm systems are not present, wind in the Stockton area is generally
16 subject to the downslope flow of colder air from the Sierra Nevada mountains, which can result
17 in radiation fog (or "tule fog") in the morning. Calm winds during the night hasten the cooling
18 of the earth's surface and the lowest few feet of the atmosphere. When there is sufficient water
19 vapor in the air and enough cooling at the surface, this low-level air eventually reaches
20 saturation, and the water condenses into fog droplets. As the cooler air becomes denser than
21 the air around it, it moves down in elevation, potentially creating massive banks of fog in the
22 Central Valley. Up-valley winds or increases in temperature from solar radiation usually
23 develop and disperse the fog by late morning.

24 During winter storm events, wind speeds increase and the wind direction often changes from
25 the south to the south-southeast. Wind gusts ahead of the storm front can be strong; gusts of
26 50 mph are not uncommon.

27 Weather patterns and localized wind conditions can cause tall buildings to generate
28 groundborne winds. Since objects such as buildings, trees, and cars can block the flow of air,
29 wind speeds at ground level are generally lower than wind speeds higher up, where airflow is
30 unobstructed. When higher-elevation winds encounter a tall rectangular or square building
31 with a flat face, the wind-flow pattern typically divides at a point at approximately three-
32 fourths of the total building height. Above this point, air flows up the building face and over
33 the roof of the building. Below this point, air flows down the face of the building to ground
34 level and forms a vortex in front of the building before it flows around the corners. The
35 downward air flow and vortex can substantially increase wind speeds at the front and sides of
36 the building, which can result in anything from annoyance to a dangerous condition for
37 pedestrians. Wind speeds around a particular building depend on various factors, including the
38 building's height and width and the interaction of wind effects from nearby buildings.

1 **4.1.1.3 Scenic Vistas**

2 The location of visual resources relative to the viewer determines the importance of the visual
3 resources. Foreground (0 to ½ mile) resources or elements are features nearest to the viewer,
4 and background (greater than 2 miles) elements are features at a great distance from the
5 viewer. The middle ground (1/2 mile to 2 miles) elements of a view are intermediate between
6 the foreground and background. Generally, the closer an element in the viewshed is to the
7 viewer, the more dominant it is, and the greater is its importance to the viewer.

8 Views throughout the Project Area range from foreground, middle ground, and background.
9 Because of the flat topography, views within the Stockton urban center are generally limited to
10 foreground elements such as buildings, trees, elevated highways, and streetscapes.

11 Several factors dominate scenic vistas near the Hunter Square vicinity. Since Stockton’s
12 topography is flat, trees and buildings limit the distance of public views in the Hunter Square
13 vicinity, and there are few nearby pedestrian-level vantage points that provide a wide-ranging
14 view of the downtown area. Most buildings in downtown Stockton are several stories tall; the
15 most prominent nearby buildings include the Pacific Bank Building on El Dorado Street, the
16 Bob Hope Theatre building on Main Street, the California Building at 11 San Joaquin Street,
17 and the Cort Tower Office Building at 343 East Main Street. Public views in the project’s
18 vicinity include the following viewpoints. ([Appendix D](#) includes photos of downtown
19 Stockton views.)

- 20 1. Western side of the El Dorado Street crosswalk at Main Street mall—eastward views
21 along the mall are limited because the mall’s trees obscure eastward views. Views
22 toward the northeast include the north wing of the Courthouse and Administration
23 Building, but trees obstruct views of the courthouse wing of the Courthouse and
24 Administration Building;
- 25 2. Weber Avenue/El Dorado Street intersection (northwestern corner)—buildings along
26 Weber Avenue block views of most of Hunter Square; the trees in northern portion of
27 the Hunter Square parking area are visible. The upper portion of the California
28 Building and the top of the Bank of Stockton building are visible;
- 29 3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street)—the
30 Hunter Square parking lot and mature trees associated with the lot’s landscaping are
31 prominently visible in the foreground; the Hunter Square parking lot trees obstruct
32 views of the fountain, but viewers can move along Weber Street to viewpoints that
33 provide views of the fountain through gaps in the tree canopy. Part of Weber Avenue
34 provides a viewpoint through a Hunter Square walkway (allée) lined with trees to the
35 Main Street fountain. At the Weber Avenue pedestrian crosswalk, the view includes
36 the Hunter Square Plaza parking lot, the Main Street fountain, and a building along
37 Washington Street;

- 1 4. Western entrance of the existing San Joaquin Courthouse/Administration
2 Building—trees interfere with most views. The parking area and buildings on the
3 west side of the parking area dominate westward foreground views toward the
4 Stewart-Eberhardt Parking Garage, and the parking garage obstructs views of more
5 distant objects. The southern portion of Hunter Square, including the pool structure
6 and the Main Street mall’s trees, dominates the nearest portion of southwestern
7 foreground views, and the Pacific Bank Building dominates the remainder of the
8 foreground view and obstructs views of more distant objects;
- 9 5. Sidewalk area near the entrance of the existing San Joaquin Courthouse and
10 Administration Building—the Hunter Square pool, the brick retaining wall around
11 the pool and the raised pool, and the Main Street fountain dominate the nearest
12 portion of the foreground view, and the Main Street mall’s trees and the Pacific
13 Bank Building dominate the remainder of the foreground view and obstruct views
14 of more distant objects;
- 15 6. Southwest corner of the Main Street/San Joaquin Street intersection—viewers have
16 unobstructed views along San Joaquin. Street trees and buildings form a visual
17 “canyon” for westward views down Main Street. The canyon frames viewer
18 attention on the Hunter Square fountain, and trees of the Main Street pedestrian
19 mall provide a dark-green backdrop to the fountain’s cascading water;
- 20 7. Northwest corner of the Market Street/Hunter Street intersection—the adjacent
21 County of San Joaquin Canlis Building and the trees and lawn of the southern portion
22 of Hunter Square dominate the foreground view, and trees obstruct northward views;
- 23 8. Hunter Square at the Main Street/Hunter Street intersection—northward views
24 include the San Joaquin County Courthouse and Administration Building and trees of
25 the adjacent parking lot. The nearby fountain dominates westward views, and the
26 Bank of America Building, Stewart-Eberhardt Parking Garage, and Main Street
27 pedestrian mall’s trees dominate the area behind the fountain; and
- 28 9. State Route 4 near Washington Street exit—northward views include downtown
29 Stockton, and viewers can glimpse the Stockton Hotel for a brief moment while they
30 travel southwest on State Route 4.

31 **4.1.1.4 Scenic Resources**

32 As noted above, Stockton’s topography is flat, trees and buildings limit public views in the
33 downtown area, and most downtown Stockton buildings are several stories tall. The most
34 prominent tall buildings in the Hunter Square area are the Pacific Bank Building, County of San
35 Joaquin Courthouse and Administration Building, the California Building, and the Cort Tower
36 Building. The Hotel Stockton on Weber Avenue and the Bob Hope Theatre on Main Street are
37 also prominent visual features. The Stockton waterfront area is approximately 500 feet northeast
38 of the proposed courthouse site and is a prominent feature, but adjacent buildings and trees limit
39 views of the waterfront area from the project site.

1 The Main Street mall fountain is a prominent scenic feature. Although it is only approximately
2 30 feet tall, its height and central location in the Main Street mall area between S. Hunter Street
3 and El Dorado Street make it the dominant feature of the mall area. As noted in Section 4.01.1.3,
4 it is also prominently visible from the intersection of Main Street and San Joaquin Street.

5 **4.1.1.5 Light, Shading, and Glare**

6 Since downtown Stockton is an urban area, streets and buildings commonly provide exterior
7 lighting for convenience, advertisement, and security. Building interior lighting often provides
8 additional unintended illumination. Street intersections generally have the highest illumination
9 at night, while areas near streetlights and some buildings also have relatively high illumination.

10 In the Northern Hemisphere, the sun always arcs across the southern portion of the sky, but the
11 angle of the sun and the character of shadows vary depending on the time of year and the time of
12 day. The direction of shadows and length of shadows are determined by the relative location of
13 the sun on the horizon (azimuth), the height of the sun in the sky (altitude), and the height of the
14 object creating the shadow. Azimuth and altitude change depend on the physical location on the
15 earth as well as on the time of year and time of day. Shadows are created in the opposite
16 direction from the sun. In addition, the lower the sun is in the sky, the longer the shadow.
17 Therefore, shadows in the winter are the longest in the Northern Hemisphere. As the sun travels
18 from east to west in winter, it stays lower in the southern sky, casting longer shadows compared
19 to other times of year. At midday in winter, the position of the sun is directly south; shadows
20 extend to the north and are at their shortest.

21 The pattern of shadow is similar in summer, but, shadows do not extend as far as winter shadows
22 because the arc of the sun starts and ends farther north and is higher in the sky in summer. In
23 most cases, a single source does not generate sufficient shadows to shade an area for a
24 substantial portion of the day. As the sun moves across the sky, shadows generated by various
25 structures move from west to east and do not remain on any particular area for an extended
26 period. Therefore, only a facility that borders an area on two or more sides can shade an area for
27 a substantial portion of the day.

28 Because of the climate in the Central Valley, the AOC presumes that midday shade and
29 afternoon shade in summer are typically beneficial in Stockton, but that midday and afternoon
30 shade in winter are typically not beneficial. Since downtown Stockton is a developed area,
31 buildings commonly cast shadows on other nearby buildings for a portion of the day. The
32 numerous street trees and interior trees in the area also provide a substantial source of shade and
33 shadow, which is considered an amenity during the area's hot summers. There are few areas in
34 downtown Stockton that are not shaded during at least part of the day. The Hunter Square area
35 has a relatively low amount of shading.

1 **4.1.2 Analytical Framework**

2 **4.1.2.1 Analytical Methodology**

3 To evaluate the project’s potential impacts on visual character and site quality, scenic vistas, scenic
4 resources, and sources of light, glare, and shading, the EIR’s analysts visited the site and vicinity to
5 prepare descriptions of the features and views, observe the quality of the site, and observe visitors’
6 behavior in the Hunter Square area. The AOC’s evaluation of aesthetic and visual resources near
7 the proposed New Stockton Courthouse Project includes the following steps:

- 8 • Identify the visual features that define the visual character of the viewsheds,
9 • Assess the quality of the identified visual resources relative to overall regional visual
10 character, and
11 • Assess the project’s impacts to the scenic resources.

12 The AOC limits its evaluation of shading and shadow to daytime shadows cast by objects that block
13 sunlight for analysis of shadowing impacts; the analysis does not consider shadows from objects
14 that block artificial light sources. Analysts created four shadow plots for the proposed site location
15 using the proposed courthouse location and the appropriate azimuth and altitude for the City of
16 Stockton on each of the four equinoxes and solstices (December 21, March 21, June 21, and
17 September 21). For each date, analysts assessed five time periods (8:00 a.m., 10:00 a.m., 12:00
18 p.m., 2:00 p.m., and 4:00 p.m.) to show the range of shadow direction and length that will occur.
19 The height of the building was assumed to be 220 feet. The shadow plots created are representative
20 of a flat topography with no other sources of shadows. This location is in a generally flat area;
21 however, there is some natural undulation. In addition, there are many other sources of shadows in
22 close proximity to the proposed courthouse location because of its urban nature.

23 **4.1.2.2 Regulatory Background**

24 **Local**

25 The city’s 2035 General Plan contains the following policies relevant to the project area’s
26 aesthetic resources and visual character:

- 27 • **CD-1.1 Urban Design Plans:** The city shall ensure that plans for districts, corridors
28 and villages reflect citywide urban design concepts set out in the general plan.
29 • **CD-1.6 Open Space Features:** The city shall promote community design that
30 incorporates the open space features of Stockton’s waterways, wetlands, and parks
31 into the travel experience. This policy includes visual access to open space features
32 and private and public investment that visually frames and complements natural
33 landscapes and parks.

- 1 • **CD-2.2 New Infrastructure:** The city shall require that new infrastructure
2 investment respect the image and character of historic neighborhoods and districts.
3 Landscape, original roadways, sidewalks and other public realm features in historic
4 neighborhoods shall be restored or repaired where ever possible.
- 5 • **CD-6.4 Buildings:** The city shall require that new public and institutional buildings
6 be planned and designed to implement citywide and district design objectives.

7 **4.1.2.3 Standards of Significance**

8 The AOC considers an impact significant if the proposed project will:

- 9 • Substantially degrade the existing visual character or aesthetic quality of the site and
10 its surroundings;
- 11 • Have a substantial adverse affect on a scenic vista;
- 12 • Substantially damage scenic resources; or
- 13 • Create a new substantial source of light or glare that will adversely affect day or
14 nighttime public views in the area or cause extended periods of shading of public
15 facilities.

16 **4.1.3 Potential Impacts and Mitigation Measures**

17 **4.1.3.1 Visual Character and Aesthetic Quality**

18 **Potential Impact (Construction): Substantially degrade the existing visual character or**
19 **aesthetic quality of the site and its surroundings?—Less than Significant.** The AOC will
20 install temporary fencing around the project site. Construction of the proposed project will
21 involve use of heavy equipment, stockpiling construction materials, and accumulation of debris
22 and waste materials. The construction will be visible from several downtown streets, public
23 buildings, and adjacent commercial establishments and hotels. However, the project’s
24 construction scenes and features will be temporary. The AOC expects that construction will
25 require approximately 27 months; construction of the building’s exterior structure will require
26 approximately 12 months. The project will also remove the fountain and block views and access
27 to the Main Street mall area. Since the impacts will occur only during the short, temporary
28 construction period, the AOC considers the potential visual and aesthetic effects associated with
29 project construction to be less than significant.

30 **Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the**
31 **existing visual character or aesthetic quality of the site and its surroundings?—Potentially**
32 **Significant.** The proposed courthouse will replace the proposed parcel’s parking area with
33 mature trees and the park with its pool with a 12-story building with service drives and
34 surrounding landscaped areas. In addition, the proposed courthouse will ~~add~~ use a portion of the
35 Main Street mall for limited vehicle traffic, add visually prominent safety features (see [Figure 6](#))

1 to the mall's surface, and possibly remove several trees from the mall or prune limbs from
2 several trees on the mall. As noted above, the project will remove the existing fountain during
3 construction.



4
5 **Figure 6: Example Marker for California Building Code Title 24 Compliance**

6 The proposed 1.2-acre site currently provides approximately 0.5 acre of park space that provides
7 visual and acoustical interest; open space with relatively wide exposure to sky, sun, wind, and
8 rain; vehicle-free areas; and a locale with relative low noise levels. The current park space
9 connects with the Main Street mall to create a relatively large open space area. The proposed
10 new courthouse building will occupy approximately 0.8 acre, and the project's plaza and
11 landscaping will occupy approximately 0.4 acre. Therefore, the project will eliminate only
12 approximately 0.1 acre of park space. The new courthouse's open space will provide attractive
13 new architectural and landscaping features and new open space areas that are only slightly
14 smaller than the existing park space. Although the replacement space will be fragmented and
15 less buffered from nearby congestion, the AOC concludes the approximately 0.1-acre reduction
16 of open space is not a substantial degradation of the existing visual character and aesthetic
17 quality. In addition, the AOC understands that the county intends to develop public open space
18 on the site of the existing Courthouse and Administration Building that will provide additional
19 visual character and aesthetic quality features. The AOC therefore concludes that the loss of the
20 existing open space park area is a less than significant impact. The proposed site is in an urban
21 setting, and surrounding buildings include a wide variety of styles and materials. The

1 courthouse’s design will be consistent with courthouse design standards, and the AOC expects
 2 the courthouse’s features to be generally consistent with development standards of the City of
 3 Stockton Development Code. The high-rise building will not be unusual for the downtown
 4 Stockton setting and the visual character and aesthetic quality of the proposed courthouse will be
 5 consistent with the visual character and aesthetic quality of the downtown area. The AOC
 6 therefore concludes that the physical appearance of the building will not substantially degrade
 7 the existing visual character or aesthetic quality of the site’s surroundings.

8 The project’s proposed use of the Main Street mall as a driveway for limited vehicle entrance
 9 and exit traffic will add noise, exhaust fumes, odors, and distractions to surrounding mall areas.
 10 Table 4-1 provides the AOC’s estimate for vehicle arrivals and departures via Main Street and
 11 the Main Street mall for the proposed new courthouse. The AOC expects that most of the
 12 automobile traffic on the Main Street mall will occur during the 7:00 a.m. to 8:00 a.m. hour and
 13 the 4:30 p.m. to 6:00 p.m. period. The AOC further expects that courthouse-related automobile
 14 traffic during these periods will have only a small effect on the project area’s aesthetic quality
 15 since these periods are typically commute times and not times when substantial numbers of
 16 people are relaxing in the current park. The sheriff’s buses will also travel to the proposed
 17 courthouse during the 7:00 a.m. to 8:00 a.m. hour and the 4:30 p.m. to 6:00 p.m. periods, and
 18 these trips will also have small impacts on the site’s aesthetic quality and visual character. Since
 19 the AOC expects that the new courthouse-related traffic will primarily occur during morning and
 20 evening commutes when pedestrian traffic on the Main Street mall will be very low, the AOC
 21 concludes that the traffic-related aesthetic and visual impacts on the Main Street mall will less
 22 than significant.

23 **Table 4-1. Projected Daily Traffic Arrivals and Departures for Proposed New Courthouse**

Time Period	Vehicle Arrivals and Departures			
	Automobiles	Light Trucks	Delivery Vans and Medium Trucks	Sheriff’s Buses
7:00-9:00 a.m.	35	4	4	2
9:00-11:00 a.m.	0	4	8	0
11:00-1:00 p.m.	4	2	2	2
1:00 p.m.–3:00 p.m.	2	4	6	2
3:00 p.m.–5:00 p.m.	10	2	4	2
5:00 p.m.–7:00 p.m.	23	2	2	0

24

25 The proposed courthouse’s 12-story tower may generate high-velocity groundborne winds. The
 26 building’s interactions with westerly winds may generate high-velocity groundborne winds on
 27 the building’s west side that will affect the Main Street pedestrian mall; the building’s
 28 interactions with northerly winds may generate high-velocity groundborne winds on the

1 building's north side that will affect pedestrians using of the Weber Avenue southern sidewalk,
2 persons entering the new courthouse, and persons using the proposed plaza areas on the north
3 side of the new courthouse.

4 The existing Main Street fountain adds visual, sound, and humidity interest to the pedestrian mall
5 area. The project will remove the fountain, and the AOC concludes that the removal of the
6 fountain is a potentially significant impact.

7 The project may remove trees from the Main Street mall during construction. Removal of the
8 trees may make the mall hotter and less shaded. The AOC concludes that potential removal of
9 trees from the mall is a potentially significant impact.

10 *Mitigation Measures:* The following mitigation measures will reduce visual character and
11 aesthetic quality impacts:

12 **Aesthetics 1**—To prevent the new courthouse from generating high-velocity
13 groundborne winds, the AOC will include building features that will intercept winds
14 moving down the building's face toward the ground and prevent substantial wind
15 impact to pedestrians;

16 **Aesthetics 2**—The AOC will construct a new water feature on the Main Street mall
17 between South Hunter Street and El Dorado Street. The water feature will provide
18 attractive visual features, will create cascading water sounds that can be detected in
19 the surrounding area, and will create mist to cool the adjacent area; and

20 **Aesthetics 3**—For every tree that the AOC removes from the Main Street pedestrian
21 mall, the AOC will replace the tree removed with a new tree. In addition, for every
22 tree that the AOC removes from the Main Street pedestrian mall, the AOC will ensure
23 that four new trees are planted along streets that are between the proposed new
24 courthouse site and the city's Stewart-Eberhardt Parking Garage, between the
25 proposed new courthouse site and the city's Coy Parking Garage, or between the
26 proposed new courthouse and other parking facilities.

27 Incorporation of mitigation measure Aesthetics 1's features in the project's design will reduce
28 potential building-related wind generation impacts to a level that is less than significant.
29 Completion of mitigation measure Aesthetics 2 will reduce fountain removal-related impacts to a
30 level that is less than significant, and completion of mitigation measure Aesthetics 3 will reduce
31 tree removal impacts to a level that will be less than significant.

32 **4.1.3.2 Scenic Vistas**

33 **Potential Impact: Have a substantial adverse affect on a scenic vista?—Potentially**
34 **Significant.** Section 4.01.1.3, Scenic Vistas, identifies several public viewpoints near the
35 proposed courthouse site and describes the views from the viewpoints; Appendix D provides
36 images of these views. Trees and buildings obstruct most of the views; therefore, most of the
37 views do not extend past the defined foreground distance of approximately 1/2 mile.

1 The project will construct a new courthouse in Hunter Square, but it will not obstruct views of
2 the Bob Hope Theatre or the Hotel Stockton. The project will remove the Hunter Square pool;
3 however, the AOC considers the following points for impacts to public scenic vistas:

- 4 1. At the western side of the El Dorado Street crosswalk at Main Street mall—As
5 noted in Section 4.01.1.3, eastward views along the mall are limited because the
6 mall’s trees obscure eastward views. The new courthouse will block northeast
7 views toward the north wing of the Courthouse and Administration Building;
- 8 2. Weber Avenue/El Dorado Street intersection (northwest corner)—The new
9 courthouse will obstruct views of the upper portion of the California Building and
10 the top of the Bank of Stockton building;
- 11 3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street)—the
12 new courthouse will eliminate the Hunter Square parking area, associated mature
13 landscaping, and the Main Street fountain. From Weber Avenue, the courthouse’s
14 plaza, landscaping and northern façade will be prominent to viewers;
- 15 4. Western entrance of the existing San Joaquin Courthouse and Administration
16 Building—The new courthouse will eliminate the Hunter Square parking lot and
17 views of buildings on the west side of the parking lot, the southern portion of
18 Hunter Square including the pool structure and park-like setting, and possibly
19 some of the Main Street mall’s trees. Viewers will see the east side of the new
20 courthouse and its eastern landscaping;
- 21 5. Sidewalk area near the entrance of the existing San Joaquin Courthouse and
22 Administration Building—The new courthouse will eliminate the Hunter Square
23 pool, including the brick retaining wall; viewers will see the new courthouse, but
24 the courthouse will block views of the Main Street mall’s trees and the Pacific
25 Bank Building. As stated above, the project will remove the existing fountain,
26 but the AOC will construct a new fountain on the Main Street mall to comply
27 with mitigation measure Aesthetics 2; the AOC has not chosen a location on the
28 Main Street mall for the replacement fountain, and the new courthouse may
29 block views of the replacement fountain;
- 30 6. Southwest corner of the Main Street/San Joaquin Street intersection—The project
31 will remove the Main Street fountain, but the AOC will construct a new fountain
32 on the Main Street mall to comply with mitigation measure Aesthetics 2. The
33 AOC has not chosen a location on the Main Street mall for the replacement
34 fountain, but the fountain’s new location will still be visible from the intersection
35 of Main Street and San Joaquin Street and other Main Street locations;
- 36 7. Northwest corner of the Market Street/Hunter Street intersection—The new
37 courthouse will be behind the trees of the South Hunter plaza, and the courthouse
38 will add a new visual feature to the view;

- 1 8. Hunter Square at the Main Street/S. Hunter Street intersection—The northward
2 views of the San Joaquin County Courthouse and Administration Building will
3 remain unchanged. For the northwestward view, the new courthouse will replace
4 the Hunter Square pool, lawn, and parking area, and the project’s compliance with
5 mitigation measure Aesthetics 2 will replace the Main Street mall’s existing
6 fountain with a new fountain on the Main Street mall; and
- 7 9. State Route 4 near Washington Street exit—The new courthouse will block
8 northward any brief glimpse the Stockton Hotel while viewers travel southwest on
9 State Route 4.

10 [Table 4-2](#) lists the AOC’s conclusions regarding the significance of the project’s impacts scenic
11 views.

12 The AOC concludes removal of the existing Main Street fountain will be a significant impact to
13 the Main Street and San Joaquin Street westward scenic vista. The impacts to the other scenic
14 vistas will be less than significant.

15 *Mitigation Measures:*

16 **Aesthetics 2**—See Section 4.01.3.1; and

17 **Aesthetics 3**—The replacement water feature will be of sufficient height and
18 incorporate other features to make the replacement water feature a dominant visual
19 and aesthetic feature of the mall area between South Hunter Street and El Dorado
20 Street and it will be prominently visible from the intersection of San Joaquin Street
21 and Main Street.

22 Mitigation measures Aesthetics 2 and Aesthetics 3 will reduce the impacts to a level that is less
23 than significant.

1

Table 4-2. Significance Conclusions for Scenic Impacts

Viewpoint	Significance of Project's Impact on View
1. Western side of the El Dorado Street crosswalk at Main Street mall	Since the eastward view consists of shade trees, impacts are less than significant,
2. Weber Avenue/El Dorado Street intersection (northwest corner)	Since the new courthouse will add an attractive new visual feature and the existing view provides views of only a small portion of other buildings, the impacts will be less than significant,
3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street)	Although the proposed new courthouse will remove the Main Street fountain, the new courthouse and its associated plaza and landscaping will provide attractive new visual features, and the impacts will therefore be less than significant.
4. Western entrance of the existing San Joaquin Courthouse/Administration Building	Since trees interfere with most views, the AOC does not consider this location's views to be notable. Although the proposed new courthouse will eliminate the Hunter Square pool, lawn, and parking area, the new courthouse will provide an attractive new visual feature, and impacts will be less than significant
5. Sidewalk area near the entrance of the existing San Joaquin Courthouse/Administration Building	Although the proposed new courthouse will eliminate the Hunter Square pool, lawn, and parking area, the new courthouse will provide an attractive new visual feature, and the impacts will therefore be less than significant. Although the project may obstruct some views of the new fountain that will replace the existing Main Street fountain (see mitigation measure Aesthetics 2), viewers will be able to walk south to reach a nearby location that will provide a view of the replacement fountain. Therefore, the project's impacts will be less than significant.
6. Southwest corner of the Main Street/San Joaquin Street intersection	The project will remove the Main Street fountain, and the impacts will be potentially significant.
7. Northwest corner of the Market Street/Hunter Street intersection	Since the northward view consists of shade trees, impacts are less than significant.
8. Hunter Square at the Main Street/Hunter Street intersection	Although the proposed new courthouse will eliminate the Hunter Square pool, lawn, and parking area, the new courthouse will provide an attractive new visual feature, and the impacts will therefore be less than significant. Although the project will remove the Main Street fountain and construct a new fountain (see mitigation measure Aesthetics 2) in a new location on the Main Street mall, the new fountain will still be visible from Main Street, and the impacts will therefore be less than significant.
9. State Route 4 near Washington Street exit	Although the proposed project eliminates the view of the Hotel Stockton, motorists' view of the hotel is so brief that the loss of the view is not significant.

2

1 **4.1.3.3 Scenic Resources**

2 **Potential Impact: Substantially damage scenic resources?—Potentially Significant.** Section
3 4.01.4, Scenic Resources, described several buildings and the Main Street fountain as scenic
4 resources in downtown Stockton. The project will have no effect on the scenic buildings,
5 including Bob Hope Theater and Hotel Stockton.

6 The project will remove the Hunter Square fountain. As noted in Sections 4.01.1.3 and 4.01.1.4,
7 the AOC concludes that the removal of the fountain makes the project’s impacts to scenic
8 resources potentially significant, but adoption of mitigation measures Aesthetics 2 and Aesthetics
9 3 will reduce the impacts to a level that is less than significant.

10 *Mitigation Measures:*

11 **Aesthetics 2**—See Section 4.01.3.1; and

12 **Aesthetics 3**— See Section 4.01.3.2.

13 **4.1.3.4 Lighting, Glare, and Shading**

14 **Potential Impact: Create a new source of substantial light, or glare that will adversely affect**
15 **day or nighttime views?—Less than Significant.** The proposed project will create light sources
16 for exterior and interior building lighting and security lighting on courthouse grounds. The AOC
17 will apply for a Silver rating certification under the U.S. Green Building Council’s LEED Green
18 Building Rating System for the project, and the AOC intends to implement a lighting plan that
19 complies with LEED requirements. These requirements (U.S. Green Building Council 2003)
20 relevant to lighting include:

- 21 • Meet or provide lower light levels and uniformity ratios than those recommended by
22 the Illuminating Engineering Society of North America Lighting for Exterior
23 Environments: An IESNA Recommended Practice (IESNA 1999),
- 24 • Design exterior lighting such that all exterior luminaries with more than 1,000 initial
25 lamp lumens are shielded and all luminaries with more than 3,500 initial lamp lumens
26 meet the Full Cutoff IESNA Classification,
- 27 • The maximum candela value of all interior lighting shall fall within the building
28 (not out through windows) and the maximum candela value of all exterior lighting
29 shall fall within the property, and
- 30 • Any luminary within a distance of 2.5 times its mounting height from the property
31 boundary shall have shielding such that no light from that luminary crosses the
32 property boundary.

33 Most of the building’s interior lighting will be limited to the court’s typical weekday operational
34 hours and the periods immediately before and after the court’s operations. The AOC intends to
35 shield all light sources to minimize light on surrounding properties, and landscaping also will

1 block light from these properties. Furthermore, light sources are already present on the project
2 site from the existing parking lot and neighboring buildings such as the existing courthouse and
3 commercial businesses west of the proposed project site. The building's security lighting will
4 not be substantially different from nearby buildings, so the security lighting will not be a source
5 of substantial light. Implementation of these measures and other LEED guidelines will reduce
6 both the generation of exterior light and the potential for light trespass to affect off-site areas.
7 The AOC concludes that the project will not create a new source of substantial light that will
8 adversely affect day or nighttime views in the area because the project will comply with LEED
9 criteria for reducing light pollution.

10 The project will not add building features such as metallic finishes that generate substantial
11 glare.

12 Therefore, the AOC concludes that light or glare impacts from the proposed project will be less
13 than significant.

14 **Potential Impact: Create a new source of substantial shading?—Less than Significant:** The
15 proposed 12-story courthouse will cast shade. [Figure 7](#) shows results of shading analysis for the
16 proposed courthouse. During late autumn and winter mornings when shadows are longest, the
17 building's shadow will extend to the Weber Point area during the morning hours, to Channel
18 Street during mid-day hours, and California and Stanislaus Streets in the late afternoon. The
19 existing Courthouse and Administration Building and the Bank of the Pacific building located
20 250 feet west of the proposed site create shadows in the same direction as the proposed building.
21 These existing buildings are not as tall as the proposed courthouse building (seven stories versus
22 12 stories), and therefore the shadows they create are not as long.

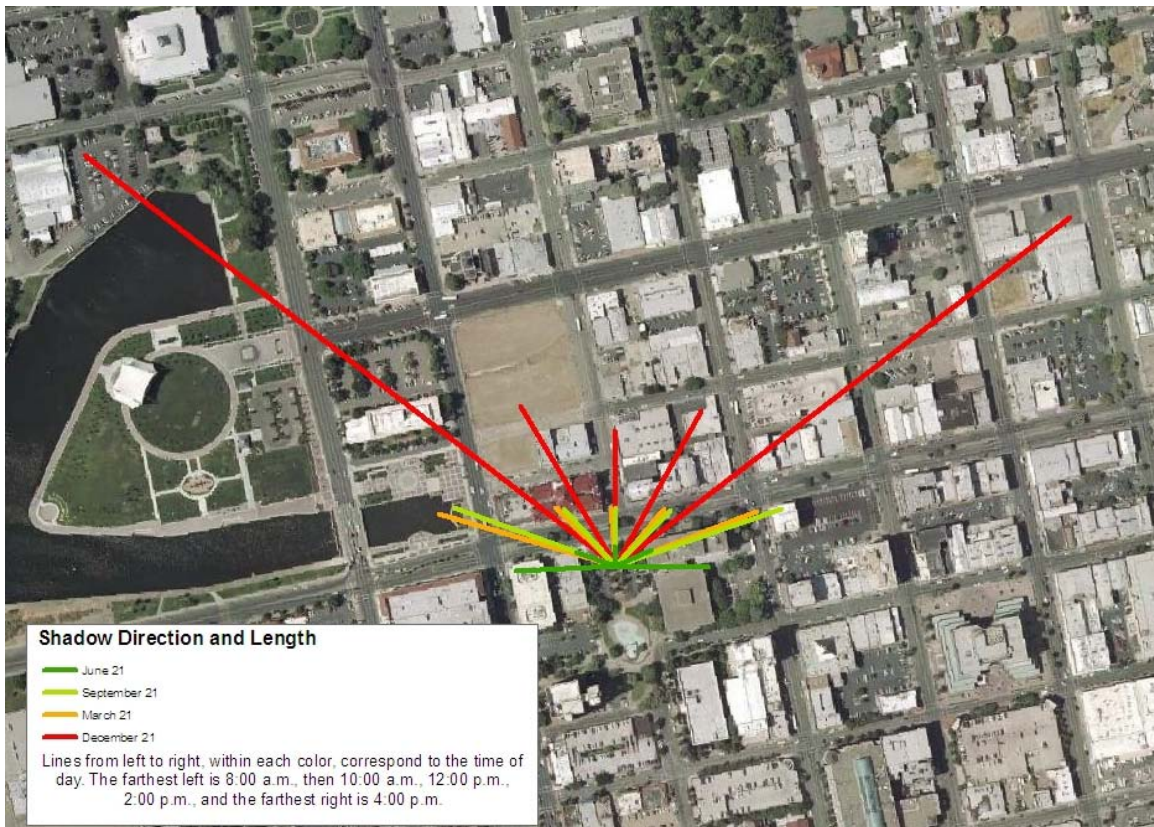
23 The proposed building will shade only the property immediately west and east of the building
24 during the summer when shadows are the shortest. This shade will include the three private
25 parcels to the west and the existing San Joaquin County Courthouse and Administration Building
26 to the east.

27 The shadow plots for the spring and fall are similar and shade created by the proposed building
28 will be similar at these times of year. The proposed building will shade portions of Weber
29 Avenue and properties to the north in the morning and noon time hours. In the afternoon, the
30 proposed building will cast a shadow on the existing courthouse.

31 The new courthouse's shadows will primarily affect the properties east and west of the proposed
32 building, which does not include parks or other public facilities. Therefore, the AOC concludes
33 that shading impacts from the proposed project will be less than significant.

34 **Mitigation Measures:** None required.

35



1
2 **Figure 7. Approximate Location and Length of Shadows Cast by**
3 **the Proposed Courthouse.**

4 4.2 AIR QUALITY

5 This section evaluates the project’s potential impacts on air quality.

6 **4.2.1 Environmental Setting**

7 This section describes the existing air quality within the AOC Stockton proposed project area and
8 evaluates the potential air quality impacts associated with construction and operation of the project.

9 The proposed project is located within the State of California’s San Joaquin Valley Unified Air
10 Pollution Control District. The Air Pollution Control District’s jurisdiction includes San
11 Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and the Central Valley
12 portion of Kern County.

13 The district is located in the southern portion of California’s Central Valley. The valley is basically
14 flat, with a slight downward gradient to the north-northwest. The Central Valley opens to the sea at
15 the Carquinez Strait, where the Sacramento-San Joaquin Delta empties into San Francisco Bay. The
16 Sierra Nevada mountains (8,000 to 14,000 feet in elevation) are the district’s eastern boundary, the

1 Coast Range (averaging 3,000 feet in elevation) are the district's western boundary, and the
2 Tehachapi Mountains (6,000-8,000 feet in elevation) are the district's southern boundary. Because
3 of these mountain ranges, the San Joaquin Valley resembles a "bowl" open only to the north.

4 **4.02.1.1 Climate and Meteorology**

5 The Central Valley has a Mediterranean climate with dry, hot summers and cool, moderately
6 wet winters. The weather in the project area is driven by the semi-permanent high-pressure
7 system known as the Pacific High that affects weather for all of central California. Average
8 summertime high temperatures in Stockton are about 95°F, with record highs approaching
9 110°F. Average wintertime lows are about 40°F, with record lows approaching 20°F. Annual
10 precipitation in Stockton is 13.95 inches per year.

11 Two types of temperature inversions affect the Central Valley: surface (or radiation inversions)
12 and subsidence inversions:

- 13 • Surface inversions are formed when the ground surface becomes cooler than the
14 air above it during the night; the inversion is dissipated when heat from the sun
15 warms the ground, which in turn heats the lower layers of air, which rise to break
16 up the inversion layer. Summer radiation inversion mixing heights are usually
17 encountered 2,000 to 2,500 feet above the valley floor; during the winter, radiation
18 inversion heights are typically 500 to 1,000 feet above the valley floor.
- 19 • Subsidence inversions occur as air is pushed downward by, for example, the
20 movement of air over mountain ranges, or by differential pressure changes in the
21 atmosphere. As this air moves downward, its pressure increases, and the pressure
22 increase raises the air's temperature. The warm layer of air created by this
23 phenomenon will descend to some relatively static elevation above the ground and
24 create a low inversion layer. This type of inversion is quite persistent, since heat
25 from the ground does not reach the inversion base to break it up. This type is
26 common in high pressure areas along the coast.

27 Precipitation and fog tend to reduce or limit the concentrations of some pollutants. Clouds and
28 fog block the solar radiation needed for ozone generation, reduce the concentrations of water-
29 soluble carbon monoxide, and reduce concentrations of particulate matter. A majority of the
30 precipitation in the Central Valley occurs as rainfall during winter storms.

31 Between winter storms, high pressure and light winds allow cold moist air to pool on the Central
32 Valley's floor, which creates strong low-level temperature inversions and very stable air conditions
33 that produce "tule" fog. Fog forms when local cooling of the atmosphere reaches the atmosphere's
34 dew point temperature. Conditions favorable to fog formation are also conditions favorable to high
35 concentrations of carbon monoxide and respirable particulate matter with an aerodynamic diameter
36 of 10 micrometers or less (PM₁₀), but ozone levels are low during these periods because of the lack
37 of sunlight. Maximum carbon monoxide concentrations tend to occur on clear, cold nights when a
38 strong surface inversion is present and large numbers of fireplaces are in use. A secondary peak in

1 carbon monoxide concentrations occurs during morning commute hours, when a large number of
 2 motorists are driving and sunlight has not yet broken the surface inversion.

3 **4.2.1.2 Criteria Air Pollutants**

4 Regulatory agencies have classified a group of pollutants as “criteria air pollutants” and
 5 adopted ambient standards and region-wide pollution reduction plans for the pollutants. This
 6 group of pollutants includes ozone, carbon monoxide, nitrogen dioxide, sulfur oxides,
 7 particulate matter (PM), and lead. Volatile organic compounds or reactive organic gases and
 8 oxides of nitrogen are also regulated as criteria pollutants because they are precursors to ozone
 9 formation.

10 Particulate matter is further divided into two subsets, PM₁₀ and PM_{2.5}. Inhalable particulate
 11 matter less than 10 micrometers in diameter are classified as PM₁₀, while fine particulate matter
 12 less than 2.5 micrometers in diameter are characterized as PM_{2.5}. This size distinction is
 13 necessary since the smaller particulate matter fraction (PM_{2.5}) tends to lodge more deeply and
 14 permanently in the lung and can cause different health effects.

15 The primary health effects of the criteria air pollutants are as provided in Table 4-3.

16 **Table 4-3: Criteria Air Pollutants’ Effects on Health**

Pollutant	Health Effect
Ozone	Aggravation of respiratory and cardiovascular diseases; impairment of cardiopulmonary function; and eye irritation
Particulate Matter	Increased risk of chronic respiratory disease; reduced lung function; increased cough and chest discomfort; and particulates may lodge in and irritate the lungs.
Carbon Monoxide	Impairment of oxygen transport in the bloodstream; aggravation of cardiovascular disease; impairment of central nervous system function; fatigue, headache, confusion, dizziness; death at high levels of exposure; and aggravation of some heart diseases (angina).
Nitrogen Dioxide	Risk of acute and chronic respiratory disease
Sulfur Dioxide	Aggravation of respiratory diseases (asthma, emphysema); reduced lung function; and irritation of eyes

17
 18 **4.2.1.3 Hazardous Air Pollutants/Toxic Air Contaminants**

19 Hazardous air pollutants are chemicals that can cause adverse effects to human health or the
 20 environment. The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to
 21 regulate emissions of 188 hazardous air pollutants from a published list of industrial sources
 22 called “source categories.” EPA has identified source categories that must meet technology
 23 requirements to control hazardous air pollutant emissions and is required to develop regulations
 24 for all industries that emit one or more of the hazardous air pollutants in significant quantities.

1 Diesel emissions from vehicles and equipment have been identified as a primary contributor to
 2 risk associated with hazardous air pollutants (California Air Resources Board [CARB] 2006a).

3 Toxic air contaminants are a subset of hazardous air pollutant chemicals regulated within
 4 California. Under Assembly Bill 1807, CARB is required to use certain criteria in prioritizing,
 5 identifying, and controlling air toxics. In selecting substances for review, CARB must
 6 consider criteria relating to “the risk of harm to public health, amount or potential amount of
 7 emissions, manner of, and exposure to, usage of the substance in California, persistence in the
 8 atmosphere, and ambient concentrations in the community” (Health and Safety Code
 9 Section 39666[f]). Assembly Bill 1807 also requires CARB to use available information
 10 gathered from the Assembly Bill 2588 program to include in the prioritization of compounds.

11 **4.2.1.4 Diesel Particulate Matter**

12 Emissions generated by diesel combustion, or diesel particulate matter, are of particular
 13 concern in California. In 1998, the California EPA (CalEPA) Office of Environmental Health
 14 Hazard Assessment completed a 10-year comprehensive human health assessment of diesel
 15 exhaust. The results of this assessment led to CARB formally identifying particulate matter in
 16 diesel exhaust as a toxic air contaminant that poses a threat to human health. Since there are
 17 no established ambient air quality standards for toxic air contaminants, they are managed on a
 18 case-by-case basis depending on the quantity and type of emissions and the proximity of
 19 potential receptors.

20 Diesel particulate matter emissions result from a wide variety of sources, including on-road
 21 and off-road vehicles and stationary and portable internal combustion engines. In California,
 22 diesel internal combustion engines were estimated to generate 28,000 tons of PM emissions in
 23 2000 (CARB 2000).

24 Table 4-4 presents the estimated outdoor ambient diesel particulate matter exposure and the
 25 associated potential inhalation cancer risks in a population of 1 million over a 70-year lifetime.

26 **Table 4-4: Estimated Ambient Exposure to Diesel Particulate Matter in California**

Year	Ambient Exposure Concentration and Potential Risk ($\mu\text{g}/\text{m}^3$)	Potential Inhalation Risk (excess cancers per million)
2000	1.8	540
2010	1.5	450
2020	1.2	360

27 Notes:

28 $\mu\text{g}/\text{m}^3$ Micrograms per cubic meter

29 Source: CARB 2000

4.2.1.5 Ambient Air Quality Standards

Air quality is assessed by measuring ambient concentrations of criteria pollutants, where acceptable levels of exposure can be established and standards have been set. The degree of air quality degradation is then compared with the current national ambient air quality standards and California ambient air quality standards. Table 4-5 shows the standards currently in effect in California and the nation. Air quality standards are designed to protect those people most susceptible to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and people engaged in strenuous work or exercise, including outdoor recreational activity.

EPA or CARB designates each air basin as a nonattainment area if violations of ambient air quality standards are persistent. Table 4-5 provides the current Air Pollution Control District's attainment status.

Table 4-5: Ambient Air Quality Standards and Air Pollution Control District Attainment Status

Pollutant	Averaging Time	California Standards		Federal Standards	
		Concentration	Attainment Status	Concentration	Attainment Status
Ozone	1-hour	0.09 ppm	Nonattainment	--	--
	8-hour	0.070 ppm		0.08 ppm	
Carbon monoxide	1-hour	20 ppm	Attainment	35 ppm	Attainment
	8-hour	9 ppm		9 ppm	
Nitrogen dioxide	1-hour	0.18 ppm	Attainment	--	Attainment
	Annual	0.030 ppm		0.053 ppm	
Sulfur dioxide	1-hour	0.25 ppm	Attainment	--	Attainment
	24-hour	0.04 ppm		0.14 ppm	
	Annual	--		0.03 ppm	
PM ₁₀	24-hour	50 µg/m ³	Attainment	150 µg/m ³	Attainment
	Annual	20 µg/m ³		--	
PM _{2.5}	24-hour	--	--	35 µg/m ³	Attainment
	Annual	12 µg/m ³		15 µg/m ³	

Notes:

µg/m³ Micrograms per cubic meter Source: CARB 2008a

ppm Parts per million

Violations of the national ambient air quality standards and California ambient air quality standards (discussed below under Federal and State regulations) for ozone, particulate matter, and carbon monoxide have occurred historically in the project area. Since the early 1970s, the current Air Pollution Control District has made substantial progress toward controlling these pollutants, but violations of ambient air quality standards for ozone and PM persist in the Central Valley. Table 4-6 and Table 4-7 summarize the frequency of violations and current air quality conditions at the three stations nearest the project for ozone, PM₁₀, and PM_{2.5}.

1

Table 4-6: Frequency of Air Quality Standard Violation

Monitoring Site	Year	Number of Days Standard is Exceeded				
		State 1-Hour Ozone	State 8-Hour Ozone	State 24-Hour PM ₁₀	National 24-Hour PM ₁₀	National 24-Hour PM _{2.5}
Hazelton	2007	0	4	23.5	0	0
	2006	6	21	62.9	0	0
	2005	3	10	46.5	0	0
Wagner/ Holt	2007	--	--	17.9	0	--
	2006	--	--	36.7	0	--
	2005	--	--	25.1	0	--

2 Notes: "--" = Insufficient or unavailable data. Days over PM₁₀ California ambient air quality standard are based on monitoring
 3 every sixth day.

4 Source: CARB Air Quality Data 2006b.

5

Table 4-7: Recent Air Quality Concentrations

Monitoring Site	Year	Ozone, Max 8-hour (ppm)	PM ₁₀ , Max 24-hour (µg/m ³)	PM _{2.5} , Max 24-hour (µg/m ³)
Hazelton	2007	0.082	75	66.8
	2006	0.092	85	53.3
	2005	0.086	84	70.0
Wagner/ Holt	2007	--	65	--
	2006	--	71	--
	2005	--	74	--

6 Notes:

7 µg/m³ Micrograms per cubic meter

Source: CARB Air Quality Data 2006c.

8 ppm Parts per million

9 4.02.1.6 Existing Emission Inventory

10 Existing emission sources in the project area include a diverse range of stationary sources,
 11 mobile sources, agricultural sources and smaller sources that are distributed area-wide.
 12 Rural and undeveloped areas may experience natural sources, such as windstorms or wildfires
 13 and emissions from farm equipment. Mobile sources are commonplace throughout the
 14 developed areas, including on-highway motor vehicles, heavy mobile equipment used off
 15 road (such as construction equipment), aircraft, and railroad locomotives. CARB compiles
 16 region-wide emission inventories that include planning and forecast estimates for each of these
 17 groups of sources.

18 [Table 4-8](#) summarizes the emissions of Criteria Air Pollutants in San Joaquin County.

1 **Table 4-8: Criteria Air Pollutant Emissions – San Joaquin County**

Source	Volatile Organic Compounds (ton/day)	Carbon Monoxide (ton/day)	Oxides of Nitrogen (ton/day)	Sulfur Dioxide (ton/day)	PM ₁₀ (ton/day)	PM _{2.5} (ton/day)
Fuel Combustion	32.8	49.4	87.2	14.02	6.8	6.8
Waste Disposal	248.6	0.2	0.2	0	0.1	0.1
Cleaning and Surface Coatings	18.6	0	0	0	0.1	0.1
Petroleum Production and Marketing	70.6	0.6	0.4	0.1	0.1	0.1
Industrial Processes	23.7	4.0	19.9	6.9	16.7	9.6
Solvent Evaporation	63.6	0	0	0	0	0
Miscellaneous Processes	873.0	268.7	18.1	1.1	248.1	67.0
On-Road Mobile Sources	101.2	828.9	379.3	3.0	17.0	14.0
Other Mobile Sources	67.8	338.2	149.1	2.5	9.8	8.9
Total	1499.9	1490.0	654.03	27.9	298.7	106.7

2 Source: CARB 2008c.

3 **4.2.1.7 Sensitive Receptors**

4 Some land uses are considered more sensitive to substantial pollutant concentrations than others
5 because of the types of population groups or activities involved. Sensitive population groups
6 include children, the elderly, and the acutely and the chronically ill, especially those with
7 cardio-respiratory diseases. Residential areas are also considered sensitive to air pollution
8 because residents (including children and the elderly) tend to be at home for extended periods of
9 time, resulting in sustained exposure to any pollutants present.

10 The proposed project site contains a number of sensitive receptors located near construction
11 activity, since it is in the developed portion of the City of Stockton.

12 **4.2.1.8 Reduction of Greenhouse Gas Emissions**

13 Carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur
14 hexafluoride are gases that contribute to global climate change. In the California Global
15 Warming Solutions Act of 2006, Assembly Bill 32, the California Legislature stated:

1 *“Global warming poses a serious threat to the economic well-being, public*
2 *health, natural resources, and the environment of California. The potential*
3 *adverse impacts of global warming include the exacerbation of air quality*
4 *problems, a reduction in the quality and supply of water to the state from the*
5 *Sierra snowpack, a rise in sea levels resulting in the displacement of thousands*
6 *of coastal businesses and residences, damage to marine ecosystems and the*
7 *natural environment, and an increase in the incidences of infectious diseases,*
8 *asthma, and other human health-related problems”* (California Health & Safety
9 Code, Sec. 38500, Division 25.5, Part 1).

10 Emissions of carbon dioxide occur largely from combustion of fossil fuels. The major categories
11 of carbon dioxide sources from combustion of fossil fuel can be broken into sectors for
12 residential, commercial, industrial, transportation, and electricity generation. Greenhouse gas
13 emissions such as methane and nitrous oxide, which occur in smaller quantities, are also tracked
14 by state inventories.

15 Senate Bill 1771 (2000) required the California Energy Commission to update California’s
16 inventory of greenhouse gas emissions in January 2002 and provide updates every 5 years. The
17 state uses the inventory to develop policies affecting emissions of greenhouse gases. The
18 California Energy Commission (2006) concluded that transportation is responsible for
19 approximately 40 percent of California’s greenhouse gas emissions, the industrial sector produces
20 approximately 20 percent of the emissions, electrical generation is also responsible for
21 approximately for 22 percent of the emissions, agriculture and forestry produce approximately 8
22 percent of the greenhouse gas emissions, and other activities contribute approximately another 8
23 percent of the emissions.

24 Significant reductions in greenhouse gas emission can be achieved through design and construction
25 of new green buildings (Green Building Initiative, Executive Order S-20-04) as well as the
26 sustainable operation and renovation of existing buildings. Green buildings provide an opportunity
27 to consolidate a variety of greenhouse gas reduction strategies; these opportunities include:

- 28 • Green buildings are constructed, renovated, operated, and maintained using an
29 integrated design process that creates and ensures a healthy and comfortable
30 environment while maximizing energy and resource efficiency;
- 31 • Employing a whole-building design approach can create tremendous synergies that
32 result in multiple benefits at little or no cost, allowing for efficiencies that will never
33 be possible on an incremental basis;
- 34 • Green buildings exceed minimum energy efficiency standards, decrease consumption
35 of potable water, reduce solid waste during construction and operation, and
36 incorporate sustainable and low-emitting materials that contribute to healthy indoor
37 air quality, which protects human health and minimizes impacts to the environment;
38 and

- 1 • Situating buildings close to public transportation and services, and providing
2 amenities that encourage walking and cycling, offer further potential to reduce
3 transportation related greenhouse gas emissions.

4 Currently, there is no quantitative level of significance for greenhouse gas emissions and some
5 lead agencies have, therefore, considered any level of greenhouse gas emissions to be significant.
6 The State Office of Planning and Research (OPR) has recently published Draft CEQA guidance
7 for greenhouse gas emissions designed to clarify this situation (OPR 2009). The guidance
8 currently allows lead agencies the flexibility to consider qualitative or other performance-based
9 standards when determining significance of impacts for greenhouse gas emissions. OPR has
10 asked CARB to recommend a method for setting quantitative thresholds of significance for
11 greenhouse gas emissions, which may provide a numerical basis for greenhouse gas significance
12 levels in the future.

13 **4.2.2 Analytical Framework**

14 **4.2.2.1 Analytical Methodology**

15 The EIR's analysts assessed potential impacts from the proposed project's air emissions by
16 estimating emission rates from construction and on-going operations and then comparing them
17 with significance criteria. Emission rates of chemicals and particles released into the air were
18 estimated using the publicly available software, URBEMIS version 9.2.4. This computer model
19 allows users to estimate construction and operational emissions of various pollutants, including
20 inhalable particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), carbon monoxide, reactive
21 organic gases, sulfur oxides, oxides of nitrogen, and carbon dioxide.

22 Diesel particulate matter and other PM are the two pollutants of greatest concern for the
23 construction portion of this project. Diesel particulate matter emissions are primarily attributable
24 to on- and off-road construction vehicles. Particulate matter emissions are a result, primarily, of
25 soil-disturbing activities during construction. In URBEMIS, analysts can divide construction
26 into the following seven components:

- | | | | |
|----|---------------------|----|-------------------------|
| 27 | • Demolition | 31 | • Building Construction |
| 28 | • Fine Site Grading | 32 | • Architectural Coating |
| 29 | • Mass Site Grading | 33 | • Paving |
| 30 | • Trenching | | |

34 Operational emissions will occur primarily from use of backup and emergency generators,
35 worker commute traffic, and maintenance vehicle travel to and from the sites. Ozone precursors
36 (volatile organic compounds/reactive organic gases), diesel particulate matter and particulate
37 matter are the pollutants of primary concern for the operational phase of this project.

1 Input parameters and model results for URBEMIS model runs are in Appendix E. The air quality
2 analysis compares output from URBEMIS with significance criteria to evaluate whether a
3 threshold will be exceeded. The URBEMIS model also allows the user to input mitigation
4 measures and predict their effects on chemical and particle emission rates. Diesel particulate
5 matter emissions will be of primary concern during construction, and emissions levels can be
6 inferred by assessing the PM_{2.5} levels identified in the output from URBEMIS.

7 **4.2.2.2 Regulatory Background**

8 **Federal**

9 EPA is responsible for implementing programs established under the federal Clean Air Act,
10 including establishing and reviewing the national ambient air quality standards and judging the
11 adequacy of state implementation plans. However, EPA has delegated the authority to
12 implement many of the federal programs to the states while retaining an oversight role to
13 ensure that the programs continue to be implemented.

14 The 1970 federal Clean Air Act established national ambient air quality standards for six
15 pollutants: carbon monoxide, ozone, PM₁₀, nitrogen dioxide, sulfur dioxide, and lead. These
16 six criteria pollutants are known to have adverse impacts on human health and the
17 environment. EPA has set primary and secondary maximum ambient thresholds to protect
18 human health and the environment. The primary thresholds were set to protect human health,
19 particularly children and the elderly, as well as individuals in the population who suffer from
20 chronic lung conditions (such as asthma and emphysema). The secondary standards were set
21 to protect the natural environment and prevent further deterioration of animals, crops,
22 vegetation, and buildings. The combined primary and secondary standards are termed the
23 national ambient air quality standards.

24 In July 1997, EPA promulgated new standards for fine particulate matter (PM_{2.5}). New ambient
25 air quality standards have been established for both annual average and 1-day periods.

26 **State**

27 California ambient air quality standards established in 1969 are generally more stringent than
28 the national ambient air quality standards and include four additional pollutants: sulfates,
29 hydrogen sulfide, vinyl chloride, and visibility-reducing particulates. The California Clean Air
30 Act was enacted in 1988 and requires each local air district in the state to prepare an air quality
31 plan to achieve compliance with the California ambient air quality standards. The national and
32 California ambient air quality standards represent safe levels of each pollutant that avoid
33 specific adverse effects to human health and the environment.

34 The California Clean Air Act requires regions to develop and implement strategies to attain
35 California ambient air quality standards. CARB, California's state air quality management

1 agency, is responsible for establishing and reviewing the California ambient air quality
2 standards, compiling the California state implementation plan, securing approval of the plan
3 from EPA, and identifying toxic air contaminants. CARB also regulates mobile emission
4 sources in California, such as construction equipment, trucks, and automobiles, and oversees
5 the activities of air districts, which are organized at the county or regional level. Regional air
6 quality management districts, such as the Air Pollution Control District, must prepare an air
7 quality plan specifying how federal and state standards will be met.

8 The Air Toxic Hot Spots Information and Assessment Act was enacted in 1987 to identify toxic
9 air contaminant hot spots where emissions from specific sources may expose individuals to an
10 elevated risk of adverse health effects. The act requires that a business or other establishment
11 identified as a significant source of toxic emissions provide the affected population with
12 information about health risks posed by the emissions.

13 U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program

14 Portable sources and temporary activities that emit air contaminants are also managed through
15 the EPA/CARB Off-Road Mobile Sources Emission Reduction Program. The California Clean
16 Air Act mandates that CARB achieve the maximum degree of emission reductions from all
17 off-road mobile sources to attain the California ambient air quality standards. Off-road mobile
18 sources include construction equipment. Tier 1 standards for large compression-ignition
19 engines used in off-road mobile sources went into effect in California in 1996. The standards
20 require historically unregulated construction equipment of model year 2000 and later to
21 achieve exhaust standards for nitrogen oxides, volatile organic compounds, carbon monoxide,
22 and PM₁₀. These standards and ongoing rulemaking jointly address emissions of nitrogen
23 oxides and toxic particulate matter from diesel combustion. CARB is also developing a
24 control measure to reduce diesel particulate matter emissions as well as nitrogen oxides from
25 in-use (existing) off-road diesel equipment throughout the state. Owners and operators of off-
26 road diesel equipment and vehicles needed to begin reporting to CARB in 2008 and to meet
27 fleet emissions targets in 2009. Public agencies and utilities are subject to fleet rules to reduce
28 diesel particulate matter.

29 CARB Portable Equipment Registration Program and Airborne Toxic Control Measure for 30 Diesel Particulate Matter from Portable Engines

31 The Portable Equipment Registration Program allows owners or operators of portable engines
32 and associated equipment to register the units under a statewide program to operate throughout
33 California without obtaining individual permits from multiple local air districts. The Portable
34 Engine Airborne Toxic Control Measure requires all portable diesel engines to meet the most
35 stringent of the federal or California emission standards for particulate matter from non-road
36 engines in effect at the time they are registered. The Airborne Toxic Control Measure applies to
37 all diesel-fueled portable engines that are 50 horsepower and larger.

1 San Joaquin Valley Unified Air Pollution Control District

2 The regional air districts are primarily responsible for regulating stationary emission sources at
3 industrial and commercial facilities within the geographic area and for preparing the district air
4 quality plans that are required under the federal and California clean air acts. The Air Pollution
5 Control District is the primary agency responsible for planning, implementing, and enforcing
6 federal and state ambient standards in the Central Valley. The Air Pollution Control District has
7 established the following rules and regulations:

- 8 • Rule 4101 – Visible Emissions—The purpose of this rule is to prohibit the emissions
9 of visible air contaminants to the atmosphere for 3 minutes in any 1 hour;
- 10 • Rule 4102 – Nuisance—The purpose of this rule is to prohibit the emission of air
11 contaminants that are a nuisance or detriment to the public;
- 12 • Rule 4601 – Architectural Coatings – The purpose of this rule is to limit volatile
13 organic compound emissions from the application of architectural coatings;
- 14 • Rule 4641 – Asphalt, Paving, and Maintenance Operations – The purpose of this rule
15 is to limit the emissions of volatile organic compounds from the application and
16 production of certain types of asphalt products;
- 17 • Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other
18 Earthmoving Activities – The purpose of this rule is to limit fugitive dust emissions
19 from construction, demolition, excavation, extraction, and other earthmoving
20 activities;
- 21 • Rule 9110 – General Conformity – The federal conformity rule prohibits any federal
22 actions that may be inconsistent with Air Pollution Control District’s efforts to
23 achieve national ambient air quality standards; and
- 24 • Rule 9510 – Indirect Source Review– This regulation helps fulfill the objective of
25 meeting commitments in the PM₁₀ and ozone attainment plans through design
26 elements, on-site, and off-site features.

27 Each local air quality management or air pollution control district establishes criteria to assess a
28 project’s impacts on air quality. The Air Pollution Control District has established annual
29 significance thresholds for oxides of nitrogen and reactive organic gases for stationary sources.
30 Additionally, the Air Pollution Control District has specified compliance with Regulation VIII as
31 sufficient for control of PM₁₀ for these sources. However, the district has not established rules
32 for characterizing impacts from construction. Absent formal CEQA guidelines on construction
33 thresholds from the Air Pollution Control District, construction emissions greater than any that
34 will trigger an air quality impact analysis, as found in the Air Pollution Control District
35 regulations for stationary sources, are considered potentially significant. If construction-phase
36 emissions exceed these thresholds for a stationary source air quality impact analysis, then
37 construction has the potential to violate air quality standards or to contribute substantially to
38 existing violations. The significance thresholds are shown in Table 4-9.

Table 4-9: Air Pollution Control District's Screening Level Thresholds

Pollutant	Pounds/Day	Tons/Year
PM _{2.5}	--	--
PM ₁₀	--	Compliance with Regulation VIII
Reactive organic gases/ volatile organic compounds	--	10
Oxides of nitrogen	--	10
Oxides of sulfur	--	--
Carbon monoxide	--	--

Source: San Joaquin Valley Unified Air Pollution Control District 2008.

Ozone is not shown as a significance criterion because ozone is not directly emitted from stationary or mobile sources; rather, it is formed as the result of chemical reactions in the atmosphere between directly emitted air pollutants, specifically nitrogen oxides and volatile organic compounds. Therefore, it cannot be directly regulated. The Air Pollution Control District has established separate significance thresholds for PM_{2.5} with the 2008 PM_{2.5} plan.

- Significance criteria for air toxics are more subjective, but can be assessed in conjunction with air toxics hot spots thresholds. That is, air toxics exposure that exceeds a one in a million increase in cancer risk (MICR) will be considered a significant impact. The MICR standard represents one additional cancer case for every million persons exposed to air toxics emitted from a site. The cancer risk is calculated using default exposure assumptions and cancer potency factors to arrive at a conservative estimate of risk.

2007 Ozone Plan

This plan contains a comprehensive list of regulatory and incentive-based measures to reduce emissions of ozone and particulate matter precursors throughout the Central Valley.

Additionally, this plan calls for major advancements in pollution control technologies for mobile and stationary sources of air pollution and a significant increase in state and federal funding for incentive-based measures to create adequate reductions in emissions to bring the entire valley into attainment with the federal ozone standard.

The proposed plan calls for a 75 percent reduction in ozone-forming oxides of nitrogen oxide emissions. These reductions come on the heels of past successful efforts in the valley that have already reduced ozone precursor emission by nearly 50 percent. Regulatory measures for mobile and stationary sources will reduce nitrogen oxide emissions by 382 tons per day (61 percent) by 2023. The remaining 14 percent will come from incentives and deployment of advanced technologies. The incentive-based measures contained in this plan reduce nitrogen oxide emissions of 50 tons per day in 2012, 56 tons per day in 2015, 41 tons per day in 2020, and 26 tons per day in 2023.

1 2008 PM2.5 Plan

2 This plan contains an exhaustive list of strict regulatory and incentive-based measures to reduce
3 directly emitted PM_{2.5} and precursor emissions throughout the valley. As the district continues to
4 tighten regulations for sources under its jurisdiction, state and federal agencies need to also reduce
5 emissions from mobile sources, which are beyond the district's direct jurisdiction.

6 Assembly Bill 32

7 CARB is the lead agency for implementing Assembly Bill 32, which set the major milestones for
8 establishing the State of California's program to achieve reduction in greenhouse gas emissions
9 and a cap on state-wide greenhouse gas emissions. CARB must develop a scoping plan to lower
10 the state's greenhouse gas emissions to meet the Assembly Bill 32 2020 limit. CARB's draft
11 scoping plan (California Air Resources Board 2008d) proposed a comprehensive set of actions
12 designed to reduce overall carbon emissions in California, improve California's environment,
13 reduce dependence on oil, diversify California's energy sources, save energy, and enhance public
14 health while creating new jobs and enhancing the growth in California's economy. For State of
15 California agencies, the draft scoping plan emphasized the state's role of setting an example to
16 meet improved energy standards for new state buildings. CARB concluded that the State of
17 California should set an example by requiring all new state buildings to exceed existing energy
18 standards and meet nationally recognized building sustainability standards such as LEED Silver
19 Certified ratings. In response, the California Building Standards Commission on July 17, 2008,
20 adopted green building standards, amending the 2007 California Green Building Standards Code,
21 California Code of Regulations (CCR), Title 24, Part 11.

22 CARB updated the set of actions with a proposed scoping plan (California Air Resources Board
23 2008e) The proposed scoping plan repeated CARB's emphasis that, as an owner-operator of key
24 infrastructure facilities, the State of California has the ability to ensure that the most advanced,
25 cost-effective environmental performance requirements are used in the design, construction, and
26 operation of state facilities. The plan continues CARB's emphasis on a green building strategy
27 to achieve significant reductions in greenhouse gas emissions through the design and
28 construction of new green buildings as well as the sustainable operation, retrofitting, and
29 renovation of existing buildings.

30 Memorandum of Agreement between the City of Stockton and the Attorney General of
31 California and the Sierra Club

32 The City of Stockton, the Attorney General of California, and the Sierra Club resolved a January
33 2008 petition for Writ of Mandate concerning the city's approval of its 2035 General Plan. The
34 Memorandum of Agreement (City of Stockton 2008e) provided that the city will prepare a
35 climate action plan and adopt ordinances to promote a green building program. The city agreed
36 to establish an ordinance that requires certification to LEED silver standards or a green building
37 program of comparable effectiveness for all new non-residential and municipal buildings
38 exceeding 5,000 square feet.

1 **4.2.2.3 Standards of Significance**

2 The AOC considers an impact significant if:

- 3 • The proposed project will conflict with the applicable air quality plan or obstruct the
4 applicable air quality plan;
- 5 • Violate any air quality standard or contribute substantially to an existing or
6 projected air quality violation;
- 7 • Produce a cumulatively considerable net increase of any criteria pollutant for
8 which the project region is non-attainment under an applicable federal or state
9 ambient air quality standard;
- 10 • Expose sensitive receptors to substantial pollutant concentrations;
- 11 • Create objectionable odors affecting a substantial number of people; or
- 12 • Conflict with the state goal of reducing greenhouse gas emissions in California to
13 1990 levels by 2020, as set forth by the timetable established in Assembly Bill 32,
14 California Global Warming Solutions Act of 2006.

15 **4.2.3 Potential Impacts and Mitigation Measures**

16 **4.2.3.1 Applicable Air Quality Plan Conflicts**

17 **Potential Impact: Conflict with or obstruct implementation of the applicable air quality**
18 **plan?—No Impact.** No air quality plan conflicts are noted for the proposed project, so long as it
19 complies with local rules specified in Section 4.02.2.2. All plan thresholds are consistent with,
20 and are addressed in, Sections 4.02.2.2 and 4.02.2.3. The entire project is located within the Air
21 Pollution Control District, and there are likely no conflicts with other state or federal initiatives
22 that would arise from these emissions.

23 *Mitigation Measures:* None required.

24 **4.2.3.2 Air Quality Standard Violations**

25 **Potential Impact (Construction): Violate any air quality standard or contribute substantially to**
26 **an existing or projected air quality violation?—Less than Significant.** The proposed project's
27 construction-related emissions do not exceed criteria air pollutant limits established by the state
28 and Air Pollution Control District. During the construction phase, it is assumed that the project
29 complies with mitigation measures outlined in the Air Pollution Control District's requirements.
30 In particular, Rule 8021 of Regulation VIII requires that measures be implemented to reduce
31 particulate matter emissions from construction. The URBEMIS modeling performed for this
32 project assumes that the construction contractor waters the construction site three times per day
33 to minimize fugitive particulate matter emissions. The results of this simulation are provided in
34 Table 4-10. These emissions are all below the established Air Pollution Control District
35 thresholds; therefore, the project's construction-related impacts will be less than significant.

36

1 **Table 4-10: Criteria Air Pollutant Emissions from Construction Operations**

Project Component	Pollutant	Pounds/Day	Tons/Year
New Stockton Courthouse	PM _{2.5}	3.9	0.1
	PM ₁₀	10.8	0.2
	Reactive organic gases	121.1	3.3
	Oxides of nitrogen	45.5	1.7
	Oxides of sulfur	0	0
	Carbon monoxide	37.0	2.9

2
3 **Potential Impact (Post-Construction, Operations, and Maintenance):** *Violate any air quality*
4 *standard or contribute substantially to an existing or projected air quality violation?—Less*
5 *than Significant.* The criteria air pollutant emissions from the operation and maintenance of the
6 Proposed Project are included in Table 4-11. These emissions are all below the established Air
7 Pollution Control District thresholds; therefore, the project's post-construction, operations, and
8 maintenance impacts will be less than significant.

9 **Table 4-11: Criteria Air Pollutant Emissions from Operation and Maintenance**

Project Component	Pollutant	Emission Rate	
		Pounds/Day	Tons/Year
New Stockton Courthouse	PM _{2.5}	1.7	0.3
	PM ₁₀	2.6	0.5
	Reactive organic gases	29.4	5.6
	Oxides of nitrogen	39.1	8.2
	Oxides of sulfur	0.3	0.1
	Carbon monoxide	358.1	67.5

10
11 *Mitigation Measures:* None required.

12 **4.2.3.3 Increase of Any Criteria Pollutant**

13 **Potential Impact:** *Produce a cumulatively considerable net increase of any criteria pollutant for*
14 *which the project region is non-attainment under an applicable federal or state ambient air*
15 *quality standard?—Less than Significant.* The Air Pollution Control District is currently in non-
16 attainment for ozone and PM_{2.5}. Within the air district, estimated daily emissions of volatile
17 organic compounds, which are precursor chemicals to ozone, and PM_{2.5} are 1,500 tons per day for
18 volatile organic compounds and 107 tons per day for PM_{2.5}. The maximum modeled emissions
19 from this project are 121 pounds per day of ozone precursors and 3.9 pounds per day of PM_{2.5}.
20 This project will not considerably increase the emission or either ozone or PM_{2.5} in the Air
21 Pollution Control District.

1 *Mitigation Measures:* None required.

2 **4.2.3.4 Sensitive Receptor Exposure to Substantial Pollutant Levels**

3 **Potential Impact (Construction): Expose sensitive receptors to substantial pollutant**
4 **concentrations?—Less than Significant.** As noted above in Table 4.9, the proposed project's
5 construction-related emissions do not exceed criteria air pollutant limits. These emissions are all
6 below the established Air Pollution Control District thresholds. During the construction phase, it
7 is assumed that the project complies with mitigation measures outlined in the Air Pollution
8 Control District's requirements. In particular, Rule 8021 of Regulation VIII requires lead
9 agencies to include measures to reduce particulate matter emissions from construction. The
10 URBEMIS modeling performed for this project assumes that the construction contractor waters
11 the construction site three times per day to minimize fugitive particulate matter emissions. The
12 AOC concludes that the impacts are less than significant since the emissions are below the Air
13 Pollution Control District's thresholds and construction operations that generate substantial
14 emissions will have a limited duration.

15 Potential Impact (Post-Construction, Operations, and Maintenance): Expose sensitive receptors
16 to substantial pollutant concentrations?—Less than Significant. Operations and maintenance
17 associated with this project are typical of other activities in the area. The air emissions from
18 operations and maintenance are diffuse in nature and are below Air Pollution Control District
19 levels. Therefore, these emissions are unlikely to affect sensitive receptors and their potential
20 impact is less than significant.

21 *Mitigation Measures:* None required.

22 **4.2.3.5 Objectionable Odors**

23 **Potential Impact: Create objectionable odors affecting a substantial number of people?—Less**
24 **than Significant.** Because of the nature of this project, it is unlikely that there will be a potential
25 odor impact. Typical odor nuisances include hydrogen sulfide, ammonia, chlorine, and other
26 sulfide-related emissions. There will not be any significant sources of these pollutants during
27 construction, operation, or maintenance of this project. Impacts caused by odor will therefore be
28 less than significant.

29 *Mitigation Measures:* None required.

30 **4.2.3.6 Greenhouse Gas Emission Reduction Plan**

31 **Potential Impact: Conflict with the state goal of reducing greenhouse gas emissions in**
32 **California to 1990 levels by 2020—Less than Significant.** The AOC's design effort includes
33 the objective of achieving a LEED Silver certification, which complies with the Air Resources
34 Board's draft scoping plan for Assembly Bill 32 compliance (California Air Resources Board
35 2008d) and the proposed scoping plan (California Air Resources Board 2008e); the California
36 Building Standards Commission's green building standards in the 2007 California Green

1 Building Standards Code, CCR, Title 24, Part 11; and the Memorandum of Agreement Between
2 the City of Stockton and the Attorney General of California and the Sierra Club (City of
3 Stockton 2008e).

4 In addition, the proposed courthouse site is in downtown Stockton near the San Joaquin Regional
5 Transit District's Downtown Transit Center, which is located at 421 East Weber Avenue.
6 Therefore, the AOC concludes that the project's impacts on the state's goal of reducing
7 greenhouse gas emissions are less than significant.

8 *Mitigation Measures:* None required.

9 4.3 CULTURAL RESOURCES

10 Cultural resources are defined as prehistoric and historic sites, structures, and districts, or any
11 other physical evidence associated with human activity considered important to a culture, a
12 subculture, or a community for scientific, traditional, religious, or any other reason. Cultural
13 resources may be categorized into four groups: archaeological resources (prehistoric and
14 historical); historic properties, buildings, and districts; areas of importance to Native
15 Americans; and paleontological resources (fossilized remains of plants and animals) (Note:
16 Section 4.04 evaluates paleontology).

17 *Historical resource* is a CEQA term that includes buildings, sites, structures, objects, or
18 districts that may have historical, prehistoric, architectural, archaeological, cultural, or
19 scientific importance and are eligible for listing or are listed in the California Register of
20 Historical Resources. Cultural resource impacts include those to existing historic resources
21 (historic districts and landmarks, for example) and to archaeological resources.

22 4.3.1 Environmental Setting

23 An overview of Stockton's cultural setting is provided below. As stated in the City of
24 Stockton General Plan Update Draft EIR, the City of Stockton "lies within an
25 archaeologically and historically rich province of the Central Valley. The cultural history of
26 the Stockton area includes the aboriginal inhabitation by the Northern Valley Yokuts;
27 missionization of the indigenous population and the development of presidios, civilian
28 ranchos, and pueblos; Stockton's participation in the Gold Rush (as a major supply and
29 transportation center); and the eventual economic transition from gold mining to agricultural
30 production." The *City of Stockton General Plan Background Report* was used as a source for
31 the preparation of the Environmental Setting section (City of Stockton 2007a).

32 4.3.1.1 Prehistoric Setting

33 The area that now encompasses Stockton was originally inhabited by Native American peoples.
34 Much of the San Joaquin Valley and the areas surrounding the San Joaquin and Sacramento
35 Rivers have been occupied throughout most of the Holocene Epoch (10,000 Before Present
36 [B.P.] to the present). Much of the direct, dateable evidence for the San Joaquin Valley for this

1 period came from what has been called the Farmington Complex, placed tentatively at around
2 9,000 to 7,000 B.P. Since then, Farmington-type artifacts have been discovered in other
3 locations between the Cosumnes and Stanislaus River watersheds. However, only a small
4 amount of physical evidence exists of these early peoples.

5 Three general patterns of resource use have been identified for the period between 4,500 B.P.
6 and A.D. 1,500: the Windmill, Berkeley, and Augustine patterns. The Windmill Pattern
7 (4,500 B.P. to 2,500 B.P.) demonstrates evidence of a mixed economy focused on hunting and
8 use of wild plant foods. The archaeological record contains numerous projectile points with a
9 wide range of animal remains. Plants were also used, as indicated by ground stone artifacts
10 and clay balls that were used for boiling acorn mush. The Windmill Pattern ultimately
11 changed to a more specialized adaptation labeled the Berkeley Pattern (2,500 B.P. to A.D.500),
12 when there was a greater dependence on acorns and hunting continued. The Berkeley Pattern
13 was followed by the Augustine Pattern around A.D. 500. The Augustine Pattern reflects a
14 change in subsistence and land use patterns to the ethnographically known people of the
15 historic era.

16 Many investigations into Central Valley prehistory have been conducted in San Joaquin County.
17 Much of the research has concluded that early peoples in the Central Valley lived in large
18 numbers along the banks of major waterways, wetlands, and streams. Much of the
19 archaeological remnants for the region have likely been buried beneath vast layers of soil. As a
20 result, archaeological resources can be encountered unexpectedly during excavation in Stockton
21 and throughout the Central Valley.

22 **4.3.1.2 Ethnographic Setting**

23 The project area was originally inhabited by the Northern Valley Yokuts. Most information on
24 this group is gleaned from translated accounts of Spanish military men and missionaries.
25 Northern Valley Yokuts' territory is defined roughly by the crest of the Diablo Range on the
26 west and the foothills of the Sierra Nevada on the east. The southern boundary is located
27 approximately where the San Joaquin River bends northward, and the northern boundary is
28 roughly half way between the Calaveras and Mokelumne Rivers. The Yokuts may have been
29 fairly recent arrivals in the San Joaquin Valley, perhaps being pushed out of the foothills about
30 500 years ago. Population estimates for the Northern Valley Yokuts vary from 11,000 to more
31 than 31,000 individuals. Populations were concentrated along waterways and on the more
32 hospitable east side of the San Joaquin River.

33 Most Northern Valley Yokuts groups had their first contact with Europeans in the early 1800s,
34 when the Spanish began exploring the Delta. The traditional way of life had begun to be
35 disrupted. The gradual erosion of Yokuts' culture began during the mission period. Diseases
36 played a large role in the destruction of large segments of the native population. The Gold Rush
37 and its aftermath of non-native population increase severely affected the Central Valley tribes
38 through near-extinction.

1 **4.3.1.3 Historic Setting**

2 By 1822, the Mexican government had gained control of California from Spain. This era
3 resulted in a larger degree of secularization of the missions and ranchos. The first Anglo-
4 European settlement in the Stockton area was located at French Camp, where a group of French-
5 Canadian trappers employed by the Hudson's Bay Company established a camp in 1832. As a
6 result of the Gold Rush, the small communities at Stockton and Sacramento grew rapidly.

7 Stockton was founded in 1849 by a German immigrant, Charles M. Weber, who acquired more
8 than 49,000 acres of land through a Spanish land grant. Captain Weber chose to honor
9 Commodore Robert F. Stockton by naming the city after him. As stated on the City of
10 Stockton's website, "Captain Weber tried his hand at gold mining in late 1848, but by the next
11 spring, realized that the true wealth lay in providing for the rush of gold-seekers from all over the
12 world, and established his town to serve those needs" (City of Stockton 2008b).

13 Weber and his business partner, William Gulnac, had organized a company in 1843 to form a
14 colony at French Camp. The company established a settlement there in 1845, building corrals
15 and shelters on the peninsula in the Stockton Channel, known today as Weber Point. Stockton is
16 said to have experienced its most rapid growth as a result of its role as a major gold rush supply
17 and transportation center in the mid-1800s. As stated in the city's context statement for the
18 downtown historical survey,

19 Eager to profit from the gold discovery, Weber and a group of settlers formed the
20 Stockton Mining Company, selling supplies for considerable profit to miners near
21 the future site of Placerville. In September 1848, Weber returned to Stockton and
22 set up his own mercantile store. As the Gold Rush attracted ever-increasing
23 numbers of prospectors to California, Stockton became the gateway to, and major
24 supply post for, California's southern mining areas. By the fall of 1849, it was
25 estimated that Stockton had approximately 1,000 residents. In five years, the
26 city's population expanded to 7,000 and an active commercial and industrial
27 center began to take shape (Architectural Resources Group 2000).

28 The City of Stockton incorporated in 1850, and Stockton experienced its most rapid growth
29 because of its role as a major gold rush supply and transportation center in the mid-1800s. In the
30 latter half of the 1880s, Stockton became a major shipping point for overseas grain trade in the
31 latter half of the 1880s. With Stockton's thriving agricultural economy came associated
32 residential development. Many of the residential neighborhoods in the central portion of the city
33 were developed by the owners of businesses and industries and reflect the relative wealth of the
34 owners. These homes, dating to the late 1800s, reflect the Victorian architectural style.

35 A variety of immigrant groups arrived in the Stockton area after Spain ceded control to Mexico
36 and California later became a part of the United States. Immigrants of Spanish and Mexican
37 ancestry located in the Central Valley, followed by French, German, Irish, and other European

1 ethnic groups. Gold-seekers of various nationalities traveled through Stockton on the way to the
2 foothills of California. Many people of Chinese descent traveled to Stockton after their homes
3 and business were damaged or destroyed in the San Francisco earthquake and subsequent fire of
4 1906. A large Filipino population migrated to Stockton in the 1930s, where they made up the
5 majority of local farm labor. In addition, many Midwesterners of various ethnic descents arrived
6 in the area as farm workers. Large numbers of women worked at the local canneries in this
7 period. World War II brought large ship-building operations to Stockton, employing large
8 numbers of men and women. Farm labor shortages resulted and migrants from Mexico were
9 brought in to Stockton as part of a government-sponsored program to assist with the farming
10 industry (Architectural Resources Group 2000).

11 **The Chinese Community**

12 During the early parts of the Gold Rush, Chinese settlers arrived in the area of Channel Street
13 between El Dorado and Hunter Streets, and the Bridge Place alley between El Dorado and
14 Hunter. The Chinese area of Stockton included two restaurants, a former French hotel, small
15 shacks, and a hotel on the corner of Hunter and Channel Streets. The area was ethnically diverse
16 and included immigrants from other parts of the United States and Europe. By the 1890s, the
17 Chinese community was focused in three areas: to the south of Channel Street between Hunter
18 and El Dorado Streets, on East Washington Street between Hunter and El Dorado, and along the
19 western bank of Mormon Slough between Butler Street and Scotts Avenue. During the 1900s,
20 the East Washington Street area became the center of the Chinese community. There is no
21 longer a distinct Chinatown area of Stockton, as the historical Chinatown area was demolished in
22 the 1960s for the new Crosstown Freeway and redevelopment of Stockton's downtown
23 (Anthropological Studies Center, Sonoma State University, 2004).

24 The Anthropological Studies Center of California State University, Sonoma, completed an
25 archaeological investigation for the City of Stockton Redevelopment Agency's City Center
26 Cinemas project (Anthropological Studies Center, Sonoma State University, 2004). This
27 investigation evaluated the block bounded by Minor Avenue and Hunter, El Dorado, and
28 Channel Streets. In 2000, archaeologists tested and excavated the city block slated for
29 construction for a movie theater complex by the City of Stockton. Analysts had previously
30 prepared archaeological sensitivity study and treatment plan that identified portions of the project
31 site as having the potential to contain archaeological deposits eligible for inclusion on the
32 California Register of Historical Resources.

33 Field workers identified intact archaeological deposits on two lots. No prehistoric sites were
34 encountered. Resources discovered from 117 to 123 Channel Street (termed Analytical Unit
35 A), the Sing Lee Chinese Laundry deposit, and from 121 to 123 Channel Street (Analytical
36 Unit B) were found to be eligible for the California Register of Historical Resources.
37 Archaeologists completed a Department of Parks and Recreation (DPR) 523 site form, which
38 recorded these archaeological resources as the Stockton City Center Cinemas Site (CA-

1 SJO0295H), and curated the deposits at the Archaeological Collections Facility at California
2 State University, Sonoma.

3 During the 1900s, the East Washington Street area became the center of the Chinese community.
4 There is no longer a distinct Chinatown area of Stockton, as the historical Chinatown area was
5 demolished in the 1960s for the new Crosstown Freeway and redevelopment of Stockton's
6 downtown (Anthropological Studies Center, Sonoma State University, 2004).

7 **4.3.1.4 Historic District and Historic Properties**

8 The Architectural Resources Group (Architectural Resources Group 2000) completed the
9 *Revised Draft Downtown Stockton Historic Resources Survey*, a comprehensive survey of
10 Stockton's downtown historical resources, for the city in 2001. The group's architectural
11 historians completed a reconnaissance survey and an intensive survey for downtown buildings;
12 delineated a downtown historic district; and identified resources that it considered eligible for the
13 National Register, National Register District Contributor status, California Register, California
14 Register Contributor Status, Stockton Local Landmark Status, Stockton Structured of Merit
15 status, and Local District Contributor status. The survey did not evaluate Hunter Square.

16 According to the City of Stockton General Plan Background Report, many historic properties
17 have been identified in Stockton through historic building surveys and previous cultural resource
18 studies. In addition, the city includes 10 State Historic Landmarks, two State Historical Points of
19 Interest, 50 City Historic Landmarks/Sites, and several historic bridges. Appendix G contains
20 the city's list of historic landmarks (City of Stockton 2004); several of the city's historic
21 landmark buildings are listed on the National Register of Historic Places. The proposed project
22 site is not located within a historic district.

23 The Central California Information Center records search did not find any information about
24 buildings or structures on the proposed project site. The records search indicated that the current
25 1963 courthouse east of Hunter Square Plaza, at 222 East Weber, is listed in the Historic Property
26 Data File as assigned California Historical Resource Status code 5S2 – individual property that is
27 eligible for location listing or designation. ~~The property on which the current courthouse sits, and~~
28 ~~the property on which it sits,~~ has been designated as City of Stockton Landmark #11, as it is on the
29 former site of the 1853 courthouse. The San Joaquin County Courthouse Plaza at 200 East Weber
30 is also listed in the Historic Property Data File; its status code is 5D2 – contributor to a district that
31 is eligible for local listing or designation.

32 As shown in [Table 4-12](#), the area surrounding the proposed project site contains several
33 buildings that are listed in the National Register of Historical Resources.

34

1 **Table 4-12: National Register of Historical Resources Properties Near Hunter Square**

Building	Address	Approximate Distance From Proposed Courthouse Site
Hotel Stockton	133 East Weber	100 feet
Trethaway Block/Argonaut Hotel Building	229 East Weber	200 feet
Farmer’s & Merchant’s Bank/California Building	246 E. Main and 11 S. San Joaquin Street	300 feet
Stockton Savings & Loan Building	301 East Main	400 feet
Commercial Savings Bank	343 East Main Street	600 feet
Bob Hope Theater (Fox California Theater)	242 East Main Street	200 feet

2

3 **4.3.1.5 Hunter Square**

4 Historic Environmental Consultants (see Appendix F) noted that Charles Weber donated a block
 5 (surrounded by San Joaquin, Main, and Hunter Streets and Weber Avenue) as a public square for
 6 the county courthouse and City Hall. Because a slough was west of the courthouse block, the
 7 block of parcels between Weber Avenue and Main, Hunter, and El Dorado Streets was narrower
 8 than the standard sized blocks to maintain the width of the street next to the slough. When the
 9 street was reclaimed from the slough, it was wider than other north/south streets because of the
 10 narrower block of adjacent buildings to the west, thus creating the extra space next to the
 11 courthouse that became known as Hunter Square. Various buildings have been adjacent to this
 12 space, but Hunter Square has been adjacent to a courthouse since construction of the first
 13 courthouse in 1853. Additionally, the square has been used as a public meeting place and
 14 accommodated early wagon freight teams and a wide variety of community celebrations and
 15 activities through time.

16 The Downtown Stockton Management District describes Hunter Square as the “Heart of
 17 Stockton.” Its website states: “Hunter Plaza, currently known for its bustling parking lot and
 18 modernistic water fountain, was designed as the heart of the city by its founder Charles M.
 19 Weber. Envisioning a plaza in the tradition of Mexican and Spanish towns, he donated the land
 20 to Stockton in the 1850s. Now called Hunter Square, it is one of the most historic sites in
 21 Stockton.” Hunter Square is said to have been home to many important historical events, such as
 22 the site of the 1857 California State Fair, the location of the Centennial Celebration of July 4,
 23 1876, and the “Rush of ’49,” a street fair with a gold mining camp theme in 1909 (Downtown
 24 Stockton Management District 2008).

25 Water features have been located in Hunter Square in various incarnations throughout most of
 26 the history of the city. In the 1850s, there was an artesian well, which was awarded a blue ribbon
 27 at the state fair. A granite drinking fountain was constructed in the plaza area facing Main Street
 28 in 1891, created with funds collected by the *Stockton Mail* newspaper. The current fountain and

1 reflection pool were constructed between 1965 and 1967 by the city as the centerpiece for the
2 then-redesigned Hunter Square. During the city’s West End Renewal Project, Main Street was
3 also closed to create the current park and water feature. It is currently used for the downtown
4 Farmer’s Market, street fairs, and for informal gathering by nearby workers and visitors to the
5 courthouse and downtown.

6 Because of its location and undeveloped space, Stockton’s residents and visitors have used Hunter
7 Square as a parking lot throughout its history. The Hunter Street and Main Street alignments
8 marked the eastern and southern boundaries of Hunter Square. Vehicles parked along the western
9 edge of Hunter Square and in north-south rows (see photos in Appendices D and F).

10 The city’s West End Renewal Project made major changes to the Hunter Square area in the 1960s.
11 The project closed Hunter Street between Weber Avenue and Main Street and converted Main
12 Street into a pedestrian mall between Hunter Street and Commerce Street. In the northern portion
13 of Hunter Square, the city maintained the parking lot, but the city added landscaping and a central
14 pedestrian island. The city also converted the southern portion of Hunter Street into the current
15 park, added a pool to the park, and added another pool and fountain to the Main Street mall. The
16 current fountain and pool were constructed between 1965 and 1967 by the City of Stockton
17 Redevelopment Agency as the centerpiece for the then-redesigned Main Street mall and Hunter
18 Square. It is currently used for the downtown Farmer’s Market, street fairs, public events, and for
19 informal gathering by nearby workers and visitors to the courthouse and downtown.

20 The Historic Environmental Consultants assessment concludes that Hunter Square has been and
21 remains a character-defining feature of downtown Stockton, is important as a historic site based
22 on its long-standing public use, including the location and gathering spot of many community
23 activities, and serves an important urban planning function. It is also important as an urban
24 planning feature, reflecting design themes of the 1960s in downtown Stockton.

25 The city received a historic landmark petition for Hunter Square in 1979 (City of Stockton 1979,
26 see Appendix G). The city subsequently denied the petition (City of Stockton 1984. see
27 Appendix G). Therefore, Hunter Square currently has no city-designated historic status. The
28 AOC understands that the City’s Cultural Heritage Board recently recommended designation of
29 Hunter Square as a historic site. If approved by the City Council, Hunter Square will become an
30 official historic site.

31 **4.3.2 Analytical Framework**

32 **4.3.2.1 Analytical Methodology**

33 A lead agency must evaluate significance of cultural resources to assess effects on cultural
34 resources. Cultural resource analysts normally take the following steps:

- 35 • Identify potential historical resources and unique archaeological resources;

- 1 • Evaluate the eligibility of historical resources; and
- 2 • Evaluate the effects of the project on eligible historical resources.

3 Efforts to identify cultural resources that could be affected by the proposed project included
4 archival research and a review of other studies completed for the project area. The potential
5 impacts of the project on cultural resources were evaluated by considering both construction and
6 operational impacts of the proposed project. The proposed project site is currently developed
7 with buildings, a parking lot, and a small park. It will not be possible to conduct an
8 archaeological field investigation on the proposed site at this time, as the site is not vacant.

9 Analysts derived information from the following sources:

- 10 • Previously published information presented in the *City of Stockton General Plan*
11 *Background Report* (City of Stockton 2007a),
- 12 • General Plan Draft EIR (City of Stockton 2007a),
- 13 • Five Views: An Ethnic Historic Site Survey for California (State of California 1988)
- 14 • *Revised Draft Downtown Stockton Historic Resources Survey, Volume 1*
15 (Architectural Resources Group 2000),
- 16 • Data Recovery Report for the Worknet Office Project, Stockton, California
17 (Jones & Stokes 2007) , and
- 18 • Records search completed by the Central California Information Center at California
19 State University, Stanislaus.

20 **Archival Records Search**

21 The Central California Information Center conducted a cultural resources records search of
22 pertinent survey and site data of the California Historical Resources Information System at
23 California State University, Stanislaus, on August 27, 2007 (Central California Information
24 Center File No. 6809L). The center's staff accessed the records for the Stockton West U.S.
25 Geological Survey 7.5-minute quadrangle and included the project area along with the
26 immediate vicinity of the proposed site. The records search included a review of the National
27 Register of Historic Places, the California Register of Historical Resources, the California
28 Inventory of Historic Resources (1976), the California Historical Landmarks (1990), the
29 California Points of Historical Interest (May 1992 and updates), the Directory of Properties in
30 the Historic Property Data File, dated June 12, 2007, the Survey of Surveys (1989), and other
31 pertinent historical data available at the Central California Information Center for each
32 specific county.

1 **4.3.2.2 Regulatory Background**

2 **Federal**

3 National Register of Historic Places

4 The National Register of Historic Places is the nation’s master inventory of known historic
5 resources. The National Park Service administers the National Register of Historical Resources
6 that includes listings of buildings, structures, sites, objects, and districts that possess historic,
7 architectural, engineering, archaeological, or cultural significance at the national, state, or local
8 level.

9 Structures, sites, buildings, districts, and objects more than 50 years old can be listed in the
10 National Register of Historical Resources as significant historic resources. However, properties
11 under 50 years old that are of exceptional importance or that are contributors to a district can also
12 be included in the National Register of Historical Resources. The criteria for listing in the
13 National Register of Historical Resources include resources that:

- 14 1. Are associated with events that have made a significant contribution to the broad
15 patterns of history;
- 16 2. Are associated with the lives of persons significant in the past;
- 17 3. Embody the distinctive characteristics of a type, period, or method of construction, or
18 that represent the work of a master, or that possess high artistic values, or that
19 represent a significant and distinguishable entity whose components may lack
20 individual distinction; or
- 21 4. Have yielded or may likely yield information important in prehistory or history.

22 **State**

23 California Register of Historical Resources

24 The California Register is an authoritative guide to the state’s historical resources (California
25 Department of Parks and Recreation 2008b) and to properties considered significant for CEQA-
26 related evaluation. The California Register program encourages public recognition and
27 protection of resources of architectural, historical, archeological and cultural significance,
28 identifies historical resources for state and local planning purposes, evaluates eligibility for state
29 historic preservation grant funding, and affords certain protections under CEQA (California
30 Department of Parks and Recreation 2008a). Criteria for designation include:

- 31 1. Association with events that have made a significant contribution to the broad patterns of
32 local or regional history or the cultural heritage of California or the United States
33 (Criterion 1);
- 34 2. Association with the lives of persons important to local, California, or national history
35 (Criterion 2);

3. Embodiment of the distinctive characteristics of a type, period, region or method of construction or representation of the work of a master, or possession of high artistic values (Criterion 3); and
4. Yielding or potentially yielding information important to the prehistory or history of the local area, California, or the nation (Criterion 4).

The California Register includes resources listed in or formally determined eligible for listing in the National Register of Historic Places, as well as California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for CEQA unless a preponderance of evidence indicates otherwise (Public Resource Code Section 5024.1, 14 CCR Section 4850). If a resource is eligible for listing in the National Register of Historical Resources, the state automatically lists the resource in the California Register of Historical Resources.

The National Register of Historic Places categories adopted by the National Park Service, defines a site as “the location of a significant event, a prehistoric or historic occupation or activity... where the location itself possesses historic, cultural or archeological value regardless of the value of any existing structure.” The criteria for listing historical resources on the California Register are consistent with those developed by the National Park Service for listing properties on the National Register, but have been modified for state use to include a range of historical resources that better reflect the history of California. According to Regulations for the Nomination of Properties to the California Register of Historical Resources, historical resources that may be nominated to the California Register include the following:

- “[a] historical resource... designated or listed as a city or county landmark... pursuant to any city or county ordinance, if the criteria for designation or listing under the ordinance have been approved by the Office (Historic Preservation) as meeting standards set by the Commission.”
- “[a] historic resource or a group of local landmarks or historic properties designated under a municipal or county ordinance.”

No historic resources listed in the California Register or determined eligible for listing in the California Register of Historical Resources by the State Historical Resources Commission are on the project site.

California Environmental Quality Act

CEQA Guidelines Section 15064.05(a) requires that public or private projects financed or approved by public agencies must assess the effects of the project on historical resources.

Under CEQA Guidelines Section 15064.05(a), “historical resources” include the following:

- 1 (1) A resource listed in, or determined to be eligible by the State Historical Resources
2 Commission, for listing in the California Register of Historical Resources (Public
3 Resources Code, Section 5024.01).
- 4 (2) A resource included in a local register of historical resources, as defined in Section
5 5020.1(k) of the Public Resources Code or identified as significant in a historical
6 resource survey meeting the requirements of Section 5024.01(g) of the Public
7 Resources Code, will be presumed to be historically or culturally significant. Public
8 agencies must treat any such resource as significant unless the preponderance of
9 evidence demonstrates that it is not historically or culturally significant.
- 10 (3) Any object, building, structure, site, area, place, record, or manuscript that a lead
11 agency determines to be historically significant or significant in the architectural,
12 engineering, scientific, economic, agricultural, educational, social, political, military,
13 or cultural annals of California may be considered to be a historical resource, provided
14 the lead agency's determination is supported by substantial evidence in light of the
15 whole record. Generally, the lead agency will consider a resource to be "historically
16 significant" if the resource meets the criteria for listing in the California Register of
17 Historical Resources (Public Resources Code, Section 5024.01).
- 18 (4) The fact that a resource is not listed in, or determined to be eligible for listing, in the
19 California Register of Historical Resources, not included in a local register of
20 historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or
21 identified in a historical resources survey (meeting the criteria in Section 5024.01(g)
22 of the Public Resources Code) does not preclude a lead agency from determining that
23 the resource may be an historical resource as defined in Public Resources Code
24 Section 5020.1(j) or 5024.01.

25 Historic resources are usually 45 years old or older and must meet at least one of the criteria for
26 listing in the California Register, described above (such as association with historical events,
27 important people, or architectural significance), in addition to maintaining a sufficient level of
28 physical integrity (CEQA Guidelines Section 15064.05 (a)(3)).

29 Archaeological resources that are not "historical resources" according to the above definitions may
30 be "unique archaeological resources" as defined in Public Resources Code Section 21083.2, which
31 also generally provides that "non-unique archaeological resources" do not receive any protection
32 under CEQA. If an archaeological resource is neither a unique archaeological nor a historical
33 resource, the effects of the project on these resources will not be considered a significant effect on
34 the environment. It is sufficient that the resource and the effects on it be noted in this report, but
35 the resource need not be considered further in the CEQA process.

36 In the event that any human remains are encountered during site disturbance, Section 7050.5 of
37 the California Health and Safety Code requires cessation of all ground-disturbing work in the
38 vicinity of the remains until the coroner of San Joaquin County has been contacted. There will
39 be no further excavation or disturbance of the site or any nearby areas reasonably suspected to
40 overlie adjacent human remains until the county coroner is contacted. If the coroner concludes
41 that the human remains are of Native American origin, the Native American Heritage

1 Commission must be contacted within 24 hours, and the project sponsor will comply with state
2 laws relating to the disposition of Native American burials, regulated by the Native American
3 Heritage Commission (Public Resource Code Sec. 5097).

4 **Local**

5 City of Stockton General Plan.

6 As described in the *City of Stockton General Plan Background Report*, the City of Stockton
7 General Plan, as amended (adopted 1990, amended in 1998 and 2007), serves as the principal
8 land use planning document-guiding development in the City of Stockton. The general plan
9 discusses historic and cultural resources. On December 11, 2007, the City Council held its fifth
10 and final session to conclude the public hearing for the 2035 General Plan and adopted the new
11 general plan. The Natural and Cultural Resources Element is found as Chapter 13 of the General
12 Plan Goals and Policies Report. Section 13.3 Cultural Resources of this element states that:

13 Within the Planning Area there are 10 State Historic Landmarks, two Historical Points
14 of interest and 50 City Historic Landmarks and Sites. Many of the historically
15 significant resources are located near the downtown area. The continual identification of
16 significant cultural resources to ensure their preservation and maintenance of Stockton's
17 heritage is a primary objective for the City. In order to fulfill this desire the City
18 establishes policies to be utilized to fulfill this objective. These policies include
19 methods for the evaluation of historic, cultural, and archaeological resources throughout
20 the City. These prescribed evaluation policies reflect the City's long history as a
21 community within the Central Valley as evidenced by the presence of historic artifacts,
22 buried deposits of debris, farm and ranch remains, old levees and roads, and historical
23 building foundations and associated deposits.

24 The City of Stockton applies the following goals and policies to its projects:

- 25 • Goal NCR-3—To encourage the identification, protection, and enhancement of the
26 city's archaeological, historical, and paleontological resources for their cultural values.
- 27 • Policy NCR-3.1—Evaluation of Historic Resources. The city shall use appropriate
28 state and federal standards in evaluating the significance of historic resources that are
29 identified in the city.
- 30 • Policy NCR-3.2—Historic Structures and Sites. The city shall support public and private
31 efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and
32 districts. Where applicable, preservation efforts shall conform to the current Secretary of
33 the Interior's Standards for the Treatment of Historic Properties and Guidelines for
34 Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building.

- 1 • Policy NCR-3.5—Archaeological Resource Surveys. Prior to project approval, the
2 city shall require project applicant to have a qualified archeologist conduct the
3 following activities: (1) conduct a record search at the Central California
4 Information Center located at California State University Stanislaus and other
5 appropriate historical repositories, (2) conduct field surveys where appropriate, and
6 (3) prepare technical reports, where appropriate, meeting California Office of
7 Historic Preservation Standards (Archeological Resource Management Reports).
- 8 • Policy NCR-3.6—Discovery of Archaeological Resources. Consistent with
9 Stockton Municipal Code Section 16 310.050 – Cultural Resources, In the event
10 that archaeological/paleontological resources are discovered during site excavation,
11 the city shall require that grading and construction work on the project site be
12 suspended until the significance of the features can be determined by a qualified
13 archaeologist/paleontologist. The city will require that a qualified
14 archeologist/paleontologist make recommendations for measures necessary to
15 protect any site determined to contain or constitute an historical resource, a unique
16 archaeological resource, or a unique paleontological resource or to undertake data
17 recovery, excavation, analysis, and curation of archaeological/paleontologist
18 materials. City staff shall consider such recommendations and implement them
19 where they are feasible in light of project design as previously approved by the city.
- 20 • Policy NCR-3.7—Native American Resources. The city shall consult with Native
21 American representatives regarding cultural resources to identify locations of
22 importance to Native Americans, including archeological sites and traditional cultural
23 properties. Coordination with the Native American Heritage Commission should
24 begin at the onset of a particular project.
- 25 • Policy NCR-3.8—Discovery of Human Remains. Consistent with Stockton
26 Municipal Code Section 16-310.050 – Cultural Resources and the CEQA Guidelines
27 (Section 15064.05), if human remains of Native American origin are discovered
28 during project construction, it is necessary to comply with state laws relating to the
29 disposition of Native American burials, which fall within the jurisdiction of the
30 Native American Heritage Commission (Public Resources Code Sec. 5097). If any
31 human remains are discovered or recognized in any location on the project site, there
32 shall be no further excavation or disturbance of the site or any nearby area reasonably
33 suspected to overlie adjacent human remains until:
 - 34 – The San Joaquin County Coroner/Sheriff has been informed and has determined
35 that no investigation of the cause of death is required; and,
 - 36 – If the remains are of Native American origin, 1. The descendants of the deceased
37 Native Americans have made a timely recommendation to the landowner or the
38 person responsible for the excavation work, for means of treating or disposing of,
39 with appropriate dignity, the human remains and any associated grave goods as
40 provided in Public Resources Code Section 5097.98; 2. The Native American
41 Heritage Commission was unable to identify a descendant or the descendant
42 failed to make a recommendation within 24 hours after being notified by the
43 Commission, or 3. The landowner or his or her authorized representative rejects
44 any timely recommendations of the descendent, and mediation conducted by the

1 Native American Heritage Commission has failed to provide measures acceptable
2 to the landowner.

3 City of Stockton Municipal Code

4 Stockton’s Municipal Code establishes rules and procedures for the Cultural Heritage Board,
5 which was established in 1969 to assist in the preservation of the city’s historic districts and
6 landmarks. The function of the board is to “promote and preserve the community’s
7 historical/architectural/aesthetic and cultural resources, identify sites and districts with
8 historical significance, promote the Award of Excellence Program, Charles Weber Award,
9 and Glenn Allen Award. Conduct surveys and inspections to accomplish these objectives,
10 advise City officials and other bodies in such areas, and generally encourage and sponsor
11 events of a cultural nature” (City of Stockton 2008a).

12 The code also establishes criteria and procedures for designation and maintenance of
13 landmarks and historic sites. Section 16-310.050 of the municipal code regulates impacts to
14 historic resources, archaeological resources, and human remains as discussed in the general
15 plan. Chapter 16, Article VII, Section 16-730.120 of the Stockton Development Code
16 requires a Certificate of Appropriateness be approved by the community development
17 director, with a recommendation from the Cultural Heritage Board, for construction,
18 demolition, alteration, removal, or relocation of any publicly or privately owned landmark, or
19 any structure, natural feature, or site within a historic preservation district.

20 San Joaquin County General Plan 2010.

21 The county’s 1992 general plan has established policies to protect San Joaquin County’s valuable
22 architectural, historical, archaeological and cultural resources. These policies are as follows:

- 23 • The county will continue to encourage efforts, both public and private, to preserve
24 its historical and cultural heritage;
- 25 • Significant archaeological and historical resources will be identified and protected
26 from destruction. If evidence of these resources appears after development begins,
27 the appropriate actions to preserve or remove the resources will be assessed;
- 28 • No significant architectural, historical, archaeological or cultural resources will be
29 knowingly destroyed through county action;
- 30 • Reuse of architecturally interesting or historical buildings will be encouraged; and
- 31 • The county will promote public awareness of and support for historic preservation.

32 **4.3.2.4 Standards of Significance**

33 The AOC considers an impact to be significant if the proposed project will:

- 34 • Cause a substantial adverse change in the significance of a historic resource; or

- 1 • Cause a substantial adverse change in the significance of an archaeological resource; or
- 2 • Disturb any human remains, including those interred outside of formal cemeteries.

3 **4.3.3 Potential Impacts and Mitigation Measures**

4 **4.3.3.1 Historic Resources**

5 ***Potential Impact: Cause a substantial adverse change in the significance of a historic resource***
6 ***as defined in Section 15064.05?— Significant and Unavoidable.*** The proposed project will
7 directly affect Hunter Square by constructing a new courthouse on the proposed site. The
8 courthouse will replace the existing parking lot and park. On the Main Street mall, the project
9 will remove the raised pool and existing fountain during construction.

10 As noted earlier in Section 4.03.2.2, a CEQA lead agency must determine if a proposed project
11 will affect resources listed in the National Register of Historical Resources or the California
12 Register of Historical Resources. The AOC concludes that Hunter Square is not listed in the
13 National Register of Historical Resources or the California Register of Historical Resources.
14 The proposed project site is not located within the previously proposed city downtown historic
15 district (Architectural Resources Group 2000). In addition, the city’s Cultural Heritage Board
16 rejected a nomination in 1979 (see Appendix G) to designate Hunter Square as a historic
17 landmark; therefore, Hunter Square is not currently on a local list of historic resources. The
18 AOC understands that the City’s Cultural Heritage Board recently recommended designation of
19 Hunter Square as a historic site. If approved by the City Council, Hunter Square will become an
20 official historic site.

21 Section 4.03.2.2 explains that if a lead agency determines that a cultural resource is not listed in the
22 National Register or California Register or a local list, the lead agency must still evaluate a
23 resource’s significance using the California Register criteria. The Historic Environment~~al~~
24 Consultants’ report (see Appendix F) concluded that “The Square appears to have been
25 acknowledged by the public as possessing historic significance, and is still an important public
26 gathering place within the downtown area. It is also recognized as a good reflection of urban
27 planning programs of the 1960s era. While its current appearance differs from the original, it is still
28 an open space that suggests its longtime status as a community gathering place and focal point.”

29 As noted earlier, the Downtown Stockton Management District describes Hunter Square as the
30 “Heart of Stockton.” It also emphasizes that Hunter Square has been the site for many important
31 historical events (Downtown Stockton Management District 2008).

32 For evaluation of Hunter Square relative to the criteria of the California Register, the AOC
33 concludes:

- 1 1. The Historic Environmental Consultants report emphasizes Hunter Square’s historical
2 associations, community uses over time, and representation of an important past design
3 theme, and as a traditional open space and “place” in the heart of downtown Stockton.
4 These features of Hunter Square are part of Stockton’s cultural heritage;
- 5 2. The historical association with Charles Weber includes Weber’s ownership of the land
6 for a period of time, donation of the land to the city, and layout of Hunter Square as part
7 of the city’s original street grid. These features indicate Hunter Square’s association with
8 the life of a person important in Stockton’s past;
- 9 3. Regarding Hunter Square’s potential embodiment of the distinctive characteristics of a
10 type, period, region or method of construction or representation of the work of a master,
11 or possession of high artistic values, the AOC notes that there have been water structures
12 and other features on Hunter Square in the past, but these features are no longer present.
13 Stockton subsequently developed the current improvements in the square in the 1960s to
14 make it an attractive site for gatherings, meetings, or community use; the Historic
15 Environmental Consultants report describes the square’s current features as “...a
16 competent ... example of the Modernist movement...” and “... a notable effort by
17 Stockton professional designers.” However, the AOC notes that “competent” and
18 “notable” do not meet the standards of Criterion 3 of the California Register, which
19 include “...distinctive characteristics of a type, period, region, or method of construction,
20 or represents the work of an important individual, or possesses high artistic values...”
21 (Public Resources Code Section 5024.1).

22 The Judicial Branch’s *Principles of Design for California Court Buildings* (Available at
23 http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf) includes
24 the principle that court buildings will represent an individual expression that is responsive to
25 local context, geography, climate, culture, and history, and will improve and enrich the sites and
26 communities where they are located. In accordance with this principle and to complete its
27 evaluation of the project’s impacts on archaeological resources, the AOC concludes that Hunter
28 Square is a significant historic resource based on its contribution to the patterns of Stockton’s
29 cultural heritage and its association with the life of Charles Weber. Since the past features are no
30 longer present and the current Main Street fountain and Hunter Square Pool do not meet the
31 criteria of the California Register, the AOC concludes that the Main Street fountain and Hunter
32 Square pool do not qualify as significant cultural resources under the “...potential embodiment
33 of the distinctive characteristics...” criterion.

34 Since the project will cause a substantial adverse change in a significant cultural resource, the
35 construction impacts and operational impacts of the proposed courthouse on historic resources
36 will be significant. The City informed the AOC that the city was proceeding with the proposed
37 designation of Hunter Square as a historic site and that information in Appendix F supported the
38 conclusion that the loss of Hunter Square is a significant and unavoidable impact. The AOC
39 concludes that the proposed project’s conversion of part of Hunter Square to a courthouse
40 building is a significant and unavoidable impact.

41 *Mitigation Measures:*

1 **Cultural Resources 1**—The courthouse’s public spaces will provide display spaces
2 (including a plaque designating Hunter Square as a historic site) for a history of
3 Hunter Square (including its association with Charles Weber), the history of San
4 Joaquin courthouses (including Hunter Square’s association with the courthouses),
5 and public art related to Hunter Square’s link to Stockton’s cultural heritage;

6 **Cultural Resources 2**—As recommended by the Historic Environmental
7 Consultant’s report, the proposed new courthouse project will maximize new public
8 space around the proposed courthouse with open space and landscaping to
9 accommodate public use;

10 **Cultural Resources 3 (Aesthetics 2)**—The AOC will construct a new water feature
11 on the Main Street mall between South Hunter Street and El Dorado Street; and

12 **Cultural Resources 4**—To maximize public space and accommodate public use
13 ~~As stated earlier, the AOC understands that the County’s plans county is updating~~
14 ~~its master plan~~ for the existing Courthouse and Administration Building (~~County of~~
15 ~~San Joaquin 2008~~), and the county’s plans include demolition of the existing
16 building and construction of a large plaza on the site (County of San Joaquin 2009).
17 The AOC will coordinate layout and design of its proposed parcel’s public space
18 with the county to maximize public space and accommodate public use.

19 The AOC concludes that the above mitigation measures will reduce impacts, but the
20 impacts will remain significant and unavoidable.

21 **4.3.3.2 Archaeological Resources**

22 **Potential Impact: Cause a substantial adverse change in the significance of an**
23 **archaeological resource pursuant to Section 15064.05?—Potentially Significant.** The
24 analysts’ Central California Information Center search did not identify recorded or unrecorded
25 archaeological resources on the proposed project site. However, historical archaeological
26 resources were encountered on the City Center Cinemas project site, located near the
27 proposed project site. As discussed earlier, resources discovered from 117 to 123 Channel
28 Street (termed Analytical Unit A), the Sing Lee Chinese Laundry deposit, and from 121 to
29 123 Channel Street (Analytical Unit B) were found eligible for the California Register of
30 Historical Resources. Based on existing data in its files, the Central California Information
31 Center indicated that “The project area has a minimal sensitivity for the possible discovery of
32 prehistoric or historic archaeological resources on the *surface* of the proposed project area,
33 but a moderate-to-high sensitivity for both prehistoric and historic archaeological resources
34 *under the surface*, that may be encountered during excavation and trenching.”

35 Therefore, there remains some potential for the two sites to contain previously undiscovered
36 archaeological resources. Excavation and grading could damage or destroy any buried
37 archaeological resources that may be present. Disturbance of buried cultural resources will be
38 a potentially significant impact for the proposed site location and the alternative site in the
39 area, which has not already been investigated for archaeological resources (the eastern one-

1 third of the site). Operation of the proposed project will not result in additional impacts to the
2 archaeological resources in the project area beyond the potential construction-related impacts
3 identified above. Implementation of the following mitigation measure will reduce potential
4 adverse effects to less-than-significant levels:

5 *Mitigation Measures:* The following mitigation measure will reduce the impact to archaeological
6 resources to less than significant.

7 **Cultural Resources 5**—An archaeological monitor will be present during site clearing
8 activities that expose bare ground. Project personnel will not collect cultural resources
9 found on the project site. If the construction contractor encounters archaeological
10 resources during initial construction clearing, the construction contractor will halt all
11 work within 100 feet of the discovery, and a qualified archaeologist will ascertain the
12 nature of the discovery and the significance of the find. The archaeologist will provide
13 proper management recommendations, including avoidance, evaluation, or a mitigation
14 plan, to prevent any significant adverse effects on the resource.

15 **4.3.3.3 Disturbance of Any Human Remains, Including those Interred Outside of Formal**
16 **Cemeteries**

17 **Potential Impact: Disturb any human remains, including those interred outside of formal**
18 **cemeteries?—Less Than Significant.** The proposed project will require excavation and
19 grading for the building. No recorded prehistoric archaeological sites were identified on or in
20 the vicinity of the project site, and no evidence exists to indicate that burials occurred within
21 the project area. Therefore, the AOC concludes that the project will have less than significant
22 impacts on disturbance of human remains. In addition, as described in Section 4.03.2.2, in the
23 event that human remains are unexpectedly encountered, the project sponsor will comply with
24 state laws relating to the disposition of Native American burials, as regulated by the Native
25 American Heritage Commission (Public Resource Code Sec. 5097).

26 *Mitigation Measures:* None required.

27 **4.4 GEOLOGY, SOILS, AND SEISMICITY**

28 This section evaluates the potential impacts of the project to geology, soils, and seismicity.

29 **4.4.1 Environmental Setting**

30 The proposed project is located in Seismic Risk Zone #3. This classification represents a lesser
31 risk zone, for comparison, than the San Francisco Bay Area, 60 miles west, which lies in Risk
32 Zone #4. The proposed project site is associated with a low to moderate liquefaction hazard
33 based on the distance to the nearest faults, the Hayward and Calaveras Faults, approximately 48
34 miles to the west.

1 Earthquakes have been reported at a maximum Modified Mercalli intensity of IX to X near the
2 fault. Widespread damage was reported with these earthquakes. The Hayward Fault has also been
3 the cause of other damaging earthquakes. An earthquake in 1868 is reported to have caused strong
4 fluctuations in the water level in the Sacramento River near Sacramento and in a slough near
5 Stockton.

6 Strong earthquakes have also occurred along the Calaveras Fault, an apparent continuation of the
7 Hayward and San Andreas Fault system. The strongest recorded earthquake attributed to the
8 Calaveras fault was in 1861 when there was a Modified Mercalli intensity of VIII near the fault
9 (Jennings 1975).

10 The City of Stockton is situated within the lower terraces of the San Joaquin River, just east of
11 the Sacramento and San Joaquin Delta, and is characteristic of a highly dissected alluvial plain.
12 During the last 1.6 million years (the Quaternary Period), large amounts of lake and marsh
13 deposits have accumulated in parts of the Central Valley. These deposits include thick clays that
14 act as confining layers for groundwater. However, these clay deposits are not found in the
15 region. Instead, the most recent deposits in the region are floodplain deposits, consisting of clay,
16 silt, and some sand. In Stockton, these deposits include muck, peat, and other highly organic
17 soils. The potential for fossils to occur and to be found is a concern during any excavation,
18 depending on the depth of excavation. According to the general plan background report (City of
19 Stockton 2007a), fossils are likely to be encountered below the upper 5 to 10 feet of sediment.

20 Geologic units at the proposed site and vicinity (including alternative sites) consist of Cenozoic,
21 Quaternary, and Alluvium. Surface soils in the project vicinity consist of gravelly loam to
22 clayey loam to a depth of approximately 5 feet, which is underlain by alluvium, according to the
23 Phase I Environmental Site Assessment Report (Earth Tech 2008) prepared for this site. These
24 soils are well-drained with intermediate holding capacity.

25 As discussed in the City of Stockton General Plan Background Report, paleontological resources
26 are fossils or groups of fossils that are unique, unusual, rare, uncommon or important, and add to
27 an existing body of knowledge in specific areas. Fossil remains range in size and type. Surface
28 examination of a study or proposed project area often does not reveal whether paleontological
29 resources are present at a particular location. However, fossils occur infrequently, and large
30 fossil collections typically do not occur in eroded areas and flat sediment areas.

31 **4.4.2 Analytical Framework**

32 **404.2.1 Analytical Methodology**

33 Analysts derived this geological information from the City of Stockton General Plan, Phase I
34 environmental site assessments, and a paleontological resource search completed at the
35 University of California Museum of Paleontology at Berkeley.

1 **4.4.2.2 Regulatory Background**

2 The California Uniform Building Code, Title 24, prescribes engineering design standards,
3 including those related to seismic design, for buildings.

4 The City of Stockton relies on the California Uniform Building Code and the City Municipal
5 Code, Chapter 13, for engineering project review. The City of Stockton General Plan also
6 contains general provisions related to geologic issues.

7 Paleontological resource search completed at the University of California Museum of
8 Paleontology at Berkeley.

9 **4.4.2.3 Standards of Significance**

10 The AOC considers an impact to be significant if the proposed project will:

- 11 • Expose people or structures to potential substantial adverse effects involving rupture
12 of a known earthquake fault;
- 13 • Expose people or structures to potential substantial adverse effects involving strong
14 seismic ground shaking;
- 15 • Expose people or structures to potential substantial adverse effects involving ground
16 failure (including subsidence or liquefaction- induced lateral spreading);
- 17 • Expose people or structures to potential substantial adverse effects involving
18 expansive soil;
- 19 • Destroy a unique paleontological resource or site;
- 20 • Expose people or structures to potential substantial adverse effects involving
21 landslides;
- 22 • Expose people or structures to potential substantial adverse effects involving soil
23 erosion or the loss of topsoil; or
- 24 • Destroy a unique geological feature.

25 **4.4.3 Potential Impacts and Mitigation Measures**

26 **4.4.3.1 Rupture of a Known Earthquake Fault**

27 **Potential Impact: Expose people or structures to potential substantial adverse effects involving**
28 **rupture of a known earthquake fault?—Less than Significant.** As noted above, the Hayward
29 and Calaveras Faults are approximately 48 miles to the west. No active faults are located within
30 1 mile of the site. Therefore, there is a very minor potential for ground rupture as a result of a
31 significant seismic event. The AOC concludes that the potential impact is less than significant.

32 **Mitigation Measures:** None required.

1 **4.4.3.2 Strong Seismic Ground Shaking**

2 **Potential Impact: Expose People or Structures to Potential Substantial Adverse Effects**
3 **Involving Strong Seismic Ground Shaking—Less than Significant.** As noted above, the
4 Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to
5 regional faults suggests only a low to moderate potential for ground shaking. The AOC will
6 complete a geotechnical investigation during its design process, and the building’s designers will
7 incorporate the investigation’s results into design requirements that comply with the State
8 Uniform Building Code. Therefore, the AOC concludes that the potential impact is less than
9 significant.

10 *Mitigation Measures:* None required.

11 **4.4.3.3 Ground Failure**

12 **Potential Impact: Expose people or structures to substantial adverse effects involving ground**
13 **failure (including subsidence or liquefaction-induced lateral spreading)—Less than**
14 **Significant.** According to the Phase I environmental site assessment report prepared by Earth
15 Tech (Earth Tech 2008), no specific liquefaction hazard areas have been identified at the site.
16 Given the presence of both shallow to moderate groundwater (6 to 14 feet deep) and alluvial
17 soils, potentially significant impacts from liquefaction may occur in the event of a major (6.0 or
18 above) earthquake; however, as noted above, the Hayward and Calaveras Faults are
19 approximately 48 miles to the west, and the distance to regional faults suggests a low to
20 moderate potential for ground shaking. The AOC will complete a geotechnical investigation
21 during its design process, and the building’s designers will incorporate the investigation’s results
22 into design requirements that comply with the State Uniform Building Code. Therefore, the
23 AOC concludes that the potential ground failure impact is less than significant.

24 *Mitigation Measures:* None required.

25 **4.4.3.4 Expansive Soils**

26 **Potential Impact: Expose people or structures to potential substantial adverse effects involving**
27 **expansive soil?—Less than Significant.** Based on the soils present at the proposed project site,
28 the potential that expansive soils will expose people or buildings to substantial adverse effects is
29 not significant. The AOC will complete a geotechnical investigation during its design process,
30 and the building’s designers will incorporate the investigation’s results into design requirements
31 that comply with the State Uniform Building Code. Therefore, the AOC concludes that the
32 potential expansive soils impact is less than significant.

33 *Mitigation Measures:* None required.

1 **4.4.3.5 Unique Paleontological Resource**

2 **Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant.**

3 Construction of the proposed project could result in direct or indirect destruction of a unique
4 paleontological resource or site. The proposed project’s construction operations will include
5 excavations for the building.

6 Fossils are known to occur in the project vicinity; thus, the potential for fossils to be found is a
7 concern during excavation. The general plan background report (City of Stockton 2007a)
8 indicates that fossils are likely to be encountered below the upper 5 to 10 feet of sediment.
9 According to AOC Senior Project Manager, Steve Sundman (AOC 2008c), the main excavation
10 for the building will stay above the ground water surface elevation, which extends to an average
11 of 15 feet below the surface. However, caissons and piles under the tower will extend much
12 farther down. The adjacent county building encountered a mammoth bone at 90 feet;
13 excavations at that depth are conceivable. However, design plans have not yet been finalized;
14 thus, excavation depths can only be estimated at this time. A mitigation measure has been added
15 to reduce the level of impact to less than significant, in the event that paleontological resources
16 were encountered during construction of the project.

17 *Mitigation Measures:* The following mitigation measure will reduce impacts to paleontological
18 resources to less than significant.

19 **Geology 1**—If paleontological resources are encountered during construction, all
20 work will be halted within a 30-foot radius of the finding, and a qualified
21 paleontologist will evaluate the discovery, determine its significance, and provide
22 proper management recommendations. Project personnel will not collect
23 paleontological resources

24 **4.4.3.6 Landslides, Erosion, or Loss of Topsoil, Unique Geological Features**

25 **Potential Impact—No Impact.** These impacts were discussed in the Initial Study, and the AOC
26 determined that the proposed project will have no impact.

27 *Mitigation Measures:* None required.

28 **4.5 HAZARDS AND HAZARDOUS MATERIALS**

29 This section evaluates the potential impacts of the project in terms of hazards and hazardous
30 materials.

31 **4.5.1 Environmental Setting**

32 The elevation at the proposed project site is 15 feet above sea level, and the general topographic
33 gradient is west. The elevation profiles of the surrounding topography ranges from 14 feet above
34 sea level to 19 feet in the north: south direction and 0 feet above sea level to 22 feet in the east:
35 west direction.

1 Site-specific hydrogeological data were collected for a site (McCormick & Baxter Creosoting
2 Co.) located within 0.5 to 1.0 mile west-southwest of the proposed project site. The measured
3 depth to groundwater for the McCormick & Baxter site is 16 to 40 feet. The surficial aquifer
4 flow direction is east, and the surficial aquifer recharges the lower aquifer.

5 The largest airport in or near the City of Stockton is the Stockton Metropolitan Airport, 4 miles
6 from the proposed project. The project site is outside the airport's Area of Influence, which
7 includes the following zones:

- 8 • Conical Zone,
- 9 • Horizontal Zone,
- 10 • Inner Approach Zone,
- 11 • Outer Approach Zone,
- 12 • Primary Surface Zone,
- 13 • Runway Protection Zone, and
- 14 • Transitional Zone.

15 Five other airports in San Joaquin County are located outside Stockton and are smaller than the
16 Stockton Metropolitan Airport. They are the Tracy, Jerusalem, Lodi Linds, and Kingdon
17 Airports, and the Lodi Airpark. There is also a military airfield at the Sharpe Army Depot (8 to
18 12 miles south) and several private airstrips used primarily by crop dusting aircraft. The project
19 site is located in the downtown urban core, whereas crop dusting aircraft typically fly above and
20 in the vicinity of agricultural fields that are located well outside the urban core.

21 The Federal Aviation Administration has established review requirements for proposed
22 structures that will rise above a line extending from the centerline of an airport runway longer
23 than 3,200 feet (all airports in the county) at a slope of 100 feet horizontal to 1 foot vertical
24 (San Joaquin County Council of Governments 1993). Proposed structures that will exceed the
25 height of these lines are required to file a Notice of Proposed Construction or Alteration with
26 the Federal Aviation Administration.

27 The AOC's Phase 1 Environmental Site Assessment (Earth Tech 2008) for the proposed
28 project site concluded that no recognized environmental conditions were identified, but that
29 three existing leaking underground storage tank cases might be affecting the shallow
30 groundwater beneath the property. These three cases include:

- 31 • Weber Block located at Weber Avenue and El Dorado Street;
- 32 • Motor Pool and San Joaquin County Support Services at 222 East Weber Avenue;
33 and
- 34 • San Joaquin County Motor Pool at 130 N. Hunter Street.

- 1 • **Weber Block located at Weber Avenue and El Dorado Street:** Although this case
2 is potentially downgradient of the proposed project site, its close proximity, 250 feet,
3 makes it a potential environmental concern. Shell Oil operated at the site between
4 1955 and 1984, which involved at least three leaking underground storage tanks.
5 Removal actions, groundwater extraction and treatment, and a Preliminary
6 Endangerment Assessment were completed. A deed restriction has been imposed
7 prohibiting day care, elder care, and hospital centers at the site. Voluntary cleanup
8 has been entered into with the Stockton Department of Housing and Development and
9 the Department of Toxic Substances Control (DTSC). No excavation is allowed;
10 only groundwater extraction is allowed (Earth Tech 2008). This site has been closed,
11 and the Central Valley Regional Water Quality Control Board issued a No Further
12 Action letter. There are deed restrictions for commercial industrial uses on the
13 property, now known as Dean DeCarli Waterfront Square, rather than Weber Block
14 (City of Stockton, 2008f);
- 15 • **Motor Pool and San Joaquin County Support Services at 222 East Weber**
16 **Avenue:** This case is up gradient of the Property. The leaks involved methyl tertiary
17 butyl ether and gasoline from multiple underground storage tanks. The status is listed
18 as “Remedial action underway.” This site may be of environmental concern to the
19 property based on its very close proximity, 332 feet to the northeast (Earth Tech
20 2008); and
- 21 • **San Joaquin County Motor Pool at 130 North Hunter Street:** This case is
22 upgradient of the property and is reported to have had gasoline releases that affected a
23 drinking water aquifer. Methyl tertiary butyl ether has also been detected. The status
24 was not identified in the Phase I Environmental Site Assessment. This site is reported
25 to have generated unspecified organic liquid wastes and oil wastes. This case may be
26 an environmental concern to the property due to its close proximity, 448 feet to the
27 north- northeast (Earth Tech 2008). The Coy Parking Garage is now on this site. The
28 city was assigned rights under the leaking underground storage tank program and has
29 completed most of the required cleanup. Groundwater monitoring wells are being
30 installed within the parking garage and are scheduled for completion by the end of
31 2008 (City of Stockton 2008f).

32 **4.5.2 Analytical Framework**

33 **4.5.2.1 Analytical Methodology**

34 The EIR’s analysts conducted a document search and site reconnaissance to observe the
35 environmental conditions of the project site to evaluate the project’s potential impacts from
36 and on hazards and hazardous materials. The AOC’s evaluation of hazards and hazardous
37 materials on and near the proposed New Stockton Courthouse Project included the following
38 information:

- 1 • Phase I Environmental Site Assessment (Earth Tech 2008);
- 2 • Review of American Society for Testing and Material standard environmental records
- 3 searches that were performed by Environmental Data Resources during the Phase I
- 4 Environmental Site Assessment (Earth Tech 2008);
- 5 • Review of the proposed project with respect to compliance with federal, state, and
- 6 local legal requirements pertaining to hazards and hazardous materials;
- 7 • Review of the Stockton General Plan 2035 (City of Stockton 2007a); and
- 8 • Field notes from site visits conducted July 30, 2008 and September 9, 2008.

9 **4.5.2.2 Regulatory Background**

10 Federal and state statutes require that hazards and hazardous materials be identified and listed in
11 the public record. This section describes the major regulatory authorities for these lists of
12 hazardous materials. The City of Stockton also has drafted new policies on the safe handling of
13 hazardous materials in its Stockton General Plan 2035 (City of Stockton 2007a).

14 **Federal**

15 The Comprehensive Environmental Response, Compensation, and Liability Act, also known as
16 Superfund, requires the listing of hazardous substances in the Comprehensive Environmental
17 Response, Compensation, and Liability Information System database. This database lists known
18 or suspected uncontrolled or abandoned hazardous waste sites. Sites listed in this database have
19 been investigated or are currently under investigation by EPA.

20 The Resource Conservation and Recovery Act requires the listing of hazardous waste sites in the
21 Resource Conservation and Recovery Information System database. This database contains
22 information on small quantity generators, generating between 100 and 1,000 kilograms of
23 hazardous waste per month, and large quantity generators, generating more than 1,000 kilograms
24 per month.

25 **State**

26 The Hazardous Materials Release Response Plans and Inventory Act, also known as the
27 California Business Plan Act, requires listing facilities that are subject to this law. Each facility
28 that is subject to this act is required to prepare a hazardous materials business plan that describes
29 its facility, inventories, emergency response plans, and training programs.

30 The Hazardous Waste Control Act requires the safe management, handling, and transport of
31 hazardous waste within the State of California. The requirements include identifying and
32 classifying, generating and transporting, and designing and permitting recycling, treatment,
33 storage, and disposal facilities. Treatment standards, operation of facilities and staff training,
34 closure of facilities, and liability requirements are also addressed under this act.

1 **Local**

2 Stockton General Plan 2035 contains policies on the safe handling of hazardous materials,
3 including the transport of hazardous materials within the city, the identification of facility
4 owners, compilation of a hazardous materials inventory, and the development of an inspection
5 process.

6 Emergency management of hazardous materials is also addressed in the General Plan 2035.
7 New policies specify that the city will coordinate with local, state, and federal agencies to
8 establish, maintain, and test a coordinated emergency response system that addresses a full range
9 of hazardous conditions. Major access and evacuation corridors and coordinated geographic
10 information system planning for emergency response are also addressed.

11 **4.5.2.3 Standards of Significance**

12 The AOC considers an impact to be significant if the proposed project will:

- 13 • Produce a substantial safety hazard in the vicinity of an airport or airstrip for people
14 visiting or working in the project area;
- 15 • Create a hazard to the public or the environment that is substantial; or
- 16 • Is located on a site that is included on a list of hazardous materials sites compiled
17 pursuant to Government Code Section 65962.5 and will create a significant hazard to
18 the public or the environment.

19 **4.5.3 Potential Impacts and Mitigation Measures**

20 **4.5.3.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People**
21 **Visiting or Working in the Project Area**

22 **Potential Impact: Result in a safety hazard in the vicinity of an airport or airstrip for people**
23 **visiting or working in the project area?—Less than significant.** The proposed project is not
24 located in close proximity to any airport. The closest airport is 4 miles to the south, and the
25 proposed site is not located within the Federal Aviation Administration’s Area of Influence for
26 that airport (San Joaquin County Council of Governments 1993). Therefore, the proposed
27 project will not result in a safety hazard in the vicinity of an airport or airstrip for people visiting
28 or working in the project area, and the potential impact is less than significant.

29 **Mitigation Measures:** None required.

1 **4.5.3.2 Public Exposure to Hazards**

2 **Potential Impact:** *Be located on a site that is included on a list of hazardous materials sites*
3 *compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a*
4 *significant hazard to the public or the environment?—Potentially Significant.* These impacts
5 were discussed in the Initial Study and above in Section 4.05.1. There are three off-site leaking
6 underground storage tanks that are potential sources in close proximity to the proposed project
7 site that pose a potentially significant impact.

8 **Mitigation Measures:** The following mitigation measure will reduce public exposure to hazard
9 impacts to less than significant.

10 **Hazards 1—** The AOC ~~will~~ conducted a Phase II Environmental Site Assessment (April
11 2009) to provide additional data for evaluating the potential for future exposure to
12 hazardous materials that may be affecting the shallow groundwater beneath the proposed
13 project site. ~~This~~ If the Phase II Environmental Site Assessment identified, no additional
14 hazardous materials above regulatory action levels. However, the AOC will continue to
15 monitor the construction site for hazardous materials and, if any are discovered, will
16 remediate the site by removing the contaminated materials and sources of contamination,
17 and will dispose of the materials in full compliance with all legal requirements.

18 ~~**Hazards 2—** If hazardous materials are found during excavation of the project site~~
19 ~~for the new courthouse, the AOC will remediate the site by removing the~~
20 ~~contaminated materials and sources of contamination and will dispose of the~~
21 ~~materials in full compliance with all legal requirements.~~

22 **4.5.3.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland Fires**

23 **Potential Impact—No Impact.** The AOC discussed these impacts in the Initial Study, and the
24 AOC concluded that the proposed project will have no impact.

25 **Mitigation Measures:** None required.

26 **4.6 HYDROLOGY AND WATER QUALITY**

27 This section evaluates the potential impacts of the project in terms of hydrology and water quality.

28 **4.6.1 Environmental Setting**

29 The proposed project site and the surrounding area are level and located in a fully developed
30 area. The Mormon Slough flows east to west approximately 7 blocks south of the proposed
31 project site and into the Stockton Deep Water Channel. There are no waterways adjacent to the
32 proposed project site. Storm water and surface water discharge by sheet flow to street gutter
33 storm drains and to storm drains in paved parking lots and percolates directly into the landscaped
34 portions of the project site (Earth Tech 2008).

1 The AOC will design the new courthouse building to meet criteria for a LEED Silver-certified
2 building. Specific requirements to reduce impacts to water quality will be incorporated into the
3 design, including a system of water retention to limit overloading storm drains with site runoff.

4 **4.6.2 Analytical Framework**

5 **4.6.2.1 Analytical Methodology**

6 The EIR's analysts reviewed currently existing conditions at the site and in the vicinity to
7 evaluate the project's potential impacts on hydrology and water quality. The analyst also
8 reviewed the state's General Permit for Stormwater Discharges Associated with Construction
9 Activities, as well as regulations of the City of Stockton, Municipal Utilities Department,
10 Stormwater Management Division. The potential impacts of the project on hydrology and water
11 quality were evaluated by considering both construction and operational impacts of the proposed
12 project.

13 **4.6.2.2 Regulatory Background**

14 The California Water Resources Control Board, through the Central Valley Regional Water
15 Quality Control Board, regulates waste discharges into waters of the state through the National
16 Pollutant Discharge Elimination System (NPDES) permit system. Under the NPDES permit,
17 construction projects larger than 1 acre must obtain coverage under the statewide general
18 construction permit through development of a storm water pollution prevention plan (SWPPP).

19 The SWPPP identifies potential pollutant sources that may affect the quality of discharge
20 associated with construction, identifies non-storm water discharges, and designs use and
21 placement of best management practices to effectively prohibit entry of pollutants from the
22 construction site into the storm drain system during construction. Best management practices for
23 erosion and sediment source control must be considered for both active and inactive (previously
24 disturbed) construction areas. Best management practices for wind erosion and dust control are
25 also included (California Storm Water Quality Association 2006).

26 The SWPPP must include a site map and a description of the proposed construction, along with a
27 demonstration of compliance with relevant local ordinances and regulations and an overview of
28 best management practices that will be implemented to prevent soil erosion and discharge of
29 other construction-related pollutants that could contaminate nearby water resources. Permittees
30 are further required to conduct annual monitoring and reporting to ensure that best management
31 practices are correctly implemented and effective in controlling the discharge of stormwater-
32 related pollutants. The Stormwater Management Division within the City of Stockton's
33 Municipal Utilities Department has developed the Model Stormwater Pollution Prevention Plan
34 for Construction Activities (City of Stockton MUD 1997).

1 In addition to the requirement for a SWPPP, a water quality management plan (WQMP) is
2 required for the operational phase of the project. The city’s stormwater management plan
3 contains specific requirements for preparing and submitting the WQMP.

4 **4.6.2.3 Standards of Significance**

5 The AOC considers an impact to be significant if the proposed project will:

- 6 • Violate any water quality standards or waste discharge requirements;
- 7 • Create or contribute runoff water that will exceed the capacity of existing or
8 planned storm water drainage systems or provide substantial additional sources of
9 polluted runoff;
- 10 • Substantially deplete groundwater supplies or interfere substantially with
11 groundwater recharge so that there will be a net deficit in aquifer volume or a
12 lowering of the local groundwater table level;
- 13 • Substantially degrade water quality;
- 14 • Substantially alter the existing drainage pattern of the site or area, including through the
15 alteration of the course of a stream or river, in a manner that will result in substantial
16 erosion or siltation on site or off site, or result in flooding on site or off site.;
- 17 • Place housing within a 100-year flood hazard area, or place structures within a
18 100-year flood hazard area that will impede or redirect flood flows; or
- 19 • Expose people or structures to a significant risk of loss, injury, or death involving
20 flooding, including flooding as a result of the failure of a levee or dam, or involving
21 inundation by seiche, tsunami, or mudflow.

22 **4.6.3 Potential Impacts and Mitigation Measures**

23 **4.6.3.1 Water Quality Standards**

24 **Potential Impact: Violate any water quality standards or waste discharge requirements?—Less**
25 **than Significant.** During construction, the construction contractor will excavate the proposed
26 project site, stockpile soil, and grade the sited. Site preparation and excavation could expose
27 loose soil to potential erosion and potential movement off site.

28 Potential water quality and stormwater impacts caused by project construction will be less than
29 significant since the project will involve only a limited area of disturbance (approximately 1.2
30 acres) and based on the distance to the nearest waterway and the temporary nature of construction.
31 Furthermore, since the project site is subject to the State’s General Permit for Stormwater
32 Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the
33 construction contractor must secure approval of an SWPPP and implement the plan. In addition,
34 the AOC intends to include project features that will secure a LEED Silver certification for the
35 project; these features will include runoff control measures such as bioswales to control runoff. In

1 light of the SWPPP and the LEED measures, the AOC concludes that runoff during operation of
2 the proposed project will be less than significant.

3 *Mitigation Measures:* None required.

4 **4.6.3.2 Stormwater Runoff and Erosion**

5 ***Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or***
6 ***planned storm water drainage systems or provide substantial additional sources of polluted***
7 ***runoff?—Less than Significant.*** The proposed project site is currently a parking area and
8 fountain, and the site has flat topography and is adjacent to the city’s storm drain system. The
9 proposed building may slightly increase the amount of impervious area. Potential runoff and
10 erosion impacts caused by project construction will be less than significant since the project will
11 involve only a limited area of disturbance (about 1 acre) and based on the temporary nature of
12 construction. Furthermore, since the project site is subject to the state’s General Permit for
13 Stormwater Discharges Associated with Construction Activities (Water Quality Order
14 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the
15 plan. In addition, the AOC intends to include project features that will secure a LEED Silver
16 certification for the project; these features will include runoff control measures such as bioswales
17 to control runoff. In light of the SWPPP and the LEED measures, the AOC concludes runoff
18 during operation of the proposed project will be less than significant.

19 *Mitigation Measures:* None required.

20 **4.6.3.3 Groundwater; Erosion and Flooding; 100-year Flood Hazard Area Failure of** 21 ***Levees or Dams; Inundation by Seiche, Tsunami, or Mudflow***

22 ***Potential Impact—No Impact.*** These impacts were discussed in the Initial Study, and the AOC
23 concluded that the proposed project will have no impact. The proposed project site is not located
24 within the 100-year floodplain of the 2008 Federal Emergency Management Agency (FEMA) maps.

25 *Mitigation Measures:* None required.

26 **4.7 LAND USE, PLANS, AND POLICIES**

27 This section evaluates the project’s potential impacts on land use.

28 **4.7.1 Environmental Setting**

29 The proposed project site is an approximately 1-acre lot immediately adjacent to the existing
30 Courthouse and Administration building at 222 East Weber Avenue. A parking area occupies
31 the northern portion of the parcel, and a small park with a pool occupies the southern portion of
32 the parcel. The site has a lawn area and trees. Properties surrounding the proposed project site
33 include the Courthouse and Administration Building, the Main Street pedestrian mall with its
34 fountain, commercial business, and a bank (Bank of America).

1 The Downtown Stockton Alliance holds a Farmer’s Market on Main Street in front of the Bob
2 Hope Theatre and on the Main Street pedestrian mall every Friday morning during May through
3 October. The Downtown Stockton Alliance is evaluating plans for the market (Destination
4 Development, Inc. 2008). The AOC understands that the Downtown Stockton Alliance plans to
5 move the market from the current Main Street location to a permanent facility in a different
6 location in downtown Stockton (AOC 2008d).

7 **4.7.2 Analytical Framework**

8 **4.7.2.1 Analytical Methodology**

9 The EIR’s analysts reviewed applicable land use regulations to evaluate the project’s potential
10 impacts on land use. These land use plans include:

- 11 • Stockton General Plan 2035 (Goals and Policies, Background Report, and Draft EIR);
- 12 • Stockton Municipal Code and Development Code;
- 13 • Redevelopment plans including Downtown Strategic Action Plan and Great
14 Downtown Stockton Housing Strategy; and
- 15 • San Joaquin County Airport Land Use Plan.

16 **4.7.2.2. Regulatory Background**

17 **Stockton General Plan**

18 The proposed project site is located within the downtown area of the City of Stockton. Land
19 surrounding the proposed project site is designated Commercial. This designation allows for a
20 wide variety of retail, service, and commercial recreational uses, business, medical and
21 professional offices, residential uses, public and quasi-public uses, and other similar and
22 compatible uses (City of Stockton 2007a). The Hunter Square area currently has not been
23 assigned a land use designation under the general plan. Actions to assign the property a land use
24 designation will require a general plan amendment.

25 **Stockton Municipal Code**

26 Land surrounding the proposed project site is currently zoned CD, Commercial Downtown, and
27 is developed as such. The intent of this zoning district is to encourage a mixture of high-
28 intensity uses to create a lively, pedestrian-friendly environment, with high visual quality.
29 Appropriate uses include large-scale commercial offices and office support uses, high-density
30 residential development, tourist and lodging-oriented uses, and governmental facilities (City of
31 Stockton 2007b). The project site does not currently have a zoning designation.

1 **Redevelopment Plans**

2 The Downtown Strategic Action Plan, though not a land use plan, describes goals for downtown.
3 These goals suggest infill development, removing blight, and development of projects and
4 businesses to encourage use and safety within the downtown core (Stockton Downtown Action
5 Team 2006).

6 The Greater Downtown Stockton Housing Strategy (Stockton Community Development
7 Department 2007) includes the proposed project site. This plan does not provide specific details
8 for the proposed project site.

9 **Airport Land Use Plan**

10 San Joaquin County developed the airport land use plan in 1993. This plan discusses the
11 influence of airports in the county on surrounding land uses. The airport closest to the proposed
12 project site is the Stockton Municipal Airport, which is 4 miles south. The proposed project site
13 is located outside of the Federal Aviation Authority's Area of Influence for this airport (San
14 Joaquin County Council of Governments. 1993).

15 **4.7.2.3 Standards of Significance**

16 The AOC considers an impact to be significant if the proposed project will:

- 17 • Conflict with any applicable land-use plan, policy, or regulation of an agency with
18 jurisdiction over the project adopted for the purpose of avoiding or mitigating an
19 environmental effect, or
- 20 • Physically divide an established community.

21 **4.7.3 Potential Impacts and Mitigation Measures**

22 **407.3.1 Conformance with Local Plans and Policies**

23 **Potential Impact (Construction): Conflict with any applicable land-use plan, policy, or**
24 **regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding**
25 **or mitigating an environmental effect?—Potentially Significant.** The proposed project may
26 affect the Downtown Alliance's Farmer's Market and the city's policy of supporting the
27 downtown Farmer's Market. As noted in Section 4.07.1, the AOC understands that the
28 Downtown Business Alliance is planning to adopt the recommendation of its marketing
29 consultant to relocate the downtown Farmer's Market (Destination Development, Inc. 2008).
30 During construction of the courthouse, the project's presumed use of the Main Street segment
31 between San Joaquin Street and Hunter Street for project-related traffic may conflict with
32 operation of the Farmer's Market on Fridays during April, May, June, July, August, September,
33 and October. This impact is potentially significant.

1 The following mitigation measure will reduce the impact to this resource to less than significant.

2 *Mitigation Measure:*

3 **Land Use 1**—If the Downtown Alliance has not moved the Farmer’s Market before
4 construction of the proposed courthouse begins, the AOC’s construction contractor will
5 close its staging area’s Main Street driveway from 10:30 a.m. to 1:30 p.m. on Fridays
6 when the Downtown Stockton Alliance is holding the Farmer’s Market on Main Street.

7 ***Potential Impact (Post-Construction, Operation, and Maintenance): Conflict with any***
8 ***applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project***
9 ***adopted for the purpose of avoiding or mitigating an environmental effect?—Less Than***
10 ***Significant.*** The proposed project site is currently a street and is not a formal parcel. The
11 project will create a new assessor’s parcel with commercial zoning designation and land use
12 designation. Since the project will not conflict with land use policies, the AOC concludes that
13 the project’s impacts will be less than significant.

14 After construction of the proposed courthouse is complete, the AOC presumes that the Farmer’s
15 Market will no longer operate on Main Street between San Joaquin Street and Hunter Street, and
16 courthouse-related traffic will not conflict with the Farmer’s Market. Therefore, there will be no
17 impact.

18 *Mitigation Measures:* None required.

19 **4.7.3.2 Physically Divide a Community**

20 ***Potential Impact: Physically divide a community?—No Impact.*** This impact was discussed in
21 the Initial Study, and the AOC concluded that the proposed project will have no impact.

22 *Mitigation Measures:* None required.

23 4.8 NOISE

24 This section addresses potential noise and vibration impacts from stationary sources and
25 temporary construction caused by the project. This analysis uses noise levels from typical
26 construction equipment to estimate corresponding noise levels at sensitive receptor locations.

27 **4.8.1 Environmental Setting**

28 **4.8.1.1 Noise Background**

29 Noise is defined as unwanted sound. Sound, traveling in the form of waves from a source, exerts
30 a sound pressure level (referred to as sound level) that is measured in decibels (dB), with zero dB
31 corresponding roughly to the threshold of human hearing and 120 dB to 140 dB corresponding to
32 the threshold of pain.

1 Pressure waves traveling through air exert a force registered by the human ear as sound. The
 2 typical human ear is not equally sensitive to all frequencies of the audible sound spectrum
 3 (20 hertz [Hz] to 20,000 Hz). As a result, when potential noise impacts are assessed, sound is
 4 measured using an electronic filter that de-emphasizes the frequencies below 1,000 Hz and
 5 above 5,000 Hz in a manner corresponding to the decreased sensitivity of the human ear to low
 6 and extremely high frequencies. This method of frequency weighting is referred to as
 7 A-weighting and is expressed in units of A-weighted decibels (dBA). Frequency A weighting
 8 follows an international standard method of frequency de-emphasis and is typically applied to
 9 community noise measurements. In practice, the level of a sound source is measured using a
 10 sound level meter that includes an electrical filter corresponding to the A-weighting curve. All
 11 of the noise levels reported are A-weighted unless otherwise stated.

12 Some representative noise sources and their corresponding A-weighted noise levels are shown in
 13 Table 4-13.

14 **Table 4-13: 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		Broadcast / recording studio
0	Lowest threshold of human hearing	Lowest threshold of human hearing

15 Source: Modified from Caltrans Technical Noise Supplement, 1998

16 **4.8.1.2 Noise Exposure and Community Noise**

17 An individual's exposure to noise is a measure of sound experienced over a period of time. A
 18 noise level is a measure of noise at a given instant in time. The noise levels presented in
 19 Table 4-13 represent noise measured at a given instant in time; however, they rarely persist
 20 consistently over long periods of time. Rather, community noise varies continuously over time
 21 because of the contributing sound sources in the community noise environment. Community
 22 noise is primarily the product of many distant noise sources that constitute a relatively stable
 23 background noise, and the individual contributors are usually indistinguishable. Background
 24 noise levels change throughout a typical day, but do so gradually, corresponding with the

1 addition and subtraction of distant noise sources such as traffic and wind. Community noise is
2 constantly variable throughout a day, besides the slowly changing background noise, because
3 of the addition of short-duration, single-event noise sources, such as aircraft flyovers, passing
4 vehicles, or sirens, which are readily identifiable to the individual. These successive additions
5 of sound to the noise environment change the community noise level from instant to instant,
6 requiring noise exposure to be measured over a period of time to accurately characterize the
7 community noise environment and to evaluate noise impacts in qualitative terms. This
8 time-varying characteristic of environmental noise is described using statistical noise
9 descriptors. The most frequently used noise descriptors are:

- 10 • **Leq**—The equivalent sound level is used to describe noise over a specified period of
11 time, typically 1 hour, in terms of a single numerical value. The Leq is the constant
12 sound level that contains the same acoustic energy as the varying sound level during
13 the same time period (the average noise exposure level for the time period);
- 14 • **Lmax**—The instantaneous maximum noise level for a specified period of time;
- 15 • **L50**—The noise level that is equaled or exceeded 50 percent of the specified time.
- 16 • **L90**—The noise level that is equaled or exceeded 90 percent of the specified time.
17 The L90 is often considered the background noise level averaged over the specified
18 time;
- 19 • **DNL**—The Day/Night Average Sound Level is the 24-hour day and night A-weighted
20 noise exposure level, which accounts for the greater sensitivity of most people to
21 nighttime noise by weighting noise levels at night. Noise between 10:00 p.m. and
22 7:00 a.m. is weighted (penalized) by adding 10 dBA to take into account the greater
23 annoyance from nighttime noise;
- 24 • **Ldn**—The Ldn is the same as the DNL described above; and.
- 25 • **CNEL**—Similar to the DNL, the Community Noise Equivalent Level includes a 5
26 dBA increase for the evening hours between 7:00 p.m. and 10:00 p.m. and a 10 dBA
27 increase between the hours of 10:00 p.m. and 7:00 a.m.

28 **4.8.1.3 Effects of Noise on People**

29 The effects of noise on people can be categorized as follows:

- 30 • Subjective effects of annoyance, nuisance, and dissatisfaction;
- 31 • Interference with activities such as speech, sleep, and learning; and
- 32 • Physiological effects such as hearing loss or sudden startling.

33 Environmental noise typically produces effects in the first two categories. Workers in industrial
34 plants can experience noise in the last category. There is no completely satisfactory way to
35 measure the subjective effects of noise or the corresponding reactions of annoyance and

1 dissatisfaction. A wide variation in individual thresholds of annoyance exists, and different
2 tolerances to noise tend to develop based on an individual's experiences with noise.

3 Thus, an important way of predicting a person's reaction to a new noise environment is the way
4 it compares with the existing environment, where the person has already adapted: the "ambient
5 noise" level. In general, the more a new noise exceeds the previously existing ambient noise
6 level, the less acceptable the new noise will be judged by those hearing it. For increases in the
7 A-weighted noise level, the following relationships may occur (Caltrans 1998):

- 8 • Under controlled conditions in an acoustics laboratory, the trained healthy
9 human ear is able to discern changes in sound levels of 1 dBA;
- 10 • Outside these controlled conditions, the trained ear can detect changes of 2 dBA in
11 normal environmental noise;
- 12 • It is widely accepted that the average healthy ear, however, can barely perceive
13 changes in the noise level of 3 dBA;
- 14 • A change in level of 5 dBA is a readily perceptible increase in noise level, and
15 • A 10 dBA change is recognized as twice as loud as the original source.

16 These relationships occur in part because of the logarithmic nature of sound and the decibel
17 system. Two noise sources do not combine in a simple linear fashion, but rather logarithmically,
18 because the decibel scale is based on logarithms. For example, if two identical noise sources
19 produce noise levels of 50 dBA, the combined sound level will be 53 dBA, not 100 dBA.

20 **4.8.1.4 Noise Attenuation**

21 Stationary "point" sources of noise, including stationary mobile sources such as idling vehicles,
22 attenuate (lessen) at a rate of 6 dBA to 7.5 dBA each time the distance doubles from the source,
23 depending on the environment, such as atmospheric conditions and noise barriers, either vegetative
24 or manufactured. Widely distributed noises, such as a large industrial facility spread over many
25 acres or a street with moving vehicles (known as a "line" source) will typically attenuate at a lower
26 rate, approximately 3 to 4.05 dBA each time the distance doubles from the source, which also
27 depends on environmental conditions (Caltrans 1998). Noise from large construction sites will
28 exhibit characteristics of both "point" and "line" sources, and attenuation will therefore generally
29 range between 4.05 and 7.5 dBA each time the distance doubles.

30 **4.8.1.5 Sensitive Receptors**

31 Some land uses are considered more sensitive to ambient noise levels than others because of the
32 amount of noise exposure, in terms of both duration and insulation from noise, and the types of
33 activities typically involved. Receptors in residences, motels and hotels, schools, libraries,
34 churches, hospitals, nursing homes, auditoriums, and parks and other outdoor recreation areas
35 generally are more sensitive to noise than are commercial and industrial land uses. Sensitive

1 receptors in the vicinity of the project site include a private school approximately 100 feet west of
 2 the project site across the alley and residents of the Hotel Stockton, 200 feet north of the site across
 3 Weber Avenue. In addition, the Mansion House Apartments and Argonaut Hotel are 200 feet and
 4 250 feet northeast of the project site, across Weber Avenue. The existing courthouse and county
 5 administrative offices are located east of the project site. The other land uses surrounding the
 6 project site are commercial businesses.

7 **4.8.1.6 Existing Noise Environment**

8 The primary existing source of noise at the site is automobile and truck traffic on Weber Avenue.
 9 Construction noise from renovation of the County of San Joaquin’s administration offices site
 10 that is east of the project site also contributes to existing ambient noise levels in the area. No
 11 major stationary or industrial noise sources are located in close proximity.

12 One long-term (72-hour) and three short-term (10-minute) noise measurements were collected to
 13 characterize ambient noise conditions in the project vicinity. The noise measurement locations
 14 are described in [Table 4-14](#).

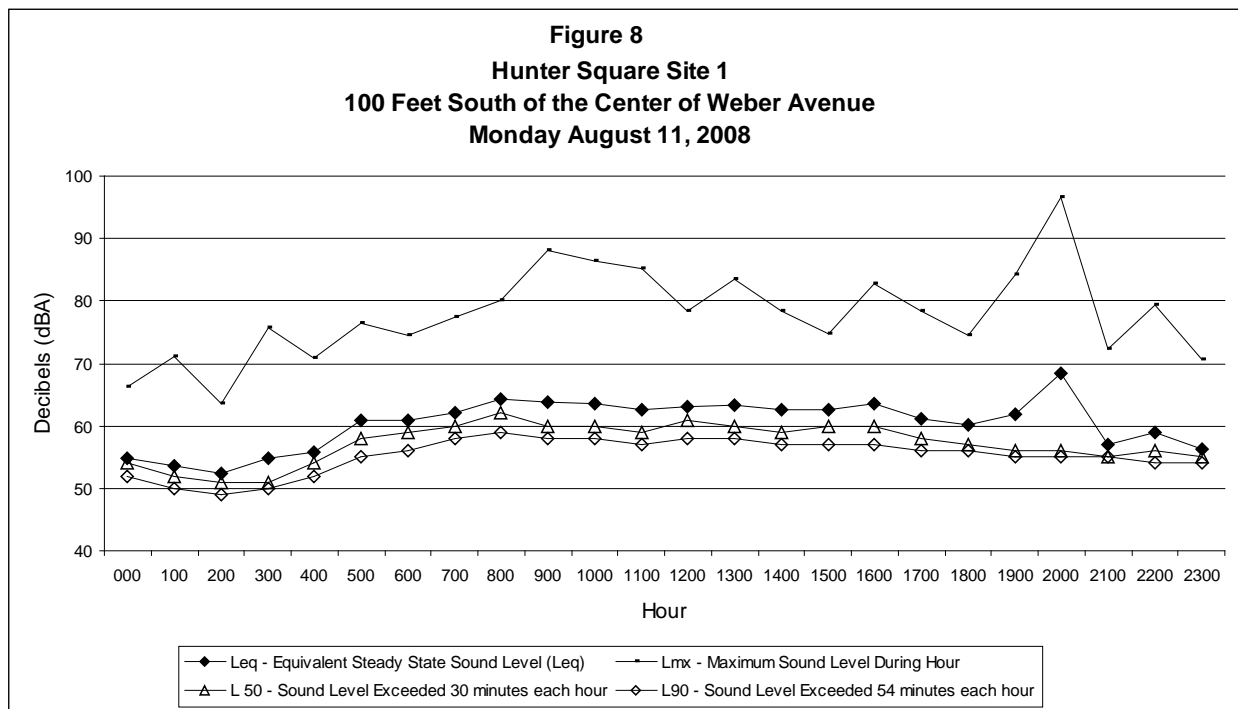
15 **Table 4-14: Summary of Existing Noise Measurements**

Location	Time Period	Leq (dBA)	Noise Sources
Site 1. At Hunter Square 100 feet south from the center of Weber Avenue.	24-hour Ldn measurements were: Mon. Aug. 11: 65 dBA Tues. Aug. 12: 65 dBA Wed. Aug. 13: 64 dBA	Hourly Average Leq range: Aug. 11: 52 – 68 Aug. 12: 51 – 69 Aug. 13: 52 – 64	Long-term measurements do not identify noise sources.
Site 1. At Hunter Square 100 feet south from the center of Weber Avenue.	Thursday August 14, 2008 10:42 - 10:52 a.m.	5-minute Leq 60, 62 dBA 5-minute L90 57, 58 dBA	Traffic from Weber Avenue was primary source of noise. Cars and some trucks. Maximum vehicle pass-by noise 62 to 65 dBA. Landscaping equipment (hedge trimmer) at 65 dBA.
Site 2. 100 feet from new building construction and 30’ east of existing courthouse	Thursday August 14, 2008 10:58 - 11:08 a.m.	5-minute Leqs 65, 65 dBA 5-minute L90 62, 61 dBA	Traffic and construction equipment was primary source of noise. Buses and trucks 65-68 dBA. Saw and miscellaneous construction equipment 64-69 dBA.
Site 3. 25 feet west of Hunter Square fountain	Thursday August 14, 2008 11:16 - 11:26 a.m.	5-minute Leq 68, 68 dBA 5-minute L90 67, 67 dBA	Fountain 68 dBA. Construction noise (jack hammering and sawing) two blocks south did not exceed fountain noise.

16 Source: Miller Environmental Consultants, 2008

1 **Figures 8 through 10** show the hour-by-hour noise measurements over the 3-day period of
 2 August 11 to 13, 2008 (Monday through Wednesday). These figures show that all three days
 3 experienced the lowest ambient sound levels at night (between 10 p.m. and 4 a.m.) and the
 4 highest levels during typical working hours (between 7 a.m. and 6 p.m.).

5 The 24-hour Ldn over the three-day period ranged from 64 to 65 dBA, and the hourly average
 6 noise levels (Leqs) ranged from 51 to 69 dBA. By comparison, the City of Stockton’s normally
 7 acceptable maximum allowable ambient noise exposure for office buildings is 65 Ldn.



8

9 **4.8.2 Analytical Framework**

10 **4.8.2.1 Analytical Methodology**

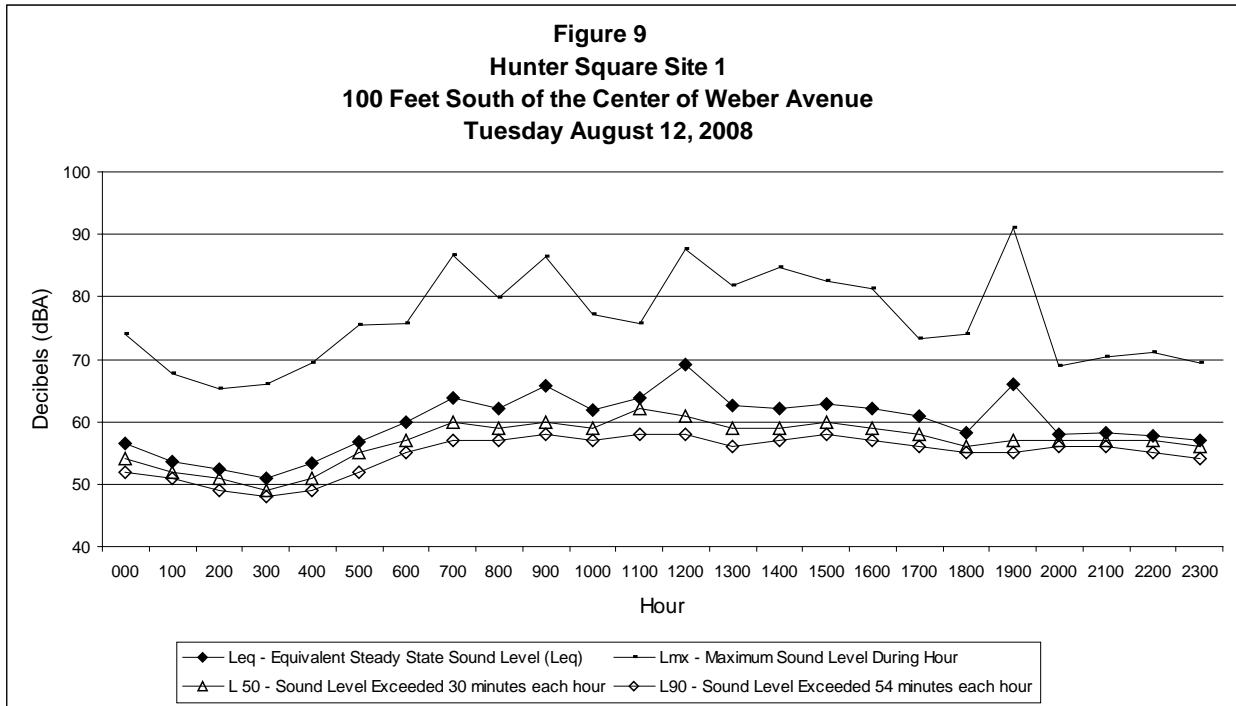
11 Metrosonics Model db308 sound level meters were used to measure current ambient noise levels.
 12 The meters were calibrated before the measurements to ensure their accuracy. The meters were
 13 programmed to record the maximum (Lmax), average (Leq), L50, and L90 noise levels. A
 14 summary of the noise level measurement results is provided in Table 4-14, and graphs of the
 15 24-hour measurements are provided in Figures 8 through 10.

16 **4.8.2.2 Regulatory Background**

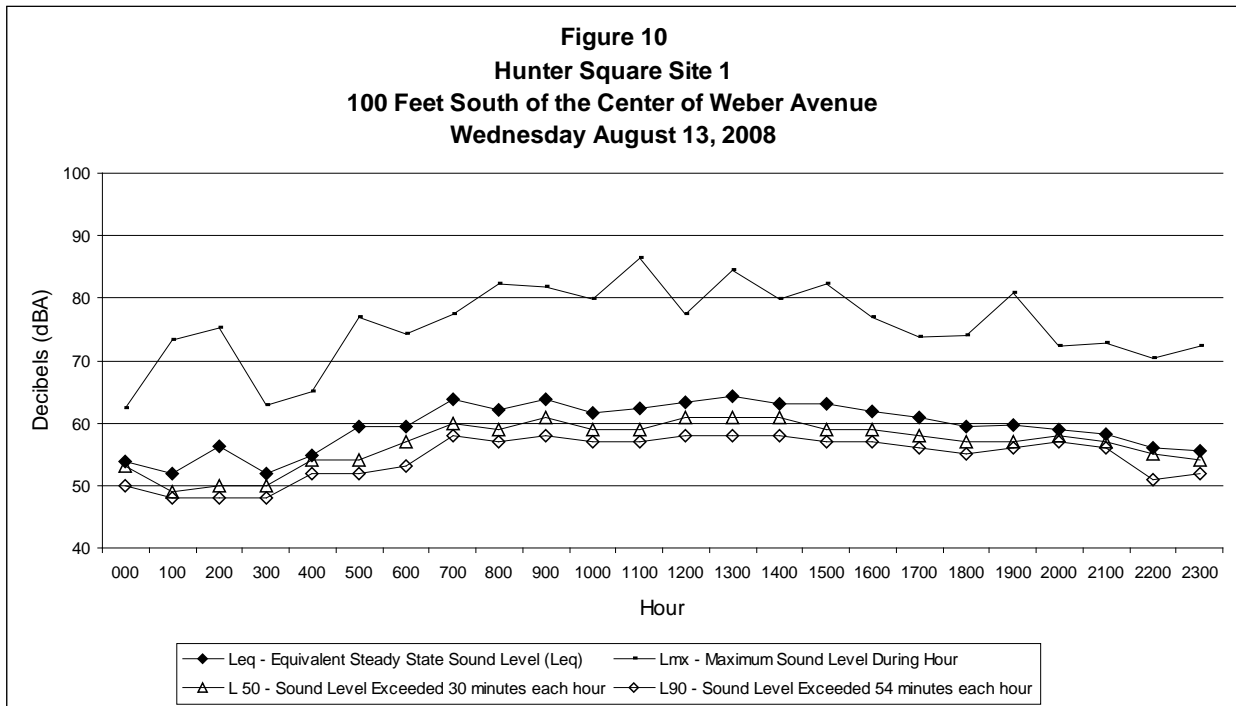
17 Federal, state, and local agencies regulate different aspects of environmental noise. Noise
 18 regulations established at different administrative levels, from federal to local, are described below.

1 **Federal**

2 Federal regulations establish noise limits for medium and heavy trucks (more than 4.05 tons, gross
 3 vehicle weight rating) under Title 40 Code of Federal Regulations (CFR) Part 205, Subpart B. The
 4 federal truck pass-by noise standard is 80 dB at 15 meters from the centerline of the vehicle
 5 pathway. These standards are implemented through regulatory controls on truck manufacturers.




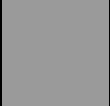


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7

8

1 **Table 4-15: Land Use Compatibility for Community Noise Environment**

Land Use Category	Community Noise Exposure - Ldn or CNEL (db)							
	50	55	60	65	70	75	80	
Residential – Low Density Single Family, Duplex, Mobile Home	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Residential – Multi-Family	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Transient Lodging – Motel/Hotel	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Schools, Libraries, Churches, Hospitals, Nursing Homes	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Auditorium, Concert Hall, Amphitheaters	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Sports Arena, Outdoor Spectator Sports	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Playgrounds, Neighborhood Parks	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Golf Courses, Riding Stables, Water Recreation, Cemeteries	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Office Buildings, Business, Commercial and Professional	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
Industrial, Manufacturing, Utilities, Agriculture	█			█		█	█	
	█			█		█	█	
	█			█		█	█	
	Normally Acceptable	Specified land use is satisfactory, based on the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.						
	Conditionally Acceptable	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.						
	Normally Unacceptable	New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirement must be made and needed noise insulation features included in the design.						
	Clearly Unacceptable	New construction or development generally should not be undertaken.						

3 Source: State of California, Governor’s Office of Planning and Research, General Plan Guidelines, 1998.

4

1 **State**

2 Title 4 CCR sets forth guidelines for evaluating the compatibility of various land uses as a function
3 of community noise exposure. The land use compatibility guidelines are listed in Table 4-15.

4 The State of California establishes noise limits for vehicles licensed to operate on public roads.
5 The pass-by standard for heavy trucks is consistent with the federal limit of 80 dB. The pass-by
6 standard for light trucks and passenger cars (less than 4.05 tons, gross vehicle rating) is also
7 80 dB at 15 meters from the centerline. These standards are implemented through controls on
8 vehicle manufacturers and by legal sanctions on vehicle operators by state and local law
9 enforcement officials.

10 The State of California has also established noise insulation standards for new multi-family
11 residences, hotels, and motels that will be subject to relatively high levels of transportation-
12 related noise. These requirements are collectively known as the California Noise Insulation
13 Standards (Title 24 CCR). The noise insulation standards set an interior standard of DNL 45 dB
14 in any habitable room. They require an acoustical analysis to demonstrate how dwelling units
15 have been designed to meet this interior standard where the units are proposed in areas subject to
16 exterior noise levels greater than DNL 60 dB. Title 24 standards are typically enforced by local
17 jurisdictions through the building permit application process.

18 **Local**

19 Local regulation of noise involves implementation of general plan policies and noise ordinance
20 standards. Local general plans identify general principles intended to guide and influence
21 development plans. General plans recognize different sensitivities toward the noise environment
22 for different types of land uses. Residential areas are generally considered the most sensitive
23 type of land use to noise, and industrial/commercial areas are generally considered the least
24 sensitive. Noise ordinances set the specific standards and procedures for addressing particular
25 noise sources and activities. Local noise ordinances typically set standards related to
26 construction, nuisance-type noise sources, and noise levels at the industrial property line. The
27 City of Stockton noise regulations and standards apply to the land uses near the project site.

28 City of Stockton General Plan

29 The City of Stockton has adopted noise compatibility guidelines for various land uses that are
30 contained in the Noise Element of the general plan (City of Stockton 2007a). The Stockton
31 General Plan refers to the county noise standards. As shown in Table 4-16, Stockton considers a
32 noise environment of up to 65 DNL acceptable for office buildings, business commercial and
33 professional, which is the category most similar to the courthouse. A noise environment of up to
34 75 DNL is allowed for new development of these types of uses only when a detailed analysis of
35 noise reduction requirements has been conducted and the best practicable and available noise
36 insulation features have been incorporated into the project design. These features for a courthouse
37 typically will involve construction with better-insulating or smaller windows.

Table 4-16: Maximum Allowable Ambient Noise Exposure by Land Use (County Noise Standards)

Land Use Type	Noise Level (Ldn)						
	0 - 55	56 - 60	61 - 65	66 - 70	71 - 75	75 - 80	> 81
Residential							
Hotels, Motels							
Schools, Libraries, Churches, Hospitals, Extended Care Facilities							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arenas, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							
Golf Courses, Riding Stables, Water Recreation, Cemeteries							
Office Buildings, Business Commercial and Professional							
Mining, Industrial, Manufacturing, Utilities, Agriculture							

	<i>Normally Acceptable.</i> Specified land use is satisfactory, based on the assumption that any buildings involved are of normal, conventional construction, without any special noise insulation requirements.
	<i>Conditionally Acceptable.</i> New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed insulation features have been included in the design.
	<i>Unacceptable.</i> New construction or development should not be undertaken.

If existing noise standards are currently exceeded, a proposed project shall not incrementally increase noise levels by more than 3 dBA

The city’s general plan recognizes noise pollution as a significant source of environmental degradation. The city’s general plan policy document identifies community noise goals and establishes policies to reduce noise pollution. Many of the goals and policies address new residential development. The general plan goals and policies that apply to the project are summarized below (City of Stockton 2007a).

Goal HS-2. To protect the community from health hazards and annoyance associated with excessive noise levels.

Policy HS-2.1 Sensitive Receptors. The city will prohibit development of new commercial, industrial, or other noise-generating land uses adjacent to existing residential uses and other sensitive noise receptors such as schools, health care facilities, libraries, and churches if noise levels are expected to exceed 70 dBA Community Noise Equivalent (CNEL) (decibels on A-weighted scale CNEL) measured at the property line of the noise-sensitive land use.

1 **Policy HS-2.3 Noise Analysis.** The city will require noise analysis of proposed
2 development projects as part of the environmental review process and require mitigation
3 measures to reduce noise impacts to acceptable levels. The acoustical analysis will:

- 4 a. Be the responsibility of the applicant.
- 5 b. Be prepared by a qualified person experienced in the fields of environmental
6 noise assessment and architectural acoustics.
- 7 c. Include representative noise level measurements with sufficient sampling
8 periods and locations to adequately describe local conditions.
- 9 d. Estimate existing and projected (20 years) noise levels in terms of Ldn/CNEL
10 and compare the levels with the adopted policies of the Public Health and Safety
11 Element.
- 12 e. Recommend appropriate mitigation to achieve compatibility with the adopted
13 noise policies and standards of this Public Health and Safety Element. Where
14 the noise source in question consists of intermittent single events, the acoustical
15 analysis must address the effects of maximum noise levels in sleeping rooms in
16 terms of possible sleep disturbance.
- 17 f. Estimate noise exposure after the prescribed mitigation measures have been
18 implemented. If the project does not comply with the adopted standards and
19 policies of the Public Health and Safety Element, the analysis must provide
20 acoustical information for a statement of overriding considerations for the project.
- 21 g. Describe a post-project assessment program, which could be used to evaluate
22 the effectiveness of the proposed mitigation measures.

23 **Policy HS-2.6 Controlling Truck Traffic Noise.** The city will control noise sources in
24 residential areas and other noise-sensitive areas by restricting truck traffic to designated
25 truck routes.

26 **Policy HS-2.10 Construction Noise.** The city will seek to limit the potential noise
27 impacts of construction on surrounding land uses.

28 **Policy HS-2.11 Limiting Construction Activities.** The city will limit construction to
29 the hours of 7 a.m. to 7 p.m., Monday through Saturday. No construction will occur on
30 Sundays or national holidays without a written permit from the city.

31 **Policy HS-2.12 Sound Attenuation Features.** The city will require sound attenuation
32 features such as walls, berming, and heavy landscaping between commercial, industrial,
33 and residential uses to reduce impacts from noise and vibration.

34 **Policy HS-2.13 Noise Buffering.** The city will require noise buffering or construction
35 treatments (such as additional insulation or double-paned glass) in new development that
36 includes noise-sensitive uses located near major streets, highways, the airport, railroad
37 tracks, or other significant noise sources.

38 **Policy HS-2.14 State Noise Insulation Standards.** The city will enforce the State Noise
39 Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the
40 Uniform Building Code.

1 **Policy HS-2.15 California Vehicle Code Standards.** The city will actively support
2 enforcement of California Vehicle Code sections relating to vehicle mufflers and
3 modified exhaust systems.

4 **Policy HS-2.17 Commercial Uses.** The city will require that noise produced by
5 commercial uses does not exceed 75 dB Ldn/CNEL at the nearest property line.

6 City of Stockton Noise Ordinance

7 The City of Stockton noise ordinance is codified in Chapter 16, Article III, Division 16-340 of
8 the city's municipal code (City of Stockton 2007b). The following sections present prohibited
9 activities and noise standards that apply to the project.

10 **16-340.030 – Activities Deemed Violations of this Division:** The following acts are a violation
11 of this division and are therefore prohibited.

12 **A. Construction noise.** Operating or causing the operation of tools or equipment on
13 private property used in alteration, construction, demolition, drilling, or repair work
14 between the hours of 10:00 p.m. and 7:00 a.m., so that the sound creates a noise
15 disturbance across a residential property line, except for emergency work of public
16 service utilities.

17 **B. Loading and unloading operations.** Loading, unloading, opening, closing or
18 other handling of boxes, crates, containers, building materials, garbage cans, or
19 similar objects on private property between the hours of 10:00 p.m. and 7:00 a.m. in
20 a manner to cause a noise disturbance.

21 **16-340.040 – Standards:** The following provisions shall apply to all uses and properties, as
22 described below, and shall establish the city's standards concerning acceptable noise levels for both
23 noise-sensitive land uses and for noise-generating land uses and transportation-related sources:

24 **B. Standards for proposed noise-generating land uses and transportation-related**
25 **sources.** Excluding noise-generating projects on infill sites, which shall comply
26 with paragraph C, below, the following standards in [Table 4-17](#) shall apply

- 27 2. Commercial, industrial, and other land use-related noise sources (except
28 infill sites).
29 a. New and expanded noise sources. Land use-related projects that will
30 create new noise sources or expand existing noise sources shall be
31 required to mitigate their noise levels so that the resulting noise:
32 1) Does not adversely impact noise-sensitive land uses; and
33 2) Does not exceed the standards specified in [Table 4-17 Part II](#).

34 Noise levels shall be measured at the property line of the nearest site
35 which is occupied by, zoned for, or designated on the city's general
36 plan diagram to allow the development of, noise-sensitive land uses.
37

1 **Table 4-17: Maximum Allowable Noise Exposure for Noise-Sensitive Land Uses – Stockton**
 2 **Municipal Code**

Part I: Transportation-Related Noise Standards, Maximum Allowable Noise Exposure (Ldn dB)		
Noise-Sensitive Land Use Type	Outdoor Activity Areas	Indoor Spaces
Residential (all types)	65	45
Child care	--	45
Educational facilities	--	45
Libraries and museums	--	65
Live-work facilities	65	45
Lodging	65	45
Medical services	--	45
Multi-use (with residential)	65	45
Part II: Land Use-Related Noise Standard, Outdoor Activity Areas		
Noise Descriptor	Daytime (7:00 a.m. to 10:00 p.m.)	Nighttime (10:00 p.m. to 7:00 a.m.)
Hourly Equivalent Sound Level (Leq), dB	55	45
Maximum Sound Level (Lmax), dB	75	65

3 Notes:

4 1 The noise standard shall be applied at the property line of the receiving land use. When determining the effectiveness of
 5 noise mitigation measures, the standards shall be applied on the receiving side of noise barriers or other property line noise
 6 mitigation measures.

7 2 Each of the noise level standards specified shall be increased by five for impulse noise, simple tone noise, or noise
 8 consisting primarily of speech or music.

9 Source: City of Stockton, Stockton Municipal Code, 2008.

10 **b. Maximum Sound Level**

11 1) Commercial

12 a) The Maximum Sound Level (Lmax) produced by commercial
 13 land uses or by other permitted noise generating activities on any
 14 retail commercial zoning district (i.e., CO, CN, CG, CD, CL, or
 15 CA Districts) shall not exceed 75 dB; and

16 b) The Hourly Equivalent Sound Level (Leq) from these land uses shall
 17 not exceed 65 dB during daytime or nighttime hours as measured at
 18 the property line of any other adjoining retail commercial zoning
 19 district (CO, CN, CG, CD, CL, or CA Districts).

20 c. **Adjacent to Other Uses.** If commercial, industrial, or public facilities
 21 land uses are adjacent to any noise-sensitive land uses or vacant residential
 22 (RE, RL, RM, or RH) or open space (OS) zoning districts, these uses shall
 23 comply with the performance standards contained in Table 4-17 Part II.

1 **C. Standards for Infill Sites**

- 2 1. Noise-sensitive land uses on noise-impacted infill sites. Noise-sensitive land
3 uses which are approved for development or expansion on noise-impacted
4 infill sites shall only be required to mitigate the existing and projected noise
5 levels from those sources so that the resulting noise levels within the interior
6 of the noise-sensitive land uses do not exceed the indoor space standards in
7 Table 4-17 Part II.
- 8 2. Noise-generating land uses impacting noise-sensitive infill sites. Noise
9 generating land uses and transportation-related projects, which are approved
10 for development or expansion in the vicinity of existing noise-sensitive infill
11 sites, shall be required to mitigate:
- 12 a. Exterior noise levels (measured at the property line nearest the noise
13 source) so that the ambient noise levels at the time of development and
14 the maximum exterior noise standards for Commercially and Industrially-
15 zoned properties are not exceeded; and
- 16 b. Interior noise levels (measured at least four feet from the interior side of
17 the wall nearest the noise source) so that the resulting noise levels within
18 the interior of any impacted noise-sensitive land uses do not exceed the
19 interior space standards in Table 4-17.

20 **16-340.060 – Evaluation of Proposed Projects:**

- 21 **B. Noise thresholds of significance.** The threshold for determining the potential
22 significance of a noise impact under CEQA shall be:
- 23 1. An incremental increase of 3 dB Ldn or greater to exterior or interior noise
24 levels; or
- 25 2. Any exceedence of existing maximum noise standards, which may constitute a
26 significant cumulative noise impact.

27 **4.8.2.3 Standards of Significance**

28 The AOC considers an impact to be significant if the proposed project will:

- 29 • Generate noise levels in excess of standards established in the local general plan or
30 noise ordinance or applicable standards of other agencies;
- 31 • Cause a substantial permanent increase in ambient noise levels;
- 32 • Cause a substantial temporary or periodic increase in ambient noise levels in the
33 project vicinity above levels that would exist without the project;
- 34 • Generate excessive ground-borne vibration or ground-borne noise levels;

- 1 • Expose people residing or working in the project area to excessive noise levels for a
2 project located within an airport land use plan or, where such a plan has not been
3 adopted, within two miles of a public airport or public use airport; or
- 4 • Expose people residing or working in the project area to excessive noise levels for a
5 project within the vicinity of a private airstrip.

6 According to the City of Stockton noise standards, the threshold for determining the potential
7 significance of a noise impact under CEQA is:

- 8 1. An incremental increase of 3 dB Ldn or greater to exterior or interior noise levels; or
- 9 2. Any noise that exceeds existing maximum noise standards that may constitute a
10 significant cumulative noise impact.
- 11 3. Stockton guidelines generally indicate that construction should be limited to 7 a.m. to
12 7 p.m. Monday through Saturday (Policy HS-2.11). Construction work between
13 10 p.m. and 7 a.m. is a violation of Stockton Noise Ordinance Section 16-340.030.

14 **4.8.3 Potential Impacts and Mitigation Measures**

15 **4.8.3.1 Noise Standards**

16 ***Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise***
17 ***levels in excess of standards established in the local general plan or noise ordinance, or***
18 ***applicable standards of other agencies?—Less than Significant.*** The City of Stockton noise
19 ordinance (Section 16-340.040 of the Development Code) specifies the maximum sound level for
20 commercial land uses. The maximum sound level (L_{max}) produced by commercial land uses
21 cannot exceed 75 dB. The hourly equivalent sound level (Leq) from these land uses must not
22 exceed 65 dB during daytime or nighttime hours as measured at the property line of any other
23 adjoining retail commercial zoning district. If commercial land uses are adjacent to any
24 noise-sensitive land uses, they must comply with the performance standards contained in Table
25 4-17 Part II. According to the noise ordinance, no exterior noise level can exceed 65 dBA and
26 no interior noise level can exceed 45 dBA in residential areas.

27 The general plan identifies degrees of acceptable usage for new development depending on
28 land use and noise levels (measured as decibels or dB), as shown in Table 4-16. These noise
29 levels are based on daily averages with more weight in the averages for nighttime noise. The
30 proposed project will be adjacent to multi-family residential areas, office buildings,
31 commercial and professional businesses, a courthouse, and other governmental offices. Taking
32 into account the nearby land uses, this table can be used as a guide for evaluating significance
33 thresholds.

34 Section 4.08.3.3 analyzes construction-related noise impacts.

1 The courthouse will generate some noise from heating, ventilating, and air conditioning
2 mechanical equipment. Since the mechanical equipment will be typical for office buildings, the
3 equipment's noise generation will not be expected to exceed 50 dBA at a distance of 100 feet.
4 This amount will not increase the average noise level in this area (Leq) of 51 to 69 dBA and will
5 not generate a significant impact.

6 As shown in Table 4-17, the City of Stockton's normally acceptable maximum allowable
7 ambient noise exposure for office buildings is 65 Ldn. The Ldn for the Hunter Square site is 64
8 to 65 dBA; therefore, new buildings at this site do not require any special noise insulation
9 outside of normal, conventional construction. Therefore, impacts will be less than significant.

10 **Potential Impact (Traffic): Generation of noise levels in excess of standards established in the**
11 **local general plan or noise ordinance, or applicable standards of other agencies?—Less than**
12 **Significant.** After construction is complete and the courthouse begins its operations, the
13 additional vehicles traveling to the site will increase noise levels adjacent to nearby roads.
14 However, traffic must double to increase noise levels by 3 decibels, and the project will not
15 double traffic on Weber Avenue near potential sensitive receptors.

16 The EIR's traffic analysis (see Appendix H) shows that the added project traffic will be small
17 when compared with the existing traffic levels. Peak hour (morning) intersection turning data
18 from the traffic study were analyzed to evaluate project increases and resulting traffic-generated
19 noise increases on roadway links near the project site. The resulting noise increases are shown in
20 Table 4-18. The minor increase in traffic from this project will increase peak hour noise levels
21 by less than 2 dBA at all locations. This amount will not increase existing noise levels in the
22 area by more than 3 dBA and will not be a significant noise impact. Therefore, the increased
23 noise from new traffic will be minimal, and impacts from vehicle noise to the nearby residents
24 will be less than significant.

25 *Mitigation Measures:* None required.

26 **4.8.3.2 Long-term, Permanent Ambient Noise Levels**

27 **Potential Impact: A substantial permanent increase in ambient noise levels in the project**
28 **vicinity above levels existing without the project?—Less than Significant.** As explained in
29 Section 4.08.3.1, the building's mechanical equipment will not be expected to generate
30 substantial noise. Therefore, the project's mechanical sound will not produce a substantial
31 increase in ambient noise levels. As also explained in Section 4.08.3.1, the project's traffic will
32 not be expected to generate substantial traffic-related noise. Therefore, any increase from the
33 project's traffic-related noise will be less than significant.

34 *Mitigation Measures:* None required.

35

1

Table 4-18: Peak-Hour Traffic Noise Levels in the Project Vicinity

Roadway Segment	A.M. Peak Hour Noise Levels, dBA, Leq				
	Existing AM	Existing Plus Approved	Existing Plus Approved Plus Project	Increase (Existing Plus Approved Plus Project vs. Existing Plus Approved)	Significant? (Yes or No) ^a
El Dorado Street north of Weber Street ^{b,c}	65.1	65.2	65.2	0.05	No
El Dorado Street south of Weber Street ^{b,c}	65.1	66.2	67.0	0.79	No
Weber Street east of El Dorado Street ^{b,c}	61.1	64.04	65.7	1.28	No
Weber Street west of El Dorado Street ^{b,c}	61.6	62.9	63.1	0.20	No
California Street north of Weber Street ^{b,c}	60.5	61.7	61.7	0.00	No
California Street south of Weber Street ^{b,c}	59.7	60.6	60.6	0.00	No
Weber Street east of California Street ^{b,c}	58.2	61.7	62.2	0.59	No
Weber Street west of California Street ^{b,c}	59.0	62.3	62.8	0.51	No
Stanislaus Street north of Washington Street ^{b,c}	62.0	63.3	63.6	0.28	No
Stanislaus Street south of Washington Street ^{b,c}	63.6	63.7	63.7	0.02	No
Washington Street east of Stanislaus Street ^{b,c}	62.3	63.4	63.7	0.24	No
Washington Street west of Stanislaus Street ^{b,c}	63.5	63.5	63.5	0.00	No
El Dorado Street north of Washington Street ^{b,c}	64.07	66.0	66.6	0.58	No
El Dorado Street south of Washington Street ^{b,c}	65.0	66.2	66.8	0.56	No
Washington Street east of El Dorado Street ^{b,c}	57.5	57.5	57.5	0.00	No
Washington Street west of El Dorado Street ^{b,c}	58.7	58.7	58.7	0.00	No

2

Notes:

3

^a Considered significant if the incremental increase in noise from traffic is greater than the existing ambient noise level by 3 dBA Leq. The rule of thumb is that Ldn or CNEL is within +/- 2 dBA of the peak hour Leq under normal traffic conditions (Caltrans 1998).

4

^b Road center to receptor distance is 15 meters (approximately 50 feet) for all roadway segments. Noise levels were determined using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model (FHWA RD-77-108).

5

6

^c The analysis considered the vehicle mix based on observations – cars 97 percent, medium trucks 2 percent, and heavy trucks 1 percent. Traffic speeds for all vehicle classes were set at 25 mph.

7

8

9

10

1 **4.8.3.3 Short-term, Temporary Ambient Noise and Vibration Levels**

2 **Potential Impact: A substantial temporary or periodic increase in ambient noise levels in the**
3 **project vicinity above levels existing without the project or generation of excessive**
4 **ground-borne vibration or ground-borne noise levels?—Significant and Unavoidable.**

5 During construction, operation of construction equipment will generate noise. Typical noise
6 levels of construction equipment at a distance of 50 feet from the source range from 81 to 101
7 dBA, Leq (Table 4-19). Although the noise contribution from worker commute vehicles will
8 be temporary and small, the noise from construction equipment could be appreciable during the
9 construction phase of the project.

10 Pile driving is typically the loudest source of construction noise. Impacts from pile driving can
11 result from both elevated single-event or “impact” noise levels and from vibration. Pile
12 driving can produce noise levels in excess of acceptable limits, even when feasible noise
13 reduction methods are used. The greatest potential impacts will be experienced within 50 to
14 100 feet of the source, resulting in noise levels of approximately 90 dBA. The existing
15 courthouse buildings and commercial businesses are within 50 feet of the proposed project site.
16 If the construction contractor uses pile driving for substantial work, the pile driving operations
17 will therefore generate noise levels in excess of 90 dBA outside of the existing courthouse and
18 adjacent buildings to the west. Excessive noise levels could also affect the residences at the
19 Hotel Stockton, Mansion House Apartments, and Argonaut Hotel, as well as other nearby
20 businesses. Daytime exterior noise levels in excess of 75 dBA generated by commercial land
21 uses are considered a violation of the city’s noise ordinance. However, construction noise is
22 considered a violation only between 10 p.m. and 7 a.m. Assuming pile driving noise will be
23 101 dBA at 50 feet, noise levels above 75 dBA could occur up to 500 feet from the pile
24 driving. Therefore, the proposed project may have a potentially significant noise impact if the
25 AOC’s construction contractor uses pile driving equipment for substantial work.

26 Depending on the construction equipment used, ground-borne vibrations can be perceptible
27 within 30 to 100 feet of a source. Structural damage from pile driving typically does not occur in
28 buildings more than 50 feet from the location of the activity (Caltrans 2004). However, these
29 vibrations could result in cosmetic or structural damage to buildings because the existing
30 courthouse buildings and commercial businesses are within 50 feet of the proposed project site.
31 Therefore, a potentially significant ground-borne vibration impact will result.

32

1

Table 4-19: 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	78
Pile Driver	101
Front Loader	79
Scraper	88
Grader	85
Backhoe	85
Building Assembly - hammering on beams	85

2
3

Source: Cunniff, Environmental Noise Pollution, 1977 and U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, 1971.

4 Another concern is the impact of construction on the on-going activities at the existing County of
5 San Joaquin's Administrative Building at the corner of Weber Avenue and San Joaquin Street.
6 Miller Environmental Consultants toured the County of San Joaquin Courthouse and
7 Administrative Building on August 6, 2008, to assess the potential impacts of construction on the
8 operations in this building. Miller found that the County of San Joaquin Courthouse and
9 Administrative Building has only a limited number of windows that will face construction in
10 Hunter Square. The courtrooms have no windows, and the number of windows facing Hunter
11 Square in the northern wing of the county administrative building is limited. Most of the windows
12 in the northern wing of the county administrative building that face Hunter Square are in hallways
13 rather than offices, so noise in the offices is further attenuated by the walls between the offices and
14 the outer windows. The judge's chambers in the southern wing of the county administrative
15 building are potentially most affected by the noise from project construction. Windows in these
16 offices directly face Hunter Square. However, most of the chambers were empty because the
17 judges were in the courtrooms during the tour of the building. When the judges are in their
18 chambers, construction adjacent to their office windows will have a noise impact and affect the
19 ability to hold private discussions or have quiet time to review case materials.

20 Except for the judge's chambers, which could be affected by construction noise periodically,
21 most of the offices in the county administrative building will not be affected by construction
22 noise. The court's Business Services Manager, James Flohrschultz, indicated that there have
23 been no noise complaints from building occupants related to construction of the new county
24 building east of the county administrative building directly across South San Joaquin Street

1 (Miller Environmental Consultants 2008). Although project construction (the new courthouse)
2 will be closer to the existing county administrative building than the construction of the new
3 county building, the lack of complaints about construction indicates the noise attenuation
4 provided by the county administrative building is effective.

5 Various dampening and shielding methods can attain some reduction from pile driving impacts.
6 However, these methods rarely reduce the noise to an acceptable level for the sensitive receptors
7 close to the site. Therefore, restrictions on the hours of construction-related pile driving have
8 been included, in addition to the various technical measures described below.

9 *Mitigation Measures:* The following mitigation measures will reduce the potential construction-
10 related noise impacts, but the construction noise could still be a significant and unavoidable
11 short-term impact to sensitive receptors and commercial businesses near the site:

12 **Noise 1**—Muffle stationary noise sources and enclose them within temporary sheds,
13 incorporate insulation barriers, or employ other measures to the extent feasible.

14 **Noise 2**—Use equipment and trucks equipped with the best available noise control
15 techniques (for example, improved mufflers, equipment redesign, use of intake silencers,
16 ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever
17 feasible).

18 **Noise 3**—Ensure all construction equipment is properly maintained and operated and
19 equipped with mufflers.

20 **Noise 4**—Limit pile driving operations and generation of other loud noise-generating
21 operations to hours between 8 a.m. and 5 p.m. (Monday through Saturday) If feasible,
22 the noisiest phases of construction (such as pile driving) should be limited to less than
23 10 days at a time. To be consistent with Stockton General Plan Policy HS-2.11, no
24 construction will occur on Sundays or national holidays without a written permit from
25 the city.

26 **Noise 5**—Use hydraulically or electrically powered impact tools (such as jack
27 hammers, pavement breakers, and rock drills) for project construction wherever
28 possible to avoid noise associated with compressed air exhaust from pneumatically
29 powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the
30 compressed air exhaust should be used; this muffler can lower noise levels from the
31 exhaust by up to about 10 dBA. External jackets on the tools themselves should be
32 used where feasible. Quieter methods or tools, such as using drills rather than impact
33 tools, should be used whenever feasible.

1 **Noise 6**—To further mitigate pile driving and other extreme noise-generating
2 construction impacts, a set of site-specific noise attenuation measures should be
3 completed under the supervision of a qualified acoustical consultant. These attenuation
4 measures should include as many of the following control strategies as feasible: (1) erect
5 temporary plywood noise barriers around the construction site, particularly along the
6 northern boundary nearest the residential land uses; (2) implement “quiet” pile-driving
7 technology (such as pre-drilling piles and the use of more than one pile driver to shorten
8 the total pile driving duration), where feasible, in consideration of geotechnical and
9 structural requirements and conditions; (3) use noise control blankets on building
10 structures to reduce noise emissions from the site; and (4) monitor the effectiveness of
11 noise attenuation measures by collecting noise measurements;

12 **Noise 7**—The project applicant will be responsible for implementing the following
13 measures to further control and monitor construction noise: (1) establishing a procedure
14 for notifying the AOC staff of complaints; (2) posting on-site signs pertaining to permitted
15 construction days and hours, complaint procedures, and whom to notify in the event of a
16 problem; (3) listing telephone numbers for the on-site construction complaint manager
17 (during regular construction hours and off-hours); (4) designating an on-site construction
18 complaint manager for the project; (5) notifying the city, county, courthouse administrator,
19 and any other land users within 300 feet of the project construction area about the estimated
20 duration of the pile-driving activity at least 30 days in advance; and, (6) conducting a
21 pre-construction meeting with the job inspectors and the general contractor and on-site
22 project manager to confirm that noise mitigation and practices (including construction
23 hours, notification of area businesses, and posted signs) are completed.

24 **Noise 8**—The construction contractor will conduct crack surveys before pile driving
25 that could cause architectural damage to nearby structures. The survey will include any
26 buildings within 50 feet of pile driving locations and within 100 feet of historical
27 buildings or buildings in poor condition. The surveys will be done by photographs,
28 video tape, or visual inventory, and will include inside as well as outside locations. All
29 existing cracks in walls, floors, and driveways should be documented with sufficient
30 detail for comparison after construction to determine whether actual vibration damage
31 occurred. A post-construction survey should be conducted to document the condition
32 of the surrounding buildings after the construction is complete.

33 4.8.3.4 *Airport Noise*

34 **Potential Impact—Less than Significant.** The project is not located within the area of influence
35 of the nearest airport, the Stockton Metropolitan Airport (San Joaquin County Council of
36 Governments 1993), which is located 4 miles from the proposed project. Based on the distance
37 from the nearest airport, there will be no noise impact.

38 *Mitigation Measures:* None required.

1 **4.8.3.5 Private Airstrip Noise**

2 **Potential Impact—Less than Significant.** The project is not located in the vicinity of a private
3 airstrip. There will be no impact.

4 *Mitigation Measures:* None required.

5 4.9 PUBLIC SERVICES

6 This section evaluates the potential impacts of the project in terms of public services.

7 **4.9.1 Environmental Setting**

8 The Stockton Fire Department has 13 engine companies and four truck companies within the city
9 limits. The nearest station to the project site is Fire Station No. 2, 0.7 mile northeast at 110 West
10 Sonora Street. The fire department is staffed with 276 personnel available to respond to
11 emergencies, including two battalion chief officers. Fire hydrants are located on each of the four
12 corners around the courthouse.

13 The City of Stockton Police Department provides law enforcement services for businesses and
14 residents within the city limits. The police department facility nearest the project is located at
15 22 East Market Street, 0.3 mile northeast of the site. This station is also the current police
16 department headquarters.

17 The County of San Joaquin's Sheriff's Department and contract security firms provide security
18 at the court's facilities. Although police personnel are in the court's facilities, the police
19 personnel are involved in official responsibilities that are independent of the provision of
20 courthouse security.

21 Several other agencies have law enforcement responsibilities or other public service
22 responsibilities that involve interactions with the court and use of the court's facilities in
23 Stockton. These agencies include the California Highway Patrol, the San Joaquin District
24 Attorney, County Child Support, County Public Defender, County Probation Department,
25 County Sheriff-Coroner-Public Administrator's Office, County Public Health Division, County
26 Mental Health Division/ Office of Substance Abuse, County Human Services Agency, and the
27 City Attorney.

1 **4.9.2 Analytical Framework**

2 **4.9.2.1 Analytical Methodology**

3 The EIR's analysts conducted site reconnaissance and contacted local agencies about the
4 environmental conditions of the project site to evaluate the project's potential impacts on public
5 systems. The AOC's evaluation of public systems on and near the proposed new Stockton
6 Courthouse Project included the following information:

- 7 • Review of the proposed project with respect to compliance with federal, state, and
8 local legal requirements pertaining to public services and
- 9 • Review of the Stockton General Plan 2035 (2007a)

10 **4.9.2.2 Regulatory Background**

11 No regulatory documents were consulted for this section. Instead, information was based on
12 consultation with individuals in each agency responsible for providing the public services.

13 **4.9.2.3 Standards of Significance**

14 The AOC considers an impact to be significant if the proposed project will:

- 15 • Result in substantial impacts associated with the provision of new or physically
16 altered governmental facilities to maintain acceptable service ratios, response times,
17 or other performance objectives for fire protection services,
- 18 • Result in substantial impacts associated with the provision of new or physically
19 altered governmental facilities to maintain acceptable service ratios, response times,
20 or other performance objectives for police protection services, and
- 21 • Result in substantial impacts associated with the provision of new or physically
22 altered governmental facilities to maintain acceptable service ratios, response times,
23 or other performance objectives for schools, parks, or other public facilities.

24 **4.9.3 Potential Impacts and Mitigation Measures**

25 **4.9.3.1 Fire Protection Services**

26 ***Potential Impact: Result in substantial impacts associated with the provision of new or***
27 ***physically altered governmental facilities in order to maintain acceptable service ratios,***
28 ***response times, or other performance objectives for fire protection services?—No Impact.*** The
29 project is proposed adjacent to existing development and within close proximity to a fire station.
30 Therefore, the project will not have a significant impact on fire response times and will not
31 otherwise create a substantially greater need for fire protection than already exists.

32 ***Mitigation Measures:*** None required.

1 **4.9.3.2 Police Protection Services**

2 **Potential Impact: Result in substantial impacts associated with the provision of new or**
3 **physically altered governmental facilities in order to maintain acceptable service ratios,**
4 **response times, or other performance objectives for police protection services?—Less than**
5 **Significant.** The Stockton Police Department does not provide security services for the court, so
6 the project will not affect the Police Department. The project will reduce security protection
7 needs since the project will consolidate court operations into fewer and more secure facilities and
8 therefore require fewer security personnel. The new courthouse will have improved security
9 features that enhance the efficiency of court security operations, and the new courthouse will
10 reduce the number of court building entrances requiring security personnel. Therefore, the
11 project will not have a significant impact on s services.

12 Since the Stockton Police Department does not provide police protection services to the
13 court’s facilities, the project will have a less than significant effect on the Police Department’s
14 services.

15 *Mitigation Measures:* None required.

16 **4.9.3.3 Schools, Parks, and Other Public Facilities and Services.**

17 **Potential Impact—No Impact.** The AOC discussed impacts to schools, parks, and other
18 public facilities in the Initial Study and concluded that there will be no impact. The AOC
19 also concludes that the proposed project will produce no changes for other public services,
20 such as those provided by the California Highway Patrol, the San Joaquin District Attorney,
21 County Child Support, County Public Defender, County Probation Department, County
22 Sheriff-Coroner-Public Administrator's Office, County Public Health Division, County
23 Mental Health Division Office of Substance Abuse, County Human Services Agency, and the
24 City Attorney.

25 *Mitigation Measures:* None required.

26 4.10 RECREATION

27 This section evaluates the potential impacts of the project in terms of recreation.

28 **4.10.1 Environmental Setting**

29 The city operates 53 parks, in addition to neighborhood and community sports facilities.
30 Hunter Square is a prominent feature of the site and includes a fountain, malls, and public
31 open space.

1 **4.10.2 Analytical Framework**

2 **4.10.2.1 Analytical Methodology**

3 Recreational impacts can result either directly through elimination of a recreational resource or
4 indirectly from additional population growth. This analysis considered these factors, together
5 with the availability of recreational resources on site and in the project area and the project
6 demand for recreational services. The analysis also considered local city planning policies and
7 funding mechanisms.

8 **4.10.2.2 Regulatory Background**

9 The EIR for the Stockton general plan has identified “funding” as a major issue for maintaining
10 existing levels of service and providing for future facilities (City of Stockton 2007a). Therefore,
11 the general plan has adopted policies to provide for developer fees, public facility fees, and other
12 financing mechanisms (General Plan Policy RW-3.5). Public projects, therefore, need to
13 consider impacts to existing, as well as future, recreational amenities and facilities.

14 **4.10.2.3 Standards of Significance**

15 The AOC considers an impact to be significant if the proposed project will:

- 16 • Increase the use of existing neighborhood and regional parks or other recreational
17 facilities such that substantial physical deterioration of the facility will occur or
18 accelerate, or
- 19 • Include recreational facilities or require the construction or expansion of recreational
20 facilities that might have an adverse physical effect on the environment.

21 **4.10.3 Potential Impacts and Mitigation Measures**

22 **4.10.3.1 Existing Recreational Facilities**

23 ***Potential Impact: Increase the use of existing neighborhood and regional parks or other***
24 ***recreational facilities such that substantial physical deterioration of the facility will occur or***
25 ***be accelerated?—Potentially Significant.*** The project will eliminate the existing approximately
26 0.5-acre Hunter Square park and replace the proposed site’s lawn, sidewalks, and pool with a
27 new courthouse that will fill much of the open space that exists between the Courthouse and
28 Administration Building and the buildings immediately west of Hunter Square. The new
29 courthouse will include landscaping and a small plaza around the new courthouse, and the
30 project’s new open space areas will replace approximately 0.4 acre of the park. The project will
31 result in a smaller acreage of fragmented areas that are visually and spatially distinct and have
32 less recreational value. Therefore, loss of this public open space will cause a potentially
33 significant impact from this project.

1 *Mitigation Measures:*

2 **Recreation 1**—The proposed courthouse will include open space for public use on the
3 courthouse parcel and will include features such as benches, attractive landscaping
4 including large trees that enhance the aesthetic and visual value of the space by
5 providing substantial shade at the time that the AOC completes construction, public
6 artwork, and other features to enhance the quality of the new courthouse’s outdoor
7 public spaces;

8 **Recreation 2**—As part of the AOC’s construction of the new water feature in the
9 Main Street mall (see mitigation measure Aesthetics 2 in Section 4.01.3.1), the
10 AOC will improve the landscaping, public amenities, and other features of the
11 Main Street Mall between South Hunter Street and El Dorado Street and the area
12 bounded by the Main Street Mall, South Hunter Street, and Parker’s Alley.

13 The AOC concludes that implementation of the mitigation measures will reduce the
14 project’s recreation impacts to a level that is less than significant.

15 **4.10.3.2 Construction or Expansion of Recreational Facilities**

16 **Potential Impact: Include recreational facilities or require the construction or expansion of**
17 **recreational facilities that might have an adverse physical effect on the environment?—No**
18 **Impact.** The AOC discussed this impact in the Initial Study and concluded that there will be no
19 impact.

20 *Mitigation Measures:* None required.

21 4.11 TRAFFIC AND CIRCULATION

22 The January 2009 Traffic Analysis by PHA Transportation Consultants assumed that the County
23 will use the existing Court Wing of the San Joaquin Courthouse/Administration Building after
24 the AOC’s completion of the new courthouse. As noted in Section 1.4.4, the County informed
25 the AOC that County does not plan to occupy the vacated space for long-term operations. To
26 incorporate the revised assumption for the County’s future use of the Court Wing and other
27 assumptions (see Section 4.11.2.1), Crane Transportation Group provided a new Year 2013
28 analysis and findings from this Traffic Study Addendum replace those previously developed in
29 the September 2008 San Joaquin County Court Traffic Study by PHA Transportation
30 Consultants.

31 This section evaluates the potential impacts of the project in terms of traffic and circulation and
32 is based on a transportation impact study prepared by Crane Transportation Group (see Appendix
33 H). This chapter provides information on potential traffic impacts of the proposed project on
34 local streets and regional freeway interchanges. The analysis also evaluates potential impacts on
35 public transit operations, bicycle facilities, site access, circulation, and parking.

1 **4.11.1 Environmental Setting**

2 This section discusses site access and existing street system; public transit, bicycle and
3 pedestrian facilities; current traffic operations; hazards; and parking supply of the project area.

4 **4.11.1.1 Site Access and Existing Street Systems**

5 The street system providing direct access and circulation to the Hunter Square site includes:

- 6 • Center Street—a one-way four-lane arterial street providing southbound access
7 through the downtown area. It connects to a westbound on-ramp to State Route
8 4. Additional turn lanes are provided at major intersections along the street.
9 There is on-street parking on both sides of the street;
- 10 • El Dorado Street—a one-way four-lane arterial street providing northbound
11 access through the downtown area. It runs parallel to Center Street and functions
12 as a one-way couplet. As with Center Street, additional turning lanes are
13 provided at major street intersections, and on-street parking is permitted;
- 14 • Weber Avenue—a four-lane east-west street that is adjacent to the project site. It
15 has on-street parking next to the proposed project parcel;
- 16 • Main Street—a one-way westbound two-lane street between with on-street
17 parking. The Main Street segment between South Hunter Street and El Dorado
18 Street is a pedestrian mall;
- 19 • Hunter Street—a north-south street. North Hunter is a two-way street that
20 connects to Weber Avenue, but South Hunter is a one-way southbound street
21 between Main Street and Market Street.;
- 22 • Washington Street—a one-way westbound two-lane road between El Dorado
23 Street and Stanislaus Street and becomes three lanes east of El Dorado Street.
24 Site related traffic is not expected to use Washington Street to access the site at
25 Hunter Square. However, much of the project-related traffic will use a section of
26 this street, west of El Dorado, to access the alternative project site at Washington
27 Street.

28 Interstate 5 is an eight-lane freeway that provides north-south regional access to and from the
29 Cities of Stockton and Sacramento. It also provides regional access to and from northern and
30 southern California cities. A significant amount of project-related traffic is expected to use this
31 route, in conjunction with State Route 4, traveling to and from the proposed court building.

32 State Route 4 is a six-lane cross-town highway that connects Interstate 5 and State Route 99. Its
33 ramps at Washington Street, El Dorado Street, Center Street, Lafayette Street, and Stanislaus
34 Street provide a connection to the Stockton downtown area.

1 State Route 99 is a six-lane freeway that also provides north-south regional access to and from
2 the Cities of Sacramento and Stockton. As with Interstate 5, a considerable amount of project
3 generated traffic will use this route, in conjunction with State Route 4, to access the project site.

4 **4.11.1.2 Public Transit, Bicycle and Pedestrian Facilities**

5 The San Joaquin County Regional Transit District provides public transit service throughout
6 downtown Stockton with various transit services that include commuter bus, downtown trolley,
7 and dial-a-ride. Bus routes that serve the area of the existing and proposed court building
8 include Routes 23, 26, 40, and 51 through 55, with bus stops on Weber Avenue, San Joaquin
9 Street, and El Dorado Street. The Regional Transit District transit center is located within a short
10 walk from the proposed Hunter Square site at the intersection of Weber Avenue and California
11 Street. Trip generation survey results for the existing court indicated very few visitor or staff
12 members use public transportation for work or to conduct business at the courthouse.

13 There are no striped bike lanes near the project site. However, pedestrian sidewalks are on both
14 sides of Weber Avenue and other streets in the area. A pedestrian crosswalk with audible signal
15 is available on Weber Avenue in front of the existing Courthouse and Administration Building to
16 provide a safe pedestrian connection between the Courthouse and Administration Building and
17 the Coy Garage at Hunter Street.

18 **4.11.1.3 Current Traffic Operation**

19 The study evaluates intersection traffic operations for morning and afternoon peak hours to
20 estimate current traffic Level of-Service. Level of Service is the qualitative measure of traffic
21 flow characteristics that traffic engineers use to evaluate traffic intersection and roadway service
22 levels. This methodology employs a Level A through F scale, with Level A being optimum
23 operating conditions and Level F below standard. Tables 4-20 and 4-21, below, show the Level
24 of Service criteria and the existing operating conditions of intersection traffic. Results showed
25 that all of the study intersections currently operate at Level of Service C or better, indicating
26 short traffic delays with low-level congestion.

27

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**Table 4-20: Levels of Service Criteria
New Stockton Courthouse Traffic Study – Stockton**

Signalized Intersections (2000 Highway Capacity Manual Methodology)	
Level of Service	Average Control Delay per Vehicle ⁽¹⁾ (Seconds)
A	0.0-10
B	>10-20
C	>20-35
D	>35-55
E	>55-80
F	>80
Non Signalized Intersections (HCM 2000 Methodology)	
Level of Service	Average Control Delay per Vehicle (Seconds)
A	0.0-10.0
B	10.1-15.0
C	15.1-25.0
D	25.1-35.0
E	35.1-50.0
F	>50.

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Notes:

Control delay includes acceleration, deceleration, and stop time.

For four-way stop intersections, delay and Level of Service are the average of all approaches. For two-way stop intersections, delay and Level of Service represent only the side street approach with the worst delay and Level of Service. Main street approaches generally will operate at Level of Service A, as main street traffic will not have to stop or yield.

**Table 4-21: Existing Peak Hour Conditions Traffic Operation Analysis
New Stockton Courthouse Traffic Study – Stockton**

Study Intersections	Time Period	Delay ¹	LOS ²
1. Center/Park	AM	13.0	B
	PM	15.6	B
2. El Dorado/Park	AM	4.8	A
	PM	7.5	A
3. Center/Oak	AM	6.5	A
	PM	5.1	A
4. El Dorado/Oak	AM	12.6	B
	PM	6.3	A
5. Center/Fremont	AM	8.0	A
	PM	17.3	B
6. El Dorado/Fremont	AM	7.9	A
	PM	14.5	B
7. Center/Weber	AM	11.2	B
	PM	17.4	B
8. El Dorado/Weber	AM	15.4	B
	PM	25.9	C
9. Weber/California	AM	9.4	A
	PM	10.7	B
10. Center/Washington	AM	10.0	A
	PM	15.4	B
11. El Dorado/Washington – WB SR 4 off-ramp	AM	14.1	B
	PM	30.8	C
12. Stanislaus/Washington-WB SR 4 off-ramp	AM	20.3	C
	PM	15.8	B
13. Center/Lafayette- EB SR 4 off-ramp	AM	26.5	C
	PM	12.9	B
14. El Dorado/Lafayette –WB SR 4 off-ramp	AM	8.0	A
	PM	15.9	B
15. Stanislaus/Lafayette- EB SR 4 off-ramp	AM	21.0	C
	PM	24.3	C

Notes:

The above Level of Service analyses were conducted with traffic counts conducted by Fehr and Peers Transportation Consultant for various downtown redevelopment projects in April and May 2008. The City of Stockton and Caltrans staff provided traffic signal timing data for the analyses. All of the above study intersections are signalized and pre-timed with no detection.

1. Delay = Average stop delay per vehicle in seconds.

1 **4.11.1.4 Hazards**

2 Pedestrian crosswalks were evaluated as the project is expected to add more vehicle and
3 pedestrian traffic to the area. Currently, pedestrian crosswalks are available to provide safe
4 pedestrian crossing at all streets near the existing San Joaquin Courthouse and Administration
5 Building and the proposed courthouse.

6 Traffic signal controls are provided for the crosswalks at the intersections of El Dorado Street
7 and Weber Avenue, Weber Avenue and San Joaquin Street, and San Joaquin Street and Main
8 Street. No significant pedestrian hazards were observed at these intersections (AOC 2008b).

9 Pedestrian-triggered audio warnings and flashing lights have been installed at the crosswalks at
10 El Dorado Street and Main Street and Weber Avenue and North Hunter Street. The crosswalk at
11 Weber Avenue and North Hunter Street also includes a median island that provides additional
12 protection for pedestrians, but the nearby Hunter Square parking lot's entrance driveway and exit
13 driveway and the transit stop complicate vehicle movement patterns. Traffic signals at Market
14 Street and Weber Avenue control traffic on El Dorado Street, and the signals and signal-related
15 traffic queuing strongly slow traffic speeds near the El Dorado Street crosswalk. There is no
16 traffic control for Weber Avenue traffic at the intersection with North Hunter Street, but signals
17 at El Dorado Street and San Joaquin Street influence traffic speeds on Weber Avenue.

18 Field observation noted that traffic on El Dorado Street occasionally moved at an apparently high
19 speed for an arterial street and the crosswalk crosses three traffic lanes and two parking lanes.
20 Drivers responded to the presence of pedestrians by reducing speed, stopping when the
21 crosswalk system began flashing, and did not enter the crosswalk when pedestrians were in the
22 crosswalk.

23 Drivers' compliance with pedestrians' crossing attempts for the Weber Avenue crosswalk at
24 North Hunter was less regular and predictable. Field observation noted that some drivers did not
25 slow down at the crosswalk. Crosswalk problems were greatest on the eastbound lanes since
26 drivers were less observant of pedestrians because the drivers were often changing lanes and
27 turning because of the adjacent driveways, and transit vehicle movements may have obscured
28 drivers' field of view.

29 The crosswalk at Main Street and South Hunter Street crosswalk has no traffic control and has no
30 crosswalk light or audio improvements. At the intersection, Main Street has two westbound
31 lanes that end at the intersection, and drivers must make a left turn to continue on South Hunter
32 Street, which carries traffic southbound in only one lane. Field observation indicates that
33 pedestrians can generally cross freely at the intersection since there is only a small amount of
34 traffic on this portion of Main Street. However, when a vehicle approaches the crosswalk,
35 pedestrians' and drivers' behavior is unpredictable and irregular. Driver and pedestrian
36 interactions become more complicated when two vehicles travel westward on Main Street
37 simultaneously in separate lanes.

1 **4.11.1.5 Parking**

2 Major parking facilities in downtown Stockton near the proposed project site include the
 3 Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, the Channel Parking
 4 Garage, the Hunter Square parking lot, and the County of San Joaquin Motor Pool/Hunter Street
 5 Parking Garage. Table 4-22 lists the facilities’ features.

6 **Table 4-22. Major Public Parking Facilities near the Proposed Courthouse**

Facility	Parking Capacity (approx.)	Street Connections	Notes
Stewart-Eberhardt Garage	700	Center Street and El Dorado Street	The court directs jurors to park in this facility, and the county pays for juror parking. The Stockton Police Department uses approximately 10 spaces in the facility, and other government agency park approximately 30 to 40 vehicles in the facility.
Edmund Coy Parking Garage	570	N. Hunter Street	The Court rents approximately 270 spaces in this facility for the Court’s staff. Jurors may also park in this garage.
Channel Parking Garage	330	Channel Street	
Hunter Square parking lot	50	Weber Avenue	The lot’s meters provide 60-minute parking
County of San Joaquin Motor Pool/Hunter Street Parking Garage	280	S. Hunter Street	The facility’s driveway is on N. Hunter Street

7
 8 The AOC surveyed parking supply and demand in the vicinity of the proposed project site in
 9 September, October, and November of 2008. Table 4-23 shows data from a Tuesday, September
 10 9, survey of parking garages and on-street 1-hour, 2-hour, and 10-hour metered spaces. Table 4-
 11 24 shows data from several AOC surveys of the Stewart-Eberhardt Parking Garage, the Edmund
 12 Coy Parking Garage, and the public portion of the County of San Joaquin’s Motor Pool Garage
 13 (with public entrance on South Hunter Street).

14

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Table 4-23 September 9 Parking Survey Summary

Parking Supply	No. of Spaces	Early Morning Survey		Late Morning Survey		Early Afternoon Survey	
		Filled Parking Spaces	Occupancy %	Filled Parking Spaces	Occupancy %	Filled Parking Spaces	Occupancy %
Stewart-Eberhardt Parking Garage	788	597	76	604	77	504	64
Edmund Coy Parking Garage	554	277	50	389	70	456	82
Channel Street Parking Garage	322	173	54	207	64	163	51
Hunter Street Parking Garage (County of San Joaquin Motor Pool)	278	137	49	129	46	148	53
Market Street Parking Garage	782	544	70	600	77	576	74
Hunter Square parking lot	48	48	100	47	98	46	96
On-street metered spaces within 2 blocks of Hunter Square	311	200	64	200	64	231	74
On-street metered spaces more than 2 blocks from Hunter Square and less 4 blocks from Hunter Square	353	143	41	173	49	169	48
TOTAL	3,436	2,119	62	2,349	68	2,293	67
Available Parking Spaces		1,317		1,087		1,143	

2

3 This snapshot survey captured parking space use at parking meters, surface parking lots, and
4 parking structures on September 9, 2008 — a Tuesday — which is the busiest day of the week
5 for court operations. During the period surveyed, a total of 3,457 parking spaces was identified
6 (supply), and an average of 2,292 spaces was used (demand), for an average utilization of 66
7 percent. These results are similar to an earlier *Survey of Open Spaces at Downtown Parking
8 Garages and Surface Parking Lots Owned and Managed by Central Parking District*, a
9 windshield survey conducted by the City of Stockton Central Parking District in 2007, that found
10 a 68 percent average parking utilization in the downtown area.

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Table 4-24 Summary of Parking Garage Surveys

Date	Time	Stewart-Eberhardt Garage				Edmund Coy Parking Garage			County Motor Pool Garage (S. Hunter Street)			Total Spaces
		Vacant ADA Spaces	Vacant non-ADA Spaces	Vehicles with CA Exempt License Plates	Total Vacant Spaces (% of capacity)	Vacant ADA Spaces	Vacant non-ADA Spaces	Total Vacant Spaces (% of capacity)	Vacant ADA Spaces	Vacant non-ADA Spaces	Total Vacant Spaces (% of capacity)	
Survey Counts												
10/1/2008	~8:45	10	68	39	78 (10)	6	92	98 (18)	0	113	113 (41)	289
	~10:45	10	80	40	90 (11)	7	124	131 (24)	0	127	127 (46)	348
10/22/2008	~8:45	12	166	33	178 (23)	7	207	214 (39)	0	101	101 (36)	493
	~10:45	8	128	36	136 (17)	8	180	188 (34)	0	116	116 (42)	440
10/23/2008	~8:45	8	135	40	143 (18)	8	201	209 (38)	0	121	121 (44)	473
	~10:45	6*	67*	36	73* (9)	6	212	218 (39)	0	138	138 (50)	429
11/4/2008	~8:45	12	93	39	105 (13)	8	187	195 (35)	0	114	114 (41)	414
	~10:45	8*	49*	33	57* (7)	6	111	117 (21)	0	118	118 (42)	292
11/13/2008	~8:45	10	143	47	153 (19)	9	217	226 (41)	0	112	112 (40)	491
	~10:45	10	1113	30	123 (16)	6	172	175 (32)	0	118	118 (42)	419
Statistical Summary												
Average number of vacant spaces	~8:45	10.4	121.0	39.6	131.4	7.6	180.8	188.4	0	112.2	112.2	432.0
Standard deviation		1.67	39.68	4.98	39.75	1.14	50.82	51.74	0	7.19	7.19	86.10
Coefficient of variation		---	---	---	0.30	---	---	0.27	---	---	0.06	5.02
Average number of vacant spaces	~10:45	8.4	87.4	35.0	95.8	6.6	159.8	166.4	0.0	123.4	123.4	385.6
Standard deviation		1.67	32.59	3.74	33.22	0.89	41.67	41.70	0	9.21	9.21	63.51
Coefficient of variation		---	---	---	0.35	---	---	0.25	---	---	0.07	6.07
* Although AOC's analysts observed vacant parking spaces in garage, operators of the garage facility had closed the facility to the public except for monthly parking subscribers.												

1 **4.11.2 Analytical Framework**

2 **4.11.2.1 Analytical Methodology**

3 To identify the potential traffic impact with the proposed project, the traffic study evaluated
4 traffic operations at 15 nearby street intersections that provide access to the Hunter Square site
5 and five intersections near the alternate site at Washington Street. Crane Transportation Group
6 evaluated a “Base Case” (Year 2013 without Project) condition and a Base Case (Year 2013) +
7 New Courthouse condition. The study focused on traffic operation during commute hours 7 to
8 9 a.m. and 4 to 6 p.m.

9 **4.11.2.2 Study Assumptions**

10 Due to the county’s recent approval of its master plan update (County of San Joaquin 2008~~9~~) the
11 AOC understands that the county will not use most of the court’s existing space. Therefore, the
12 project is a re-location of existing court operations from the existing Courthouse and
13 Administration Building and the Courthouse Annex, and much of the estimated traffic is already
14 using the downtown street system.

15 The proposed courthouse project is expected to generate approximately 590 inbound and 66
16 outbound trips during the AM peak hour trips and 60 inbound and 334 outbound trips during the
17 PM peak hour. These trips were estimated based on trip rates established by surveys conducted
18 at the existing courthouse on Weber Avenue

19 The following input data have been adjusted for the revised year 2013 analysis.

- 20 • Net New Courthouse Development: The new courthouse will have 285,000 square feet of
21 space and 17,000 square feet of ground level parking for judges and administrative
22 officers. In conjunction with development of the new courthouse, a ± 50,000-square-foot
23 wing of the existing (adjacent) courthouse will be demolished, rather than be utilized for
24 office space. Thus, the net change in court-related office space in downtown Stockton
25 will be 235,000 square feet (285,000 BGSF – 50,000 BGSF), not the 285,000 BGSF
26 previously used by PHA Transportation Consultants;
- 27 • New Stockton City Hall: Stockton is currently consolidating City Hall functions from many
28 facilities in downtown Stockton to the Washington Mutual (WaMu) Building bounded by
29 Market, Main, Sutter, and California streets. Facilities currently used by the City will then,
30 for the most part, be utilized as office space for other businesses. As a result, City
31 employees will be occupying space formerly utilized by other workers in the WaMu
32 building, while space formerly occupied by City workers will be utilized by staff associated
33 with businesses moving into the old City offices. The net result will be no significant
34 change in traffic in the downtown area. Therefore, this study projects no change in traffic
35 activity in downtown Stockton due to the new City Hall, unlike the previous study which
36 conservatively assumed an entirely new work force in downtown Stockton;

- 1 • Assignment of New Courthouse Traffic to Local Street System: Net new traffic due to the
2 proposed Hunter Square courthouse has been assigned to the two major garages in the
3 downtown area that will most likely be used by staff and jurors. Specifically, the Stewart-
4 Eberhardt Garage south of Weber Street and accessed via both El Dorado Street and
5 Center Street will be utilized by ± 85 percent of the jurors and 15 percent of the staff,
6 while the Coy Garage south of Channel Street and accessed via Hunter Street will be
7 utilized by 15 percent of the jurors and 85 percent of the staff. The previous study
8 assigned all courthouse traffic to the block of the new courthouse. For analysis of the
9 alternative courthouse site along Washington Street, all parking will be within surface
10 lots just west and north of the courthouse building or along nearby streets; and
- 11 • The net increase in trip generation to/from downtown Stockton will be the same for the
12 Washington Street alternative site as for the proposed site in Hunter Square. However,
13 the streets serving the alternative site will attract the full trip generation potential of the
14 new courthouse (per Table 5 – 590 inbound and 66 outbound trips during the AM peak
15 hour, with 60 inbound and 334 outbound trips during the PM peak hour). The
16 elimination of 50,000 square feet of existing courthouse space will then result in a
17 reduction of traffic to/from the vicinity of this facility (per Table 5 – removal of 99
18 inbound and 12 outbound trips during the AM peak hour, with 44 inbound and 99
19 outbound trips eliminated during the PM peak hour). The alternative site courthouse
20 will also result in about 90 new AM peak hour vehicle trips being made from the
21 downtown area to the new courthouse. These trips will be made from the DA’s office,
22 probation office, public defender’s office, City/County offices and private offices.
23 Currently, these trips are made by foot in the downtown area and will continue to be
24 made on foot with the new courthouse at Hunter’s Square.

25 Analysts evaluated traffic controls and pedestrian crossing facilities at intersections near the
26 proposed courthouse parcel to evaluate hazards. Analysts also observed vehicle movements
27 through intersections to monitor vehicle driver-pedestrian interactions.

28 Analysts tabulated the availability of parking spaces near the proposed courthouse parcel to
29 evaluate parking. Analysts evaluated parking space availability on September 9, 2008, during
30 8:30 to 9:30, 10:15 to 11:15, and 1 p.m. to 2 p.m. periods. The September 9 survey area included
31 on-street parking areas within several blocks of the proposed courthouse site; the Stewart-
32 Eberhardt, Coy, Channel Street, Market Street, and County Motor Pool parking garages, and
33 several parking lots. The AOC also repeatedly evaluated parking space availability in the
34 Stewart-Eberhardt, Coy, and County Motor Pool parking garages during October 2008 and
35 November 2008.

36 **4.11.2.2 Regulatory Background**

37 The City of Stockton’s general plan considers Level of Service D the minimum acceptable for its
38 roadway systems, except for the downtown area, where the minimum acceptable Level of
39 Service is E. The City of Stockton does not have specified standards and criteria for non-

1 signalized intersections. In traffic engineering practice, however, potential mitigation should be
2 investigated and considered when a four-way stop control intersection reaches Level of Service
3 E, or when the side street approaches at a two-way stop-control intersection reach Level of
4 Service E.

5 The city's Central Parking District administers the city's surface lots and parking structures in
6 the downtown area. An Advisory Board appointed by the City Council operates the district. It
7 funds capital improvements, maintenance and operating expenses of the Central Parking District
8 by an *ad valorem* assessment on all property located within the district, charges for monthly and
9 hourly parking privileges, and other income from contract agreements with other entities.

10 The Stockton City Council established the Downtown Parking Community Facilities District
11 2001 to provide additional flexibility and financial resources in providing adequate public
12 parking facilities in Downtown Stockton (City of Stockton. 2007a). The Central Parking District
13 currently owns and operates 14 parking facilities in the downtown area, providing approximately
14 6,000 parking spaces. The Central Parking District attempts to exempt downtown developments
15 from general parking standards, which require a specific number of on-site parking spaces for
16 each type of land use. All properties within the boundaries of the Central Parking District (except
17 residential uses, schools, and homeless shelters) have the option to provide all off-street parking
18 or on-site parking or to annex to the Central Parking District and pay special fees toward
19 providing off-site parking.

20 **4.11.2.3 Standards of Significance**

21 The AOC considers an impact to be significant if the proposed project will:

- 22 • Cause an increase in traffic that is substantial in relation to the existing traffic load
23 and capacity of the street system.
- 24 • Exceed a level of service standard established by the county congestion management
25 agency for designated roads or highways.
- 26 • Produce a change in air traffic patterns, including either an increase in traffic levels or
27 a change in location that results in substantial safety risks.
- 28 • Substantially increase hazards because of a design feature.
- 29 • Result in inadequate emergency access.
- 30 • Result in inadequate parking capacity.
- 31 • Conflict with adopted policies, plans, or programs supporting alternative
32 transportation.

33 The City of Stockton's general plan considers Level of Service D the minimum acceptable for its
34 roadway systems, except for the downtown area, where the minimum acceptable Level of
35 Service is E. The City of Stockton does not have specified standards and criteria for non-
36 signalized intersections. In traffic engineering practice, however, potential mitigation should be

1 investigated and considered when a four-way stop control intersection reaches Level of Service
2 E, or when the side street approaches at a two-way stop-control intersection reach Level of
3 Service E.

4 The City of Stockton defines significant impact as follows:

- 5 • For a city intersection, a transportation impact for a project is considered significant if
6 the addition of project traffic will cause an intersection that will function at Level of
7 Service D or better without the project to function at Level of Service E or F.
- 8 • For city intersections with Level of Service E or F conditions without the project, a
9 transportation impact for a project is considered significant if the addition of project
10 traffic causes an increase of greater than 5 seconds in the average delay for the
11 intersection.
- 12 • For downtown intersections, the minimum acceptable condition is Level of Service E.
- 13 • For Caltrans facilities, the minimum acceptable Level of Service is D.

14 **4.11.3 Potential Impacts and Mitigation Measures**

15 ***4.11.3.1 Traffic Increase and Level of Service***

16 ***Potential Impact: Cause an increase in traffic that is substantial in relation to the existing***
17 ***traffic load and capacity of the street system?—Significant and Unavoidable.*** Table 4-21
18 shows traffic Level of Service for existing conditions, and Table 4-25 shows projected Year
19 2013 traffic Level of Service for base conditions and base + project conditions. The analyses
20 indicate that the project’s Level of Service impacts will be less than significant impacts for
21 traffic passing through the City’s intersections that are separated from the State Route 4-linked
22 intersections. For the Washington Street and Lafayette Street intersections that link with State
23 Route 4 ramps, the project’s Level of Service impacts to State Route 4-linked intersections will
24 be less than significant.

25 Table 4-26 lists data from the Traffic Study’s AM queuing analysis. The base condition for the
26 El Dorado/Washington Street intersection will exceed the street segment’s storage, but all other
27 intersection segments will have adequate storage. Since the base + project’s queuing increases
28 AM queuing at the intersection El Dorado/Washington Street intersection, the project will have a
29 significant impact to the intersection. PM queuing impacts did not exceed storage areas (See
30 Appendix H).

31 In the vicinity of the proposed project, State Route 4 extends in an approximate east: west
32 direction and has the following connecting ramps:

- 33 • Eastbound State Route 4 connects with a combination of northbound Interstate 5
34 lanes, southbound Interstate 5 lanes, and exit ramp lanes to the intersection of
35 Lafayette Street/Center Street;

- 1 • Eastbound State Route 4 connects with an entry ramp from the intersection of
2 Lafayette Street/El Dorado Street;
- 3 • Eastbound State Route 4 connects with exit ramp lanes to the intersection of
4 Lafayette Street/Stanislaus Street;
- 5 • Eastbound State Route 4 connects with an entry ramp from the intersection of
6 Lafayette Street/Stanislaus Street;
- 7 • Westbound State Route 4 connects with exit ramp lanes to the intersection of
8 Washington Street/Stanislaus Street;
- 9 • Westbound State Route 4 connects with an entry ramp from the intersection of
10 Washington Street/Stanislaus Street;
- 11 • Westbound State Route 4 connects with exit ramp lanes to the intersection of
12 Washington Street/El Dorado Street; and
- 13 • Westbound State Route 4's ramp to northbound Interstate 5 lanes and southbound
14 Interstate 5 lanes connects with an entry ramp lanes from the intersection of
15 Lafayette Street/Center Street.

16 Analysts evaluated traffic flow and merge/diverge concerns on State Route 4 by driving the
17 freeway segments and ramps and observing traffic flow. For the eastbound State Route 4
18 connection with northbound Interstate 5 lanes, southbound Interstate 5 lanes, and exit ramp lanes
19 to the intersection of Lafayette Street/Center Street, the AOC concludes that the project's
20 additional trips will cause increased lane changes and therefore cause significant impacts at the
21 connection; since the AOC cannot change the State Route 4, Interstate 5, and Lafayette
22 Street/Center Street exit ramp, the AOC concludes that the project's impacts are significant and
23 unavoidable. For the westbound State Route 4's ramp to northbound Interstate 5 lanes and
24 southbound Interstate 5 lanes connects with a entry ramp lanes from the intersection of Lafayette
25 Street/Center Street, the project's additional trips will cause increased lane changes and therefore
26 cause significant impacts at the connection; since the AOC cannot change the State Route 4,
27 Interstate 5, and Washington Street/Center Street entry ramp, the AOC concludes that the
28 project's impacts are significant and unavoidable. For the remaining State Route 4 connecting
29 ramps, analysts did not observe merge and diverge problems, and the AOC therefore concludes
30 that the project's impacts will be less than significant.

31 *Mitigation Measures:* The AOC concludes that there is no feasible timing improvement or
32 widening improvement that can mitigate the El Dorado/Washington Street intersection impacts
33 to a level that is less than significant. As noted above, the AOC also concludes that there are no
34 feasible mitigation measures for the project's impacts to the eastbound State Route 4 connection
35 with northbound Interstate 5 lanes, southbound Interstate 5 lanes, and exit ramp lanes to the
36 intersection of Lafayette Street/Center Street and the project's impacts to the westbound State
37 Route 4's ramp to northbound Interstate 5 lanes and southbound Interstate 5 lanes connects with
38 a entry ramp lanes from the intersection of Lafayette Street/Center Street.

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Table 4-25: Base and Base + Project Conditions Traffic Operation (Level of Service) Analysis

Study Intersections	Time	Base Case		Base Case + Project	
		Delay	LOS	Delay	LOS
1 Center/Park	AM	11.8	B	12.0	B
	PM	20.5	C	20.5	C
2 El Dorado/Park	AM	5.9	A	5.9	A
	PM	9.2	A	9.2	A
3 Center/Oak	AM	8.1	A	8.1	A
	PM	5.4	A	5.4	A
4 El Dorado/Oak	AM	4.5	C	4.5	A
	PM	5.2	A	5.2	A
5 Center/Fremont	AM	5.2	A	5.2	A
	PM	5.1	C	5.2	A
6 El Dorado/Fremont	AM	10.2	B	10.2	B
	PM	10.9	C	10.9	A
7 Center/Weber	AM	11.9	B	11.9	B
	PM	20.3	C	21.1	C
8 El Dorado/Weber	AM	12.9	B	12.9	B
	PM	11.3	B	12.3	B
9 Weber/California	AM	13.0	B	13.1	B
	PM	11.7	B	11.7	B
10 Center/Washington	AM	13.9	B	13.9	B
	PM	10.7	B	11.1	C
11 El Dorado/Washington – WB SR 4 off-ramp	AM	24.5	C	28.5	C
	PM	48.5	D	48.7	F
12 Stanislaus/Washington-WB SR 4 off-ramp	AM	23.6	C	24.8	C
	PM	17.7	B	18.7	B
13 Center/Lafayette- EB SR 4 off-ramp	AM	28.0	C	45.8	D
	PM	14.2	B	14.5	B
14 El Dorado/Lafayette –WB SR 4 off-ramp	AM	9.4	A	10.0	B
	PM	21.8	C	21.8	C
15 Stanislaus/Lafayette- EB SR 4 off-ramp	AM	47.2	D	49.4	D
	PM	45.9	D	49.4	D

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Notes:
Delay = Stop delay per vehicle in seconds
LOS = Level-of-Service

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**Table 4-26: 95th percentile AM Peak Hour Vehicle Queuing Year 2013
Proposed Hunter Square Courthouse Site**

Intersection	Approach	Storage (Per Lane) In Feet	95th Percentile Queuing (Per Lane) In Feet	
			Base Case	Base Case + Project
Center Street/Park Street	SB Center Street Through	300	223	235
Center Street /Oak Street	SB Center Street Through	300	57	60
Center Street /Fremont Street	SB Center Street Through	270	34	34
Center Street /Weber Avenue	WB Weber Avenue Through/left	290	38	38
Center Street / Washington Street	SB Center Street	300	22	23
	WB Washington Street	300	125	125
Center Street /Lafayette Street	SB Center Street Left	210	189	196
	SB Center Street Through	210	66	66
El Dorado Street / Lafayette Street	NB El Dorado Street	330	96	97
	EB Lafayette Street Left	330	113	154
El Dorado Street / Washington Street	NB El Dorado Street Through	210	233	284
El Dorado Street /Weber Street	NB El Dorado Street Through/EB	500	188	188
	Weber Through/Left	300	75	75
El Dorado Street / Fremont Street	NB El Dorado Street Through	280	140	140
El Dorado Street /Oak Street	NB El Dorado Street Through	275	38	38
El Dorado Street /Park Street	NB El Dorado Street Through	300	22	22

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4.11.3.2 Congestion Management Service Standard

Potential Impact: Exceed a level of service standard established by the county congestion management agency for designated roads or highways?—Less than significant. The Level of Service estimates are not expected to create unacceptable level of service conditions based on the San Joaquin Council of Governments’ traffic levels of service standards, which focus on roadway segments rather than intersections.

Mitigation Measures: None required.

4.11.3.3 Air Traffic Patterns

Potential Impact: Produce a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?—No Impact. The proposed project will not generate air traffic and will not change existing air traffic patterns

Mitigation Measures: None required.

4.11.3.4 Hazards Posed by Design Features

Potential Impact: Substantially increase hazards because of a design feature (such as sharp curves or dangerous intersections) or incompatible uses?—Potentially Significant and Unavoidable. The new courthouse design will conform to the California Building Code and will be generally consistent with City of Stockton design standards. Therefore, the proposed project will not include any increased hazards related to a design feature. As a result, there will be no significant impacts related to the building’s design.

The project will create 30 courtrooms at the Hunter Square site, so operations of the proposed new courthouse will increase the number of people crossing El Dorado Street, Weber Avenue, and Main Street. Potential impacts include:

1. Crosswalks at El Dorado Street and Main Street, El Dorado Street and Weber Avenue, Weber Avenue and San Joaquin Street, and San Joaquin Street and Main Street currently have adequate traffic and pedestrian controls, and these controls will be sufficient to keep project-related hazard impacts at levels that are less than significant;
2. At the Weber Avenue and North Hunter Street crosswalk, the proposed project will eliminate the existing Hunter Square parking lot; removal of the lot and its driveways will reduce turning complications and lane changes, and the AOC expects that these changes will increase safety at the crosswalk. However, the presence of buses at the existing Weber Avenue transit stop will continue to affect drivers’ behavior, obstruct drivers’ field of vision as they approach the crosswalk, and obstruct northbound pedestrians’ view of eastbound traffic. Since the project will increase the number of persons using the crosswalk, the hazards at this crosswalk are potentially significant;

- 1 3. For the Main Street and South Hunter Street crosswalk, Section 4.11.1.4 noted that
2 there are no traffic controls at this intersection and the AOC observed that
3 pedestrians' and drivers' behaviors were irregular and unpredictable. The project will
4 increase the number of persons traveling to the courthouse, so more persons will be
5 crossing through the Main Street and South Hunter Street crosswalk. In addition, the
6 project will add traffic to Main Street because of trips associated with sheriff's buses,
7 court staff members' vehicles, and service vehicles. Hazards at this crosswalk are
8 potentially significant because of the potential increase in the number of pedestrian
9 and vehicle interactions, the Main Street and S. Hunter Street intersection's reduction
10 of two traffic lanes to one lane and the intersection's left turn geometry, and the
11 absence of traffic control at the intersection; and
- 12 4. The project will add limited driveway-related vehicle traffic to a portion of the Main
13 Street mall. Since the mall currently carries no regular vehicle traffic, the courthouse-
14 related traffic will be a new hazard. The project's California Building Code Title 24
15 markers (see Figure 6) will provide some visual and tactile reminder for pedestrians
16 and vehicle drivers. ~~However, urban areas typically segregate pedestrian traffic and
17 vehicle traffic; safety measures may reduce the risk of pedestrian and vehicle
18 collisions, but pedestrians and vehicle drivers make mistakes. Therefore, the
19 project's addition of vehicle traffic to a portion of the Main Street mall will be a
20 significant and unavoidable impact.~~

21 *Mitigation Measures:* As noted above, there will be no significant impacts related to the
22 building's design. Therefore, no mitigation measures are required for design-related impacts.
23 The following mitigation measures will reduce the project's operational impacts to a level that is
24 less than significant for the Weber Avenue and North Hunter Street crosswalk and the Main
25 Street and South Hunter Street crosswalk. However, the project's impacts to the Main Street
26 mall will remain significant and unavoidable despite mitigation measures:

27 **Traffic 13**—For the Weber Avenue and North Hunter Street crosswalk, the proposed
28 project will re-locate the existing transit stop from its location adjacent to Hunter Square
29 and west of the Weber Avenue and North Hunter Street crosswalk to a new location of
30 Weber Avenue that is east of the Weber Avenue and North Hunter Street crosswalk. The
31 new transit stop will be at least 1.5 bus lengths east of the crosswalk. This mitigation
32 measure will reduce the potential hazard impacts for the Weber Avenue and North
33 Hunter Street crosswalk to a level that is less than significant;

34 **Traffic 24**—For the Main Street and South Hunter Street crosswalk, the proposed project
35 will provide five improvements.

- 36 f) First, the project will revise the lane geometry of the western portion of East Main
37 Street near its intersection with S. Hunter Street to merge the current two lanes
38 into one lane;
- 39 g) Second, the project will repaint the crosswalk to enhance its visibility;

- 1 h) Third, the project will eliminate Main Street parking spaces that are within 30 feet
2 of the crosswalk;
- 3 i) Fourth, the project will add structural improvements (such “bulb outs” or curb
4 peninsulas that extend into the street) to the crosswalk that reduce the crosswalk’s
5 length across Main Street; and
- 6 j) Fifth, the project will add a stop sign to the intersection to control westbound
7 Main Street traffic and a stop sign to control Main Street mall traffic that is
8 exiting from the proposed new courthouse. The combination of the five
9 components of this mitigation measure will reduce the potential hazard impacts
10 for the Weber Avenue and North Hunter Street crosswalk to a level that is less
11 than significant;

12 **Traffic 35**—For the Main Street mall, the proposed project will provide a warning sound system
13 at the courthouse’s exit ramps that will provide a sound signal when vehicles emerge
14 from the courthouse’s ramps onto the mall. In addition, the project will add light signals
15 similar to the signal system at the El Dorado Street and Main Street crosswalk so that
16 vehicles exiting the courthouse ramps will trigger the light system, and the lights will
17 alert pedestrians near the project’s truncated dome mats. The AOC will add a
18 combination of features to the Main Street pedestrian mall that will emphasize that it is a
19 street where pedestrians and cyclists have legal priority over motorists. The features will
20 include:

- 21 • Appropriate signage indicating shared use of the space by pedestrians and vehicle
22 drivers;
- 23 • Very slow speed limits;
- 24 • Traffic calming strategies such as narrow and often curving traffic lanes that
25 require the driver to slow down for maneuvering through the lanes, textured paving
26 or speed bumps that read through to the driver, and appropriate signage of speed
27 limitations and enforcement of the speed limit; and
- 28 • Maintenance of a safe pedestrian route for visually impaired users set off from the
29 primary vehicular pathway by a combination of landscape buffers, raised planters,
30 grasscrete, barney rubble (a combination of flat recycled broken concrete
31 interspersed with plantings), tactile warning strips including but not limited to
32 raised dot paving, bollards and benches and other forms of street furniture, audible
33 sound warnings that traffic is present, and effective street lighting to maintain
34 pedestrian safety.
35

36 This mitigation measure and mitigation measure Traffic 2’s Main Street mall stop sign
37 will reduce the potential hazard impacts for the Main Street mall to a level that is less
38 than significant; however, the inherent danger of combining pedestrians and vehicles into
39 the same area will keep potential impacts at a level that is significant and unavoidable.

1 **4.11.3.5 Emergency Access**

2 **Potential Impact: Result in inadequate emergency access?—No Impact.** Based on the
3 preliminary site plan, the proposed project will have a main access from Weber Avenue and a
4 sallyport access at the back of the building. These features should provide adequate vehicle
5 access (approximately 35 to 40 vehicles) and pedestrian access. The AOC’s development of the
6 project site will conform to recommendations of the court, the San Joaquin County Sheriff’s
7 Department, and the Stockton Fire Department to ensure adequate emergency access
8 considerations. The Stockton Fire Department will review plans to ensure emergency access.
9 The proposed project does not include closure of any public through street that is currently used
10 for emergency services and will not be expected to interfere with the adopted emergency
11 response plan. Therefore, the AOC concludes that the project will have no impacts on
12 emergency access.

13 *Mitigation Measures:* None required.

14 **4.11.3.6 Parking Capacity**

15 **Potential Impact: Result in inadequate parking capacity?—Less than Significant.** Construction
16 of the project will eliminate approximately 50 parking spaces in the Hunter Square parking lot.
17 The court currently has a maximum juror population of approximately 275 jurors to 300 jurors in
18 the Courthouse and Administration Building. When the court begins operations in the new
19 courthouse, the AOC expects that the court will add approximately additional 100 juror and
20 approximately 100 visitor and staff trips per day. The project will provide approximately 40
21 parking spaces at the building for judges and administrative officers. Therefore, the project will
22 need approximately 250 additional parking spaces for the court’s operations in the proposed new
23 courthouse.

24 Tables 4-23 and 4-24 provide data on the current available parking supply, and they show that the
25 parking facilities near the existing and proposed courthouse currently have unused capacity. The
26 mean morning vacancies for the Stewart-Eberhardt, Edmund Coy, and Hunter Street garages total
27 more than 400 spaces; therefore, even though the project will eliminate the Hunter Square parking
28 lot, the existing facilities appear to have sufficient capacity to satisfy the project’s parking needs.
29 The AOC recognizes that forecasting the parking needs of other potential downtown development
30 is uncertain. However, Table 4-23 indicates that that the Channel Street garage has additional
31 parking available and on-street parking spaces are available within two blocks of the proposed
32 courthouse site. Therefore, the AOC concludes that the project’s parking impacts will be less than
33 significant.

34 *Mitigation Measures:* None required.

35 **4.11.3.7 Existing Alternative Transportation Policies**

36 **Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative**
37 **transportation (such as bus turnouts, bicycle racks)?—Less than Significant.** Survey results of

1 existing court trip generation indicated very few visitor or staff members use public
2 transportation for work or to conduct business at the courthouse. Therefore, the proposed project
3 is not expected to have a significant impact on the public transportation system.

4 *Mitigation Measures:* None required.

5 4.12 UTILITIES AND SERVICE SYSTEMS

6 This section evaluates the project's potential impacts on utilities and service systems.

7 **4.12.1 Environmental Setting**

8 The new courthouse for the court will be located on an approximately 1-acre parcel in downtown
9 Stockton. The site is currently a parking lot and a park. Water service extends to the site, and
10 adjacent developed parcels have wastewater service, water supply service, and trash collection
11 service.

12 **4.12.2 Analytical Framework**

13 Utilities for the new courthouse have been analyzed, and telecommunication, electric, gas, water,
14 and sewer sources were consulted to evaluate the impacts of the project on these services.
15 Additionally, landfill and wastewater treatment facilities were consulted to evaluate whether the
16 new courthouse will significantly affect the remaining capacity of these facilities.

17 **4.12.2.1 Analytical Methodology**

18 The EIR's analysts conducted a document search and site reconnaissance to observe the
19 environmental conditions of the project site to evaluate the project's potential impacts on utilities
20 and public systems. The AOC's evaluation of utilities and public systems on and near the
21 proposed New Stockton Courthouse Project included the following information:

- 22 • Phase I Environmental Site Assessment (Earth Tech 2008),
- 23 • Review of American Society for Testing and Material standard environmental records
24 searches that were performed by Environmental Data Resources during the Phase I
25 Environmental Site Assessment (Earth Tech 2008),
- 26 • Review of the proposed project with respect to compliance with federal, state, and
27 local legal requirements pertaining to utilities and public systems, and
28 • Review of the Stockton General Plan 2035 (2007a)

29 **4.12.2.2 Regulatory Background**

30 The laws and regulations that govern the utilities and service systems in Stockton fall under state
31 and local jurisdiction. The City of Stockton also has drafted new policies on the Stockton
32 Municipal Water Department in its Stockton General Plan 2035 (City of Stockton 2007a).

1 **Federal**

- 2 • The Clean Water Act is a 1977 amendment to the Federal Water Pollution Control
3 Act of 1972, which set the basic structure for regulating discharges of pollutants to
4 waters of the United States.
- 5 • National Pollutant Discharge Elimination Systems is the permitting process used to
6 implement technology-based and water quality-based controls.

7 State Senate Bill 610 amended state law to improve the link between information on water
8 supply availability and certain land use decisions made by cities and counties. Senate Bill 610
9 requires detailed information on the availability of water in the form of a water supply
10 assessment before specified large development projects can be approved. Section 15155 of the
11 CEQA Guidelines requires a city or county lead agency to develop a water supply assessment. A
12 city or county must secure a water supply assessment from the governing body of a public water
13 system for any “project” that is subject to CEQA and proposes commercial development of more
14 than 250,000 square feet of floor space, a retail center with more than 500,000 square feet of
15 floor space, or more than 500 dwelling units. California Water Code Section 10910 also requires
16 a city or county lead agency to identify any water system that will supply water to a project.

17 **Local**

- 18 • Stockton General Plan 2035 contains policies on the wastewater serves for the City of
19 Stockton.

20 **4.12.2.3 Standards of Significance**

21 The AOC considers an impact to be significant if the proposed project will:

- 22 • Exceed wastewater treatment requirements of the applicable Regional Water Quality
23 Control Board;
- 24 • Require construction of new water or wastewater treatment facilities or expansion of
25 existing facilities, the construction of which could cause significant environmental
26 effects;
- 27 • Require construction of new storm water drainage facilities; expansion of existing
28 facilities, the construction of which could cause significant environmental effects;
- 29 • Have insufficient water supplies to serve the project from existing entitlements and
30 resources;
- 31 • Result in a determination by the wastewater treatment provider that serves the project
32 that it lacks adequate capacity to serve the project’s projected demand in addition to
33 the provider’s existing commitments; or
- 34 • Lack service by a landfill with sufficient permitted capacity to accommodate the
35 project’s solid waste disposal needs.

1 **4.12.3 Potential Impacts and Mitigation Measures**

2 **4.12.3.1 Wastewater Treatment**

3 **Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water**
4 **Quality Control Board?—Less Than Significant.** Buildings in Stockton are located within the
5 Central Regional Water Quality Control Board are subject to control under the Stockton
6 Regional Wastewater Control Facility. Based on the design of the courthouse facility, the
7 wastewater effluent from the new building will meet the requirements for discharge that are
8 applicable to the Regional Water Quality Control Board.

- 9
- 10 • The AOC will apply for a Silver rating certification under the U.S. Green Building
11 Council’s LEED Green Building Rating System for the project, and the AOC intends to
12 implement a wastewater plan that complies with LEED Silver rating requirements.
13 These requirements (U.S. Green Building Council 2003) relevant to wastewater
14 include:
 - Innovative wastewater technologies

15 Since the proposed courthouse will meet requirements of the California Building Code and will
16 be a LEED silver building, the AOC concludes that the project’s impacts on wastewater
17 treatment requirements will be less than significant.

18 *Mitigation Measures:* None required.

19 **4.12.3.2 New Water or Wastewater Treatment Facilities**

20 **Potential Impact: Require or result in the construction of new water or wastewater treatment**
21 **facilities or expansion of existing facilities, the construction of which could cause significant**
22 **environmental effects?—Less than Significant.** The city’s general plan EIR indicates that the
23 Stockton Municipal Water Department will serve the project. The Proposed Project’s projected
24 wastewater demand, based on assumptions for “institutional uses,” is approximately one-third
25 the water demand. Water demand is 3,000 gallons per day per acre (gpd/acre). The Proposed
26 Project site is approximately 1 acre; therefore, water demand is 3,000 gpd and wastewater
27 demand is 1,000 gpd (AOC 2008a).

28 Although the new courthouse will add water demand for the city’s water supply, the court’s
29 move from the existing courthouse will partially compensate for the demand of the new building.
30 In addition, although the new courthouse will provide approximately twice the space of the
31 existing courthouse and courthouse annex, the AOC and court expect the project to involve only
32 a minor increase in the number of staff persons. Since the increase in courthouse population will
33 be small and the AOC expects only minor and temporary future use of the current court’s space,
34 the AOC concludes that the impacts on water treatment facilities will be less than significant.

1 Solid waste services are provided by the City of Stockton Solid Waste and Recycling Division.
2 The Stockton Regional Wastewater Facility Plant is a regional wastewater facility with a
3 capacity of 55 million gallons per day (MGD) based on the 2006 upgrade to the system, as
4 discussed in the city's general plan. The city's general plan EIR recommends that the facility be
5 expanded to approximately 94.07 MGD (106,064 acre-feet per year) by 2035. Currently, the
6 wastewater facility is operating at 35 MGD influent and 55 MGD effluent with several settling
7 ponds that facilitate evaporation. Therefore, the project's wastewater generation (1,000 gpd) will
8 not exceed wastewater treatment requirements of the Water Board based on the current
9 wastewater facility capacity of 55 MGD (City of Stockton 2008c). The AOC therefore
10 concludes that the impacts on wastewater treatment facilities will be less than significant.

11 *Mitigation Measures:* None required.

12 **4.12.3.3 Require or Result in the Construction of Storm Water Drainage Facilities or**
13 **Expansion of Existing Facilities**

14 ***Potential Impact: Require or result in the construction of new storm water drainage facilities***
15 ***or expansion of existing facilities, the construction of which could cause significant***
16 ***environmental effects?—No Impact.*** Storm drains and flood control facilities are administered
17 by the City of Stockton and the San Joaquin Area Flood Control District. The City Development
18 Services Department, Public Works Division, is responsible for design and construction of storm
19 drain facilities. The Mormon Slough flows east to west approximately seven blocks south of the
20 proposed project site and into the Stockton Deep Water Channel. Stormwater and surface water
21 discharge by sheet flow to street gutter storm drains and to storm drains in paved parking lots,
22 and percolate directly into the landscaped portions of the project site (Earth Tech 2008). The
23 proposed project will not require construction of new off-site storm water facilities. According
24 to the Public Works Division, the project will not create an abundance of stormwater that will
25 require a change control to the current system.

- 26
- The AOC will apply for a Silver rating certification under the U.S. Green Building Council's LEED Green Building Rating System for the project, and the AOC intends to implement a stormwater plan that complies with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to stormwater include:
 - 27 – Stormwater — Quantity control
 - 28 – Stormwater — Quality control
 - 29
 - 30
 - 31

32 *Mitigation Measures:* None required.

33 **4.12.3.4 Have Sufficient Water Supplies Available to Serve the Project from Existing**
34 **Entitlements and Resources**

35 ***Potential Impact: Have sufficient water supplies available to serve the project from existing***
36 ***entitlements and resources, or are new or expanded entitlements needed?—Less than***
37 ***Significant.*** The California Water Service Company will provide water service to the site. The

1 California Water Service Company stated that the project will not consume an overabundance of
2 water from the current water supply. Based on the current consumption levels from November
3 2007 through October 2008, the average consumption of water, without LEED standards, for an
4 approximately 100,000-square-foot building is 600 cubic feet per 100 cubic feet. The water
5 consumption changes from summer to winter, with consumption being three times the amount in
6 the summer. By implementing the LEED Silver standards for water efficiency, the reduction in
7 water and the increase in the size will counterbalance any excessive additional use (California
8 Water Service Company 2008).

- 9 • The AOC will apply for a Silver rating certification under the U.S. Green Building
10 Council's LEED Green Building Rating System for the project, and the AOC intends
11 to implement a water supply plan that complies with LEED requirements. These
12 requirements (U.S. Green Building Council 2003) relevant to water supply include:
 - 13 • Water efficient landscaping — Reduce water use by 50 percent, use nonpotable
14 water, or use no water for landscaping.
 - 15 • The AOC concludes that water supply impacts are less than significant.

16 *Mitigation Measures:* None required.

17 **4.12.3.5 Wastewater Treatment Capacity**

18 ***Potential Impact: Result in a determination by the wastewater treatment provider that serves***
19 ***or may serve the project that it has adequate capacity to serve the project's projected demand***
20 ***in addition to the provider's existing commitments?—Less than Significant.*** The proposed
21 project's wastewater treatment demand will be minor based on the calculations and information
22 provided in Section 4.12.2.1 for the Stockton Regional Wastewater Facility. Therefore, the
23 proposed project will not have significant impacts on wastewater treatment capacity.

24 *Mitigation Measures:* None required.

25 **4.12.3.6 Landfills**

26 ***Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate***
27 ***the project's solid waste disposal needs?—Less than Significant.*** The proposed project will be
28 served by the City of Stockton Solid Waste and Recycling Division. The solid waste generated
29 by the project will contribute to consuming existing landfill capacity; however the additional
30 contribution will not be considered substantial as compared with the remaining landfill capacity.
31 Currently, the Foothill Landfill can hold 51 million tons of material and is not expected to reach
32 capacity until 2054 (Stockton MUD 2008b). Therefore, the AOC concludes that the project's
33 impacts are less than significant.

34 *Mitigation Measures:* None required.

1 CEQA defines “feasible” as:

2 ...capable of being accomplished in a successful manner within a reasonable
3 period of time, taking into account economic, environmental, legal, social and
4 technological factors.

5 According to (CEQA Guidelines Section 15126.6(f)(1)), a lead agency may consider the
6 following factors in its assessment of the feasibility of alternatives: site suitability, economic
7 viability, availability of infrastructure, general plan consistency, other plans or regulatory
8 limitations, jurisdictional boundaries, and the ability of the proponent to attain site control

9 The selection of alternatives takes into account the project objectives (see Section 2, Project
10 Description).

11 Equally important to attaining the project objectives is the reduction of some or all significant
12 impacts, particularly any impacts that could not be mitigated to a level below the threshold of
13 significance. The project-specific and cumulative significant and post-mitigation unavoidable
14 impacts are:

- 15 ~~• The proposed addition of the new courthouse, along with the proposed elimination of the~~
16 ~~parking lot and mature landscaping, and park area which, combined, provide a visually~~
17 ~~open area and will alter downtown Stockton’s visual character, resulting in significant~~
18 ~~and unavoidable impacts.~~
- 19 • The proposed elimination of the historic Hunter Square Plaza though development of the
20 new courthouse will result in significant and unavoidable impacts on cultural and historic
21 resources,
 - 22 ~~• The proposed elimination of the existing open space, park, and pool will result in~~
23 ~~significant and unavoidable impacts to recreation and open space.~~
 - 24 • The proposed project will result in significant and unavoidable impacts to ambient noise
25 from construction operations,
 - 26 • The proposed project will result in significant and unavoidable impacts to traffic from
27 increase in court operations, and
 - 28 • The proposed project will have significant and unavoidable impacts related to the
29 cumulative impacts from loss of cultural resources and increase in traffic.

30 This EIR evaluates the following alternatives to reduce significant and unavoidable impacts to
31 cultural/historical resources, ~~recreation related public space, visual resources, and construction-~~
32 ~~related noise, traffic, and traffic hazards:~~

- 33 A. The **No Project Alternative** assumes the proposed project will not be implemented.
34 Hunter Square plaza and the fountain proposed for demolition under the proposed
35 project will remain unaltered;

- 1 B. The **Hunter Square Expanded** alternative assumes the proposed project will include
2 Hunter Square Plaza parcel plus any combination of: (1) any of the three private
3 parcels adjacent and to the east, (2) the city alleyway west of the three private parcels,
4 and (3) the eastern portion of the Bank of America parking lot, defined as the portion
5 of the parking lot north of the main street pedestrian mall, east of the west edge of the
6 city alley, and south of the three private parcels;
- 7 C. The **Washington Street** alternative assumes the proposed project will include three
8 blocks located north of Washington Street. The site is bounded on the north by
9 Market Street, on the east by Madison Street, on the south by Washington Street, and
10 on the west by Lincoln Street; and
- 11 D. The **Private Parcels** alternative assumes the proposed project will include the Bank
12 of America property at the southeast corner of Weber Avenue and El Dorado Street,
13 three private parcels that are east of the Bank of America property, and the city alley
14 immediately east of the Bank of America building. This alternative does not include
15 any portion of the proposed Hunter Square site.

16 The following text describes the alternatives and assesses each alternative's impacts relative to
17 the proposed project. The focus of this analysis is the difference between the alternative and the
18 proposed project. The analysis indicates which mitigation measures will be required of the
19 alternative and which significant and unavoidable impacts will be avoided with implementation
20 of the alternative rather than the proposed project. In some cases, the analysis indicates what
21 additional mitigation measures, if any, will be required for the alternative being discussed, and
22 what significant and unavoidable impacts will be more (or less) severe.

23 5.1 NO PROJECT ALTERNATIVE

24 CEQA requires evaluation of the comparative impacts of the "No Project" alternative (CEQA
25 Guidelines Section 15126.6(e)(1)). Under No Project Alternative, the AOC will not implement
26 the courthouse project. The court will remain in the existing courthouse and the annex, and the
27 Hunter Square Plaza parking area and park and Main Street mall will remain unchanged.

28 The No Project Alternative will not achieve any of the project objectives. It will fail to:

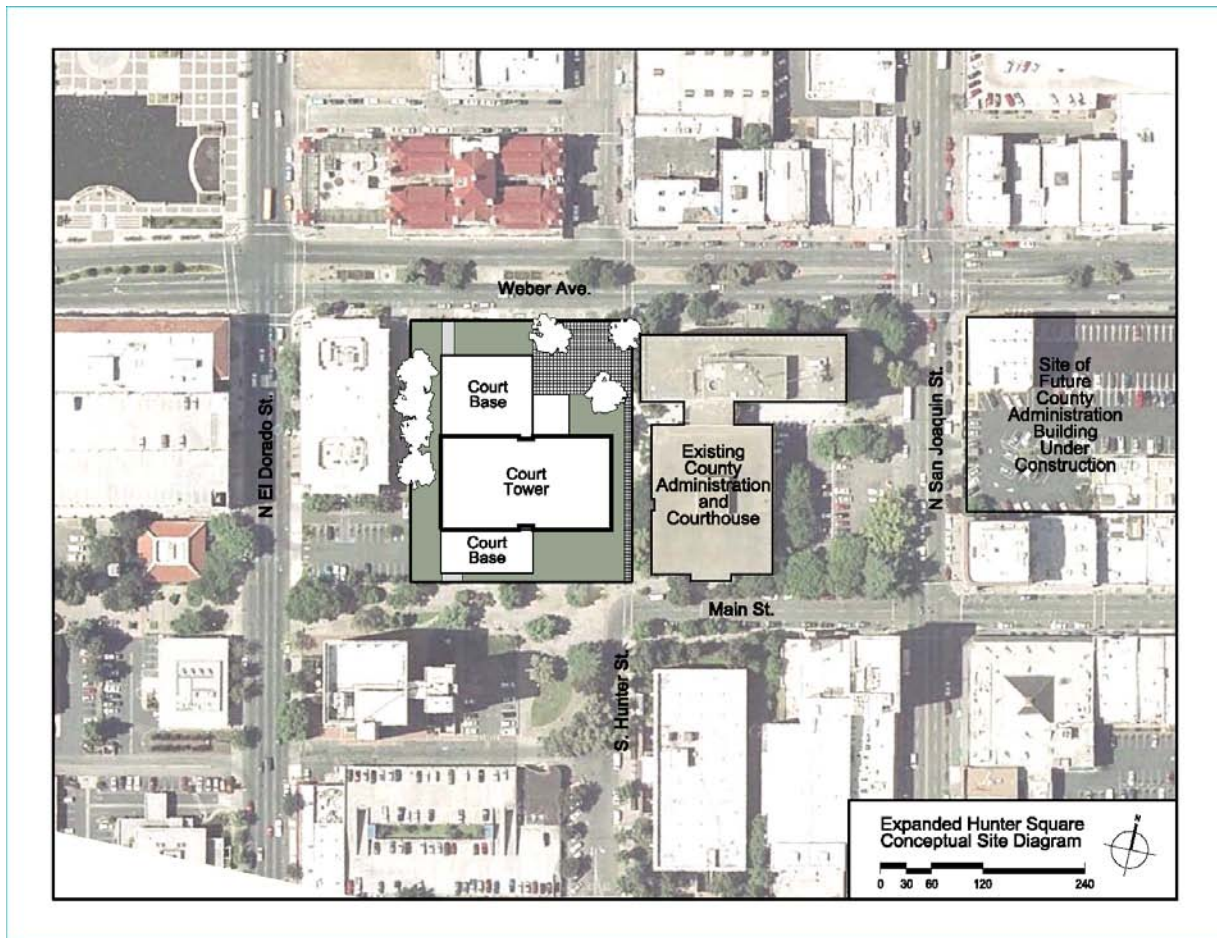
- 29
- 30 • A new courthouse with improved security features, public access and public service
31 features, and working and operational features for the court's staff;
 - 32 • Courthouse facilities that increase the efficiency of the court's staff and operations
33 and increase the Court's ability to serve residents of San Joaquin County;
 - 34 • Courthouse facilities that promote efficient interaction and communication between
35 the court's staff and other government agencies' staff and between the court's staff
and other parties involved in judicial proceedings;

- A new courthouse that is as accessible as the current courthouse for persons involved in judicial proceedings, government agency personnel, and the public; and
- Court facilities that comply with the State of California’s Building Code.

The No Project Alternative will not have any significant impacts, and it will not require any mitigation measures.

5.2 HUNTER SQUARE EXPANDED ALTERNATIVE

The Hunter Square Expanded proposes acquisition of several adjacent properties to expand the proposed courthouse parcel (see Figure 11). It includes the Hunter Square parcel plus: (1) the AOC’s purchase from current owners of any of the three private parcels that are west of Hunter Square, (2) the alley that is west of the three private parcels through donation from the city, and (3) the AOC’s purchase from the Bank of America of the current eastern portion of the Bank of America’s parking area (the portion of the parking area south of the three private parcels and north of the Main Street pedestrian mall). This site will be approximately 1.8 acres.



14
15

Figure 11. Hunter Square Expanded Alternative

1 If the AOC acquires any of the three private parcels, the AOC will demolish associated buildings
2 before construction of the new courthouse. The proposed Hunter Square Expanded courthouse
3 will be generally similar to the courthouse described for the proposed project (Section 3.5); it
4 will be approximately 220 feet tall, have approximately 325,000 square feet of space, and have
5 12 stories with a basement. The footprint of the building will occupy approximately 0.8 acre.
6 The entrance of the building will face northeastward towards Weber Avenue and the current San
7 Joaquin Courthouse and Administration Building, and the building will be set back
8 approximately 50 feet from the street. There will be a plaza area between the building and
9 Weber Avenue, and the courthouse will include landscaped areas on the east and west sides. The
10 south side of the courthouse will secured vehicle access to the basement of the building. The
11 Hunter Square Expanded alternative's larger parcel size will allow the AOC to expand the area
12 of the proposed building's lower floors and provide more open space around the building's
13 eastern and western sides.

14 **5.2.01 Aesthetics and Visual Resources**

15 This section evaluates the Hunter Square Expanded alternative's potential impacts to aesthetics
16 and visual resources.

17 **5.2.01.1 Environmental Setting**

18 The environmental setting of the Hunter Square Expanded alternative's site includes the
19 following features:

- 20 • Hunter Square parking area;
- 21 • Hunter Square Park with its pool, sidewalk, low brick retaining wall, lawn, and shade
22 trees;
- 23 • Main Street mall with its fountain, raised pool, pedestrian mall, and shade trees;
- 24 • Three private parcels with their two-story buildings;
- 25 • A city alley along the western side of the three private parcels; and
- 26 • A portion of the Bank of America's parking lot.

27 The northeast portion of the proposed courthouse site is a parking lot with several trees (see
28 Figure 2); the southeast portion of the proposed courthouse site is a park with a lawn,
29 landscaping, and pool; the southwest portion of the site is a parking lot; and the northwest
30 portion of the site is a two-story commercial building. The existing seven-story Courthouse
31 and Administration Building wing and the three-story courthouse wing are east of the proposed
32 courthouse site. A three-story County of San Joaquin administration building is southeast of the
33 proposed courthouse site. Commercial buildings and a parking structure are south of the site. A
34 seven-story bank building is to the southwest. A three-story banking building is to the west.
35 Weber Avenue and the five-story Hotel Stockton are north of the proposed courthouse site.
36 The hotel is in the National Register of Historic Places. It has commercial businesses on the
37 ground floor, and the upper floors are affordable housing.

1 Section 4.01.1.3 describes scenic vistas near the Hunter Square vicinity for the following
2 viewpoints:

- 3 1. Western side of the El Dorado Street crosswalk at Main Street mall;
- 4 2. Weber Avenue/El Dorado Street intersection (northwest corner);
- 5 3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street);
- 6 4. Western entrance of the existing San Joaquin Courthouse and Administration
7 Building;
- 8 5. Sidewalk area near the entrance of the existing San Joaquin Courthouse and
9 Administration Building;
- 10 6. Southwestern corner of the intersection of Main Street and San Joaquin Street;
- 11 7. Northwestern corner of the intersection of Market Street and Hunter Street;
- 12 8. Hunter Square at the intersection of Main Street and Hunter Street; and
- 13 9. State Route 4 near Washington Street exit.

14 Appendix D includes photos of downtown Stockton views from these viewpoints. The existing
15 views for the Hunter Square Expanded alternative are essentially the same as for the Hunter
16 Square proposed project site.

17 The wind and microclimate; scenic vistas; scenic resources; and light, shading, and glare features
18 of the Hunter Square Expanded alternative’s environmental setting are essentially the same as
19 the Hunter Square alternative (see Wind and Microclimate; Scenic Resources; and Light,
20 Shading, and Glare).

21 **5.2.01.2 Potential Impacts and Mitigation Measures**

22 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts uses the
23 same analytical methodology, regulatory background, and standards of significance as the
24 Hunter Square alternative. See [Section 4.01.2](#) for a discussion of these issues.

25 **5.2.01.2.1 Visual Character and Aesthetic Quality**

26 **Potential Impact (Construction): Substantially degrade the existing visual character or**
27 **aesthetic quality of the site and its surroundings?—Less than Significant.** As discussed in the
28 proposed project’s (Hunter Square) analysis, the AOC will install temporary fencing around the
29 project site. Construction of the project will involve use of heavy equipment, stockpiling
30 construction materials, and accumulation of debris and waste materials. The construction will be
31 visible from several downtown streets, public buildings, and adjacent commercial establishments
32 and hotels. However, project construction scenes and features will be temporary. The AOC
33 expects that demolition of the buildings and construction will require approximately 27 months;
34 construction of the building’s exterior structure will require approximately 12 months. The
35 project may disassemble the fountain, and it will block views and access to the Main Street mall
36 area. Since the impacts will occur only during the short, temporary construction period, the

1 AOC considers the potential visual and aesthetic effects associated with project construction to
2 be less than significant.

3 ***Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the***
4 ***existing visual character or aesthetic quality of the site and its surroundings—Potentially***
5 ***Significant.*** The Hunter Square Expanded alternative’s courthouse will convert the proposed
6 parcel’s parking lots with mature landscaping, park with its pool, and buildings to a 12-story
7 building with service drives and surrounding landscaped areas. It will also add vehicle traffic to
8 a portion of the Main Street mall, add safety features to the mall’s surface, and possibly remove
9 several trees from the mall or prune limbs from several trees on the mall. The project will
10 remove the existing fountain during construction.

11 This alternative’s 1.8-acre site currently provides approximately 0.5 acre of park space that
12 provide visual and acoustical interest; open space with relatively wide exposure to sky, sun,
13 wind, and rain; vehicle-free areas; and a locale with relative low noise levels. The current park
14 space connects with the Main Street mall to create a relatively large open space area. The
15 proposed new courthouse building will occupy approximately 0.8 acre, and the project’s plaza
16 and landscaping will occupy approximately 1.0 acre. Therefore, the project will create
17 approximately 0.5 acre of additional park space. The new courthouse’s open space will provide
18 attractive new architectural and landscaping features. ~~The project will provide new open space~~
19 ~~areas that are only slightly smaller than the existing park space;~~ however, the replacement space
20 will be fragmented and less buffered from nearby congestion. Construction of the new
21 courthouse will eliminate the large contiguous open space areas that provide visual and
22 acoustical interest; open space with relatively wide exposure to sky, sun, wind, and rain; vehicle-
23 free areas; and a locale with relative low noise levels. However, in light of the increase in open
24 space area provided by this alternative site layout, the impacts will be less than significant.

25 As discussed in Section 4.01.3.1, the AOC expects that the project’s limited driveway-related
26 vehicle traffic in the Main Street pedestrian mall will have only minor aesthetic and visual
27 effects.

28 The proposed site is in an urban setting, and surrounding buildings include a wide variety of
29 styles and materials. The courthouse’s design will be consistent with courthouse design
30 standards, and the AOC expects the courthouse’s features to be generally consistent with
31 development standards of the City of Stockton Development Code. The high-rise building will
32 not be unusual for the downtown Stockton setting and the visual character and aesthetic quality
33 of the proposed courthouse will be consistent with the visual character and aesthetic quality of
34 the downtown area. As a result, the AOC concludes that the physical appearance of the building
35 will not substantially degrade the existing visual character or aesthetic quality of the site’s
36 surroundings.

37 Although the visual character of the proposed courthouse will be consistent with the surrounding
38 buildings, the new courthouse may generate high-velocity groundborne winds. The building’s

1 interactions with westerly winds may generate high-velocity groundborne winds on the
2 building's west side that will affect the Main Street pedestrian mall; the building's interactions
3 with northerly winds may generate high-velocity groundborne winds on the building's north side
4 that will affect pedestrians using of the Weber Avenue southern sidewalk, persons entering the
5 new courthouse, and persons using the proposed plaza areas on the north side of the new
6 courthouse. The AOC concludes that the wind effects may be a potentially significant impact.

7 *Mitigation Measures:* As noted the Hunter Square alternative's analysis, the following
8 mitigation measures will reduce the Hunter Square Expanded alternative's visual character and
9 aesthetic quality impacts:

- 10 • **Aesthetics 1**—To prevent the new courthouse from generating high-velocity
11 groundborne winds, the AOC will include building features that will intercept winds
12 moving down the building's face toward the ground and prevent substantial wind
13 impact to pedestrians;
- 14 • **Aesthetics 2**—The AOC will construct a new water feature on the Main Street mall
15 between South Hunter Street and El Dorado Street. The water feature will provide
16 attractive visual features, will create cascading water sounds that can be detected in
17 the surrounding area, and will create mist to cool the adjacent area; and
- 18 • **Aesthetics 3**—For every tree that the AOC removes from the Main Street pedestrian
19 mall, the AOC will replace the removed tree with a new tree. In addition, for every
20 tree that the AOC removes from the Main Street pedestrian mall, the AOC will ensure
21 four new trees are planted along streets that are between the proposed new courthouse
22 site and the city's Stewart-Eberhardt Parking Garage, between the proposed new
23 courthouse site and the city's Coy Parking Garage, or between the proposed new
24 courthouse and other parking facilities.
- 25 • After the mitigation measure has been implemented, the AOC concludes that the
26 Hunter Square Expanded alternative's visual character and aesthetic quality impacts
27 will be less than significant.

28 5.2.01.2.2 Scenic Vistas

- 29 • ***Potential Impact: Have a substantial adverse affect on a scenic vista?—Potentially***
30 ***~~Less than~~ Significant.*** Section 4.01.1.3 Scenic Vistas identifies several public
31 viewpoints near the proposed courthouse site and describes the views from the
32 viewpoints; Appendix D provides images of these views. Trees and buildings
33 obstruct most of the views; therefore, most of the views do not extend past the
34 defined foreground distance of approximately 1/2 mile.
- 35 • The project will construct a new courthouse in Hunter Square and the adjacent
36 parcels, but it will not obstruct views of the Bob Hope Theatre or the Hotel Stockton.
37 The project will remove the Hunter Square pool; however, the AOC considers the
38 following points for impacts to public scenic vistas:

- 1 1. Western side of the El Dorado Street crosswalk at Main Street mall—As noted in Section
2 4.01.1.3, eastward views along the mall are limited because the mall’s trees obscure
3 eastward views. The new courthouse will block northeast views toward the north wing of
4 the Courthouse and Administration Building;
- 5 2. Weber Avenue and El Dorado Street intersection (northwest corner)—The new
6 courthouse will obstruct views of the upper portion of the California Building and the top
7 of the Bank of Stockton building;
- 8 3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street)—the new
9 courthouse will eliminate the Hunter Square parking area, associated mature landscaping,
10 and the Main Street fountain. The courthouse’s plaza, landscaping and northern façade
11 will be prominent to viewers from Weber Avenue. The courthouse and its landscaping
12 trees will block views of the Main Street fountain;
- 13 4. Western entrance of the existing San Joaquin Courthouse and Administration Building—
14 The new courthouse will eliminate the Hunter Square parking lot and buildings on the
15 west side of the parking lot, the southern portion of Hunter Square including the pool
16 structure, and possibly some of the Main Street mall’s trees. Viewers will see the east
17 side of the new courthouse and its eastern landscaping;
- 18 5. Sidewalk area near the entrance of the existing San Joaquin Courthouse and
19 Administration Building—The new courthouse will eliminate the Hunter Square pool,
20 including the brick retaining wall; viewers will see the new courthouse, but the
21 courthouse will block views of the mall’s trees and the Pacific Bank Building and
22 potentially the Main Street fountain (see mitigation measure Aesthetics 2), depending on
23 its location;
- 24 6. Southwestern corner of the Main Street and San Joaquin Street intersection—The AOC’s
25 construction contractor will remove the Main Street fountain, , but the AOC will
26 construct a new fountain on the Main Street mall to comply with mitigation measure
27 Aesthetics 2. The AOC has not chosen a location on the Main Street mall for the
28 replacement fountain, but the fountain’s new location will still be visible from the
29 intersection of Main Street and San Joaquin Street and other Main Street locations;
- 30 7. Northwestern corner of the intersection of Market Street and Hunter—The new
31 courthouse will be behind extend above the trees of the South Hunter plaza, and the
32 courthouse will add a new visual feature to the view;
- 33 8. Hunter Square at the intersection of Main Street and South Hunter Street intersection—
34 The northward views of the San Joaquin County Courthouse and Administration Building
35 will remain unchanged. For the northwestward view, the new courthouse will replace the
36 Hunter Square pool, lawn, and parking area, and the project’s compliance with mitigation
37 measure Aesthetics 2 will replace the Main Street mall’s existing fountain with a new
38 fountain on the Main Street mall; and
- 39 9. State Route 4 near Washington Street exit —The new courthouse will block northward
40 any brief glimpse the Stockton Hotel while viewers travel southwest on State Route 4.

- 1 • Section 4.01.3.2's Table 4-2 lists the AOC's conclusions on the significance of the
2 Hunter Square alternative's impacts on scenic views. The AOC's conclusions for the
3 Hunter Square Expanded alternative's impacts on scenic views are the same as the
4 conclusions for the Hunter Square analysis.
- 5 • Based on reasons stated in Table 4-2, the AOC concludes that the Hunter Square
6 Expanded alternative's impacts to scenic vistas will be less than significant for most
7 vistas. However, removal of the existing Main Street fountain will be a significant
8 impact to the Main Street and San Joaquin Street westward scenic vista. The impacts
9 to the other scenic vistas will be less than significant.

10 *Mitigation Measures:*

11 **Aesthetics 2**—See Section 4.01.3.1; and

12 **Aesthetics 3**—The replacement water feature will have sufficient height and other
13 features to make the replacement water feature a dominant visual and aesthetic feature of
14 the mall area between South Hunter Street and El Dorado Street and it will be
15 prominently visible from the intersection of San Joaquin Street and Main Street.

16 Mitigation measures Aesthetics 2 and Aesthetics 3 will reduce the impacts to a level that is less
17 than significant.

18 **5.2.01.2.3 Scenic Resources**

19 *Potential Impact: Substantially damage scenic resources?—Potentially ~~Less than~~ Significant.*

20 Section 4.01.4, Scenic Resources, described several buildings and the Hunter Square fountain as
21 scenic resources in downtown Stockton. The AOC concluded that the proposed project will have
22 no effect on the scenic buildings, including the Bob Hope Theater and Hotel Stockton, and the
23 AOC also concludes that the Hunter Square Expanded alternative will also have no effect on the
24 scenic buildings.

25 The project will remove the Hunter Square fountain. As noted in Sections 4.01.1.3 and 4.01.1.4,
26 the AOC concludes that removal of the fountain makes the project's impacts to scenic resources
27 potentially significant, but adoption of mitigation measures Aesthetics 2 and Aesthetics 3 will
28 reduce the impacts to a level that is less than significant.

29 *Mitigation Measures:*

30 **Aesthetics 2**—See Section 4.01.3.1; and

31 **Aesthetics 3**— See Section 4.01.3.2.

1 **5.2.01.2.4 Lighting, Glare, and Shading**

2 **Potential Impact: Create a new source of substantial light, or glare that will adversely affect**
3 **day or nighttime views?—Less than Significant.** The proposed project will create light sources
4 for exterior and interior building lighting and security lighting on courthouse grounds. The AOC
5 will apply for a Silver rating certification under the U.S. Green Building Council’s LEED Green
6 Building Rating System for the project, and the AOC intends to implement a lighting plan that
7 complies with LEED requirements. The Hunter Square alternative’s Section 4.01.3.4 describes
8 the U.S. Green Building Council 2003’s lighting requirements.

9 The AOC concludes that light or glare impacts from the proposed project will be less than
10 significant because:

- 11 • Most of the building’s interior lighting will be limited to the court’s typical weekday
12 operational hours and the periods immediately before and after the court’s operations;
- 13 • The AOC intends to shield all light sources to minimize light on surrounding
14 properties, and landscaping also will block light from these properties;
- 15 • Light sources are already present on the project site from the existing parking lot and
16 neighboring buildings, such as the existing courthouse and the Bank of America
17 building west of the proposed Hunter Square Expanded site;
- 18 • The building’s security lighting will not be substantially different from nearby
19 buildings, so the security lighting will not be a source of substantial light;
- 20 • Implementation of LEED guidelines will reduce both the generation of exterior light
21 and the potential for light trespass to affect off-site areas; and
- 22 • The project will not add building features such as metallic finishes that generate
23 substantial glare.

24 **Potential Impact: Create a new source of substantial shading?—Less than Significant.** The
25 proposed 12-story courthouse will cast shade. Since the Hunter Square Expanded alternative will
26 have almost the same building dimensions and placement as the Hunter Square alternative’s
27 building, Hunter Square Expanded alternative’s shading impacts will be essentially the same as
28 the impacts described in Section 4.01.3.4. Figure 7 shows results of shading analyses for the
29 Hunter Square alternative.

30 The new courthouse’s shadows will primarily affect the properties east and west of the proposed
31 building, which do not include parks or other public facilities. Therefore, the AOC concludes
32 that shading impacts from the proposed project will be less than significant.

33 *Mitigation Measures:* None required.

34 **5.2.02 Air Quality**

35 This section evaluates the Hunter Square Expanded alternative’s potential impacts on air quality.
36 This alternative is similar to the Hunter’s Square alternative, with the addition of some

1 demolition work at the beginning of the construction phase of the project. The operational and
2 maintenance phases remain unchanged from the Hunter’s Square alternative.

3 **5.2.02.1 Environmental Setting**

4 Although the Hunter Square Expanded alternative adds three parcels with existing buildings and
5 a portion of the Bank of America’s parking lot, the Hunter Square Expanded alternative’s
6 environmental setting for air quality is essentially the same as the proposed Hunter Square
7 project described in Section 4.02.1.

8 **5.2.02.2 Potential Impacts and Mitigation Measures**

9 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts used the
10 same analytical methodology, regulatory background, and standards of significance as the
11 Hunter Square alternative. See Section 4.02.2 for a discussion of these issues.

12 **5.2.02.2.1 Applicable Air Quality Plan Conflicts**

13 **Potential Impact: Conflict with or obstruct implementation of the applicable air quality**
14 **plan?—No Impact:** No air quality plan conflicts are noted for the proposed project, so long as it
15 complies with local rules specified in Section 4.02.2.2. All plan thresholds are consistent with,
16 and are addressed in, Sections 4.02.2.2 and 4.02.2.3. The entire project is located within the Air
17 Pollution Control District, and there are likely no conflicts with other state or federal initiatives
18 as a result of these emissions.

19 *Mitigation Measures:* None required.

20 **5.2.02.2.2 Air Quality Standard Violations**

21 Potential Impact (Construction): Violate any air quality standard or contribute substantially to
22 an existing or projected air quality violation?—Less than Significant. [Table 5-1](#) shows the
23 Hunter Square Expanded alternative’s construction-related emissions; the emissions do not
24 exceed criteria air pollutant limits established by the state and the Air Pollution Control
25 District. During the construction phase, it is assumed that the project complies with mitigation
26 measures outlined in the Air Pollution Control District’s requirements. In particular, Rule
27 8021 of Regulation VIII requires that measures be implemented to reduce particulate matter
28 emissions from construction. The URBEMIS modeling performed for this project assumes that
29 the construction contractor waters the construction site three times per day to minimize fugitive
30 particulate matter emissions. These emissions, presented in [Table 5-1](#), are all below
31 the established Air Pollution Control District thresholds; therefore, the project’s construction-
32 related impacts will be less than significant.

33 *Mitigation Measures:* None required.

Table 5-1: Criteria Air Pollutant Emissions from Construction for the Hunter Square Expanded Alternative

Project Component	Pollutant	Pounds/Day	Tons/Year
Expanded Hunter Square	PM _{2.5}	4.9	0.1
	PM ₁₀	15.7	0.3
	Reactive organic gases	121.1	3.3
	Oxides of nitrogen	45.5	1.8
	Oxides of sulfur	0	0
	Carbon monoxide	37.0	2.9

Potential Impact (Post-Construction, Operations, and Maintenance): Violate any air quality standard or contribute substantially to an existing or projected air quality violation?—*Less than Significant.* Table 5-2 shows the Hunter Square Expanded alternative's post-construction, operations, and maintenance-related emissions. These emissions are all below the established Air Pollution Control District thresholds; therefore, the project's post-construction, operations, and maintenance impacts will be less than significant.

Mitigation Measures: None required.

Table 5-2: Criteria Air Pollutant Emissions from Operation and Maintenance for the Hunter Square Expanded Alternative

Project Component	Pollutant	Emission Rate	
		Pounds/Day	Tons/Year
Expanded Hunter Square	PM _{2.5}	1.7	0.3
	PM ₁₀	2.6	0.5
	Reactive organic gases	29.4	5.6
	Oxides of nitrogen	39.1	8.2
	Oxides of sulfur	0.3	0.1
	Carbon monoxide	358.1	67.5

5.2.02.2.3 Increase of Any Criteria Pollutant

Potential Impact: Produce 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?—*Less than Significant.* The Air Pollution Control District is currently in non-attainment for ozone and PM_{2.5}. Within the air district, estimated daily emissions of volatile organic compound, which are precursor chemicals to ozone, are 1,500 pounds per day and for PM_{2.5} are 107 tons per day. As shown in Table 5-1, the maximum modeled emissions from this project are 121 pounds per day of ozone precursors and 3.9 pounds per day of PM_{2.5}. The Hunter Square Expanded alternative will not considerably increase the emission of ozone or PM_{2.5} in the

1 Air Pollution Control District. Therefore, the AOC concludes that the impacts will be less than
2 significant.

3 *Mitigation Measures:* None required.

4 **5.2.02.2.4 Sensitive Receptor Exposure to Substantial Pollutant Levels**

5 ***Potential Impact (Construction): Expose sensitive receptors to substantial pollutant***
6 ***concentrations?— Less than Significant.*** As noted above, the alternative’s construction-related
7 emissions do not exceed criteria air pollutant limits. During the construction phase, it is assumed
8 that the project complies with mitigation measures outlined in the Air Pollution Control
9 District’s requirements. In particular, Rule 8021 of requires that measures be implemented to
10 reduce particulate matter emissions from construction. The URBEMIS modeling performed for
11 this project assumes that the construction contractor waters the construction site three times per
12 day to minimize fugitive particulate matter emissions. The results of this simulation are
13 provided in Table 5-1. These emissions are all below the established Air Pollution Control
14 District thresholds. Since the emissions are below the Air Pollution Control District’s thresholds
15 and construction operations that generate substantial emissions will have a limited duration, the
16 AOC concludes that the impacts are less than significant.

17 *Mitigation Measures:* None required.

18 ***Potential Impact (Post-Construction, Operations, and Maintenance): Expose sensitive***
19 ***receptors to substantial pollutant concentrations?—Less than Significant.*** Operations and
20 maintenance associated with this project are typical of other activities in the area. The results of
21 the URBEMIS simulation for operations and maintenance are in [Table 5-2](#). These emissions are
22 all below the established Air Pollution Control District thresholds. Since the emissions are
23 below the Air Pollution Control District’s thresholds and operation and maintenance are typical
24 for the project area, the AOC concludes that the impacts are less than significant.

25 *Mitigation Measures:* None required.

26 **5.2.02.2.5 Objectionable Odors**

27 ***Potential Impact: Create objectionable odors affecting a substantial number of people?—Less***
28 ***than Significant.*** Based on the nature of this project, it is unlikely that there will be a potential
29 odor impact. Typical odor nuisances include hydrogen sulfide, ammonia, chlorine, and other
30 sulfide-related emissions. There will not be any significant sources of these pollutants during
31 construction, operation, or maintenance of this project. Impacts caused by odor will be less than
32 significant.

33 *Mitigation Measures:* None required.

1 **5.2.02.2.6 Greenhouse Gas Emission Reduction Plan**

2 ***Potential Impact: Conflict with the state goal of reducing greenhouse gas emissions in***
3 ***California to 1990 levels by 2020—Less than Significant.*** As noted previously in Section
4 4.02.3.6, the AOC’s courthouse project is consistent with plans to reduce greenhouse emissions.
5 Therefore, the AOC concludes that the Hunter Square Expanded alternative’s impacts on the
6 state’s goal of reducing greenhouse gas emissions are less than significant.

7 *Mitigation Measures:* None required.

8 **5.2.03 Cultural Resources**

9 **5.2.03.1 Environmental Setting**

10 The environmental setting of the Hunter Square Expanded alternative’s cultural environmental
11 setting is similar to the proposed project. Details remain the same, except for the demolition of
12 the three private parcels. These parcels are not in the National Register of Historic Places,
13 California Register of Historical Resources, or for local listing as a Stockton Historic Site.

14 **5.2.03.2 Potential Impacts and Mitigation Measures**

15 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts uses the
16 same analytical methodology, regulatory background, and standards of significance as the
17 Hunter Square alternative. See Section 4.03.2 for a discussion of these issues.

18 **5.2.03.2.1 Historic Resources**

19 ***Potential Impact: Cause a substantial adverse change in the significance of a historic resource***
20 ***as defined in Section 15064.05?— Significant and unavoidable.*** Section 4.03.3.1 discusses
21 historic resource issues for Hunter Square and the Main Street mall and concludes that the
22 impacts are significant and unavoidable. The city’s *Draft Downtown Stockton Historic*
23 *Resources Survey* concluded that the buildings were not historic resources. Therefore, the AOC
24 concludes that demolition of the buildings on the parcels adjacent to Hunter Square is not a
25 significant impact.

26 *Mitigation Measures:*

27 Cultural Resources 1, Cultural Resources 2, Cultural Resources 3, and Cultural
28 Resources 4 are included in Section 4.03.3.1 for mitigation of the impacts.

29 The AOC concludes that the above mitigation measures will reduce impacts of the Hunter
30 Square Expanded alternative’s impacts, but the Hunter Square Expanded impacts will be
31 significant and unavoidable as explained in Section 4.03.3.1.

1 **5.2.03.2.2 Archaeological Resources**

2 ***Potential Impact: Cause a substantial adverse change in the significance of an***
3 ***archaeological resource pursuant to Section 15064.05?—Potentially Significant.*** The
4 Central California Information Center archival search did not identify recorded or unrecorded
5 archaeological resources on the proposed project site. However, historical archaeological
6 resources were encountered on the City Center Cinemas project site, located near the
7 proposed project site. As discussed earlier, resources discovered from 117 to 123 Channel
8 Street (termed Analytical Unit A), the Sing Lee Chinese Laundry deposit, and from 121 to
9 123 Channel Street (Analytical Unit B) were found to be eligible for the California Register
10 of Historical Resources. Central California Information Center indicated that, based on
11 existing data in its files,

12 “The project area has a minimal sensitivity for the possible discovery of
13 prehistoric or historic archaeological resources on the *surface* of the proposed
14 project area, but a moderate-to-high sensitivity for both prehistoric and historic
15 archaeological resources *under the surface*, that may be encountered during
16 excavation and trenching.”

17 Therefore, there remains some potential for the two sites to contain previously undiscovered
18 archaeological resources. Excavation and grading could damage or destroy any buried
19 archaeological resources that may be present. Disturbance of buried cultural resources will be
20 a potentially significant impact for the proposed site location and the alternative site in the
21 area, which has not already been investigated for archaeological resources (the eastern one-
22 third of the site). Operation of the proposed project will not result in additional impacts to the
23 archaeological resources in the project area beyond the potential construction-related impacts
24 identified above. Implementation of the following mitigation measure will reduce potential
25 adverse effects to less-than-significant levels:

26 *Mitigation Measures:* The following mitigation measure will reduce the impact to
27 archaeological resources to less than significant.

28 **Cultural Resources 5**—Section 4.03.3.2 describes the mitigation measure.

29 The AOC concludes that the mitigation measure will reduce impacts to a level that is less
30 than significant.

31 **5.2.03.2.3 Disturbance of Any Human Remains, Including those Interred Outside of**
32 **Formal Cemeteries**

33 ***Potential Impact: Disturb any human remains, including those interred outside of formal***
34 ***cemeteries?—Less than Significant.*** The proposed project will require excavation and
35 grading for the building. No recorded prehistoric archaeological sites were identified on or in
36 the vicinity of the project site, and no evidence exists to indicate that burials occurred within

1 the project area. Therefore, the AOC concludes that the project will have less than significant
2 impacts on disturbance of human remains. In addition, as described in Section 4.03.2.2, in the
3 event that the construction contractor encounters human remains, the contractor will comply
4 with state laws relating to the disposition of Native American burials, as regulated by the Native
5 American Heritage Commission (Public Resource Code Sec. 5097).

6 *Mitigation Measures:* None required.

7 **5.2.04 Geology, Soils, and Seismicity**

8 **5.2.04.1 Environmental Setting**

9 The environmental setting for the proposed project, Hunter Square, is the same for the Hunter
10 Square Alternative.

11 **5.2.04.2 Potential Impacts and Mitigation Measures**

12 The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the
13 same analytical methodology, regulatory background, and standards of significance as the
14 Hunter Square alternative. See Section 4.04.2 for a discussion of these issues.

15 **5.2.04.2.1 Rupture of a Known Earthquake Fault**

16 ***Potential Impact: Expose people or structures to potential substantial adverse effects involving***
17 ***rupture of a known earthquake fault?—Less than Significant.*** As noted above, the Hayward
18 and Calaveras Faults are approximately 48 miles to the west. No active faults are located within
19 1 mile of the site. Therefore, there is a very minor potential for ground rupture as a result of a
20 significant seismic event. The AOC concludes that the potential impact is less than significant.

21 *Mitigation Measures:* None required.

22 **5.2.04.2.2 Strong Seismic Ground Shaking**

23 ***Potential Impact: Expose people or structures to potential substantial adverse effects involving***
24 ***strong seismic ground shaking—Less than Significant.*** As noted above, the Hayward and
25 Calaveras Faults are approximately 48 miles to the west, and the distance to regional faults
26 suggests only a low to moderate potential for ground shaking. The AOC will complete a
27 geotechnical investigation during its design process, and the building's designers will incorporate
28 the investigation's results into design requirements that comply with the State Uniform Building
29 Code. Therefore, the AOC concludes that the potential impact is less than significant.

30 *Mitigation Measures:* None required.

1 **5.2.04.2.3 Ground Failure**

2 ***Potential Impact: Expose People or Structures to Substantial Adverse Effects Involving***
3 ***Ground Failure (Including Subsidence or Liquefaction-Induced Lateral Spreading)—Less***
4 ***than Significant.*** According to the Phase I Environmental Site Assessment report prepared by
5 Earth Tech (Earth Tech 2008), no specific liquefaction hazard areas have been identified at this
6 alternative site. Given the presence of both shallow to moderate groundwater (6 to 14 feet deep)
7 and alluvial soils, potentially significant impacts from liquefaction may occur in the event of a
8 major (6.0 or above) earthquake; however, as noted above, the Hayward and Calaveras Faults are
9 approximately 48 miles to the west, and the distance to regional faults suggests a low to
10 moderate potential for ground shaking. The AOC will complete a geotechnical investigation
11 during its design process, and the building’s designers will incorporate the investigation’s results
12 into design requirements that comply with the State Uniform Building Code. Therefore, the
13 AOC concludes that the potential ground failure impact is less than significant.

14 *Mitigation Measures:* None required.

15 **5.2.04.2.4 Expansive Soils**

16 ***Potential Impact: Expose people or structures to potential substantial adverse effects involving***
17 ***expansive soil?—Less than Significant.*** Based on the soils present at the proposed project site,
18 the potential that expansive soils will expose people or buildings to substantial adverse effects is
19 not significant. The AOC will complete a geotechnical investigation during its design process,
20 and the building’s designers will incorporate the investigation’s results into design requirements
21 that comply with the State Uniform Building Code. Therefore, the AOC concludes that the
22 potential expansive soils impact is less than significant.

23 *Mitigation Measures:* None required.

24 **5.2.04.2.5 Unique Paleontological Resources**

25 ***Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant.***
26 Construction of the proposed project at the Hunter Square Expanded alternative site could result
27 in direct or indirect destruction of a unique paleontological resource or site. The project will
28 include excavation for the building itself, primarily associated with sinking piers.

29 Fossils are known to occur in the project vicinity; thus, the potential for fossils to be found is a
30 concern during excavation. The general plan background report (City of Stockton 2007a)
31 indicates that fossils are likely to be encountered below the upper 5 to 10 feet of sediment.
32 According to AOC Senior Project Manager Steve Sundman (AOC 2008c), the main excavation
33 for the building will stay above the ground water surface elevation, which extends to an average
34 of 15 feet below the surface. However, caissons and piles under the tower will extend much
35 farther down. The adjacent county building encountered a mammoth bone at 90 feet;
36 excavations at that depth are conceivable. However, design plans have not yet been finalized;
37 thus, excavation depths can only be estimated at this time. A mitigation measure has been added

1 to reduce the level of impact to less than significant in the event that paleontological resources
2 were encountered during construction of the project.

3 *Mitigation Measures:* The following mitigation measure will reduce impacts to paleontological
4 resources to less than significant.

5 **Geology 1**—If paleontological resources are encountered during construction, all
6 work will be halted within a 30-foot radius of the finding and a qualified
7 paleontologist will evaluate the discovery, determine its significance, and to
8 provide proper management recommendations. Project personnel will not collect
9 paleontological resources

10 **5.2.04.2.6 Landslides, Erosion or Loss of Topsoil, Unique Geologic Feature**

11 **Potential Impact—No Impact.** There are no unique geologic features located on or near this
12 alternative site. There is little to no risk of landslides because of the flat topography of the
13 region.

14 The site is predominantly either paved or covered with landscaping. Water from the site drains
15 into municipal drains. Since the project will cover exposed soil and will not produce substantial
16 amounts of runoff sheet flow that could cause erosion, the AOC believes that the project will not
17 cause substantial soil erosion or loss of topsoil.

18 Therefore, there will be no impact from landslides, erosion or to unique geological features.

19 *Mitigation Measures:* None required.

20 **5.2.05 Hazards and Hazardous Materials**

21 This section evaluates the potential impacts of the Hunter Square Expanded alternative in terms
22 of hazards and hazardous materials.

23 **5.2.05.1 Environmental Setting**

24 The elevation at the Hunter Square Expanded alternative site is 15 feet above sea level, and the
25 general topographic gradient is west. The elevation profiles of the surrounding topography range
26 from 14 to 19 feet above sea level in the north-south direction and 0 to 22 feet above sea level in
27 the east-west direction.

28 Site-specific hydrogeological data were collected for a site (McCormick & Baxter Creosoting
29 Co.) located within 0.5 to 1.0 mile west-southwest of the Hunter Square Expanded alternative
30 site. The measured depth to groundwater for the McCormick & Baxter site is 16 to 40 feet. The
31 surficial aquifer flow direction is east, and the surficial aquifer recharges the lower aquifer.

32 The largest airport in or near the City of Stockton is the Stockton Metropolitan Airport, 4 miles
33 from the Hunter Square Expanded alternative. The project site is outside the airport's Area of
34 Influence, which includes the following zones:

- 1 • Conical Zone,
- 2 • Horizontal Zone,
- 3 • Inner Approach Zone,
- 4 • Outer Approach Zone,
- 5 • Primary Surface Zone,
- 6 • Runway Protection Zone, and
- 7 • Transitional Zone.

8 Five other airports in San Joaquin County are located outside Stockton and are smaller than the
9 Stockton Metropolitan Airport. They are the Tracy, Jerusalem, Lodi Linds, and Kingdon
10 Airports, and the Lodi Airpark. There is also a military airfield at the Sharpe Army Depot (8 to
11 12 miles south) and several private airstrips used primarily by crop dusting aircraft. The project
12 site is located in the downtown urban core, whereas crop dusting aircraft typically fly above and
13 in the vicinity of agricultural fields that are located well outside the urban core.

14 The Federal Aviation Administration has established review requirements for proposed
15 structures that will rise above a line extending from the centerline of an airport runway longer
16 than 3,200 feet (all airports in the county) at a slope of 100 feet horizontal to 1 foot vertical
17 (San Joaquin County Council of Governments 1993). Proposed structures that will exceed the
18 height of these lines are required to file a Notice of Proposed Construction or Alteration with
19 the Federal Aviation Administration.

20 A Phase I Environmental Site Assessment conducted for the Hunter Square Expanded
21 alternative site concluded that no recognized environmental conditions were identified, but that
22 three existing leaking underground storage tank cases might be affecting the shallow
23 groundwater beneath the property (Earth Tech 2008). These three cases are summarized
24 below, and one case in particular might affect the ability for the property to be developed:

- 25 • Weber Block located at Weber Avenue and El Dorado Street;
- 26 • Motor Pool and San Joaquin County Support Services at 222 East Weber Avenue;
- 27 and
- 28 • San Joaquin County Motor Pool at 130 N. Hunter Street.

29 **Weber Block located at Weber Avenue and El Dorado Street:** Although this case is
30 potentially downgradient of the Hunter Square Expanded alternative site, its close proximity,
31 250 feet, makes it a potential environmental concern. Shell Oil operated at the site between
32 1955 and 1984, which involved at least three leaking underground storage tanks. Removal
33 actions, groundwater extraction and treatment, and a Preliminary Endangerment Assessment
34 were completed. A deed restriction has been imposed prohibiting day care, elder care, and
35 hospital centers at the site. Voluntary cleanup has been entered into with the Stockton
36 Department of Housing and Development and the California Department of Toxic Substances
37 Control. No excavation is allowed; only groundwater extraction is allowed (Earth Tech 2008).
38 This site has been closed, and a No Further Action letter has been issued by the Central Valley

1 Regional Water Quality Control Board. There are deed restrictions for commercial industrial
2 uses on the property, now known as Dean DeCarli Waterfront Square, rather than Weber Block
3 (City of Stockton 2008f).

4 **Motor Pool and San Joaquin County Support Services at 222 East Weber Avenue:** This
5 case is upgradient of the property. The leaks involved methyl tertiary butyl ether and gasoline
6 from multiple underground storage tanks. The status is listed as “remedial action underway”.
7 This site may be of environmental concern to the property because of its close proximity, 332
8 feet to the northeast (Earth Tech 2008).

9 **San Joaquin County Motor Pool at 130 North Hunter Street:** This case is upgradient of the
10 property and gasoline releases that affected a drinking water aquifer were reported. Methyl
11 tertiary butyl ether has also been detected. The status was not identified in the Phase I
12 Environmental Site Assessment. This site is reported to have generated unspecified organic
13 liquid wastes and oil wastes. This case may be an environmental concern to the property
14 because of its close proximity, 448 feet to the north- northeast (Earth Tech 2008). The Coy
15 Parking Garage is now on this site. The city was assigned rights under the leaking
16 underground storage tank program and has completed most of the required cleanup.
17 Groundwater monitoring wells are being installed within the parking garage and were
18 scheduled for completion by the end of 2008 (City of Stockton 2008f).

19 ***5.2.05.2 Potential Impacts and Mitigation Measures***

20 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts uses the
21 same analytical methodology, regulatory background, and standards of significance as the
22 Hunter Square alternative. See Section 4.05.2 for a discussion of these issues.

23 **5.2.05.2.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People** 24 **Visiting or Working in the Project Area**

25 ***Potential Impact: Result in a safety hazard in the vicinity of an airport or airstrip for people***
26 ***visiting or working in the project area?—Less than Significant.*** The Hunter Square Expanded
27 alternative is not located in close proximity to any airport. The closest airport is 4 miles to the
28 south, and the proposed site is not located within the Federal Aviation Administration’s Area of
29 Influence for the airport (San Joaquin County Council of Governments. 1993). Therefore,
30 selection of the Hunter Square Expanded alternative will not result in a safety hazard in the
31 vicinity of an airport or airstrip for people visiting or working in this alternative project area, and
32 the potential impact is less than significant.

33 ***Mitigation Measures:*** None required.

1 **5.2.05.2.2 Public Exposure to Hazards**

2 **Potential Impact:** *Be located on a site that is included on a list of hazardous materials sites*
3 *compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a*
4 *significant hazard to the public or the environment?—Potentially Significant.* These impacts
5 were discussed in the Initial Study and above in Section 4.05.1. There are three off-site leaking
6 underground storage tanks that are potential sources in close proximity to the Hunter Square
7 Expanded alternative site that pose a potentially significant impact.

8 **Mitigation Measures:** The following mitigation measure will reduce public exposure to hazard
9 impacts to a level that is less than significant.

10 **Hazards 1**— The AOC ~~will~~ conducted a Phase II Environmental Site Assessment (April
11 2009) to provide additional data for evaluating the potential for future exposure to
12 hazardous materials that may be affecting the shallow groundwater beneath the proposed
13 project site. ~~This~~ If the Phase II Environmental Site Assessment identified, no additional
14 hazardous materials above regulatory action levels. However, the AOC will continue to
15 monitor the construction site for hazardous materials and, if any are discovered, will
16 remediate the site by removing the contaminated materials and sources of contamination,
17 and will dispose of the materials in full compliance with all legal requirements.

18 ~~**Hazards 2**— If hazardous materials are found during excavation of the Hunter~~
19 ~~Square Expanded alternative site for the new courthouse, the AOC will remediate~~
20 ~~the site by removing the contaminated materials and sources of contamination, and~~
21 ~~will dispose of the materials in full compliance with all legal requirements.~~

22 **5.2.05.2.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland**
23 **Fires**

24 **Potential Impact—No Impact.** The AOC discussed these impacts in the Initial Study and
25 concluded that the Hunter Square Expanded alternative will have no impact.

26 **Mitigation Measures:** None required.

27 **5.2.06 Hydrology and Water Quality**

28 **5.2.06.1 Environmental Setting**

29 The proposed project site and the surrounding area are level and located in a fully developed
30 area. The Mormon Slough flows east to west approximately seven blocks south of the proposed
31 project site and into the Stockton Deep Water Channel. There are no waterways adjacent to the
32 proposed project site. Storm water and surface water discharge by sheet flow to street gutter
33 storm drains and to storm drains in paved parking lots, and percolates directly into those
34 landscaped portions of the project site (Earth Tech 2008).

35 The AOC will design the new courthouse building to meet criteria for a LEED Silver-certified
36 building. Specific requirements to reduce impacts to water quality will be incorporated into the

1 design, including a system of water retention to limit overloading storm drains with site runoff
2 during operation.

3 **5.2.06.2 Potential Impacts and Mitigation Measures**

4 The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the
5 same analytical methodology, regulatory background, and standards of significance as the
6 Hunter Square alternative. See Section 4.06.2 for a discussion of these issues.

7 The larger footprint indicates that stormwater impacts will be greater because the impervious
8 surfaces will increase with redevelopment of the additional parcels. However, these additional
9 areas will not appreciably change the total developable area, as compared with the proposed
10 project, and impacts will remain the same.

11 **5.2.06.2.1 Water Quality Standards**

12 **Potential Impact: Violate any water quality standards or waste discharge requirements?—Less**
13 **than Significant.** During construction, the construction contractor will demolish existing
14 buildings, excavate the project site, stockpile soil, and grade the site. Site preparation and
15 excavation could expose loose soil to potential erosion and potential movement off site.

16 Potential water quality and stormwater impacts caused by project construction will be less than
17 significant since the project will involve only a limited area of disturbance (1.4 acres) and based on
18 the distance to nearest waterway, and the temporary nature of construction. Since the project site is
19 subject to the state's General Permit for Stormwater Discharges Associated with Construction
20 Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of
21 an SWPPP and implement the plan. In addition, the AOC intends to include project features that
22 will secure a LEED Silver certification for the project; these features will include runoff control
23 measures such as bioswales to control runoff. With the SWPPP and the LEED measures, the AOC
24 concludes that runoff during operation of the proposed project will be less than significant.

25 *Mitigation Measures:* None required.

26 **5.2.06.2.2 Stormwater Runoff and Erosion**

27 **Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or**
28 **planned storm water drainage systems or provide substantial additional sources of polluted**
29 **runoff?—Less than Significant.** The project alternative site is currently a parking area park,
30 fountain, and two-story commercial building. The site has flat topography and is adjacent to the
31 city's storm drain system. The proposed building may slightly increase the amount of impervious
32 area. Since the project will have only a limited area of disturbance (1.4 acres) based on and the
33 temporary nature of construction, potential runoff and erosion impacts caused by project
34 construction will be less than significant. Since the project site is subject to the State's General
35 Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order

1 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the
2 plan. In addition, the AOC intends to include project features that will secure a LEED Silver
3 certification for the project; these features will include runoff control measures such as bioswales
4 to control runoff. With the SWPPP and the LEED measures, the AOC concludes that runoff
5 during operation of the proposed project will be less than significant.

6 *Mitigation Measures:* None required.

7 **5.2.06.2.3 Groundwater; Erosion and Flooding; 100-year Flood Hazard Area; Failure**
8 **of Levees or Dams; Inundation by Seiche, Tsunami, or Mudflow**

9 ***Potential Impact—No Impact.*** The project site is already developed, and since the proposed
10 courthouse will cover less than 1 acre of ground, the proposed new courthouse will not
11 substantially interfere with groundwater recharge. The AOC believes that the project will not
12 produce substantial population growth. Therefore, the project will not have impacts on
13 groundwater supplies or groundwater surface levels.

14 Stream or river drainage courses are not present and would not otherwise be affected. The site is
15 flat and is either paved or covered with landscaping. Water from the site flows into municipal
16 storm water drains. Since the project will not affect site drainage and will repave or re-landscape
17 the site, there will be no impacts that result in erosion or flooding.

18 The proposed project site is not located within the 100-year flood plain of the 2008 FEMA maps.

19 The project site is not adjacent to a stream, river, or lake that could inundate the site, and no levees
20 or dams protect the site. The project site is on flat terrain, and the site is above sea level.

21 The project site is approximately 20 miles east of the extreme eastern end of the Sacramento-San
22 Joaquin Delta; therefore, the project site is not subject to a seiche or tsunami. The project site is on
23 flat terrain; therefore, there is no risk of a mudflow.

24 *Mitigation Measures:* None required.

25 **5.2.07 Land Use, Plans, and Policies**

26 **5.2.07.1 Environmental Setting**

27 The proposed project site is an approximately 1.8-acre lot immediately adjacent to the existing
28 Courthouse and Administration Building at 222 East Weber Avenue. A parking area occupies
29 the northern portion of the parcel and a small park that includes a pool occupies the southern
30 portion of the parcel. The Main Street fountain is just south of the proposed project site. The
31 site has a lawn and trees. The western portion of the site is commercial businesses. Properties
32 surrounding the proposed project site include the Courthouse and Administration Building, the
33 Main Street pedestrian mall, and a bank (Bank of America).

1 The Downtown Stockton Alliance holds a Farmer’s Market on Main Street in front of the Bob
2 Hope Theatre and on the Main Street pedestrian mall every Friday morning, during May through
3 October. The Downtown Stockton Alliance is evaluating plans for the market (Destination
4 Development, Inc. 2008). The AOC understands that the Downtown Stockton Alliance plans to
5 move the market from the current Main Street location to a permanent facility in a different
6 downtown Stockton location (AOC 2008d).

7 **5.2.07.2 Potential Impacts and Mitigation Measures**

8 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts uses the
9 same analytical methodology, regulatory background, and standards of significance as the
10 Hunter Square alternative. See Section 4.07.2 for a discussion of these issues.

11 **5.2.07.2.1 Conformance with Local Plans and Policies**

12 **Potential Impact (Construction): Conflict with any applicable land-use plan, policy, or**
13 **regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding**
14 **or mitigating an environmental effect?—Potentially Significant.** The proposed project may
15 affect the Downtown Alliance’s Farmer’s Market and the city’s policy of supporting the
16 downtown Farmer’s Market. As noted in Section 4.07.1, the AOC understands that the
17 Downtown Business Alliance is planning adopt the recommendation of its marketing consultant
18 to relocate the downtown Farmer’s Market (Destination Development, Inc. 2008). During
19 construction of the courthouse, the project’s presumed use of the Main Street segment between
20 San Joaquin Street and Hunter Street for project-related traffic may conflict with operation of the
21 Farmer’s Market on Fridays during April, May, June, July, August, September, and October.
22 This impact is potentially significant.

23 The following mitigation measure will reduce the impact to this resource to less than significant.

24 *Mitigation Measure:*

25 **Land Use 1**—If the Downtown Alliance has not moved the Farmer’s Market before
26 construction of the proposed courthouse begins, the AOC’s construction contractor will
27 close its staging area’s Main Street driveway from 10:30 a.m. to 1:30 p.m. on Fridays
28 when the Downtown Stockton Alliance is holding the Farmer’s Market on Main Street.

29 **Potential Impact (Post-Construction, Operation, and Maintenance): Conflict with any**
30 **applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project**
31 **adopted for the purpose of avoiding or mitigating an environmental effect?—Less than**
32 **Significant.** The western portion of the Hunter Square Expanded alternative site is designated
33 Commercial and zoned CD, Commercial Downtown. The Hunter Square portion of this
34 alternative site is currently a street and is not a formal parcel. The project will create a new
35 assessor’s parcel with CD, Commercial Downtown, zoning designation and Commercial land

1 use designations. Since the project will not conflict with land use policies, the AOC concludes
2 that the project’s impacts will be less than significant.

3 After construction of the proposed courthouse is complete, the AOC presumes that the Farmer’s
4 Market will no longer operate on Main Street between San Joaquin Street and Hunter Street, and
5 courthouse-related traffic will not conflict with the Farmer’s Market. Therefore, there will be no
6 impact.

7 *Mitigation Measures:* None required.

8 **5.2.07.2.2 Physically Divide a Community**

9 ***Potential Impact: Physically divide a community?—No Impact.*** The proposed project covers
10 only a small area (approximately 1 acre) and would not divide any communities. Therefore,
11 there will be no impact.

12 *Mitigation Measures:* None required.

13 **5.2.08 Noise**

14 **5.2.08.1 Environmental Setting**

15 The environmental setting for the Hunter Square Expanded alternative will generally be the same
16 as for the proposed Hunter Square project. See Section 4.08.1 for specific details.

17 **5.2.08.2 Potential Impacts and Mitigation Measures**

18 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts uses the
19 same analytical methodology, regulatory background, and standards of significance as the
20 proposed Hunter Square project. See [Section 4.08.2](#) for a discussion of these issues.

21 **5.2.08.2.1 Noise Standards**

22 ***Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise***
23 ***levels in excess of standards established in the local general plan or noise ordinance, or***
24 ***applicable standards of other agencies?—Less than Significant.*** [Section 4.08.3.1](#) describes
25 noise standard impacts for the Hunter Square proposed project. The impacts for the Hunter
26 Square Expanded alternative will be essentially the same as for the Hunter Square proposed
27 project. Therefore, impacts will be less than significant.

28 *Mitigation Measures:* None required.

29 ***Potential Impact (Traffic): Generation of noise levels in excess of standards established in the***
30 ***local general plan or noise ordinance, or applicable standards of other agencies?—Less than***
31 ***Significant.*** After construction is complete and the Hunter Square Expanded alternative
32 courthouse begins its operations, the additional vehicles traveling to the site will increase noise

1 levels adjacent to nearby roads, similar to the proposed project as discussed in Section 4.08.3.1.
2 Therefore, the increased noise from new traffic will be minimal, and impacts from vehicle noise
3 to the nearby residents will be less than significant.

4 *Mitigation Measures:* None required.

5 **5.2.08.2.2 Long-term, Permanent Ambient Noise Levels**

6 ***Potential Impact: A substantial permanent increase in ambient noise levels in the vicinity of***
7 ***the alternative above levels existing without the alternative?—Less than Significant.*** As
8 explained in Section 4.08.3.1, the building’s mechanical equipment will not be expected to
9 generate substantial noise. Therefore, the mechanical sound will not produce a substantial
10 increase in ambient noise levels. As also explained in Section 4.08.3.1, the alternative’s traffic
11 will not be expected to generate substantial traffic-related noise. Therefore, any increase from
12 the alternative’s traffic-related noise will be less than significant.

13 *Mitigation Measures:* None required.

14 **5.2.08.2.3 Short-term, Temporary Ambient Noise and Vibration Levels**

15 ***Potential Impact: A substantial temporary or periodic increase in ambient noise levels in the***
16 ***vicinity above levels existing without the alternative or generation of excessive ground-borne***
17 ***vibration or ground-borne noise levels?—Significant and Unavoidable.*** Short-term ambient
18 noise analysis will generally be the same as for the Hunter Square proposed project, even with
19 the addition of demolition activities because noise levels will be consistent with construction-
20 related noise levels. Therefore, the alternative will have a potentially significant noise impact.

21 *Mitigation Measures:* Mitigation Measures Noise 1 through 8 will reduce the potential
22 construction-related noise impacts, but the construction noise may still be a significant and
23 unavoidable short-term impact to sensitive receptors and commercial businesses near the site.

24 **5.2.08.2.4 Airport Noise**

25 ***Potential Impact—Less than Significant.*** The Hunter Square Expanded alternative is not
26 located within the area of influence of the nearest airport, the Stockton Metropolitan Airport (San
27 Joaquin County Council of Governments 1993), which is located 4 miles from the proposed
28 project and thus this alternative. Based on the distance from the nearest airport, there will be no
29 noise impact.

30 *Mitigation Measures:* None required.

31 **5.2.08.2.2 Private Airstrip Noise**

32 ***Potential Impact—Less than Significant.*** The project is not located in the vicinity of a private
33 airstrip. There will be no impact.

34 *Mitigation Measures:* None required.

1 **5.2.09 Public Services**

2 This section evaluates the Hunter Square Expanded alternative’s potential impacts on public
3 services.

4 **5.2.09.1 Environmental Setting**

5 The Stockton Fire Department has 13 engine companies and four truck companies within the city
6 limits. The nearest station to the project site is Fire Station No. 2, 0.7 mile northeast at 110 West
7 Sonora Street. The fire department is staffed with 276 personnel available to respond to
8 emergencies, including two battalion chief officers. Fire hydrants are located on each of the four
9 corners around the courthouse.

10 The City of Stockton Police Department provides law enforcement services for businesses and
11 residents within the city limits. The police department nearest the project is located at 22 East
12 Market Street, 0.3 mile northeast of the site. This station is also the current police department
13 headquarters. The County of San Joaquin’s Sheriff’s Department and contract security firms
14 provide security at the court’s courthouse facilities.

15 Several other agencies have law enforcement responsibilities or other public service
16 responsibilities that involve interactions with the court and use of the court’s facilities in Stockton.
17 These agencies include the California Highway Patrol, the San Joaquin District Attorney, County
18 Child Support, County Public Defender, County Probation Department, County Sheriff-Coroner-
19 Public Administrator’s Office, County Public Health Division, County Mental Health
20 Division/Office of Substance Abuse, County Human Services Agency, and the City Attorney.

21 **5.2.09.2 Potential Impacts and Mitigation Measures**

22 Based on the same location as the proposed project, impacts to Public Services and Facilities at
23 this alternative site will be the same as for the proposed project.

24 **5.2.09.2.1 Fire Protection Services**

25 ***Potential Impact: Result in substantial impacts associated with the provision of new or***
26 ***physically altered governmental facilities in order to maintain acceptable service ratios,***
27 ***response times or other performance objectives for fire protection services?—No Impact.*** The
28 Hunter’s Square Expanded alternative is proposed adjacent to existing development and within
29 close proximity to a fire station. Therefore, the project will not have a significant impact on fire
30 response times and will not otherwise create a substantially greater need for fire protection than
31 already exists.

32 *Mitigation Measures:* None required.

1 **5.2.09.2.2 Police Protection Services**

2 ***Potential Impact: Result in substantial impacts associated with the provision of new or***
3 ***physically altered governmental facilities in order to maintain acceptable service ratios,***
4 ***response times or other performance objectives for police protection services?—Less than***
5 ***Significant.*** The Stockton Police Department does not provide security services for the court, so
6 the project will not affect the Police Department. The Hunter’s Square Expanded alternative will
7 reduce security protection needs since the project will consolidate court operations into fewer
8 and more secure facilities and therefore will require fewer security personnel. The new
9 courthouse will have improved security features that enhance the efficiency of court security
10 operations, and the new courthouse will reduce the number of court building entrances that will
11 require security personnel. Therefore, this alternative will not have a significant impact on
12 security services.

13 *Mitigation Measures:* None required.

14 **5.2.09.2.3 School, Parks, and Other Public Facilities and Services**

15 ***Potential Impact— Result in substantial impacts associated with schools, parks, and other***
16 ***public facilities?—No Impact.*** The project includes no new housing. Therefore, the project will
17 not have a significant effect upon schools or other public facilities. The AOC also concludes that
18 the proposed project will produce no changes for other public services such as are provided by
19 the California Highway Patrol, the San Joaquin District Attorney, County Child Support, County
20 Public Defender, County Probation Department, County Sheriff-Coroner-Public Administrator’s
21 Office, County Public Health Division, County Mental Health Division/ Office of Substance
22 Abuse, County Human Services Agency, and the City Attorney

23 *Mitigation Measures:* None required.

24 **5.2.10 Recreation**

25 **5.2.10.1 Environmental Setting**

26 The environmental setting of the Hunter Square Expanded alternative is similar to that of the
27 proposed project. See section 4.10.1

28 **5.2.10.2 Potential Impacts and Mitigation Measures**

29 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts uses the
30 same analytical methodology, regulatory background, and standards of significance as the
31 Hunter Square alternative. See [Section 4.10.2](#) for a discussion of these issues.

1 **5.2.10.2.1 Existing Recreational Facilities**

2 ***Potential Impact: Increase the use of existing neighborhood and regional parks or other***
3 ***recreational facilities such that substantial physical deterioration of the facility will occur or***
4 ***be accelerated?—Less than Significant.*** The project will eliminate most of the existing Hunter
5 Square approximately 0.5-acre park and replace the proposed site’s lawn, sidewalks, and pool
6 with a new courthouse. The building will include landscaped areas on the east, south, and west,
7 and the project will create approximately 1.0 acre of new open space. The new courthouse will
8 include landscaping and a small plaza around the new courthouse. Since the project is adding
9 recreational space and improving recreational facilities, the AOC concludes that the Hunter
10 Square Expanded alternatives’ recreational acreage impacts are less than significant.

11 *Mitigation Measures:* None required.

12 **5.2.10.2.2 Construction or Expansion of Recreational Facilities**

13 ***Potential Impact: Include recreational facilities or require the construction or expansion of***
14 ***recreational facilities that might have an adverse physical effect on the environment?—No***
15 ***Impact.*** The project proposed at this alternative site will not require additional recreational
16 facilities, beyond any that already exist. Therefore, the AOC concludes that there will be no
17 impact.

18 *Mitigation Measures:* None required.

19 **5.2.11 Traffic and Circulation**

20 This section evaluates the potential impacts of the project in terms of traffic and circulation and is
21 based on a transportation impact study prepared by PHA Transportation Consultants (see
22 Appendix H). This chapter provides information on potential traffic impacts of the proposed
23 project, on local streets and regional freeway interchange. The analysis also evaluates potential
24 impacts on public transit operations, bicycle facilities, site access, circulation, and parking. The
25 environmental setting, access, street system, impact and mitigation measures described below are
26 the same as under the proposed project because the size and location of the project are essentially
27 unchanged.

28 **5.2.11.1 Environmental Setting**

29 This section discusses site access and existing street system; public transit, bicycle and
30 pedestrian facilities; current traffic operations; hazards; and parking supply of the project area.

31 **5.2.11.1.1 Site Access and Existing Street Systems**

32 The street system providing direct access and circulation to the Hunter Square site includes:

- 1 • Center Street—a one-way four-lane arterial street providing southbound access
2 through the downtown area;
- 3 • El Dorado Street—a one-way four-lane arterial street providing northbound access
4 through the downtown area;
- 5 • Weber Avenue—a four-lane east-west street that is adjacent to the project site;
- 6 • Main Street—a one-way westbound two-lane street between with on-street parking.
7 The Main Street segment between South Hunter Street and El Dorado Street is a
8 pedestrian mall;
- 9 • Hunter Street—a north-south street. North Hunter is a two-way street that connects to
10 Weber Avenue, but South Hunter is a one-way southbound street between Main
11 Street and Market Street.;
- 12 • Washington Street—a one-way westbound two-lane road between El Dorado Street
13 and Stanislaus Street.

14 Interstate 5, State Route 4, and State Route 99 are the major freeways in Stockton, and
15 significant numbers of drivers traveling to the court use these highways. Section 4.11.1 provides
16 additional information on these highways.

17 **5.2.11.1.2 Public Transit, Bicycle and Pedestrian Facilities**

18 The San Joaquin County Regional Transit District provides public transit service throughout
19 downtown Stockton with various transit services that include commuter bus, downtown trolley,
20 and dial-a-ride. Bus routes that serve the area of the existing and proposed court building
21 include Routes 23, 26, 40, and 51 through 55, with bus stops on Weber Avenue, San Joaquin
22 Street, and El Dorado Street. The Regional Transit District transit center is located within a short
23 walk from the proposed Hunter Square site at the intersection of Weber Avenue and California
24 Street. Trip generation survey results for the existing court indicated very few visitor or staff
25 members use public transportation for work or to conduct business at the courthouse.

26 There are no striped bike lanes near the project site. However, pedestrian sidewalks are on both
27 sides of Weber Avenue and other streets in the area. A pedestrian crosswalk with audible signal
28 is available on Weber Avenue in front of the existing Courthouse and Administration Building to
29 provide a safe pedestrian connection between the Courthouse and Administration Building and
30 the Coy Garage at Hunter Street.

31 **5.2.11.1.3 Current Traffic Operation**

32 The study evaluates intersection traffic operations for morning and afternoon peak hours to
33 estimate current traffic Level of Service. Level of Service is the qualitative measure of traffic
34 flow characteristics that traffic engineers use to evaluate traffic intersection and roadway service
35 levels. This methodology employs a Level A through F scale, with Level A being optimum
36 operating conditions and Level F below standard. Section 4.11.1.3's Tables 4-20 and 4-21 show

1 the Level of Service criteria and the existing operating conditions of intersection traffic in the
2 Hunter Square area. Results showed that all of the study intersections currently operate at Level
3 of Service C or better, which indicates short traffic delays with low-level congestion.

4 **5.2.11.1.4 Hazards**

5 Pedestrian crosswalks were evaluated, as the project is expected to add more vehicle and
6 pedestrian traffic to the area. Currently, pedestrian crosswalks are available to provide safe
7 pedestrian crossing at all streets near the existing San Joaquin Courthouse and Administration
8 Building and the proposed courthouse.

9 Traffic signal controls have been installed for the crosswalks at El Dorado Street and Weber
10 Avenue, Weber Avenue and San Joaquin Street, and San Joaquin Street and Main Street. No
11 significant pedestrian hazards were observed at these intersections (AOC 2008b).

12 Pedestrian-triggered audio warnings and flashing lights are available for the crosswalks at El
13 Dorado Street and Main Street and Weber Avenue and North Hunter Street. The crosswalk at
14 Weber Avenue and North Hunter Street also includes a median island that provides additional
15 protection for pedestrians, but the nearby Hunter Square parking lot's entrance driveway and exit
16 driveway and the transit stop complicate vehicle movement patterns. Traffic signals at Market
17 Street and Weber Avenue control traffic on El Dorado Street, and the signals and signal-related
18 traffic queuing strongly slow traffic speeds near the El Dorado Street crosswalk. There is no
19 traffic control for Weber Avenue traffic at the intersection with North Hunter Street, but signals
20 at El Dorado Street and San Joaquin Street influence traffic speeds on Weber Avenue.

21 For the El Dorado Street crosswalk and Weber Avenue, field observation noted that traffic on El
22 Dorado Street occasionally moved at an apparently high speed for an arterial street and the
23 crosswalk crosses three traffic lanes and two parking lanes. Drivers responded to the presence of
24 pedestrians by reducing speed, stopping when the crosswalk system began flashing, and did not
25 enter the crosswalk when pedestrians were in the crosswalk.

26 Drivers' compliance with pedestrians' crossing attempts for the Weber Avenue crosswalk at
27 North Hunter was less regular and predictable. Field observation noted that some drivers did not
28 slow down at the crosswalk. Crosswalk problems were greatest on the eastbound lanes since
29 drivers were less observant of pedestrians because the drivers were often changing lanes and
30 turning because of the adjacent driveways, and transit vehicle movements may have obscured
31 drivers' field of view.

32 The crosswalk at Main Street and South Hunter Street has no traffic control and has no crosswalk
33 light or audio improvements. At the intersection, Main Street has two westbound lanes that end at
34 the intersection, and drivers must make a left turn to continue on South Hunter Street, which
35 carries traffic southbound in only one lane. Field observation indicates that pedestrians can
36 generally cross freely at the intersection since there is only a small amount of traffic on this portion
37 of Main Street. However, when a vehicle approaches the crosswalk, pedestrians' and drivers'

1 behavior is unpredictable and irregular. When two vehicles travel westward on Main Street
2 simultaneously in separate lanes, driver and pedestrian interactions become more complicated.

3 **5.2.11.1.5 Parking**

4 Major parking facilities in downtown Stockton near the proposed project site include the
5 Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, the Channel Parking
6 Garage, the Hunter Square parking lot, and the County of San Joaquin Motor Pool/Hunter Street
7 Parking Garage. [Section 4.11.1.5's](#) Table 4-22 lists the parking facilities' features.

8 The AOC surveyed parking supply and demand in the vicinity of the proposed project site in
9 September, October, and November of 2008. [Section 4.11.1.5's](#) Table 4-23 shows data from a
10 Tuesday, September 9, survey of parking garages and on-street 1-hour, 2-hour, and 10-hour
11 metered spaces; utilization of parking garage spaces varied by time of day and parking facility,
12 but space was available at all parking garages during the sample times. [Section 4.11.1.5's](#)
13 [Table 4-24](#) shows data from several AOC surveys of the Stewart-Eberhardt Parking Garage, the
14 Edmund Coy Parking Garage, and the public portion of the County of San Joaquin's Motor Pool
15 Garage (with public entrance on South Hunter Street). These repeated surveys showed that use
16 of the Stewart-Eberhardt Parking Garage varies more than the other sampled facilities. The
17 city's staff closed the Stewart-Eberhardt Parking Garage on some of the days sampled, but the
18 other parking facilities all had spaces available.

19 This snapshot survey captured parking space utilization at parking meters, surface parking lots, and
20 parking structures on September 9, 2008 – a Tuesday – which is the busiest day of the week for the
21 court operations. During the period surveyed, a total of 3,457 parking spaces was identified
22 (supply), and an average of 2,292 spaces was utilized (demand), for an average utilization of 66
23 percent. These results are similar to an earlier Survey of Open Spaces at Downtown Parking
24 Garages and Surface Parking Lots Owned and Managed by Central Parking District, a windshield
25 survey conducted by the City of Stockton Central Parking District in 2007, that found a 68 percent
26 average parking utilization in the downtown area (Stockton Central Parking District 2007).

27 **5.2.11.2 Potential Impacts and Mitigation Measures**

28 The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the
29 same analytical methodology, regulatory background, and standards of significance as the
30 Hunter Square alternative's analysis of utilities and service systems. See [Section 4.11.2](#) for a
31 discussion of these issues.

32 **5.2.11.2.1 Traffic Increase and Level of Service**

33 ***Potential Impact: Cause an increase in traffic that is substantial in relation to the existing traffic***
34 ***load and capacity of the street system?—Significant and Unavoidable.*** [Section 4.11.3.1](#) provided
35 results of the AOC's revised traffic analysis for the Hunter Square proposed project. The Hunter
36 Square Expanded alternative's impacts are the same as the Hunter Square proposed project.

1 *Mitigation Measures:* As stated in Section 4.11.3.1, the AOC concludes that there is no
2 feasible timing improvement or widening improvement that can mitigate the El
3 Dorado/Washington Street intersection impacts to a level that is less than significant.
4 There are also no feasible mitigation measures for the State Route 4 ramp impacts.

5 **5.2.11.2.2 Congestion Management Service Standard**

6 ***Potential Impact: Exceed a level of service standard established by the county congestion***
7 ***management agency for designated roads or highways?—Less than Significant.*** The Level of
8 Service estimates are not expected to create unacceptable level of service conditions based on the
9 San Joaquin Council of Governments’ traffic levels of service standards, which focus on
10 roadway segments rather than intersections.

11 *Mitigation Measures:* None required.

12 **5.2.11.2.3 Air Traffic Patterns**

13 ***Potential Impact: Produce a change in air traffic patterns, including either an increase in***
14 ***traffic levels or a change in location that results in substantial safety risks?—No Impact.*** The
15 proposed project will not generate air traffic and will not change existing air traffic patterns

16 *Mitigation Measures:* None required.

17 **5.2.11.2.4 Hazards Posed by Design Features**

18 ***Potential Impact: Substantially increase hazards because of a design feature (such as sharp***
19 ***curves or dangerous intersections) or incompatible uses?—Potentially Significant and***
20 ***Unavoidable.*** The new courthouse design will conform to the California Building Code and will
21 be generally consistent with City of Stockton design standards. Therefore, the proposed project
22 will not include any increased hazards related to a design feature. As a result, there will be no
23 significant impacts related to the building’s design.

24 The project’s increase in the number of courtrooms at the Hunter Square Expanded site,
25 operations of the proposed new courthouse will increase the number of people crossing El
26 Dorado Street, Weber Avenue, and Main Street. Below is a brief discussion of the potential
27 impacts:

- 28 1. Crosswalks at El Dorado Street and Main Street, El Dorado Street and Weber
29 Avenue, Weber Avenue and San Joaquin Street, and San Joaquin Street and Main
30 Street currently have adequate traffic and pedestrian controls, and these controls will
31 be sufficient to keep project-related hazard impacts at levels that are less than
32 significant;
- 33 2. At the Weber Avenue and North Hunter Street crosswalk, the proposed project will
34 eliminate the existing Hunter Square parking lot; removal of the lot and its driveways
35 will reduce turning complications and lane changes, and the AOC expects that these

- 1 changes will increase safety at the crosswalk. However, the presence of buses at the
2 existing Weber Avenue transit stop will continue to affect drivers' behavior, obstruct
3 drivers' field of vision as they approach the crosswalk, and obstruct northbound
4 pedestrians' view of eastbound traffic. Since the project will increase the number of
5 persons using the crosswalk, the hazards at this crosswalk are potentially significant;
- 6 3. For the Main Street and South Hunter Street crosswalk, Section 4.11.1.4 noted that
7 there are no traffic controls at this intersection, and the AOC observed that
8 pedestrians' and drivers' behaviors were irregular and unpredictable. The project will
9 increase in the number of persons traveling to the courthouse, so more persons will be
10 crossing through the Main Street and South Hunter Street crosswalk. In addition, the
11 project will add traffic to Main Street because of trips associated with sheriff's buses,
12 court staff vehicles, and service vehicles. Hazards at this crosswalk are potentially
13 significant because of the potential increase in the number of interactions between
14 pedestrians and vehicles, the Main Street and South Hunter Street intersection's
15 reduction of two traffic lanes to one lane and the intersection's left-turn geometry,
16 and the absence of traffic control at the intersection; and
- 17 4. The project will add limited driveway-related vehicle traffic to a portion of the Main
18 Street mall. Since the mall currently carries no regular vehicle traffic, the courthouse-
19 related traffic will be a new hazard. The project's California Building Code Title 24
20 markers (see Figure 6) will provide some visual and tactile reminder for pedestrians
21 and vehicle drivers. ~~However, urban areas typically segregate pedestrian traffic and
22 vehicle traffic; safety measures may reduce the risk of collisions between pedestrians
23 and vehicles, but pedestrians and vehicle drivers make mistakes. Therefore, the
24 project's addition of vehicle traffic to a portion of the Main Street mall will be a
25 significant and unavoidable impact.~~

26 *Mitigation Measures:* As noted above, there will be no significant impacts related to the
27 building's design. Therefore, no mitigation measures are required for design-related impacts.
28 The following mitigation measures will reduce the project's operational impacts to a level that is
29 less than significant for the crosswalks at Weber Avenue and North Hunter Street and Main
30 Street and South Hunter Street. However, the project's impacts on the Main Street mall will
31 remain significant and unavoidable despite mitigation measures:

32 **Traffic 13**—For the crosswalk at Weber Avenue and North Hunter Street, the proposed
33 project will re-locate the existing transit stop from its location adjacent to Hunter Square
34 and west of the crosswalk at Weber Avenue and North Hunter Street to a new location of
35 Weber Avenue that is east of the crosswalk at Weber Avenue and North Hunter Street.
36 The new transit stop will be at least 1.5 bus lengths east of the crosswalk. This mitigation
37 measure will reduce the potential hazard impacts for the crosswalk at Weber Avenue and
38 North Hunter Street to a level that is less than significant;

1 **Traffic 24**—For the crosswalk at Main Street and South Hunter Street, the proposed
2 project will provide five improvements.

- 3 • First, the project will revise the lane geometry of the western portion of East Main
4 Street near its intersection with South Hunter Street to merge the current two
5 lanes into one lane;
- 6 • Second, the project will repaint the crosswalk to enhance its visibility;
- 7 • Third, the project will eliminate Main Street parking spaces that are within 30 feet
8 of the crosswalk;
- 9 • Fourth, the project will add structural improvements (such “bulb outs” or curb
10 peninsulas that extend into the street) to the crosswalk that reduce the crosswalk’s
11 length across Main Street; and
- 12 • Fifth, the project will add a stop sign to the intersection to control westbound
13 Main Street traffic and a stop sign to control Main Street mall traffic that is
14 exiting from the proposed new courthouse. The combination of the five
15 components of this mitigation measure will reduce the potential hazard impacts
16 for the crosswalk at Weber Avenue and North Hunter Street to a level that is less
17 than significant;

18 **Traffic 35**—For the Main Street mall, the proposed project will provide a warning sound
19 system at the courthouse’s exit ramps that will provide an audible signal when vehicles
20 emerge from the courthouse’s ramps onto the mall. In addition, the project will add light
21 signals similar to the signal system at the crosswalk for El Dorado Street and Main Street
22 so that vehicles exiting the courthouse ramps will trigger the light system, and the lights
23 will alert pedestrians near the project’s truncated dome mats. The AOC will add a
24 combination of features to the Main Street pedestrian mall that will emphasize that it is a
25 street where pedestrians and cyclists have legal priority over motorists. The features will
26 include:

- 27 • Appropriate signage indicating shared use of the space by pedestrians and vehicle
28 drivers;
- 29 • Very slow speed limits;
- 30 • Traffic calming strategies such as narrow and often curving traffic lanes that require
31 the driver to slow down for maneuvering through the lanes, textured paving or speed
32 bumps that read through to the driver, and appropriate signage of speed limitations
33 and enforcement of the speed limit; and
- 34 • Maintenance of a safe pedestrian route for visually impaired users set off from the
35 primary vehicular pathway by a combination of landscape buffers, raised planters,
36 grasscrete, barney rubble (a combination of flat recycled broken concrete interspersed
37 with plantings), tactile warning strips including but not limited to raised dot paving,
38 bollards and benches and other forms of street furniture, audible sound warnings that
39 traffic is present, and effective street lighting to maintain pedestrian safety.

1 This mitigation measure and mitigation measure Traffic 2's Main Street mall stop sign
2 will reduce the potential hazard impacts for the Main Street mall; ~~however, the inherent~~
3 ~~danger of combining pedestrians and vehicles into the same area will keep potential~~
4 ~~impacts at a level that is significant and unavoidable~~ to a level that is less than significant.

5 **5.2.11.2.5 Emergency Access**

6 **Potential Impact: Result in inadequate emergency access?—No Impact.** Based on the
7 preliminary site plan, the proposed project will have a main access from Weber Avenue and a
8 sallyport access at the back of the building. These features should provide adequate vehicle
9 access (30 vehicles) and pedestrian access. The AOC's development of the project site will
10 conform to recommendations of the court, the San Joaquin County Sheriff's Department, and the
11 Stockton Fire Department to ensure adequate emergency access considerations. The Stockton
12 Fire Department will review plans to ensure emergency access is adequate. The proposed
13 project does not include closure of any public through street that is currently used for emergency
14 services and will not be expected to interfere with the adopted emergency response plan.
15 Therefore, the AOC concludes that the project will have no impacts on emergency access.

16 *Mitigation Measures:* None required.

17 **5.2.11.2.6 Parking Capacity**

18 **Potential Impact: Result in inadequate parking capacity?—Less than Significant.** Construction
19 of the project will eliminate approximately 50 parking spaces in the Hunter Square parking lot. The
20 court currently has a maximum juror population of approximately 275 jurors to 300 jurors in the
21 Courthouse and Administration Building. When the court begins operations in the new courthouse,
22 the AOC expects that the court will add approximately additional 100 juror and approximately 100
23 visitor and staff trips per day. The project will provide approximately 40 parking spaces at the
24 building for judges and administrative officers. Therefore, the project will need approximately 250
25 additional parking spaces for the court's operations in the proposed new courthouse.

26 Tables 4-23 and 4-24 provide data on the current available parking supply, and they show that the
27 parking facilities near the existing and proposed courthouse currently have unused capacity. The
28 mean morning vacancies for the Stewart-Eberhardt, Edmund Coy, and Hunter Street garages total
29 more than 400 spaces; therefore, even though the project will eliminate the Hunter Square parking
30 lot, the existing facilities appear to have sufficient capacity to satisfy the project's parking needs.
31 The AOC recognizes that forecasting the parking needs of other potential downtown development
32 is uncertain. However, Table 4-23 indicates that that additional parking is available at the Channel
33 Street garage and on-street parking spaces are available within two blocks of the proposed
34 courthouse site. Therefore, the AOC concludes that the project's parking impacts will be less than
35 significant.

36 *Mitigation Measures:* None required.

1 **5.2.11.2.7 Existing Alternative Transportation Policies**

2 **Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative**
3 **transportation (such as bus turnouts and bicycle racks)?—Less than Significant.** Survey
4 results of existing court trip generation indicated very few visitor or staff members use public
5 transportation for work or to conduct business at the courthouse. Therefore, the proposed project
6 is not expected to have a significant impact on the public transportation system.

7 *Mitigation Measures:* None required.

8 **5.2.12 Utilities and Service Systems**

9 This section evaluates the Hunter Square Expanded alternative’s potential impacts on utilities
10 and service systems.

11 **5.2.12.1 Environmental Setting**

12 As noted in the Hunter Square alternative’s Section 4.12.1, the Hunter Square site is currently a
13 parking lot and a park. Water service extends to the site, and adjacent developed parcels have
14 wastewater, water supply, and trash collection services. The Hunter Square Expanded includes
15 additional parking lot and alley areas, and these portions of the alternative may have no services.
16 The alternative’s three private parcels include existing buildings that have wastewater, water
17 supply, and trash collection services.

18 **5.2.12.2 Potential Impacts and Mitigation Measures**

19 The AOC’s analysis of the Hunter Square Expanded alternative’s potential impacts uses the
20 same analytical methodology, regulatory background, and standards of significance as the
21 Hunter Square alternative’s analysis of utilities and service systems. See [Section 4.12.2](#) for a
22 discussion of these issues.

23 **5.2.12.2.1 Wastewater Treatment**

24 **Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water**
25 **Quality Control Board?—Less than Significant.** Buildings in Stockton are located within the
26 Central Regional Water Quality Control Board and are subject to control under the Stockton
27 Regional Wastewater Control Facility. Based on the design of the courthouse facility, the
28 wastewater effluent from the new building will meet the requirements for discharge that are
29 applicable to the Regional Water Quality Control Board.

30 The AOC will apply for a Silver rating certification under the U.S. Green Building Council’s
31 LEED Green Building Rating System for the project, and the AOC intends to implement a
32 wastewater plan that complies with LEED requirements. These requirements (U.S. Green
33 Building Council 2003) relevant to wastewater include:

34 Innovative wastewater technologies

1 In addition, the building will be subject to the Waste Discharge Requirements Order No. R5-
2 2002-0083 (CRWQCB 2003).

3 Since the proposed courthouse will meet requirements of the California Building Code and will
4 be a LEED Silver building, the AOC concludes that the project's impacts on wastewater
5 treatment requirements will be less than significant. Through planning and compliance with
6 LEED and the Regional Water Quality Control Board, the building will meet and exceed all
7 required standards as it is proposed.

8 *Mitigation Measures:* None required.

9 **5.2.12.2.2 New Water or Wastewater Treatment Facilities**

10 ***Potential Impact: Require or result in the construction of new water or wastewater treatment***
11 ***facilities or expansion of existing facilities, the construction of which could cause significant***
12 ***environmental effects?—Less than Significant.*** Section 4.12.3.2 provides estimates of the
13 Hunter Square alternative's wastewater demand. Wastewater demand for this alternatives is
14 identical to the proposed action because the Hunter Square Expanded alternative's courthouse
15 will not change from the Hunter Square proposed action.

16 Although the new courthouse will add water demand for the city's water supply, the court's
17 move from the existing courthouse will partially compensate for the demand of the new building.
18 In addition, although the new courthouse will provide approximately twice the space of the
19 existing courthouse and courthouse annex, the AOC and court expect the project to involve only
20 a minor increase in the number of staff persons and only an approximately 30 percent increase in
21 the number of jurors and courthouse visitors. Since the increase in courthouse population will be
22 small and the AOC expects only minor and temporary future use of the current court's space, the
23 AOC concludes that the impacts on water treatment facilities will be less than significant.

24 *Mitigation Measures:* None required.

25 **5.2.12.2.3 Require or Result in the Construction of Storm Water Drainage Facilities or** 26 **Expansion of Existing Facilities**

27 ***Potential Impact: Require or result in the construction of new storm water drainage facilities***
28 ***or expansion of existing facilities, the construction of which could cause significant***
29 ***environmental effects?—No Impact.*** Section 4.12.3.3 provides information on storm drain
30 facilities in the Hunter Square vicinity.

31 Since storm drain facilities exist in the project area, the proposed Hunter Square Expanded
32 alternative will not require construction of new off-site storm water facilities. According to the
33 City's Public Works Division, the project will not create an abundance of stormwater that will
34 require a change in control to the current system. The AOC will apply for a Silver rating
35 certification under the U.S. Green Building Council's LEED Green Building Rating System for the
36 project, and the AOC intends to implement a stormwater plan that complies with LEED
37 requirements. Therefore, the alternative's impacts will be less than significant.

1 *Mitigation Measures:* None required.

2 **5.2.12.2.4 Have Sufficient Water Supplies Available to Serve the Project from Existing**
3 **Entitlements and Resources**

4 ***Potential Impact: Have sufficient water supplies available to serve the project from existing***
5 ***entitlements and resources, or are new or expanded entitlements needed?—Less than***
6 ***Significant.*** As explained in Section 4.12.3.4, the California Water Service Company will
7 provide water service to the site, and it stated that the proposed courthouse will not consume an
8 overabundance of water from the current water supply. Based on the current consumption levels
9 from November 2007 through October 2008, the average consumption of water, without LEED
10 standards, for an approximately 100,000-square-foot building is approximately 600 cubic feet
11 per 100 cubic feet. The water consumption changes from summer to winter, with consumption
12 being three times the amount in the summer. The AOC will implement LEED water
13 conservation measures as part of its LEED Silver rating certification effort. By implementing
14 the LEED Silver standards for water efficiency, the reduction in water and the increase in the
15 size will counterbalance any excessive additional use (California Water Service Company 2008).

16 The AOC concludes that the alternative's water supply impacts are less than significant.

17 *Mitigation Measures:* None required.

18 **5.2.12.2.5 Wastewater Treatment Capacity**

19 ***Potential Impact: Result in a determination by the wastewater treatment provider that serves***
20 ***or may serve the project that it has adequate capacity to serve the project's projected demand***
21 ***in addition to the provider's existing commitments?—Less than Significant.*** The Hunter
22 Square Expanded alternative's proposed courthouse has essentially the same space and projected
23 use as the Hunter Square courthouse. Section 4.12.3.5 concluded that the proposed Hunter
24 Square project's wastewater treatment demand will be minor based on the calculations and
25 information provided in Section 4.12.2.1 for the Stockton Regional Wastewater Facility.
26 Therefore, the AOC concludes that the Hunter Square Expanded alternative's impacts on
27 wastewater treatment capacity are less than significant.

28 *Mitigation Measures:* None required.

29 **5.2.12.2.6 Landfills**

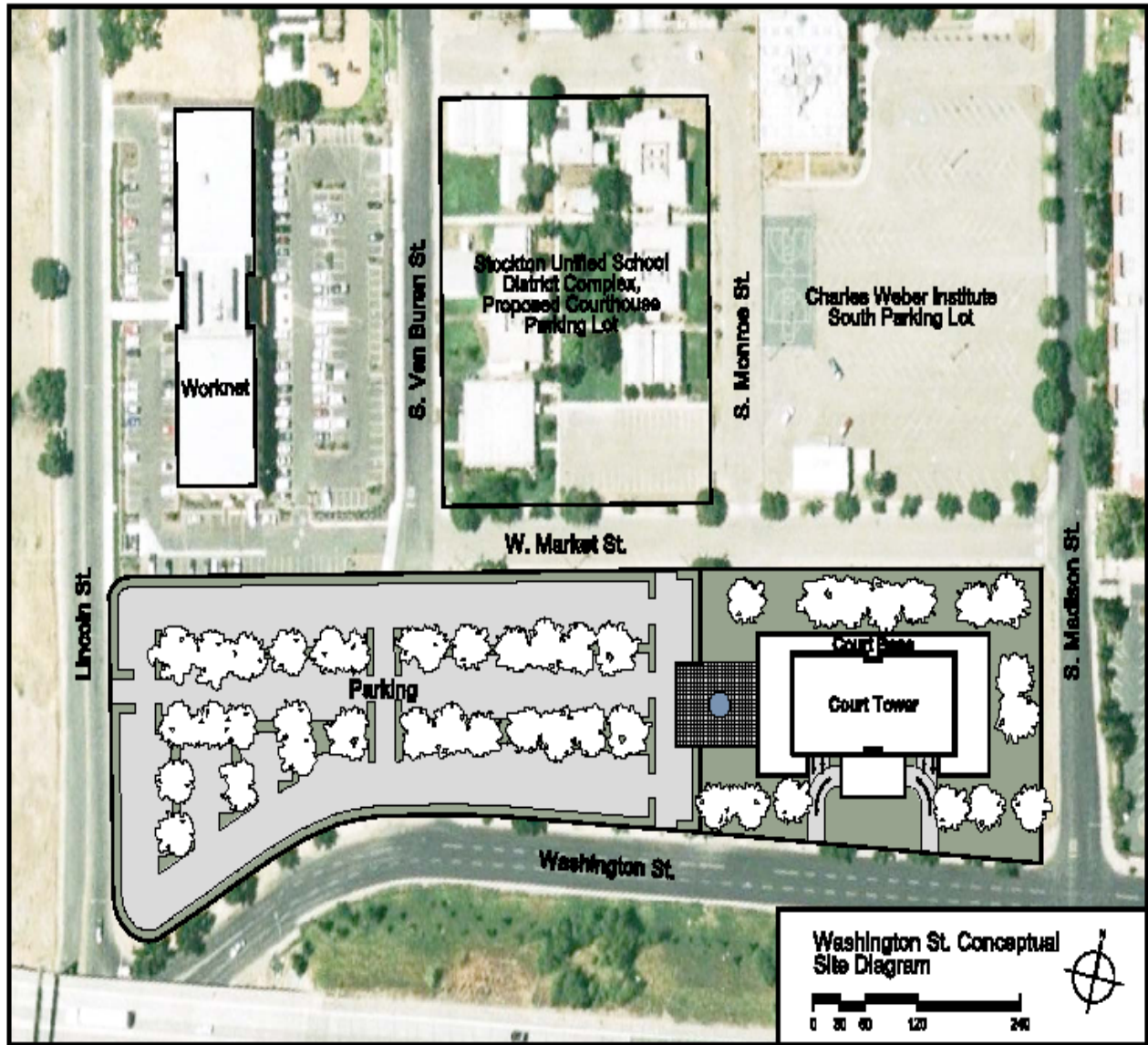
30 ***Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate***
31 ***the project's solid waste disposal needs?—Less than Significant.*** Section 4.12.3.6 concluded
32 that the Foothill Landfill has sufficient capacity to serve the AOC's proposed courthouse.
33 Therefore, the AOC concludes that the alternative's landfill impacts will be less than significant.

34 *Mitigation Measures:* None required.

1 5.3 WASHINGTON STREET ALTERNATIVE

2 The Washington Street alternative will include three blocks located north of Washington
3 Street (see [Figure 12](#)). The AOC's proposed parcel site occupies approximately 4.0 acres
4 and is currently undeveloped. The AOC will acquire the parcels through a donation by the
5 city's redevelopment agency. This alternative site is north of Washington Street, east of
6 Lincoln Street, south of Market Street, and west of Madison Street. The site was formerly a
7 mixed residential, commercial, and light industry area, but the City of Stockton's
8 Redevelopment Agency cleared the site. This alternative site is currently an unpaved vacant
9 lot with a few trees. The site is approximately 300 feet north of State Route 4's connecting
10 ramp to northbound Interstate 5 and adjacent to and south of the Weber Institute for Applied
11 Science and Technology, a high school within the Stockton Unified School District. A large
12 parking lot associated with the high school lies north of the proposed site. Residential
13 apartments are located northeast of the proposed site. An undeveloped lot is west of the
14 proposed site. The proposed site is CO, Commercial Office.

15



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Figure 12. Washington Street Alternative

1 The Washington Street alternative's proposed courthouse will be generally similar to the
 2 proposed project courthouse described in Section 3.4; it will be approximately 220 feet tall,
 3 have approximately 325,000 square feet of space, and have 12 stories with a basement. Its
 4 entrance will face west toward the courthouse's parking lot and Lincoln Street. There will be
 5 landscaped areas on the north, east, and south sides of the courthouse; and fenced, secured
 6 vehicle access facilities will be on the building's south side for access to the courthouse's
 7 secured parking, sallyport, and service docks.

8 The project will use a combination of on-site surface parking, existing and new surface parking on
 9 adjacent parcels owned by the Stockton Unified School District, and on-street parking on Market
 10 Street, Monroe Street, Madison Street, and Washington Street. Table 5-3 lists data for the
 11 alternative's proposed parking. A total of 930 parking spaces will be available at the Washington
 12 Street location, and the AOC estimates that court employees may use as many as 300 spaces. There
 13 will be approximately 630 parking spaces available to the public.

14 **Table 5-3 Proposed Parking Areas for Washington Street Alternative**

Location	Description	Acreage (approximate)	Number of Parking Spaces
Courthouse parcel	Western portion of parcel	3.2	200
Stockton Unified School District's existing south parking lot	Northeast of the intersection of Madison Street/Market Street	1.6	175
Proposed new lot on Stockton Unified School District's parcel	Northwest of the Market Street/Monroe Street intersection	2.1	210
Lincoln Street	West of Lincoln Street & north of the State Route 4 overpass	1.4	145
Monroe Street	Market Street to Van Buren Street, adjacent to new lot	---	25
E. Market Street	South side of street between Van Buren and Monroe Streets	---	25
E. Market Street	North side of street between Van Buren and Monroe Streets	---	50
S. Madison Street	West side of street between Washington and Lafayette Streets	---	40
S. Madison Street	East side of street between Washington and Main Streets	---	25
S. Madison Street	West side of street between Market and Main Streets	---	25
Washington Street	East side of street between Washington and Main Streets	---	10
TOTAL			930

15

1 The Washington Street alternative’s construction schedule will be essentially the same as for the
2 proposed project.

3 The Washington Street alternative is more distant from other local government agencies than the
4 proposed Hunter Square project, the Hunter Square Expanded alternative, and the Private Parcels
5 alternative. Therefore, the implications of development of a new courthouse at this location are
6 somewhat different than the downtown courthouse alternatives

7 **5.3.01 Aesthetics and Visual Resources**

8 This section evaluates the Washington Street alternative’s potential impacts to aesthetics and
9 visual resources.

10 **5.3.01.1 Environmental Setting**

11 The proposed Washington Street alternative site is in western downtown Stockton. The
12 proposed alternative courthouse site is a three-block cleared area that has several trees. Adjacent
13 proposed parking areas include a Charles Weber Institute parking lot and a complex of unused
14 San Joaquin Unified School District buildings (see Figure 12). Market Street runs along the
15 northern edge of the alternative courthouse site; an apartment complex is east of the site;
16 Washington Street and an elevated portion of State Route 4 are south of the site; and Lincoln
17 Street and additional vacant parcels are west of the site.

18 **5.3.01.1.1 Visual and Aesthetic Features**

19 The site’s vacant lots cover approximately 4 acres. There currently is a large fenced pile of rock
20 on the central block of the alternative site, but the site’s surface is generally bare soil or gravel.
21 Three trees grow on the edges of the site.

22 **5.3.01.1.2 Wind and Microclimate**

23 The site’s wind and microclimate are essentially the same as the Hunter Square’s site (See
24 [Section 4.01.1.2](#)). Figure 13 shows results of shading analysis for the proposed courthouse at
25 the Washington Street alternative location.

26 **5.3.01.1.3 Scenic Vistas**

27 As noted in the discussion of the Hunter Square proposed project, views within the Stockton
28 urban center are generally limited to foreground elements, such as buildings, trees, elevated
29 highways, and streetscapes.

1 Public views in the project’s vicinity include the following viewpoints (Appendix D includes
2 photos of downtown Stockton views):

- 3 1. View south-southwest From Charles Weber Institute on Madison Street—the view
4 includes the institute’s south parking lot and an elevated portion of State Route 4;
- 5 2. Washington Street at Madison Street—trees on the site, the WorkNet building, and
6 the Stockton Unified School District’s building complex along Market Street and
7 Monroe Street dominate the westward view;
- 8 3. Lincoln Street at Washington Street—trees dominate the view. State Route 4’s
9 embankment blocks the view of buildings of downtown Stockton;
- 10 4. Lincoln Street—nearby trees interfere with most eastward views, but buildings of
11 downtown Stockton are visible through gaps in the trees; and
- 12 5. State Route 4 embankment—nearby trees dominate northward views, but buildings
13 north of the Stockton Channel are visible through gaps in the trees.

14 **5.3.01.1.4 Scenic Resources**

15 As noted above, the site is essentially bare. The Stockton Channel and the Stockton waterfront
16 area are approximately 1,000 feet northeast of the proposed courthouse site and are a prominent
17 feature, but adjacent buildings and trees block views of the waterfront from the project site.

18 **5.3.01.1.5 Light, Shading, and Glare**

19 The Washington Street site and the surrounding area do not experience substantial amounts of
20 daytime glare or nighttime lighting.

21 See [Section 4.01.1.5](#) for a discussion of shading considerations.

22 **5.3.01.2 Potential Impacts and Mitigation Measures**

23 The AOC’s analysis of the Washington Street alternative’s potential impacts uses the same
24 analytical methodology, regulatory background, and standards of significance as the Hunter
25 Square alternative. See [Section 4.01.2](#) for a discussion of these issues.

26 **5.3.01.2.1 Visual Character and Aesthetic Quality**

27 ***Potential Impact (Construction): Substantially degrade the existing visual character or***
28 ***aesthetic quality of the site and its surroundings?—Less than Significant.*** As discussed in the
29 Hunter Square alternative’s analysis, the AOC will install temporary fencing around the project
30 site. Construction of the proposed project will involve use of heavy equipment, stockpiling
31 construction materials, and accumulation of debris and waste materials. The construction will be
32 visible from several downtown streets, public buildings, and adjacent commercial establishments
33 and hotels. However, project construction scenes and features will be temporary. The AOC

1 expects that construction will require approximately 27 months; construction of the building's
2 exterior structure will require approximately 12 months. Since the impacts will occur only
3 during the short, temporary construction period, the AOC considers the potential visual and
4 aesthetic effects associated with project construction to be less than significant.

5 ***Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the***
6 ***existing visual character or aesthetic quality of the site and its surroundings? — Less than***
7 ***Significant.*** The site is essentially barren. The proposed Washington Street alternative's
8 courthouse will convert the proposed parcel to a 12-story building with service drives and
9 surrounding landscaped areas. It will also use the existing Stockton Unified School District's
10 parking lot and add parking to the district's property northwest of the intersection of Market
11 Street and Monroe Street.

12 The high-rise building will be much taller than the surrounding buildings; however, the proposed
13 site is an urban setting, and surrounding buildings include a wide variety of styles and materials.
14 The courthouse's design will be consistent with courthouse design standards, and the AOC
15 expects the courthouse's features to be generally consistent with development standards of the
16 City of Stockton Development Code. Therefore, the AOC concludes that the project will not
17 substantially degrade the existing visual character or aesthetic quality of the site's surroundings.

18 The new courthouse may generate high-velocity groundborne winds, but there are not substantial
19 numbers of pedestrians near the alternative site. The building's interactions with westerly winds
20 may generate high-velocity groundborne winds on the building's west side that may affect persons
21 entering the building's western entrance. The building's interactions with northerly winds may
22 generate high-velocity groundborne winds on the building's north side, but the AOC expects that
23 there will be few pedestrians walking on the north side of the building. The AOC will include
24 building features that will intercept winds moving down the building's face toward the ground and
25 prevent substantial wind impact to pedestrians using the western entrance of new courthouse. The
26 AOC therefore concludes that the potential wind effects will be less than significant.

27 *Mitigation Measures:* None required.

28 **5.3.01.2.2 Scenic Vistas**

29 ***Potential Impact: Have a substantial adverse affect on a scenic vista?—Less than Significant.***
30 Section 5.3.01.1.3 Scenic Vistas identifies several public viewpoints near the Washington Street
31 alternative's courthouse site and describes the views from the viewpoints; Appendix D provides
32 images of these views. . Trees and buildings obstruct most of the views; therefore, most of the
33 views do not extend past the defined foreground distance of approximately 1/2 mile. The
34 alternative's courthouse will obstruct most of the views described in Section 5.3.01.1.3, but the
35 obstructed views do not include any substantial visual highlights. Therefore, the AOC concludes
36 that the Washington Street alternative's effects on scenic vistas will be less than significant.

37 *Mitigation Measures:* None required.

1 **5.3.01.2.3 Scenic Resources**

2 **Potential Impact: Substantially damage scenic resources?—No Impacts.** The alternative’s site
3 is essentially bare, and construction of the new courthouse will not damage or eliminate any
4 scenic resources. The AOC concludes that the Washington Street alternative will have no
5 impacts to scenic resources.

6 *Mitigation Measures:* None required.

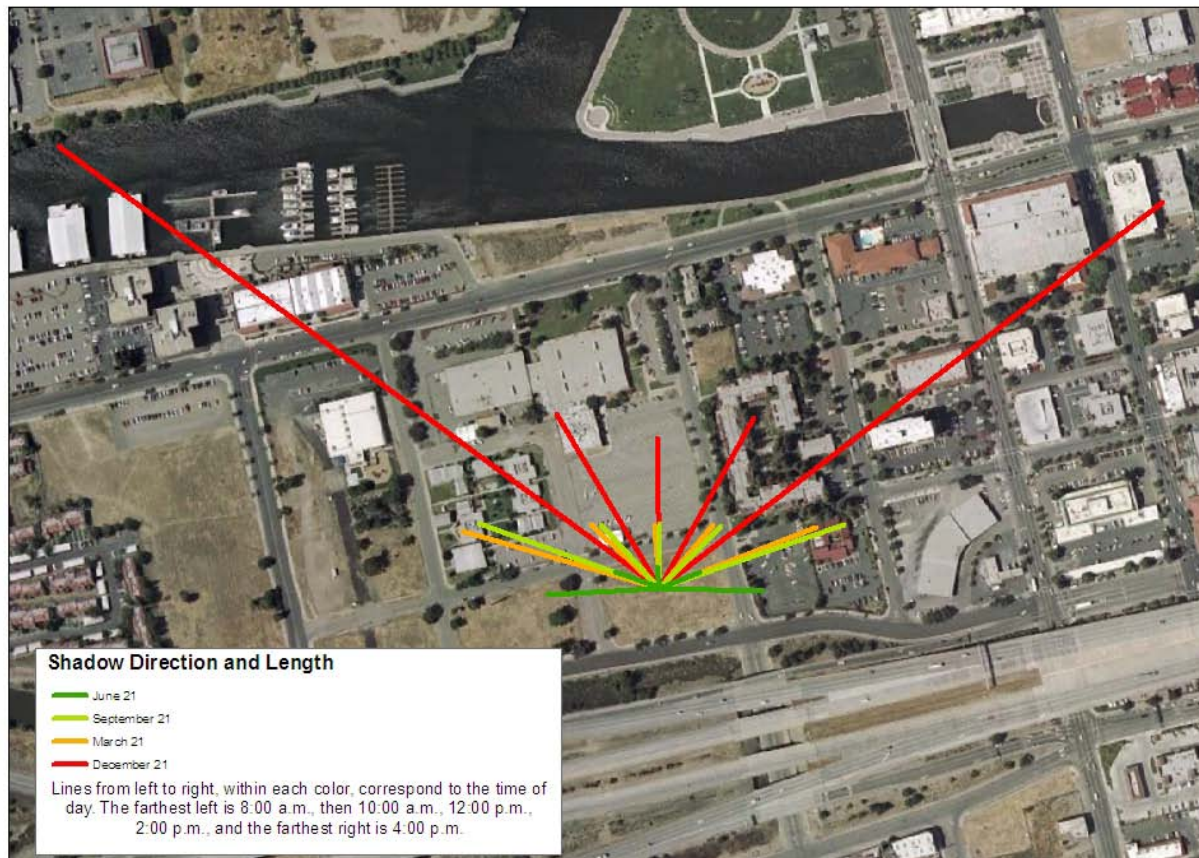
7 **5.3.01.2.4 Lighting, Glare, and Shading**

8 **Potential Impact: Create a new source of substantial light, or glare that will adversely affect**
9 **day or nighttime views?—Less than Significant.** The proposed project will create light sources
10 for exterior and interior building lighting and security lighting on courthouse grounds. The AOC
11 will apply for a Silver rating certification under the U.S. Green Building Council’s LEED Green
12 Building Rating System for the project, and the AOC intends to implement a lighting plan that
13 complies with LEED requirements. The Hunter Square alternative’s Section 4.01.3.4 describes
14 the U.S. Green Building Council 2003’s lighting requirements.

15 The AOC concludes that light or glare impacts from the proposed project will be less than
16 significant because:

- 17 • Most of the building’s interior lighting will be limited to the court’s typical weekday
18 operational hours and the periods immediately before and after the court’s operations;
- 19 • The AOC intends to shield all light sources to minimize light on surrounding
20 properties, and landscaping also will block light from these properties;
- 21 • Light sources are already present on the project site from the neighboring properties
22 and highway;
- 23 • The building’s security lighting will not be substantially different from nearby
24 buildings, so the security lighting will not be a source of substantial light;
- 25 • Implementation of LEED guidelines will reduce both the generation of exterior light
26 and the potential for light trespass to affect off-site areas; and
- 27 • The project will not add building features such as metallic finishes that generate
28 substantial glare.

29 **Potential Impact: Create a new source of substantial shading?—Less than Significant.** The
30 proposed 12-story courthouse will cast shade. [Figure 13](#) shows results of shading analysis for the
31 Washington Street alternative.



1
2

Figure 13. Shadow Analysis for Washington Street Alternative.

3 The proposed Washington Street alternative courthouse will be significantly taller than
4 surrounding buildings; therefore, no other buildings in the area cast similar shadows. On June 21,
5 the proposed building will shade only the property immediately west and east of the building. This
6 shading will include the courthouse parking lot to the west and a private parking lot to the east.

7 The shadow plots for March 21 and September 21 are similar, and shade created by the proposed
8 building will be similar at these times of year. In the mornings, the proposed building will shade
9 portions of the Stockton Unified School District Property. During midday, the building will
10 shade the southern extent of the school district property parking lot. In the afternoon, the
11 proposed building will cast a shadow on the parking lots and business located east of the
12 alternative site.

13 On December 21, the shade from the proposed building will cast a shadow that will extend to the
14 Weber Channel area and current Children’s Museum in the mornings, will cast a shadow on the
15 Weber Institute and on private residences between Madison and Commerce Streets during mid-
16 day hours, and will cast shadows extending to the Stewart-Eberhardt garage in the late
17 afternoons.

1 The new courthouse’s shadows will primarily affect the properties north and east of the proposed
2 building, which does not include public facilities. Since the courthouse’s shading of the museum
3 and school will occur for only limited portions of the day, the AOC concludes that shading
4 impacts from the proposed project will be less than significant.

5 *Mitigation Measures:* None required.

6 **5.3.02 Air Quality**

7 This section evaluates the Washington Street alternative’s potential impacts on air quality. The
8 construction, operations, and maintenance required for this alternative are similar to the Hunter’s
9 Square alternative, with the exception of the demolition required for the planned construction of
10 a parking lot at the current Stockton Unified School District Complex.

11 **5.3.02.1 Environmental Setting**

12 The Washington Street alternative’s environmental setting for air quality is the same as the
13 proposed Hunter Square project described in [Section 4.02.1](#).

14 **5.3.02.2 Potential Impacts and Mitigation Measures**

15 The AOC’s analysis of the Washington Street alternative’s potential impacts uses the same
16 analytical methodology, regulatory background, and standards of significance as the Hunter
17 Square alternative. See [Section 4.02.2](#) for a discussion of these issues.

18 **5.3.02.2.1 Applicable Air Quality Plan Conflicts**

19 ***Potential Impact: Conflict with or obstruct implementation of the applicable air quality***
20 ***plan?—No Impact:*** No conflicts with the air quality plan are noted for the proposed project, so
21 long as it complies with local rules specified in Section 4.02.2.2. All plan thresholds are
22 consistent with, and are addressed in, Sections 4.02.2.2 and 4.02.2.3. The entire project is
23 located within the Air Pollution Control District, and there are likely no conflicts with other state
24 or federal initiatives as a result of these emissions.

25 *Mitigation Measures:* None required.

26 **5.3.02.2.2 Air Quality Standard Violations**

27 ***Potential Impact (Construction): Violate any air quality standard or contribute substantially to***
28 ***an existing or projected air quality violation?—Less than Significant.*** [Table 5-4](#) shows the
29 Washington Street alternative’s construction-related emissions; the emissions do not exceed
30 criteria air pollutant limits established by the state and Air Pollution Control District. During the
31 construction phase, it is assumed that the project complies with mitigation measures outlined in
32 the Air Pollution Control District’s requirements. In particular, Rule 8021 of Regulation VIII
33 requires measures to reduce particulate matter emissions from construction. The URBEMIS
34 modeling performed for this project assumes that the construction contractor waters the

1 construction site three times per day to minimize fugitive particulate matter emissions. These
 2 emissions, presented in [Table 5-4](#), are all below the established Air Pollution Control District
 3 thresholds; therefore, the project's construction-related impacts will be less than significant.

4 *Mitigation Measures:* None required.

5 **Table 5-4: Criteria Air Pollutant Emissions from Construction for the**
 6 **Washington Street Alternative**

Pollutant	Pounds/Day	Tons/Year
PM _{2.5}	15.8	0.5
PM ₁₀	65.9	1.5
Reactive organic gases	123.6	3.4
Oxides of nitrogen	54.7	2.8
Oxides of sulfur	0	0
Carbon monoxide	46.4	3.7

7
 8 ***Potential Impact (Post-Construction, Operations, and Maintenance): Violate any air quality***
 9 ***standard or contribute substantially to an existing or projected air quality violation?—Less***
 10 ***than Significant.*** [Table 5-5](#) shows the Washington Street alternative's post-construction,
 11 operations, and maintenance-related emissions. These emissions are all below the established Air
 12 Pollution Control District thresholds; therefore, the project's post-construction, operations, and
 13 maintenance impacts will be less than significant.

14 *Mitigation Measures:* None required.

15 **Table 5-5: Criteria Air Pollutant Emissions from Operation and Maintenance for the**
 16 **Washington Street Alternative**

Pollutant	Emission Rate	
	Pounds/Day	Tons/Year
PM _{2.5}	1.7	0.3
PM ₁₀	2.6	0.5
Reactive organic gases	29.4	5.6
Oxides of nitrogen	39.1	8.2
Oxides of sulfur	0.3	0.1
Carbon monoxide	358.1	67.5

17

1 **5.3.02.2.3 Increase of Any Criteria Pollutant**

2 **Potential Impact: Produce a cumulatively considerable net increase of any criteria pollutant for**
3 **which the project region is non-attainment under an applicable federal or state ambient air**
4 **quality standard?—Less than Significant.** The Air Pollution Control District is currently in non-
5 attainment for ozone and PM_{2.5}. Within the air district, estimated daily emissions of volatile
6 organic compounds, which are precursor chemicals to ozone, are 1,500 tons per day and for PM_{2.5}
7 are 107 tons per day. As shown in Table 5-4, the maximum modeled emissions from this project
8 are 124 pounds per day of ozone precursors and 15.8 pounds per day of PM_{2.5}. The Washington
9 Street alternative will not considerably increase the emission of ozone or PM_{2.5} in the Air Pollution
10 Control District. Therefore, the AOC concludes that the impacts will be less than significant.

11 *Mitigation Measures:* None required.

12 **5.3.02.2.4 Sensitive Receptor Exposure to Substantial Pollutant Levels**

13 **Potential Impact (Construction): Expose sensitive receptors to substantial pollutant**
14 **concentrations?—Less than Significant.** As noted above, the alternative's construction-related
15 emissions do not exceed criteria air pollutant limits. During the construction phase, it is assumed
16 that the project complies with mitigation measures outlined in the Air Pollution Control
17 District's requirements. In particular, Rule 8021 of Regulation VIII requires that measures be
18 implemented to reduce particulate matter emissions from construction. The URBEMIS
19 modeling performed for this project assumes that the construction contractor waters the
20 construction site three times per day to minimize fugitive particulate matter emissions. The
21 results of this simulation are in Table 5-4. These emissions are all below the established Air
22 Pollution Control District thresholds. Since the emissions are below the Air Pollution Control
23 District's thresholds and construction operations that generate substantial emissions will be of
24 limited duration, the AOC concludes that the impacts are less than significant.

25 *Mitigation Measures:* None required.

26 **Potential Impact (Post-Construction, Operations, and Maintenance): Expose sensitive**
27 **receptors to substantial pollutant concentrations?—Less than Significant.** Operations and
28 maintenance associated with this project are typical of other activities in the area. The results
29 of the URBEMIS simulation for operations and maintenance are provided in Table 5-5. These
30 emissions are all below the established Air Pollution Control District thresholds. Since the
31 emissions are below the Air Pollution Control District's thresholds and operation and
32 maintenance are typical for the project area, the AOC concludes that the impacts are less than
33 significant.

34 *Mitigation Measures:* None required.

1 **5.3.02.2.5 Objectionable Odors**

2 **Potential Impact: Create objectionable odors affecting a substantial number of people?—Less**
3 **than Significant.** In light of the nature of this project, it is unlikely that there will be a potential
4 odor impact. Typical odor nuisances include hydrogen sulfide, ammonia, chlorine, and other
5 sulfide-related emissions. There will not be any significant sources of these pollutants during
6 construction, operation, or maintenance of this project. Impacts caused by odor will be less than
7 significant as a result.

8 *Mitigation Measures:* None required.

9 **5.3.02.2.6 Greenhouse Gas Emission Reduction Plan**

10 **Potential Impact: Conflict with the state goal of reducing greenhouse gas emissions in**
11 **California to 1990 levels by 2020—Less than Significant.** As noted previously in
12 [Section 4.02.3.6](#), the AOC’s courthouse project is consistent with plans to reduce greenhouse
13 emissions.

14 *Mitigation Measures:* None required.

15 **5.3.03 Cultural Resources**

16 This section evaluates the Washington Street alternative’s potential impacts on cultural
17 resources.

18 **5.3.03.1 Environmental Setting**

19 Jones & Stokes Associates completed the *Data Recovery Report for the Worknet Office Project,*
20 *Stockton, California*, an archaeological investigation for most of the Washington Street location,
21 for the City of Stockton Department of Housing and Redevelopment in 2007. The Worknet
22 Office Project is located approximately 100 feet north of the western end of the Washington
23 Street alternative’s site. The study did not investigate the easternmost parcel of the alternative
24 site location.

25 The investigators encountered numerous archaeological deposits, but the majority of the artifacts
26 were either disturbed by vandalism, contained later twentieth-century artifacts, could not address
27 research questions in the research design, or were not deemed otherwise significant based on
28 their late date. One intact nineteenth-century privy vault was discovered, and investigators
29 concluded that the vault was eligible for the California Register of Historic Resources and
30 subsequent data recovery.

31 Analysis of the archaeological site structure and artifact assemblage revealed that the late
32 nineteenth-century Stockton working class neighborhood in the Worknet project area was not a
33 socially, economically, or culturally homogeneous group, as suggested by the documentary
34 record. Although a small number of artifacts were recovered during the course of the field

1 investigation, they shed some light on the daily lives of the working class residents and their
2 consumer behaviors. The study concluded that if there were a larger sample of intact
3 archaeological features, a broader comparison between features, lots, and neighbors may have
4 been possible, which also will have provided more data applicable to the research questions
5 posed for the neighborhood.

6 The site is currently vacant. The Central California Information Center records search did not
7 find any information on buildings or structures for the Washington Street alternative's site.

8 **5.3.03.2 Potential Impacts and Mitigation Measures**

9 The AOC's analysis of the Washington Street alternative's potential impacts uses the same
10 analytical methodology, regulatory background, and standards of significance as the proposed
11 project Hunter Square. See [Section 4.03.2](#) for a discussion of these issues.

12 **5.3.03.2.1 Historic Resources**

13 ***Potential Impact: Cause a substantial adverse change in the significance of a historic resource***
14 ***as defined in Section 15064.05?—Less than Significant.***

15 As noted above, no historic resources are located on the Washington Street alternative site.
16 Additionally, there are no historic resources adjacent to the site. Therefore, the AOC concludes
17 that the alternative's impacts will be less than significant.

18 *Mitigation Measures:* None required.

19 **5.3.03.3.2 Archaeological Resources**

20 ***Potential Impact: Cause a substantial adverse change in the significance of an archaeological***
21 ***resource pursuant to Section 15064.05?—Potentially Significant.*** The Central California
22 Information Center archival search did not identify recorded or unrecorded archaeological
23 resources on the proposed project site. As noted above, the portion of the Washington Street
24 alternative's site (approximately one-third) that has not been previously excavated may contain
25 significant below-ground cultural resources. Therefore, the AOC concludes that the alternative's
26 impacts may be potentially significant.

27 *Mitigation Measures:* The following mitigation measure will reduce the impact to archaeological
28 resources to less than significant.

29 **Cultural Resources 5**—An archaeological monitor will be present during site clearing
30 activities that expose bare ground. Project personnel will not collect cultural resources
31 found on the project site. If the construction contractor encounters archaeological
32 resources during construction clearing operations or excavations, the construction
33 contractor will halt all work within 100 feet of the discovery, and a qualified
34 archaeologist will ascertain the nature of the discovery and the significance of the find.

1 The archaeologist will provide proper management recommendations, including
2 avoidance, evaluation, or a mitigation plan to prevent any significant adverse effects on
3 the resource.

4 **5.3.03.3 Disturbance of Any Human Remains, Including those Interred Outside of**
5 **Formal Cemeteries**

6 ***Potential Impact: Disturb any human remains, including those interred outside of formal***
7 ***cemeteries?—Less than Significant.*** The proposed project will require excavation and
8 grading for the building. No recorded prehistoric archaeological sites were identified on or in
9 the vicinity of the project site, and no evidence exists to indicate that burials occurred within
10 the project area. Therefore, the AOC concludes that the project will have less than significant
11 impacts on disturbance of human remains.

12 In the event that any human remains are encountered during site disturbance, Section 7050.5 of
13 the California Health and Safety Code requires cessation of all ground–disturbing work in the
14 vicinity of the remains until the coroner of San Joaquin County has investigated the remains and
15 made a determination in accordance with Chapter 10 (commencing with Section 27460) of Part 3
16 of Division 2 of Title 3 of the Government Code. If the coroner concludes that the human
17 remains are of Native American origin, the Native American Heritage Commission must be
18 contacted within 24 hours, and the project sponsor will comply with state laws relating to the
19 disposition of Native American burials, regulated by the Native American Heritage Commission
20 (Public Resource Code Section 5097).

21 *Mitigation Measures:* None required.

22 **5.3.04 Geology and Soils**

23 **5.3.04.1 Environmental Setting**

24 The environmental setting of the Washington Street alternative is similar to that of the propose
25 project, Hunter Square. See [Section 4.04.1](#).

26 **5.3.04.2 Potential Impacts and Mitigation Measures**

27 The AOC’s analysis of the Washington Street alternative’s potential impacts uses the same
28 analytical methodology, regulatory background, and standards of significance as the proposed
29 project Hunter Square. See [Section 4.04.2](#) for a discussion of these issues.

30 Geologic conditions at the Washington Street alternative’s site are similar to the proposed
31 project. Impacts will be less than significant, as indicated for the proposed project.

1 **5.3.04.2.1 Rupture of a Known Earthquake Fault**

2 **Potential Impact: Expose people or structures to potential substantial adverse effects involving**
3 **rupture of a known earthquake fault?—Less than Significant.** As noted above, the Hayward
4 and Calaveras Faults are approximately 48 miles to the west. No active faults are located within
5 1 mile of the site. Therefore, there is a very minor potential for ground rupture as a result of a
6 significant seismic event. The AOC concludes that the potential impact is less than significant.

7 *Mitigation Measures:* None required.

8 **5.3.04.2.2 Strong Seismic Ground Shaking**

9 **Potential Impact: Expose People or Structures to Potential Substantial Adverse Effects**
10 **Involving Strong Seismic Ground Shaking—Less than Significant.** As noted above, the
11 Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to
12 regional faults suggests only a low to moderate potential for ground shaking. The AOC will
13 complete a geotechnical investigation during its design process, and the building’s designers will
14 incorporate the investigation’s results into design requirements that comply with the State
15 Uniform Building Code. Therefore, the AOC concludes that the potential impact is less than
16 significant.

17 *Mitigation Measures:* None required.

18 **5.3.04.2.3 Ground Failure**

19 **Potential Impact: Expose people or structures to substantial adverse effects involving ground**
20 **failure (including subsidence or liquefaction-induced lateral spreading)—Less than**
21 **Significant.** No specific liquefaction hazard areas have been identified at this alternative site.
22 Given the presence of both shallow to moderate groundwater (6 to 14 feet deep) and alluvial
23 soils, potentially significant impacts from liquefaction may occur in the event of a major (6.0 or
24 above) earthquake; however, as noted above the Hayward and Calaveras Faults are
25 approximately 48 miles to the west, and the distance to regional faults suggests a low to
26 moderate potential for ground shaking. The AOC will complete a geotechnical investigation
27 during its design process, and the building’s designers will incorporate the investigation’s results
28 into design requirements that comply with the State Uniform Building Code. Therefore, the
29 AOC concludes that the potential ground failure impact is less than significant.

30 *Mitigation Measures:* None required.

31 **5.3.04.2.4 Expansive Soils**

32 **Potential Impact: Expose people or structures to potential substantial adverse effects involving**
33 **expansive soil?—Less than Significant.** Based on the soils present at the proposed project site,
34 the potential that expansive soils will expose people or buildings to substantial adverse effects is
35 not significant. The AOC will complete a geotechnical investigation during its design process,

1 and the building's designers will incorporate the investigation's results into design requirements
2 that comply with the State Uniform Building Code. Therefore, the AOC concludes that the
3 potential expansive soils impact is less than significant.

4 *Mitigation Measures:* None required.

5 **5.3.04.2.5 Unique Paleontological Resources**

6 ***Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant.***

7 Construction of the proposed project at the Washington Street alternative site could result in
8 direct or indirect destruction of a unique paleontological resource or site. The project will
9 include excavation for the building itself, primarily associated with sinking piers.

10 Fossils are known to occur in the project vicinity; thus, the potential for fossils to be found is a
11 concern during excavation. The general plan background report (City of Stockton 2007a)
12 indicates that fossils are likely to be encountered below the upper 5 to 10 feet of sediment.
13 According to AOC Senior Project Manager Steve Sundman (AOC 2008c), the main excavation
14 for the building will stay above the ground water surface elevation, which extends to an average
15 of 15 feet below the surface. However, caissons and piles under the tower will extend much
16 farther down. Still, design plans have not yet been finalized; thus, excavation depths can only be
17 estimated at this time. A mitigation measure has been added to reduce the level of impact to less
18 than significant in the event that paleontological resources were encountered during construction
19 of the project.

20 *Mitigation Measures:* The following mitigation measure will reduce impacts to paleontological
21 resources to less than significant.

22 **Geology 1**—If paleontological resources are encountered during construction, all work
23 will be halted within a 30-foot radius of the finding and a qualified paleontologist will
24 evaluate the discovery, determine its significance, and to provide proper management
25 recommendations. Project personnel will not collect paleontological resources

26 **5.3.04.2.6 Landslides, Erosion or Loss of Topsoil, Unique Geologic Feature**

27 ***Potential Impact—No Impact.*** There are no unique geologic features located on or near this
28 alternative site. There is little to no risk of landslides because of the flat topography of the
29 region.

30 The site is predominantly graded soil. Water from the site permeates directly into the ground or
31 drains into municipal drains. Since the project will cover exposed soil and will not produce
32 substantial amounts of runoff sheet flow that could cause erosion, the AOC believes that the
33 project will not cause substantial soil erosion or loss of topsoil.

34 Therefore, there will be no impact from landslides, erosion or to unique geological features.

35 *Mitigation Measures:* None required.

1 **5.3.05 Hazards and Hazardous Materials**

2 This section evaluates the Washington Street alternative’s potential impacts on hazards and
3 hazardous materials.

4 **5.3.05.1 Environmental Setting**

5 The Washington Street alternative’s environmental setting is generally the same as the Hunter
6 Square project’s environmental setting. See [Section 4.05.1](#).

7 **5.3.05.2 Potential Impacts and Mitigation Measures**

8 The AOC’s analysis of the Washington Street alternative’s potential impacts uses the same
9 analytical methodology, regulatory background, and standards of significance as the proposed
10 project. See [Section 4.05.2](#) for a discussion of these issues.

11 **5.3.05.2.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People**
12 **Visiting or Working in the Project Area**

13 **Potential Impact: Result in a safety hazard in the vicinity of an airport or airstrip for people**
14 **visiting or working in the project area?—Less than significant.** The Washington Street
15 alternative is not located in close proximity to any airport. The closest airport is approximately 4
16 miles south, and the proposed site is not located within the Federal Aviation Administration’s
17 Area of Influence for that airport (San Joaquin County Council of Governments 1993).
18 Therefore, selection of the Washington Street alternative will not result in a safety hazard in the
19 vicinity of an airport or airstrip for people visiting or working in this alternative project area, and
20 the potential impact is less than significant.

21 *Mitigation Measures:* None required.

22 **5.3.05.2.2 Public Exposure to Hazards**

23 **Potential Impact: Be located on a site that is included on a list of hazardous materials sites**
24 **compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a**
25 **significant hazard to the public or the environment?—Potentially Significant.** This alternative
26 will include three square blocks north of Washington Street. The site is bounded on the north by
27 Market Street, on the east by Madison Street, on the south by Washington Street, and on the west
28 by Lincoln Street. The site is located adjacent to and north of Highway 4, and adjacent to and
29 south of the Stockton Unified School District. Residential apartments are located adjacent to and
30 northeast of the proposed site. The site is currently undeveloped.

31 The Stockton Waterfront Brownfields Project published a “Known Environmental Conditions
32 Report” (City of Stockton 2005) that identified and characterized 28 areas. The Washington
33 Street site was included in this report and identified and numbered as Areas 4, 5, and 6. The
34 project objective was to summarize relevant environmental information on soil and groundwater
35 from available sources, identify information gaps, and provide recommendations for obtaining

1 necessary information. The findings of the “Known Environmental Conditions Report” are
2 summarized below:

- 3 • A Phase I Environmental Site Assessment (1995) recommended no further action for
4 Area 4.
- 5 • A ground penetrating radar survey of Areas 4, 5, and 6 was conducted to evaluate
6 whether underground storage tanks existed at the sites (1997). The survey concluded
7 that none of the targets located and imaged during the survey could be identified as
8 being an underground storage tank, potential underground storage tank, or remains of
9 an underground storage tank.
- 10 • A Phase I Environmental Site Assessment (1997) found no evidence of wells or
11 underground storage tanks for Area 4.
- 12 • A site characterization (1999) found that Area 4 was vacant, with no remaining
13 structures. A railroad spur continued into Area 4.
- 14 • A Phase II Environmental Site Assessment (2001) for Area 4 concluded that lead (Pb)
15 at concentrations that exceeded California hazardous waste criteria was present at the
16 site, appeared to be confined to the upper foot of soil, but may be found deeper.
17 There was reportedly no clear pattern of lateral distribution of lead across the site.
18 Off-site removal of lead-contaminated soil at concentrations that exceeded
19 California’s hazardous waste criteria will require disposal at a Class I landfill. A soil
20 management plan was recommended for preparation before the site was developed
21 and should include appropriate soil handling and disposal procedures, areas that
22 would require excavation, stockpile sampling requirements, and a health and safety
23 plan. Groundwater (one sample only) was reported to contain lead at a concentration
24 above laboratory reporting limits (210 micrograms per liter). Nearby and adjacent
25 properties exhibited soil and groundwater contamination based on the regulatory
26 agency database search. However, there was reportedly no evidence that the site had
27 been adversely affected by off-site sources or will likely be affected in the future.
- 28 • A Phase I Environmental Site Assessment (1994) for Areas 5 and 6 found no visible
29 evidence of contamination in surficial soils during a site visit. A gas station may have
30 been present in Area 6.
- 31 • From at least 1895 to the present, Areas 5 and 6 have been occupied by residential
32 dwellings, a school, shops, or vacant land. No industrial land use, underground
33 storage tanks, or other environmental concerns were identified on these properties.
34 No off-site environmental concerns were identified for Areas 5 and 6.
- 35 • Because no offsite environmental concerns were identified for Areas 5 and 6, no
36 further investigation was recommended at Areas 5 or 6.

37 The Washington Street site has been well studied and characterized. The eastern portion of the
38 site (Areas 5 and 6) does not appear to require any further investigation or remediation. Areas 5
39 and 6 were excavated as part of an archaeological excavation, and no underground tanks were
40 uncovered. The City of Stockton may impose deed restrictions on future uses, construct vapor
41 barriers or impervious surfaces to contain gaseous emissions, or install monitoring equipment

1 and remediation systems, because this area was a brownfields site. The western portion of the
2 site (Area 4) may require additional soil and groundwater sampling before construction of a new
3 courthouse. This additional environmental analysis and possible remediation should be
4 completed as early as possible if the Washington Street alternative is selected as the preferred
5 alternative.

6 *Mitigation Measures:* The following mitigation measure will reduce public exposure to hazard
7 impacts to less than significant.

8 **Hazards 1**—The AOC will conduct a Phase II Environmental Site Assessment to
9 provide additional data for evaluating the potential for future exposure to hazardous
10 materials that may be affecting the shallow groundwater beneath the Washington
11 Street alternative site. If hazardous materials are identified in the Phase II
12 Environmental Site Assessment, the AOC will remediate the site by removing the
13 contaminated materials and sources of contamination and will dispose of the
14 materials in full compliance with all legal requirements.

15 **Hazards 2**—If hazardous materials are found during excavation of the Washington
16 Street alternative site for the new courthouse, the AOC will remediate the site by
17 removing the contaminated materials and sources of contamination and will dispose
18 of the materials in full compliance with all legal requirements.

19 **5.3.05.2.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland Fires**

20 *Potential Impact—No Impact.* The AOC discussed these impacts in the Initial Study and
21 concluded that the Washington Street alternative will have no impact.

22 *Mitigation Measures:* None required.

23 **5.3.06 Hydrology and Water Quality**

24 **5.3.06.1 Environmental Setting**

25 The proposed project site and the surrounding area are level and located in a fully developed
26 area. The Mormon Slough flows east to west approximately two blocks west of the project site
27 and into the Stockton Deep Water Channel. There are no waterways adjacent to the proposed
28 project site. Storm water and surface water discharge by sheet flow to street gutter storm drains
29 percolates directly into portions of the project site.

1 The AOC will design the new courthouse building to meet criteria for a LEED Silver-certified
2 building. Specific requirements to reduce impacts to water quality will be incorporated into the
3 design, including a system of water retention to limit overloading storm drains with site runoff
4 during operation.

5 **5.3.06.2 Potential Impacts and Mitigation Measures**

6 The AOC's analysis of the Washington Street alternative's potential impacts uses the same
7 analytical methodology, regulatory background, and standards of significance as the proposed
8 project Hunter Square. See [Section 4.06.2](#) for a discussion of these issues.

9 **5.3.06.2.1 Water Quality Standards**

10 **Potential Impact: Violate any water quality standards or waste discharge requirements?—Less**
11 **than Significant.** During construction, the construction contractor will excavate the project site,
12 stockpile soil, and grade the site. Site preparation and excavation could expose loose soil to
13 potential erosion and potential movement off site.

14 Since the project will involve only a limited area of disturbance (4.0 acres) and based on the
15 distance to nearest waterway and the temporary nature of construction, potential water quality and
16 stormwater impacts caused by project construction will be less than significant. Furthermore, since
17 the project site is subject to the state's General Permit for Stormwater Discharges Associated with
18 Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must
19 secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include
20 project features that will secure a LEED Silver certification for the project; these features will
21 include runoff control measures such as bioswales to control runoff. With implementation of the
22 SWPPP and the LEED measures, the AOC concludes that runoff during operation of the proposed
23 project will be less than significant.

24 *Mitigation Measures:* None required.

25 **5.3.06.2.2 Stormwater Runoff and Erosion**

26 **Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or**
27 **planned storm water drainage systems or provide substantial additional sources of polluted**
28 **runoff?—Less than Significant.** The project alternative site is currently undeveloped. The
29 topography of the site is flat and is adjacent to the city's storm drain system. The proposed
30 building will increase the amount of impervious area. Since the project will involve only a limited
31 area of disturbance (4.0 acres) and based on the temporary nature of construction, potential runoff
32 and erosion impacts caused by project construction will be less than significant. Furthermore,
33 since the project site is subject to the state's General Permit for Stormwater Discharges Associated
34 with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must
35 secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include
36 project features that will secure a LEED Silver certification for the project; these features will

1 include runoff control measures such as bioswales to control runoff. With implementation of the
2 SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed
3 project will be less than significant.

4 *Mitigation Measures:* None required.

5 **5.3.06.2.3 Groundwater; Erosion and Flooding; 100-year Flood Hazard Area; Failure**
6 **of Levees or Dams; Inundation by Seiche, Tsunami, or Mudflow**

7 ***Potential Impact—No Impact.*** Since the proposed courthouse will cover less than 1 acre of
8 ground, the proposed new courthouse will not substantially interfere with groundwater recharge.
9 The AOC further believes that the project will not produce substantial population growth.
10 Therefore, the project will not have impacts on groundwater supplies or groundwater surface
11 levels.

12 Stream or river drainage courses are not present and would not otherwise be affected. The site is
13 flat and is covered by graded soil. Water from the site flows into municipal storm water drains or
14 percolates into the ground. Since the project will not affect site drainage and will pave or
15 landscape the site, there will be no impacts that result in erosion or flooding.

16 The proposed project site is not located within the 100-year flood plain of the 2008 FEMA maps.

17 The project site is not adjacent to a stream, river, or lake that could inundate the site, and no levees
18 or dams protect the site. The project site is on flat terrain, and the site is above sea level.

19 The project site is approximately 20 miles east of the extreme eastern end of the Sacramento-San
20 Joaquin Delta; therefore, the project site is not subject to a seiche or tsunami. The project site is on
21 flat terrain; therefore, there is no risk of a mudflow.

22 *Mitigation Measures:* None required.

23 **5.3.07 Land Use, Plans, and Policies**

24 **5.3.07.1 Environmental Setting**

25 The proposed project site is an approximately 4-acre lot. The site is currently undeveloped.
26 Properties bordering the proposed project site include Highway 4, undeveloped properties, and the
27 Weber Institute.

28 Zoning for the Washington Street alternative is CO, Commercial Office, and the site lies within the
29 Channel District Overlay area. The site is located outside the Federal Aviation Administration
30 Area of Influence for the Stockton Municipal Airport (San Joaquin County Council of
31 Governments 1993). This alternative site is planned for private and financial projects. The area
32 north of this alternative site (the location of Weber Institute) is planned for mixed use.

1 **5.3.07.2 Potential Impacts and Mitigation Measures**

2 The AOC’s analysis of the Washington Street alternative’s potential impacts uses the same
3 analytical methodology, regulatory background, and standards of significance as the Hunter
4 Square alternative. See [Section 4.07.2](#) for a discussion of these issues.

5 **5.3.07.2.1 Conformance with Local Plans and Policies**

6 **Potential Impact: Conflict with any applicable land-use plan, policy, or regulation of an**
7 **agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an**
8 **environmental effect?—No Impact.** The proposed project is consistent with the general plan
9 designation and the redevelopment plan for the site. Therefore, the project would have no impact.

10 *Mitigation Measures:* None required.

11 **5.3.07.2.2 Physically Divide a Community**

12 **Potential Impact: Physically Divide a Community?—No Impact.** The proposed project covers
13 only a small area (approximately 4 acres) and would not divide any communities. Therefore,
14 there will be no impact.

15 *Mitigation Measures:* None required.

16 **5.3.08 Noise**

17 **5.3.08.1 Environmental Setting**

18 The environmental setting for the Washington Street alternative is similar to the proposed Hunter
19 Square project. The existing ambient noise in this area is primarily traffic along nearby State
20 Highway 4 and Interstate 5, and the noise level is approximately 65 dBA during the morning
21 peak hour. Sensitive receptors in the vicinity of the project site include the Weber Institute and the
22 apartment complex that is northeast of the alternative’s site. The other land uses surrounding the
23 project site are commercial businesses.

24 **5.3.08.2 Potential Impacts and Mitigation Measures**

25 The AOC’s analysis of the Washington Street alternative’s potential impacts uses the same
26 analytical methodology, regulatory background, and standards of significance as the proposed
27 project. See [Section 4.08.2](#) for a discussion of these issues.

28 **5.3.08.3.1 Noise Standards**

29 **Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise**
30 **levels in excess of standards established in the local general plan or noise ordinance, or**
31 **applicable standards of other agencies?—Less than Significant.** [Section 4.08.3.1](#) describes
32 noise standard impacts for the Hunter Square proposed project. The impacts for the Washington

1 Street alternative will be essentially the same as for the Hunter Square proposed project.
2 Therefore, impacts will be less than significant.

3 *Mitigation Measures:* None required.

4 ***Potential Impact (Traffic): Generation of noise levels in excess of standards established in the***
5 ***local general plan or noise ordinance, or applicable standards of other agencies?—Less than***
6 ***Significant.*** After construction is complete and the courthouse begins operations, the additional
7 vehicles traveling to the site will increase noise levels adjacent to nearby roads. As reported in
8 the traffic section of this EIR, the Washington Street alternative will generate an increase of 650
9 morning peak hour vehicle trips and 390 afternoon peak hour vehicle trips. The traffic report
10 shows that the added traffic at some of the intersections will more than double existing traffic
11 levels. Peak hour (morning) intersection turning data from the traffic study were analyzed to
12 estimate increases and resulting traffic-generated noise increases on roadway links near the
13 Washington Street alternative. The resulting noise increases are shown in [Table 5-6](#). The rise in
14 traffic from this alternative will increase peak-hour noise levels in excess of 10 dBA at Market
15 Street, west of Madison Street. This level is above the 3.0 dBA criterion for a significant impact.
16 The incremental increase in noise from the Washington Street alternative’s traffic is greater than
17 3 dBA at six of the modeled roadway segments. Still, the increase in traffic noise resulting from
18 the alternative (ranging from 52.7 to 61.5 dBA) will be imperceptible compared with existing
19 ambient noise levels. Therefore, the increased noise from new traffic will be minimal, and
20 impacts from vehicle noise to the nearby residents will be less than significant.

21 *Mitigation Measures:* None required.

22 **5.3.08.3.2 Long-term, Permanent Ambient Noise Levels**

23 ***Potential Impact: A substantial permanent increase in ambient noise levels in the project***
24 ***vicinity above levels existing without the project?—Less than Significant.*** As explained in
25 [Section 4.08.3.1](#), the building’s mechanical equipment will not be expected to generate
26 substantial noise. Therefore, the alternative’s mechanical sound will not produce a substantial
27 increase in ambient noise levels. As also explained above, the alternative’s traffic will not be
28 expected to generate substantial traffic-related noise. Therefore, any increase from the
29 alternative’s traffic-related noise will be less than significant.

30 *Mitigation Measures:* None required.

31

1 **Table 5-6: Peak-Hour Traffic Noise Levels in the Washington Street Alternative Vicinity**

Roadway Segment	A.M. Peak Hour Noise Levels, dBA, Leq			
	Existing	Existing Plus Project	Increase (Existing Plus Project vs. Existing)	Significant? (Yes or No) ^a
Lincoln Street north of Washington Street ^{b,c}	58.6	58.6	0.00	No
Lincoln Street south of Washington Street ^{b,c}	58.1	58.8	0.69	No
Washington Street east of Lincoln Street ^{b,c}	54.03	55.8	1.49	No
Washington Street west of Lincoln Street ^{b,c}	47.0	47.0	0.00	No
Madison Street north of Washington Street ^{b,c}	49.5	49.5	0.00	No
Madison Street south of Washington Street ^{b,c}	49.1	49.1	0.00	No
Washington Street east of Madison Street ^{b,c}	55.2	61.5	6.32	No ^d
Washington Street west of Madison Street ^{b,c}	55.0	61.4	6.48	No ^d
Madison Street north of Market Street ^{b,c}	50.4	55.2	4.074	No ^d
Madison Street south of Market Street ^{b,c}	50.4	50.4	0.00	No
Market Street east of Madison Street ^{b,c}	NA	NA	NA	NA
Market Street west of Madison Street ^{b,c}	43.4	53.8	10.45	No ^d
Madison Street north of Lafayette Street ^{b,c}	48.7	48.7	0.00	No
Madison Street south of Lafayette Street ^{b,c}	48.0	48.0	0.00	No
Lafayette Street east of Madison Street ^{b,c}	49.4	52.9	3.57	No ^d
Lafayette Street west of Madison Street ^{b,c}	48.8	52.7	3.90	No ^d

2 Notes:

3 ^a Considered significant if the incremental increase in noise from traffic is greater than the existing ambient noise level by 3 dBA, Leq. The
4 rule of thumb is that Ldn or CNEL is within +/- 2 dBA of the peak hour Leq under normal traffic conditions (Caltrans 1998).5 ^b Road center to receptor distance is 15 meters (approximately 50 feet) for all roadway segments. Noise levels were determined using
6 Federal Highway Administration Traffic Noise Prediction Model (FHWA RD-77-108).7 ^c The analysis considered the vehicle mix based on observations – cars 97 percent, medium trucks 2 percent, and heavy trucks 1 percent.
8 Traffic speeds for all vehicle classes were set at 25 mph.9 ^d The existing ambient noise in this area, primarily created by the traffic along nearby Highway 4 and Interstate 5, is approximately 65 dBA
10 during the morning peak hour. Even though the incremental increase in noise from Alternative C traffic is greater than 3 dBA at the
11 modeled roadway segment, the resulting traffic noise will be less than the current ambient noise level, so the increase in traffic noise will be
12 imperceptible and will be a less than significant impact.

1 **5.3.08.3.3 Short-term, Temporary Ambient Noise and Vibration Levels**

2 **Potential Impact: A substantial temporary or periodic increase in ambient noise levels in the**
3 **vicinity above levels existing without the alternative or generation of excessive ground-borne**
4 **vibration or ground-borne noise levels??—Significant and Unavoidable.** The analysis of short-
5 term ambient noise will generally be the same as for the Hunter Square proposed project.
6 However, these vibrations will not result in cosmetic or structural damage to buildings because
7 structural damage from pile driving and groundborne vibrations typically does not occur in
8 buildings more than 50 feet from the location of the activity, and the existing school-related office
9 building, school, residences, and offices are not within 50 feet of the alternative’s courthouse site.
10 Therefore, the alternative’s groundborne vibration impacts will be less than significant.

11 During construction, operation of construction equipment will generate noise. The Charles
12 Weber Institute and an apartment complex are within 300 feet of the alternative’s courthouse
13 site. [Section 4.08.3.3](#) describes the Hunter Square project’s noise impacts. The Washington
14 Street alternative’s impacts will be essentially the same as the Hunter Square project’s noise
15 impacts. The AOC therefore concludes that the alternative’s impacts will be significant and
16 unavoidable.

17 **Mitigation Measures:** Mitigation measures **Noise 1, Noise 2, Noise 3, Noise 4, Noise 5, Noise 6,**
18 **and Noise 7** (see [Section 4.08.3.3](#)) will reduce the potential construction-related noise impacts,
19 but the construction noise could still be a significant and unavoidable short-term impact to
20 sensitive receptors and commercial businesses near the site.

21 **5.3.08.3.4 Airport Noise**

22 **Potential Impact—Less than Significant.** The Washington Street alternative is not located within
23 the area of influence of the nearest airport, the Stockton Metropolitan Airport (San Joaquin County
24 Council of Governments 1993), which is located approximately 4 miles from the proposed
25 alternative. Based on the distance from the nearest airport, there will be no noise impact.

26 **Mitigation Measures:** None required.

27 **5.3.08.3.5 Private Airstrip Noise**

28 **Potential Impact—Less than Significant.** The alternative is not located in the vicinity of a
29 private airstrip. There will be no impact.

30 **Mitigation Measures:** None required.

31 **5.3.09 Public Services and Facilities**

32 This section evaluates the Washington Street alternative’s potential impacts on public services.

1 **5.3.09.1 Environmental Setting**

2 The Washington Street alternative's environmental setting is essentially the same as the
3 information presented in [Section 4.09.1](#).

4 **5.3.09.2 Potential Impacts and Mitigation Measures**

5 **5.3.09.2.1 Fire Protection Services**

6 **Potential Impact: Result in substantial impacts associated with the provision of new or**
7 **physically altered governmental facilities in order to maintain acceptable service ratios,**
8 **response times or other performance objectives for fire protection services?—No Impact.** The
9 Washington Street alternative is proposed adjacent to existing development and within close
10 proximity to a fire station. Therefore, the project will not have a significant impact on fire
11 response times and will not otherwise create a substantially greater need for fire protection than
12 already exists.

13 *Mitigation Measures:* None required.

14 **5.3.09.2.2 Police Protection Services**

15 **Potential Impact: Result in substantial impacts associated with the provision of new or**
16 **physically altered governmental facilities in order to maintain acceptable service ratios,**
17 **response times or other performance objectives for police protection services?—Less than**
18 **Significant.** The Stockton Police Department does not provide security services for the court, so
19 the Washington Street alternative will not affect the Police Department. The Washington Street
20 alternative will reduce security protection needs from existing conditions since the project will
21 consolidate court operations into fewer and more secure facilities. The new courthouse will have
22 improved security features that enhance the efficiency of court security operations, and the new
23 courthouse will reduce the number of court building entrances that will require security
24 personnel. Therefore, this alternative will not have a significant impact on security services.

25 *Mitigation Measures:* None required.

26 **5.3.09.2.3 School, Parks, and Other Public Facilities and Services**

27 **Potential Impact—Result in substantial impacts associated with schools, parks, and other**
28 **public facilities?—No Impact ~~Less than Significant~~.** The project includes no new housing.
29 Therefore, the project will not have a significant effect on schools or parks.

30 *Mitigation Measures:* None required.

1 **5.3.10 Recreation**

2 **5.3.10.1 Environmental Setting**

3 The Washington Street alternative's location is currently a vacant lot and is not used for
4 recreation. The project does not involve residential development or recreational facilities.

5 **5.3.10.2 Potential Impacts and Mitigation Measures**

6 The AOC's analysis of the Washington Street alternative's potential impacts uses the same
7 analytical methodology, regulatory background, and standards of significance as the Hunter
8 Square alternative. See [Section 4.10.2](#) for a discussion of these issues.

9 **5.3.10.2.1 Existing Recreational Facilities**

10 **Potential Impact—No Impact.** The nature of the activity of the proposed project would not
11 result in an increase in use of neighborhood and regional parks or other recreational facilities.
12 There will be no loss in recreational area because the Washington Street alternative's location is
13 currently a vacant lot and is not used for recreation.

14 *Mitigation Measures:* None required.

15 **5.3.10.2.2 Construction or Expansion of Recreational Facilities**

16 **Potential Impact—No Impact.** The proposed project at the Washington Street alternative's
17 location does not involve residential development or recreational facilities, and it will not require
18 related construction or expansion or cause an increase in residential housing or an increase in the
19 use of neighborhood and regional parks or other recreational facilities. Therefore, the project
20 will have no impact.

21 *Mitigation Measures:* None required.

22 **5.3.11 Traffic and Circulation**

23 This chapter provides information on potential traffic impacts of the Washington Street
24 alternative on local streets and regional freeway interchange. The analysis also evaluates
25 potential impacts on public transit operations, bicycle facilities, site access, circulation, and
26 parking.

27 **5.3.11.1 Environmental Setting**

28 This section discusses site access and existing street system; public transit, bicycle and
29 pedestrian facilities; current traffic operations; hazards; and parking supply of the project area.

1 **5.3.11.1.1 Site Access and Existing Street Systems**

2 The street system that provides direct access and circulation to the Washington Street site
3 includes:

- 4 • Center Street—a one-way four-lane arterial street providing southbound access
5 through the downtown area. It connects to a westbound on-ramp to State Route 4.
6 Additional turn lanes are provided at major intersections along the street. There is
7 on-street parking on both sides of the street;
- 8 • El Dorado Street—a one-way four-lane arterial street providing northbound access
9 through the downtown area. It runs parallel to Center Street and functions as a one-
10 way couplet. As with Center Street, additional turning lanes are provided at major
11 street intersections, and on-street parking is permitted;
- 12 • Lincoln Street—a two-lane north-south street that is adjacent to the project site. It
13 has on-street parking next to the Washington Street alternative’s parcel;
- 14 • Weber Avenue—a two-lane east-west street that is approximately 700 feet north of
15 the project site; and
- 16 • Washington Street—a one-way westbound two-lane road between El Dorado Street
17 and Stanislaus Street and becomes three lanes east of El Dorado Street. Much of the
18 project-related traffic will use a section of this street, west of El Dorado Street, to
19 access the alternative site at Washington Street.

20 In addition to the above streets, ~~Lincoln Street~~, Van Buren, Madison, and Commerce Street will
21 provide direct site access.

22 Interstate 5 is an eight-lane freeway that provides north-south regional access to and from the
23 Cities of Stockton and Sacramento. It also provides regional access to and from northern and
24 southern California cities. A significant amount of project related traffic is expected to use this
25 route, in conjunction with State Route 4, traveling to and from the proposed court building.

26 State Route 4 is a six-lane cross-town highway that connects Interstate 5 and State Route 99. Its
27 ramps at Washington Street, El Dorado Street, Center Street, Lafayette Street, and Stanislaus
28 Street provide a connection to the Stockton downtown area.

29 State Route 99 is a six-lane freeway that also provides north-south regional access to and from
30 the Cities of Sacramento and Stockton. As with Interstate 5, a considerable amount of project
31 generated traffic will use this route, in conjunction with State Route 4, to access the project site.

32 **5.3.11.1.2 Public Transit, Bicycle and Pedestrian Facilities**

33 The San Joaquin County Regional Transit District provides public transit service throughout
34 downtown Stockton, including the area near the Washington Street site. There are no striped

1 bike lanes near the project site. However, pedestrian sidewalks are present on most streets near
2 the site except for the project site, which is vacant.

3 **5.3.11.1.3 Current Traffic Operation**

4 In addition to the 15 intersections evaluated for the proposed project site at Hunter Square, the
5 study evaluated traffic operation for six additional intersections near the site to assess traffic
6 operations for morning peak hour to establish the current traffic Level of Service. Level of
7 Service is the qualitative measure of traffic flow characteristics that traffic engineers use to
8 evaluate traffic intersection and roadway service levels. This methodology employs a Level A
9 through F scale, with Level A being optimum operating conditions and Level F below standard.
10 Results showed that all of the study intersections currently operate at Level of Service A and B,
11 indicating little to no traffic delays. Level of Service was evaluated for morning peak hour only
12 for this alternative because survey data from the existing court building indicated that the court
13 generates much less traffic in the afternoon and is not expect to create traffic condition worse
14 than the morning peak.

15 **5.3.11.1.4 Hazards**

16 There are two pedestrian crosswalks near this alternative site. One is at the intersection of West
17 Weber Avenue and Lincoln Street, and the other is at the intersection of West Weber and
18 Commerce Street. Neither pedestrian crosswalk has traffic control. The AOC will build a
19 parking lot next to the courthouse if the site is selected. Off-site pedestrian traffic and potential
20 hazards will be minimal for this alternative.

21 **5.3.11.1.5 Parking**

22 As shown in Table 5-3, the project will include approximately 200 on-site public spaces, and the
23 AOC estimates that surrounding streets and parking areas on the Stockton Unified School
24 District's property can provide an additional approximately 730 parking spaces.

25 **5.3.11.2 Potential Impacts and Mitigation Measures**

26 The AOC's analysis of the Washington Street alternative's potential impacts uses the same
27 analytical methodology, regulatory background, and standards of significance as the Hunter
28 Square alternative. See [Section 4.11.2](#) for a discussion of these issues.

29 **Study Assumptions**

30 Section 4.11.2.1 described the AOC's analytical changes for the Revised Draft EIR. The AOC
31 has applied these analytical changes to the Washington Street alternative.

32 The proposed county court traffic will likely travel westbound on Washington Street and turn
33 right into the court building and parking lot, assuming the access driveways are on Washington
34 Street. Traffic leaving the site must first go west, then turn south on Lincoln Street, and east on

1 Lafayette Street to return to the freeway system, or to the north via El Dorado Street, and south
2 via Center Street. Study intersections near the alternative site are controlled by stop signs.

3 **5.3.11.2.1 Traffic Increase and Level of Service**

4 **Potential Impact: Cause an increase in traffic that is substantial in relation to the existing**
5 **traffic load and capacity of the street system?—Significant and Unavoidable .** The
6 Washington Street alternative’s traffic Level of Service analysis indicated that all of the study
7 intersections currently operate at Level of Service B or A. [Tables 5-7](#) and [5-8](#) provide the Traffic
8 Study’s results for the 2013 Base and Base + Washington Street alternative. The results are
9 similar to the Hunter Square proposed project— LOS impacts of the alternative are less than
10 significant at most intersections, but the alternative has a significant and unavoidable queuing
11 impact to the El Dorado Street/Washington Street intersection.

12 As explained in [Section 4.11.3.1](#), analysts evaluated traffic flow and merge/diverge concerns on
13 State Route 4 by driving the freeway segments and ramps and observing traffic flow. For the
14 eastbound State Route 4 connection with northbound Interstate 5 lanes, southbound Interstate 5
15 lanes, and exit ramp lanes to the intersection of Lafayette Street/Center Street, the AOC
16 concludes that the Washington Street alternative’s additional trips will cause increased lane
17 changes and therefore cause significant impacts at the connection; since the AOC cannot change
18 the State Route 4, Interstate 5, and Lafayette Street/Center Street exit ramp, the AOC concludes
19 that the Washington Street alternative’s impacts are significant and unavoidable. For the
20 westbound State Route 4’s ramp to northbound Interstate 5 lanes and southbound Interstate 5
21 lanes connects with a entry ramp lanes from the intersection of Lafayette Street/Center Street, the
22 Washington Street alternative’s additional trips will cause increased lane changes and therefore
23 cause significant impacts at the connection; since the AOC cannot change the State Route 4,
24 Interstate 5, and Washington Street/Center Street entry ramp, the AOC concludes that the
25 Washington Street alternative’s impacts are significant and unavoidable. For the remaining State
26 Route 4 connecting ramps with Lafayette Street/El Dorado Street and Washington Street/El
27 Dorado Street, analysts did not observe merge and diverge problems, and the AOC therefore
28 concludes that the alternative’s impacts at the other ramps will be less than significant.

29 **Mitigation Measures:** As stated in [Section 4.11.3.1](#), the AOC concludes that there is no feasible
30 timing improvement or widening improvement that can mitigate the El Dorado/Washington
31 Street intersection impacts to a level that is less than significant. Also, the AOC also concludes
32 that there are no feasible mitigation measures for the alternative’s impacts to the eastbound State
33 Route 4 connection with northbound Interstate 5 lanes, southbound Interstate 5 lanes, and exit
34 ramp lanes to the intersection of Lafayette Street/Center Street and the project’s impacts to the
35 westbound State Route 4’s connections with northbound Interstate 5 lanes, southbound Interstate
36 5 lanes, and entry ramp lanes from the intersection of Lafayette Street/Center Street.

37

1 **Table 5-7: Base and Base + Washington Street Alternative's Traffic Operation**
 2 **(Level of Service) Analysis**

Study Intersections	Time	Base Case		Base Case + Project	
		Delay	LOS	Delay	LOS
1 Van Buren Street/Weber Avenue (unsignalized)	AM	1.2	A	3.2	A
2 Madison Street/Weber Avenue (unsignalized)	AM	0.8	A	0.9	A
3 Madison Street/Market Street (unsignalized)	AM	1.6	A	5.1	A
4 Madison Street/Washington Street (unsignalized)	AM	2.3	A	3.6	A
5 Lincoln Street/Washington Street (unsignalized)	AM	3.3	A	3.3	A
6 Madison Street/Lafayette Street (unsignalized)	AM	4.2	A	8.0	A
7 Center Street/Weber Avenue Street	AM	11.9	B		
	PM	20.3	C		
8 El Dorado Street/Weber Avenue	AM	12.9	B	12.9	B
	PM	11.3	B	11.3	B
9 Center Street/Weber Avenue	AM	11.9	B	12.1	B
	PM	20.3	C	26.6	C
10. Center Street /Washington Street	AM	13.9	B	17.0	B
	PM	10.7	B	11.3	B
11 El Dorado Street /Washington Street – WB SR 4 off-ramp	AM	24.5	C	29.8	C
	PM	48.5	D	48.5	D
12 Center Street /Lafayette Street – EB SR 4 off-ramp	AM	28.0	C	47.6	D
	PM	14.2	B	16.0	B
13 El Dorado Street/Lafayette Street – WB SR 4 off-ramp	AM	9.4	A	9.5	A
	PM	21.8	C	21.9	C

3 Notes:
 4 Delay For unsignalized intersections, delay is average control delay per vehicle in seconds for the entire intersection
 5 (unsignalized intersection). For signalized intersections, delay is stop delay per vehicle in seconds.
 6 LOS Level-of-Service

7

**Table 5-8: 95th percentile AM Peak Hour Vehicle Queuing Year 2013
For Washington Street Site**

Intersection	Approach	Storage (Per Lane) In Feet	95th Percentile Queuing (Per Lane) In Feet	
			Base Case	Base Case + Project
Center Street/ Weber Avenue	WB Weber Avenue Through/Left	290	35	39
Center Street / Washington Street	SB Center Street Left	300	22	24
	WB Washington Street	300	125	189
Center Street/ Lafayette Street	SB Center Street Left	210	189	196
	SB Center Street Through	210	66	66
El Dorado Street/ Lafayette Street	NB El Dorado Street Through	330	96	97
	EB Lafayette	330	113	113
El Dorado Street/ Washington Street	NB El Dorado Street Through	210	233	254
El Dorado Street/ Weber Avenue	NB El Dorado Street Through/EB	500	188	188
	Weber Avenue Through/Left	300	75	93

5.3.11.2.2 Congestion Management Service Standard

Potential Impact: Exceed a level of service standard established by the county congestion management agency for designated roads or highways?—Less than Significant. The Level of Service estimates are not expected to create unacceptable Level of Service conditions based on the San Joaquin Council of Governments' traffic levels of service standards, which focus on roadway segments rather than intersections.

Mitigation Measures: None required.

5.3.11.2.3 Air Traffic Patterns

Potential Impact: Produce a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?—No Impact. The proposed project will not generate air traffic and will not change existing air traffic patterns

Mitigation Measures: None required.

5.3.11.2.4 Hazards Posed by Design Features

Potential Impact: Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?—Potentially Significant. The new courthouse design will conform to the California Building Code and will be generally consistent with City of

1 Stockton design standards. As a result, the proposed project will not include any increased
2 hazards related to a design feature. Therefore, there will be no significant impacts related to the
3 building's design.

4 Due to the Washington Street alternative's creation of 30 of courtrooms at the alternative site,
5 operations of a new Washington Street courthouse will increase the number of vehicles passing
6 through pedestrian crossings of Center Street, Weber Avenue, and Washington Street. Many of
7 the pedestrians passing through these intersections during the morning AM peak hour are Weber
8 Institute students. Potential impacts of the Washington Street alternative include:

- 9 1. Crosswalks at Center Street/Weber Avenue have traffic and pedestrian controls.
10 However, due to the width of Weber Street, the AOC concludes that pedestrian-
11 related impacts will be potentially significant;
- 12 2. The Weber Avenue/Madison Street crossing has no crosswalk and no traffic controls.
13 Since West Market Street is a one-way eastbound street, drivers cannot use Madison
14 Street to directly access a Washington Street courthouse's parking lots. Therefore, the
15 AOC expects only a very minor number of vehicles to proceed from Weber Avenue
16 onto southbound Madison Street. Since the traffic increase will be very minor, the
17 AOC concludes that the alternative's impacts to the Weber Avenue/Madison Street
18 crossing will be less than significant;
- 19 3. The Weber Avenue/Van Buren Street crossing has no crosswalk and no traffic
20 controls. The AOC concludes that the alternative's impacts to the Weber Avenue/Van
21 Buren Street crossing will be potentially significant;
- 22 4. For the Washington Street/Madison Street intersection, there are no pedestrian
23 crosswalks, and the analysts noted that roadway curves between Commerce Street
24 and Madison Street restrict westbound drivers' views of the Washington
25 Street/Madison Street intersection. Since the AOC assumes that many drivers will
26 park along Washington Street and Madison Street (see the Draft EIR's Section 5.3),
27 the AOC concludes that the alternative's impacts to pedestrian and vehicle
28 interactions through the Washington Street/Madison Street intersection will be
29 potentially significant.

30 *Mitigation Measures:* The following mitigation measures will reduce the alternative's
31 operational impacts to a level that is less than significant for the Center Street/Weber Avenue
32 intersection, the Weber Avenue/Van Buren Street crossing, and the Washington Street/Madison
33 Street intersection:

34 **Traffic 45**—For the Center Street/Weber Avenue intersection, the AOC will add
35 pedestrian “islands” to the median areas of the Center Street crosswalks that traverse
36 Weber Avenue;

37 **Traffic 56**—For the Weber Avenue/Van Buren Street crossing, the AOC will add
38 pedestrian crosswalks to the south side of Weber Avenue at Van Buren Street. The AOC
39 will also add pedestrian “peninsulas” to the southwestern and southeastern corners of the
40 Weber Avenue/Van Buren Street intersection; and

1 **Traffic 67**—For Washington Street/Madison Street intersection, the AOC will add
2 crosswalks to all crossings of the intersection and a pedestrian-controlled traffic control
3 for the intersection.

4 **5.3.11.2.5 Emergency Access**

5 **Potential Impact: Result in inadequate emergency access?—No Impact.** Based on the
6 preliminary site plan, the proposed project will have a main access from Weber Avenue and a
7 sallyport access at the back of the building. These features should provide adequate access for
8 vehicles (30 vehicles) and pedestrians. The AOC’s development of the project site will conform
9 to recommendations of the court, the San Joaquin County Sheriff’s Department, and the Stockton
10 Fire Department to ensure adequate emergency access considerations. The Stockton Fire
11 Department will review plans to ensure emergency access. The proposed project does not
12 include closure of any public through street that is currently used for emergency services and
13 will not be expected to interfere with the adopted emergency response plan. Therefore, the AOC
14 concludes that the project will have no impacts on emergency access.

15 *Mitigation Measures:* None required.

16 **5.3.11.2.6 Parking Capacity**

17 **Potential Impact: Result in inadequate parking capacity?—Less than Significant.**
18 ~~Construction of the project will eliminate approximately 50 parking spaces in the Hunter~~
19 ~~Square parking lot.~~ The court currently has a maximum juror population of approximately 275
20 to 300 jurors in the Courthouse and Administration Building. When the court begins operations
21 in the new courthouse, the AOC expects that the court will add approximately 100 juror and
22 100 visitor and staff trips per day. For the Washington Street alternative, AOC will build a
23 parking to accommodate its parking needs.

24 *Mitigation Measures:* None required.

25 **5.3.11.2.7 Existing Alternative Transportation Policies**

26 **Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative**
27 **transportation (e.g., bus turnouts, bicycle racks)?—Less than Significant.** Survey results of
28 existing court trip generation indicated few visitor or staff members use public transportation for
29 work or to conduct business at the courthouse. Therefore, the proposed project is not expected to
30 have a significant impact on the public transportation system.

31 *Mitigation Measures:* None required.

32 **5.3.12 Utilities and Service Systems**

33 This section evaluates the Washington Street alternative’s potential impacts on utilities and
34 service systems.

1 **5.3.12.1 Environmental Setting**

2 The Washington Street alternative will be located on a 4-acre parcel in downtown Stockton. The
3 site is currently undeveloped. Water service extends to the site, and adjacent developed parcels
4 have wastewater, water supply, and trash collection services.

5 **5.3.12.2 Potential Impacts and Mitigation Measures**

6 These impacts will be generally the same as the proposed project. Some utilities may require
7 upgrading, such as sewer and stormwater pipelines and catch basins that serve the site. The
8 Washington Street alternative will also be expected to generate a greater water demand for
9 outside landscaping because of the larger project area. However, excessive water use could be
10 mitigated through green design and conservation measures.

11 **5.3.12.2.1 Wastewater Treatment**

12 **Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water**
13 **Quality Control Board?—Less than Significant.** Buildings in Stockton are located within the
14 Central Regional Water Quality Control Board and are subject to control under the Stockton
15 Regional Wastewater Control Facility. Based on the design of the courthouse facility, the
16 wastewater effluent from the new building will meet the requirements for discharge established
17 by the Regional Water Quality Control Board.

18 The AOC will apply for a Silver rating certification under the U.S. Green Building Council's
19 LEED Green Building Rating System for the project, and the AOC intends to implement a
20 wastewater plan that complies with LEED requirements. These requirements (U.S. Green
21 Building Council 2003) relevant to wastewater include:

- 22
 - Innovative wastewater technologies

23 In addition, the building will be subject to the Waste Discharge Requirements Order No.
24 R5-2002-0083 (CRWQCB 2003).

25 Since the analysis is based on the proposed courthouse and on not the location, the building will
26 meet the requirements of the California Building Code and will be a LEED Silver building, the
27 AOC concludes that the project's impacts on wastewater treatment requirements will be less than
28 significant.

29 *Mitigation Measures:* None required.

30 **5.3.12.2.2 New Water or Wastewater Treatment Facilities**

31 **Potential Impact: Require or result in the construction of new water or wastewater treatment**
32 **facilities or expansion of existing facilities, the construction of which could cause significant**
33 **environmental effects?—Less than Significant.** Section 4.12.3.2 provides estimates of the

1 Hunter Square alternative’s wastewater demand. Because the Washington Street alternative’s
2 courthouse will not change from the Hunter Square proposed action, wastewater demand for this
3 alternatives is identical to the proposed action.

4 Although the new courthouse will add water demand for the city’s water supply, the court’s
5 move from the existing courthouse will partially compensate for the demand of the new building.
6 In addition, although the new courthouse will provide approximately twice the space of the
7 existing courthouse and courthouse annex, the AOC and court expect the project to include only
8 a minor increase in the number of staff persons and only an approximately 30 percent increase in
9 the number of jurors and courthouse visitors. Since the increase in courthouse population will be
10 small and the AOC expects only minor and temporary future use of the current court’s space, the
11 AOC concludes that the impacts on water treatment facilities will be less than significant.

12 *Mitigation Measures:* None required.

13 **5.3.12.2.3 Require or Result in the Construction of Storm Water Drainage Facilities or**
14 **Expansion of Existing Facilities**

15 ***Potential Impact: Require or result in the construction of new storm water drainage facilities***
16 ***or expansion of existing facilities, the construction of which could cause significant***
17 ***environmental effects?—No Impact.*** Section 4.12.3.3 provides information on storm drain
18 facilities in the downtown Stockton area.

19 Since storm drain facilities exist in the project area, the proposed Washington Street alternative
20 will not require construction of new off-site storm water facilities. According to the city’s Public
21 Works Division, the project will not create an abundance of stormwater that will require a
22 change to the current system. The AOC will apply for a Silver rating certification under the U.S.
23 Green Building Council’s LEED Green Building Rating System for the project, and the AOC
24 intends to implement a stormwater plan that complies with LEED requirements. Therefore, the
25 alternative’s impacts will be less than significant.

26 *Mitigation Measures:* None required.

27 **5.3.12.2.4 Have Sufficient Water Supplies Available to Serve the Project from Existing**
28 **Entitlements and Resources**

29 ***Potential Impact: Have sufficient water supplies available to serve the project from existing***
30 ***entitlements and resources, or are new or expanded entitlements needed?—Less than***
31 ***Significant.*** As explained in Section 4.12.3.4, the California Water Service Company will
32 provide water service to the site, and it stated that the proposed courthouse will not consume an
33 overabundance of water from the current water supply. Based on the current consumption levels
34 from November 2007 through October 2008, the average consumption of water — without
35 LEED standards — for an approximately 100,000-square-foot building is 600 cubic feet per 100
36 cubic feet. The water consumption changes from summer to winter, with consumption being
37 three times the amount in the summer. By implementing the LEED Silver standards for water
38 efficiency, the reduction in water and the increase in the size will counterbalance any excessive

1 additional use (California Water Service Company 2008). The AOC will implement LEED
2 water conservation measures as part of its LEED Silver rating certification effort.

3 The AOC concludes that the alternative's water supply impacts are less than significant.

4 *Mitigation Measures:* None required.

5 **5.3.12.2.5 Wastewater Treatment Capacity**

6 ***Potential Impact: Result in a determination by the wastewater treatment provider that serves***
7 ***or may serve the project that it has adequate capacity to serve the project's projected demand***
8 ***in addition to the provider's existing commitments?—Less than Significant.*** The Washington
9 Street alternative's proposed courthouse has essentially the same space and projected use as the
10 Hunter Square courthouse. Section 4.12.3.5 concluded that the proposed Hunter Square project's
11 wastewater treatment demand will be minor based on the calculations and information provided
12 in Section 4.12.2.1 for the Stockton Regional Wastewater Facility. Therefore, the AOC
13 concludes that the Washington Street alternative's wastewater treatment capacity impacts are
14 less than significant.

15 *Mitigation Measures:* None required.

16 **5.3.12.2.6 Landfills**

17 ***Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate***
18 ***the project's solid waste disposal needs?—Less than Significant.*** Section 4.12.3.6 concluded
19 that the Foothill Landfill has adequate capacity to serve the AOC's proposed courthouse.
20 Therefore, the AOC concludes that the alternative's landfill impacts will be less than significant.

21 *Mitigation Measures:* None required.

22 **5.4 PRIVATE PARCELS ALTERNATIVE**

23 The Hunter Square project and the Hunter Square Expanded alternative require the AOC's
24 acquisition and use of the Hunter Square parcel for the proposed courthouse. At the AOC's July
25 2008 scoping meeting, stakeholders suggested that the AOC consider an alternative location for
26 the proposed courthouse that will preserve Hunter Square and instead use privately owned
27 parcels near the southeastern corner of the intersection of Weber Avenue and El Dorado Avenue.
28 To evaluate this stakeholder suggestion, the AOC added the Private Parcels alternative, which
29 will include the AOC's purchase from the Bank of America of the Bank of America property,
30 the AOC's purchase from the current owners of three private parcels west of the Hunter Square
31 parcel, and the AOC's acquisition through a donation from the city of the city alley between
32 the Bank of America building and the three parcels. The proposed courthouse site will be 300
33 feet long in the north-south direction and 210 feet wide in the east-west direction; its area will
34 be 1.4 acres. This alternative will include demolition of the Bank of America building and the
35 buildings on the three parcels that are immediately west of Hunter Square.

1 The Private Parcels alternative’s proposed courthouse will be generally similar to the courthouse
2 described in the Hunter Square alternative’s Section 3.5; it will be approximately 220 feet tall,
3 include 325,000 square feet of space, and have 12 stories with a basement. It will face Weber
4 Avenue; be set back approximately 50 feet from Weber Avenue and El Dorado Avenue; have a
5 public entrance that will face Weber Avenue; have a courtyard and public area on the east side of
6 the building; include landscaped areas on the north and west sides; and have fenced, secured
7 vehicle access facilities on the south side with no public access to the south side of the building.

8 Secure parking for judicial officers and court executives, a sallyport (a secured building entrance
9 that connects to a secured building area), sheriff’s facilities, in-custody detainee holding
10 facilities, and building service areas will be in the building’s basement. The southern courthouse
11 grounds will include a ramp that will connect El Dorado Street to the basement. The basement
12 will also have an exit ramp and driveway connection to Weber Avenue.

13 The Private Parcels alternative’s construction operations and plans will differ from the proposed
14 project’s construction operations and plans (see Section 3.5). For the Private Parcels alternative,
15 the AOC will seek the city’s approval to use the Hunter Square parking area and the Main Street
16 mall for construction staging areas and to close the sidewalks adjacent to the proposed courthouse
17 site. The AOC will not include the Main Street fountain or the landscaped area southwest of the
18 intersection of Main Street and Hunter Street in the staging area.

19 Implementation of this alternative depends on acquisition of adjacent properties, including Bank
20 of America, the three private parcels east of Bank of America, and a city alley. This alternative
21 will include demolition of the Bank of America building and three buildings east of Bank of
22 America.

23 **5.4.01 Aesthetics and Visual Resources**

24 **5.4.01.1 Environmental Setting**

25 The environmental setting of the Private Parcels alternative’s site includes the following features:

- 26 • Three private parcels with their two-story buildings;
- 27 • Parker’s Alley, owned by the City of Stockton, along the western side of the three
28 private parcels;
- 29 • The Bank of America building; and
- 30 • The Bank of America’s parking lot.

31 The eastern portion of this alternative site is a two-story commercial building consisting of three
32 private parcels. The northwest portion of the site is a three-story Bank of America building. An
33 alley runs north to south between the private parcels and the Bank of America. The southern
34 portion of the site is a parking lot associated with the Bank of America. The Hunter Square
35 parking area, park, and pool are east of the Private Parcels alternative site. The Main Street

1 pedestrian mall and a seven-story bank building are south of the alternative’s site. El Dorado
2 Avenue and the Stewart-Eberhardt building and parking garage are west of the site. Weber
3 Avenue and the five-story Hotel Stockton are north of the proposed courthouse site. .

4 The wind and microclimate; scenic vistas; scenic resources; and light, shading, and glare features
5 of the Hunter Square Expanded alternative’s environmental setting are essentially the same as
6 the Hunter Square alternative (see Wind and Microclimate; Scenic Resources; and Light,
7 Shading, and Glare).

8 **5.4.01.2 Potential Impacts and Mitigation Measures**

9 The AOC’s analysis of the Private Parcels alternative’s potential impacts uses the same
10 analytical methodology, regulatory background, and standards of significance as the Hunter
11 Square alternative. See [Section 4.01.2](#) for a discussion of these issues.

12 **5.4.01.2.1 Visual Character and Aesthetic Quality**

13 ***Potential Impact (Construction): Substantially degrade the existing visual character or***
14 ***aesthetic quality of the site and its surroundings?—Less than Significant.*** As discussed in the
15 proposed project’s (Hunter Square) analysis, the AOC will install temporary fencing around the
16 project site. Construction of the project will involve use of heavy equipment, stockpiling
17 construction materials, and accumulation of debris and waste materials. The construction will be
18 visible from several downtown streets, public buildings, and adjacent commercial establishments
19 and hotels. However, project construction scenes and features will be temporary. The AOC
20 expects that demolition of the buildings and construction will require approximately 27 months;
21 construction of the building’s exterior structure will require approximately 12 months. Since the
22 impacts will occur only during the short, temporary construction period, the AOC considers the
23 potential visual and aesthetic effects associated with construction to be less than significant.

24 ***Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the***
25 ***existing visual character or aesthetic quality of the site and its surroundings? —Potentially***
26 ***Significant.*** The Private Parcel alternative’s courthouse will convert the proposed parcel’s
27 buildings to a 12-story building with service drives and surrounding landscaped areas. The
28 proposed site is in an urban setting, and surrounding buildings include a wide variety of styles
29 and materials. The courthouse’s design will be consistent with courthouse design standards, and
30 the AOC expects the courthouse’s features to be generally consistent with development standards
31 of the City of Stockton Development Code. The high-rise building will not be unusual for the
32 downtown Stockton setting and the visual character and aesthetic quality of the proposed
33 courthouse will be consistent with the visual character and aesthetic quality of the downtown
34 area. As a result, the AOC concludes that the physical appearance of the building will not
35 substantially degrade the existing visual character or aesthetic quality of the site’s surroundings.

1 Although the visual character of the proposed courthouse will be consistent with the surrounding
2 buildings, the new courthouse may generate high-velocity groundborne winds. The building's
3 interactions with westerly winds may generate high-velocity groundborne winds on the
4 building's west side that will affect the Main Street pedestrian mall; the building's interactions
5 with northerly winds may generate high-velocity groundborne winds on the building's north side
6 that will affect pedestrians using of the Weber Avenue southern sidewalk, persons entering the
7 new courthouse, and persons using the proposed plaza areas on the north side of the new
8 courthouse. The AOC concludes that the wind effects may be a potentially significant impact.

9 *Mitigation Measure:* As noted the proposed project Hunter Square's analysis, the following
10 mitigation measure will reduce the Private Parcel alternative's visual character and aesthetic
11 quality impacts:

- 12 • **Aesthetics 1**—To prevent the new courthouse from generating high-velocity
13 groundborne winds, the AOC will include building features that will intercept winds
14 moving down the building's face toward the ground and prevent substantial wind
15 impact to pedestrians.
- 16 • After the mitigation measure has been implemented, the AOC concludes that the
17 Private Parcel alternative's visual character and aesthetic quality impacts will be less
18 than significant.

19 **5.4.01.2.2 Scenic Vistas**

20 ***Potential Impact: Have a substantial adverse affect on a scenic vista?—Less than Significant.***

21 The Private Parcel alternative site is surrounding by trees and buildings that obstruct most of the
22 views; therefore, most of the views do not extend past the defined foreground distance of
23 approximately 1/2 mile. The project will construct a new courthouse on the private parcels, but
24 it will not obstruct views of the Bob Hope Theatre or the Hotel Stockton, two historic buildings
25 in the vicinity, or the Main Street fountain.

26 The AOC concludes that the Private Parcel alternative's impacts to scenic vistas will be less than
27 significant.

28 *Mitigation Measures:* None required.

29 **5.4.01.2.3 Scenic Resources**

30 ***Potential Impact: Substantially damage scenic resources?—No Impacts.*** The alternative's site
31 consists of is two buildings, and construction of the new courthouse will not damage or eliminate
32 any scenic resources in the vicinity. The AOC concludes that the Private Parcel alternative will
33 have no impacts to scenic resources

34 *Mitigation Measures:* None required.

1 **5.4.01.2.4 Lighting, Glare, Shading**

2 **Potential Impact: Create a new source of substantial light, or glare that will adversely affect**
3 **day or nighttime views?—Less than Significant.** The Private Parcel alternative project will
4 create light sources for exterior and interior building lighting and security lighting on courthouse
5 grounds. The AOC will apply for a Silver rating under the U.S. Green Building Council’s LEED
6 Green Building Rating System for the project, and the AOC intends to implement a lighting plan
7 that complies with LEED requirements. The proposed project Hunter Square’s Section 4.01.3.4
8 describes the U.S. Green Building Council 2003’s lighting requirements.

9 The AOC concludes that light or glare impacts from the proposed project will be less than
10 significant because:

- 11 • Most of the building’s interior lighting will be limited to the court’s typical weekday
12 operational hours and the periods immediately before and after the court’s operations;
- 13 • The AOC intends to shield all light sources to minimize light on surrounding
14 properties, and landscaping also will block light from these properties;
- 15 • Light sources are already present on the project site from the existing parking lot and
16 buildings such as commercial building and the Bank of America building;
- 17 • The building’s security lighting will not be substantially different from nearby
18 buildings, so the security lighting will not be a source of substantial light;
- 19 • Implementation of LEED guidelines will reduce both the generation of exterior light
20 and the potential for light trespass to affect off-site areas; and
- 21 • The project will not add building features such as metallic finishes that generate
22 substantial glare.

23 **Potential Impact: Create a new source of substantial shading?—Less than Significant.** The
24 proposed 12-story courthouse will cast shade. Since the Private Parcel alternative will have
25 almost the same building dimensions and placement as the proposed project Hunter Square’s
26 building, the Private Parcel alternative’s shading impacts will be essentially the same as Section
27 4.01.3.4’s impacts. [Section 4.01.3.4’s](#) Figure 7 shows results of shading analyses for the
28 proposed project, and the Private Parcels alternative shading analysis is essentially the same as
29 the Hunter Square project’s analysis.

30 The new courthouse’s shadows will primarily affect the properties east and west of the proposed
31 building, which do not include parks or other public facilities. Therefore, the AOC concludes
32 that shading impacts from the Private Parcel alternative’s courthouse will be less than significant.

33 **Mitigation Measures:** None required.

1 **5.4.02 Air Quality**

2 This section evaluates the Private Parcel alternative’s potential impacts on air quality. This
3 alternative is similar to the proposed Hunter Square project, with the addition of some demolition
4 at the beginning of the construction phase of the project. The operational and maintenance
5 phases remain unchanged from the proposed Hunter Square project.

6 **5.4.02.1 Environmental Setting**

7 Although the Private Parcel alternative includes demolition of two buildings, this alternative’s
8 environmental setting for air quality is essentially the same as the proposed Hunter Square
9 project described in [Section 4.02.1](#).

10 **5.4.02.2 Potential Impacts and Mitigation Measures**

11 The AOC’s analysis of the Private Parcel alternative’s potential impacts uses the same analytical
12 methodology, regulatory background, and standards of significance as the proposed Hunter
13 Square project. See [Section 4.02.2](#) for a discussion of these issues.

14 **5.4.02.2.1 Applicable Air Quality Plan Conflicts**

15 **Potential Impact: Conflict with or obstruct implementation of the applicable air quality**
16 **plan?—No Impact:** No air quality plan conflicts are noted for the proposed project, so long as it
17 complies with local rules specified in Section 4.02.2.2. All plan thresholds are consistent with,
18 and are addressed in, Sections 4.02.2.2 and 4.02.2.3. The entire project is located within the Air
19 Pollution Control District, and there are likely no conflicts with other state or federal initiatives
20 because of these emissions.

21 *Mitigation Measures:* None required.

22 **5.4.02.2.2 Air Quality Standard Violations**

23 **Potential Impact (Construction): Violate any air quality standard or contribute substantially to**
24 **an existing or projected air quality violation?—Less than Significant.** Modeling was not
25 conducted for the Private Parcel alternative. However, the emissions and conclusions will be
26 similar to the proposed Hunter Square Expanded project because the alternatives’ courthouse
27 features are analogous and they include demolition of buildings. Expected emissions from
28 construction do not exceed criteria air pollutant limits established by the state and the Air Pollution
29 Control District. During the construction phase, it is assumed that the project complies with
30 mitigation measures outlined in the Air Pollution Control District’s requirements. In particular,
31 Rule 8021 of Regulation VIII requires measures to reduce particulate matter emissions from
32 construction. The URBEMIS modeling performed for this project assumes that the construction
33 contractor waters the construction site three times per day to minimize emissions of fugitive
34 particulate matter. These emissions are all below the established Air Pollution Control District
35 thresholds; therefore, the project’s construction-related impacts will be less than significant.

36 *Mitigation Measures:* None required.

1 **Potential Impact (Post-Construction, Operations, and Maintenance): Violate any air quality**
2 **standard or contribute substantially to an existing or projected air quality violation?—Less**
3 **than Significant.** Post-construction, operational, and maintenance emissions for the project are
4 expected to all be below the established Air Pollution Control District thresholds. Since the
5 Private Parcel alternative’s post-construction, operations, and maintenance impacts are identical
6 to the project, the Private Parcel alternative’s impacts will be less than significant.

7 *Mitigation Measures:* None required.

8 **5.4.02.2.3 Increase of Any Criteria Pollutant**

9 **Potential Impact: Produce a cumulatively considerable net increase of any criteria pollutant for**
10 **which the project region is non-attainment under an applicable federal or state ambient air**
11 **quality standard?—Less than Significant.** The Air Pollution Control District is currently in non-
12 attainment for ozone and PM_{2.5}. Within the air district, estimated daily emissions of volatile
13 organic compound, which are precursor chemicals to ozone, are 1,500 tons per day and for PM_{2.5}
14 are 107 tons per day. As shown in Table 5-1, the maximum modeled emissions from this project
15 are 121 pounds per day of ozone precursors and 3.9 pounds per day of PM_{2.5}. The Private Parcel
16 alternative will not considerably increase the emission of ozone or PM_{2.5} in the Air Pollution
17 Control District. Therefore, the AOC concludes that the impacts will be less than significant.

18 *Mitigation Measures:* None required.

19 **5.4.02.2.4 Sensitive Receptor Exposure to Substantial Pollutant Levels**

20 **Potential Impact (Construction): Expose sensitive receptors to substantial pollutant**
21 **concentrations?—Less than Significant.** As noted above, the alternative’s construction-related
22 emissions do not exceed criteria air pollutant limits. During the construction phase, it is assumed
23 that the project complies with mitigation measures outlined in the Air Pollution Control
24 District’s requirements. In particular, Rule 8021 of Regulation VIII requires that measures be
25 implemented to reduce particulate matter emissions from construction. These emissions are all
26 below the established Air Pollution Control District thresholds. Since the emissions are below
27 the Air Pollution Control District’s thresholds and construction operations that generate
28 substantial emissions will be of limited duration, the AOC concludes that the impacts are less
29 than significant.

30 *Mitigation Measures:* None required.

31 **Potential Impact (Post-Construction, Operations, and Maintenance): Expose sensitive**
32 **receptors to substantial pollutant concentrations?—Less than Significant.** Operations and
33 maintenance associated with this project are typical of other activities in the area. The predicted
34 emissions for this site are all below the established Air Pollution Control District thresholds.
35 Since the emissions are below the Air Pollution Control District’s thresholds and operation and
36 maintenance are typical for the project area, the AOC concludes that the impacts are less than
37 significant.

1 *Mitigation Measures:* None required.

2 **5.4.02.2.5 Objectionable Odors**

3 ***Potential Impact: Create objectionable odors affecting a substantial number of people?—Less***
4 ***than Significant.*** Based on the nature of this project, it is unlikely that there will be a potential
5 odor impact. Typical odor nuisances include hydrogen sulfide, ammonia, chlorine, and other
6 sulfide-related emissions. There will not be any significant sources of these pollutants during
7 construction, operation, or maintenance of this project. Impacts caused by odor will be less than
8 significant.

9 *Mitigation Measures:* None required.

10 **5.4.02.2.6 Greenhouse Gas Emission Reduction Plan**

11 ***Potential Impact: Conflict with the state goal of reducing greenhouse gas emissions in***
12 ***California to 1990 levels by 2020—Less than Significant.*** As noted previously in [Section](#)
13 [4.02.3.6](#), the AOC’s courthouse project is consistent with plans to reduce greenhouse emissions.
14 The AOC has concluded that impacts from the proposed new courthouse on greenhouse gas
15 emissions will be less than significant.

16 *Mitigation Measures:* None required.

17 **5.4.03 Cultural Resources**

18 **5.4.03.1 Environmental Setting**

19 The environmental setting of the Hunter Square Expanded alternative is similar to the Hunter
20 Square project’s setting described in [Section 4.03.1](#). The buildings west of Hunter Square are
21 not historically significant (Architectural Resources Group 2000)

22 **5.4.03.2 Potential Impacts and Mitigation Measures**

23 The AOC’s analysis of the Private Parcel alternative’s potential impacts uses the same analytical
24 methodology, regulatory background, and standards of significance as the proposed Hunter
25 Square project. See [Section 4.03.2](#) for a discussion of these issues.

26 **5.4.03.2.1 Historic Resources**

27 ***Potential Impact: Cause a substantial adverse change in the significance of a historic resource***
28 ***as defined in Section 15064.05?—Less than Significant.*** As noted above, there are no known
29 historic resources located on the Private Parcel alternative site. Therefore, the AOC concludes
30 that the Private Parcel alternative’s impacts will be less than significant.

31 *Mitigation Measures:* None required.

1 **5.4.03.2.2 Archaeological Resources**

2 **Potential Impact: Cause a substantial adverse change in the significance of an**
3 **archaeological resource pursuant to Section 15064.05?—Potentially Significant.** The
4 Central California Information Center’s archival search did not identify recorded or
5 unrecorded archaeological resources on the proposed project site. However, historical
6 archaeological resources were encountered on the City Center Cinemas project site, located
7 near the proposed project site. As discussed earlier, resources discovered from 117 to 123
8 Channel Street (termed Analytical Unit A), the Sing Lee Chinese Laundry deposit, and from
9 121 to 123 Channel Street (Analytical Unit B) were found to be eligible for the California
10 Register of Historical Resources. Based on existing data in its files, the Central California
11 Information Center indicated that: “The project area has a minimal sensitivity for the possible
12 discovery of prehistoric or historic archaeological resources on the *surface* of the proposed
13 project area, but a moderate-to-high sensitivity for both prehistoric and historic archaeological
14 resources *under the surface*, that may be encountered during excavation and trenching.”

15 Therefore, there remains some potential for the two sites to contain previously undiscovered
16 archaeological resources. Excavation and grading could damage or destroy any buried
17 archaeological resources that may be present. Disturbance of buried cultural resources will be
18 a potentially significant impact for the proposed site location and the alternative site in the
19 area, which has not already been investigated for archaeological resources (the eastern one-
20 third of the site). Operation of the proposed project will not result in additional impacts to the
21 archaeological resources in the project area beyond the potential construction–related impacts
22 identified above. Implementation of the following mitigation measure will reduce potential
23 adverse effects to less–than–significant levels:

24 *Mitigation Measures:* The following mitigation measure will reduce the impact to archaeological
25 resources to less than significant.

26 **Cultural Resources 5**—An archaeological monitor will be present during site-clearing
27 activities that expose bare ground. Project personnel will not collect cultural resources
28 found on the project site. If the construction contractor encounters archaeological
29 resources during initial construction clearing, the construction contractor will halt all
30 work within 100 feet of the discovery, and a qualified archaeologist will ascertain the
31 nature of the discovery and the significance of the find. The archaeologist will provide
32 proper management recommendations including avoidance, evaluation, or a mitigation
33 plan to prevent any significant adverse effects on the resource.

34 **5.4.03.2.3 Disturbance of Any Human Remains, Including those Interred Outside of**
35 **Formal Cemeteries**

36 **Potential Impact: Disturb any human remains, including those interred outside of formal**
37 **cemeteries?—Less than Significant.** The proposed project will require excavation and
38 grading for the building. No recorded prehistoric archaeological sites were identified on or in

1 the vicinity of the project site, and no evidence exists to indicate that burials occurred within
2 the project area. Therefore, the AOC concludes that the project will have less than significant
3 impacts on disturbance of human remains. In addition, as described in Section 4.03.2.2, in the
4 event that human remains were unexpectedly encountered, the project sponsor will comply with
5 state laws relating to the disposition of Native American burials, as regulated by the Native
6 American Heritage Commission (Public Resource Code Sec. 5097).

7 *Mitigation Measures:* None required.

8 **5.4.04 Geology, Soils, and Seismicity**

9 **5.4.04.1 Environmental Setting**

10 The environmental setting for the Private Parcel alternative is the same as proposed Hunter
11 Square project,

12 **5.4.04.2 Potential Impacts and Mitigation Measures**

13 The AOC's analysis of the Private Parcels alternative's potential impacts uses the same
14 analytical methodology, regulatory background, and standards of significance as the proposed
15 Hunter Square project. See [Section 4.04.2](#) for a discussion of these issues.

16 **5.4.04.2.1 Rupture of a Known Earthquake Fault**

17 ***Potential Impact: Expose people or structures to potential substantial adverse effects involving***
18 ***rupture of a known earthquake fault?—Less than Significant.*** As noted above, the Hayward
19 and Calaveras Faults are approximately 48 miles to the west. No active faults are located within
20 1 mile of the site. Therefore, there is a very minor potential for ground rupture as a result of a
21 significant seismic event. The AOC concludes that the potential impact is less than significant.

22 *Mitigation Measures:* None required.

23 **5.4.04.2.2 Strong Seismic Ground Shaking**

24 ***Potential Impact: Expose People or Structures to Potential Substantial Adverse Effects***
25 ***Involving Strong Seismic Ground Shaking—Less than Significant.*** As noted above, the
26 Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to regional
27 faults suggests only a low to moderate potential for ground shaking. The AOC will complete a
28 geotechnical investigation during its design process, and the building's designers will incorporate
29 the investigation's results into design requirements that comply with the State Uniform Building
30 Code. Therefore, the AOC concludes that the potential impact is less than significant.

31 *Mitigation Measures:* None required.

1 **5.4.04.2.3 Ground Failure**

2 ***Potential Impact: Expose people or structures to substantial adverse effects involving ground***
3 ***failure (including subsidence or liquefaction-induced lateral spreading)—Less than***
4 ***Significant.*** According to the Phase I Environmental Site Assessment report prepared by Earth
5 Tech (Earth Tech 2008), no specific liquefaction hazard areas have been identified at this
6 alternative site. Given the presence of both shallow to moderate groundwater (6 to 14 feet deep)
7 and alluvial soils, potentially significant impacts from liquefaction may occur in the event of a
8 major (6.0 or above) earthquake; however, as noted above, the Hayward and Calaveras Faults are
9 approximately 48 miles to the west, and the distance to regional faults suggests a low to
10 moderate potential for ground shaking. The AOC will complete a geotechnical investigation
11 during its design process, and the building’s designers will incorporate the investigation’s results
12 into design requirements that comply with the State Uniform Building Code. Therefore, the
13 AOC concludes that the potential ground failure impact is less than significant.

14 *Mitigation Measures:* None required.

15 **5.4.04.2.4 Expansive Soils**

16 ***Potential Impact: Expose people or structures to potential substantial adverse effects involving***
17 ***expansive soil?—Less than Significant.*** Based on the soils present at the proposed project site,
18 the potential that expansive soils will expose people or buildings to substantial adverse effects is
19 not significant. The AOC will complete a geotechnical investigation during its design process,
20 and the building’s designers will incorporate the investigation’s results into design requirements
21 that comply with the State Uniform Building Code. Therefore, the AOC concludes that the
22 potential expansive soils impact is less than significant.

23 *Mitigation Measures:* None required.

24 **5.4.04.2.5 Unique Paleontological Resources**

25 ***Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant.***
26 Construction of the proposed project at the Private Parcel alternative site could result in direct or
27 indirect destruction of a unique paleontological resource or site. Construction operations will
28 include excavation for the building.

29 Fossils are known to occur in the project vicinity; thus, the potential for fossils to be found is a
30 concern during excavation. The general plan background report (City of Stockton 2007a)
31 indicates that fossils are likely to be encountered below the upper 5 to 10 feet of sediment.
32 According to AOC Senior Project Manager Steve Sundman (AOC 2008c), the main excavation
33 for the building will stay above the ground water surface elevation, which extends to an average
34 of 15 feet below the surface. However, caissons and piles under the tower will extend much
35 farther down. The adjacent county building encountered a mammoth bone at 90 feet;
36 excavations at that depth are conceivable. However, design plans have not yet been finalized;
37 thus, excavation depths can only be estimated at this time. A mitigation measure has been added

1 to reduce the level of impact to less than significant, in the event that paleontological resources
2 were encountered during construction of the project.

3 *Mitigation Measures:* The following mitigation measure will reduce impacts to paleontological
4 resources to less than significant.

5 **Geology 1**—If paleontological resources are encountered during construction, all
6 work will be halted within a 30-foot radius of the finding and a qualified
7 paleontologist will evaluate the discovery, determine its significance, and to
8 provide proper management recommendations. Project personnel will not collect
9 paleontological resources

10 **5.4.04.2.6 Landslides, Erosion or Loss of Topsoil, Unique Geologic Feature**

11 **Potential Impact—No Impact.** There are no unique geologic features located on or near this
12 alternative site. There is little to no risk of landslides based on the flat topography of the region.

13 The site is predominantly either paved or covered with landscaping. Water from the site drains
14 into municipal drains. Since the project will cover exposed soil and will not produce substantial
15 amounts of runoff sheet flow that could cause erosion, the AOC believes that the project will not
16 cause substantial soil erosion or loss of topsoil.

17 Therefore, there will be no impact from landslides, erosion, or to unique geological features.

18 *Mitigation Measures:* None required.

19 **5.4.05 Hazards and Hazardous Materials**

20 This section evaluates the potential impacts of the Private Parcels alternative in terms of hazards
21 and hazardous materials.

22 **5.4.05.1 Environmental Setting**

23 The Private Parcel alternative’s environmental setting is generally the same as the Hunter Square
24 project’s environmental setting. See [Section 4.05.1](#).

25 **5.4.05.2 Potential Impacts and Mitigation Measures**

26 The AOC’s analysis of the Private Parcels alternative’s potential impacts uses the same
27 analytical methodology, regulatory background, and standards of significance as the Hunter
28 Square alternative. See [Section 4.05.2](#) for a discussion of these issues.

29 **5.4.05.2.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People** 30 **Visiting or Working in the Project Area**

31 **Potential Impact: Result in a safety hazard in the vicinity of an airport or airstrip for people**
32 **visiting or working in the project area?—Less than Significant.** The Private Parcels alternative
33 is not located in close proximity to any airport. The closest airport is 4 miles to the south, and

1 the proposed site is not located within the Federal Aviation Administration’s Area of Influence
2 for that airport (San Joaquin County Council of Governments. 1993). Therefore, selection of the
3 Private Parcels alternative will not result in a safety hazard in the vicinity of an airport or airstrip
4 for people visiting or working in this alternative project area, and the potential impact is less than
5 significant.

6 *Mitigation Measures:* None required.

7 **5.4.05.2.2 Public Exposure to Hazards**

8 ***Potential Impact: Be located on a site that is included on a list of hazardous materials sites***
9 ***compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a***
10 ***significant hazard to the public or the environment?—Potentially Significant.*** These impacts
11 were discussed in the Initial Study and above in Section 4.05.1. There are three off-site leaking
12 underground storage tanks that are potential sources in close proximity to the Private Parcels
13 alternative site that pose a potentially significant impact.

14 *Mitigation Measures:* The following mitigation measure will reduce public exposure to hazard
15 impacts to less than significant.

16 **Hazards 1**—The AOC will conduct a Phase II Environmental Site Assessment to
17 obtain additional data for evaluating the potential for future exposure to hazardous
18 materials that may be affecting the shallow groundwater beneath the Private Parcels
19 alternative site. If hazardous materials are identified in the Phase II Environmental
20 Site Assessment, the AOC will remediate the site by removing the contaminated
21 materials and sources of contamination and will dispose of the materials in full
22 compliance with all legal requirements.

23 **Hazards 2**—If hazardous materials are found during excavation of the Private
24 Parcels alternative site for the new courthouse, the AOC will remediate the site by
25 removing the contaminated materials and sources of contamination and will dispose
26 of the materials in full compliance with all legal requirements.

27 **5.4.05.2.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland Fires**

28 ***Potential Impact—No Impact.*** The AOC discussed these impacts in the Initial Study and
29 concluded that the site of the Private Parcels alternative will have no impact.

30 *Mitigation Measures:* None required.

31 **5.4.06 Hydrology and Water Quality**

32 **5.4.06.1 Environmental Setting**

33 The project site and the surrounding area are level and located in a fully developed area. The
34 Mormon Slough flows east to west approximately seven blocks south of the proposed project site
35 and into the Stockton Deep Water Channel. There are no waterways adjacent to the proposed

1 project site. Storm water and surface water discharge by sheet flow to street gutter storm drains
2 and to storm drains in paved parking lots and percolate directly into landscaped portions of the
3 project site (Earth Tech 2008).

4 The AOC will design the new courthouse building to meet criteria for a LEED Silver-certified
5 building. Specific requirements to reduce impacts to water quality will be incorporated into the
6 design, including a system for water retention to limit overloading storm drains with site runoff.

7 **5.4.06.2 Potential Impacts and Mitigation Measures**

8 The AOC's analysis of the Private Parcels alternative's potential impacts uses the same
9 analytical methodology, regulatory background, and standards of significance as the Hunter
10 Square alternative. See [Section 4.06.2](#) for a discussion of these issues.

11 **5.4.06.2.1 Water Quality Standards**

12 ***Potential Impact: Violate any water quality standards or waste discharge requirements?—Less***
13 ***than Significant.*** During construction, the construction contractor will demolish existing
14 buildings, excavate the project site, stockpile soil, and grade the site. Site preparation and
15 excavation could expose loose soil to potential erosion and potential movement off site.

16 Since the project will encompass only a limited area of disturbance (1.4 acres) and based on the
17 distance to the nearest waterway and the temporary nature of construction, potential water quality
18 and stormwater impacts caused by project construction will be less than significant. Furthermore,
19 since the project site is subject to the state's General Permit for Stormwater Discharges Associated
20 with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must
21 secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include
22 project features that will secure a LEED Silver certification for the project; these features will
23 include runoff control measures such as bioswales to control runoff. With implementation of the
24 SWPPP and the LEED measures, the AOC concludes that runoff during operation of the proposed
25 project will be less than significant.

26 *Mitigation Measures:* None required.

27 **5.4.06.2.2 Stormwater Runoff and Erosion**

28 ***Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or***
29 ***planned storm water drainage systems or provide substantial additional sources of polluted***
30 ***runoff?—Less than Significant.*** The project alternative site is currently a parking area park,
31 fountain, and two-story commercial building. The site has flat topography and is adjacent to the
32 city's storm drain system. The proposed building may slightly increase the amount of impervious
33 area. Since the project will involve only a limited area of disturbance (1.4 acres) and based on the
34 temporary nature of construction, potential runoff and erosion impacts caused by project
35 construction will be less than significant. Furthermore, since the project site is subject to the

1 State's General Permit for Stormwater Discharges Associated with Construction Activities (Water
2 Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and
3 implement the plan. In addition, the AOC intends to include project features that will secure a
4 LEED Silver certification for the project; these features will include runoff control measures such
5 as bioswales to control runoff. With implementation of the SWPPP and the LEED measures, the
6 AOC concludes that runoff during operation of the proposed project will be less than significant.

7 *Mitigation Measures:* None required.

8 **5.4.06.2.3 Groundwater; Erosion and Flooding; 100-year Flood Hazard Area; Failure** 9 **of Levees or Dams; Inundation by Seiche, Tsunami, or Mudflow**

10 ***Potential Impact—No Impact.*** The project site is already developed, and since the proposed
11 courthouse will cover less than 1 acre of ground, the proposed new courthouse will not
12 substantially interfere with groundwater recharge. The AOC believes that the project will not
13 produce substantial population growth. Therefore, the project will not have impacts on
14 groundwater supplies or groundwater surface levels.

15 Stream or river drainage courses are not present and would not otherwise be affected. The site is
16 flat and is either paved or covered with landscaping. Water from the site flows into municipal
17 storm water drains. Since the project will not affect site drainage and will repave or re-landscape
18 the site, there will be no impacts that result in erosion or flooding.

19 The proposed project site is not located within the 100-year flood plain of the 2008 FEMA maps.

20 The project site is not adjacent to a stream, river, or lake that could inundate the site, and no levees
21 or dams protect the site. The project site is on flat terrain, and the site is above sea level.

22 The project site is approximately 20 miles east of the extreme eastern end of the Sacramento-San
23 Joaquin Delta; therefore, the project site is not subject to a seiche or tsunami. The project site is on
24 flat terrain; therefore, there is no risk of a mudflow.

25 *Mitigation Measures:* None required.

26 **5.4.07 Land Use, Plans, and Policies**

27 **5.4.07.1 Environmental Setting**

28 The proposed project site is an approximately 1.4-acre lot. The site is currently developed as
29 commercial businesses and a parking lot. Zoning for the Private Parcel alternative is CD,
30 Commercial Downtown.

31 **5.4.07.2 Potential Impacts and Mitigation Measures**

32 The AOC's analysis of the Private Parcels alternative's potential impacts uses the same
33 analytical methodology, regulatory background, and standards of significance as the Hunter
34 Square alternative. See [Section 4.07.2](#) for a discussion of these issues.

1 **5.4.07.2.1 Conformance with Local Plans and Policies**

2 ***Potential Impact: Conflict with any applicable land-use plan, policy, or regulation of an***
3 ***agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an***
4 ***environmental effect?—No Impact.*** The proposed project is consistent with the general plan
5 designation and the redevelopment plan for the site. Therefore, the Private Parcels alternative will
6 have no impact.

7 *Mitigation Measures:* None required.

8 **5.4.07.2.2 Physically Divide a Community**

9 ***Potential Impact: Physically Divide a Community?—No Impact.*** The proposed project covers
10 only a small area (approximately 1.4 acres) and will not divide any communities. Therefore,
11 there will be no impact.

12 *Mitigation Measures:* None required.

13 **5.4.08 Noise**

14 **5.4.08.1 Environmental Setting**

15 The environmental setting for the Private Parcels alternative will generally be the same as for the
16 proposed Hunter Square project. See [Section 4.08.1](#) for specific details. However, the
17 commercial buildings west of the project site will be demolished, so that the commercial
18 buildings southwest, northwest and northeast of the intersection of Weber and El Dorado
19 Avenues will become the nearest buildings to this alternative.

20 **5.4.08.2 Potential Impacts and Mitigation Measures**

21 The AOC’s analysis of the Private Parcels alternative’s potential impacts uses the same
22 analytical methodology, regulatory background, and standards of significance as the proposed
23 Hunter Square project. See [Section 4.08.2](#) for a discussion of these issues.

24 **5.4.08.2.1 Noise Standards**

25 ***Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise***
26 ***levels in excess of standards established in the local general plan or noise ordinance, or***
27 ***applicable standards of other agencies?—Less than Significant.*** Section 4.08.3.1 describes
28 noise standard impacts for the Hunter Square proposed project. The impacts for the Private
29 Parcel alternative will be essentially the same as for the Hunter Square proposed project.
30 Therefore, impacts will be less than significant.

31 *Mitigation Measures:* None required.

1 **Potential Impact (Traffic): Generation of noise levels in excess of standards established in the**
2 **local general plan or noise ordinance, or applicable standards of other agencies?—Less than**
3 **Significant.** After construction is complete and the courthouse begins its operations, the
4 additional vehicles traveling to the site will increase noise levels similar to the levels identified
5 with the proposed project. Therefore, the increased noise from new traffic will be minimal, and
6 impacts from vehicle noise to the nearby residents will be less than significant.

7 *Mitigation Measures: None required.*

8 **5.4.08.2.2 Long-term, Permanent Ambient Noise Levels**

9 **Potential Impact: A substantial permanent increase in ambient noise levels in the vicinity**
10 **above levels existing without the alternative?—Less than Significant.** As explained in Section
11 4.08.3.1, the building's mechanical equipment will not be expected to generate substantial noise.
12 Therefore, the alternative's mechanical sound will not produce a substantial increase in ambient
13 noise levels. As also explained in Section 4.08.3.1, the alternative's traffic will not be expected
14 to generate substantial traffic-related noise. Therefore, any increase from the alternative's
15 traffic-related noise will be less than significant.

16 *Mitigation Measures: None required.*

17 **5.4.08.2.3 Short-term, Temporary Ambient Noise and Vibration Levels**

18 **Potential Impact: A substantial temporary or periodic increase in ambient noise levels in the**
19 **vicinity above levels existing without the alternative or generation of excessive ground-borne**
20 **vibration or ground-borne noise levels?—Significant and Unavoidable.** Short-term ambient
21 noise analysis will generally be the same as for the Hunter Square proposed project, with the
22 addition of demolition that will generate noise levels similar to those identified for construction.
23 However, these vibrations will not result in cosmetic or structural damage to buildings because
24 structural damage from pile driving and groundborne vibrations typically does not occur in
25 buildings more than 50 feet from the location of the activity and the existing buildings are not
26 within 50 feet of the alternative's courthouse site. Therefore, the alternative's groundborne
27 vibration impacts will be less than significant.

28 Operation of construction equipment will generate noise during demolition and construction.
29 The sensitive receptors are within 200 feet of the alternative's courthouse site. [Section 4.08.3.3](#)
30 describes the Hunter Square project's noise impacts. The Private Parcels alternative's impacts
31 will be essentially the same as the Hunter Square project's noise impacts. The AOC concludes
32 that the alternative's impacts will be significant and unavoidable.

33 Construction-related noise impacts at the existing courthouse will be less than with the project
34 because of the increased distance of the alternative's courthouse.

1 *Mitigation Measures:* Mitigation measures **Noise 1, Noise 2, Noise 3, Noise 4, Noise 5, Noise 6,**
2 **and Noise 7** (see [Section 4.08.3.3](#)) will reduce the potential construction-related noise impacts,
3 but the construction noise could still be a significant and unavoidable short-term impact to
4 sensitive receptors and commercial businesses near the Private Parcel alternative's site.

5 **5.4.08.2.4 Airport Noise**

6 ***Potential Impact—Less than Significant.*** The Private Parcels alternative is not located within the
7 area of influence of the nearest airport, the Stockton Metropolitan Airport (San Joaquin County
8 Council of Governments 1993), which is located approximately 4 miles from the proposed
9 alternative. Based on the distance from the nearest airport, there will be no noise impact.

10 *Mitigation Measures:* None required.

11 **5.4.08.2.2 Private Airstrip Noise**

12 ***Potential Impact—Less than Significant.*** The alternative is not located in the vicinity of a
13 private airstrip. There will be no impact.

14 *Mitigation Measures:* None required.

15 **5.4.09 Public Services**

16 This section evaluates the Private Parcel alternative's potential impacts on public services.

17 **5.4.09.1 Environmental Setting**

18 The Private Parcels alternative's environmental setting is essentially the same as the information
19 presented in [Section 4.09.1](#).

20 **5.4.09.2 Potential Impacts and Mitigation Measures**

21 **5.4.09.2.1 Fire Protection Services**

22 ***Potential Impact: Result in substantial impacts associated with the provision of new or***
23 ***physically altered governmental facilities in order to maintain acceptable service ratios,***
24 ***response times or other performance objectives for fire protection services?—No Impact.*** The
25 Private Parcel alternative is proposed adjacent to existing development and within close
26 proximity to a fire station. Therefore, the project will not have a significant impact on fire
27 response times and will not otherwise create a substantially greater need for fire protection than
28 already exists.

29 *Mitigation Measures:* None required.

1 **5.4.09.2.2 Police Protection Services**

2 ***Potential Impact: Result in substantial impacts associated with the provision of new or***
3 ***physically altered governmental facilities in order to maintain acceptable service ratios,***
4 ***response times or other performance objectives for police protection services?—Less than***
5 ***Significant.*** The Stockton Police Department does not provide security services for the court, so
6 the Private Parcel alternative will not affect the Police Department. The Private Parcel
7 alternative will reduce security protection needs from existing conditions since the project will
8 consolidate court operations into fewer and more secure facilities. The new courthouse will have
9 improved security features that enhance the efficiency of court security operations, and the new
10 courthouse will reduce the number of court building entrances requiring security personnel.
11 Therefore, this alternative will not have a significant impact on security services.

12 *Mitigation Measures:* None required.

13 **5.4.09.2.3 School, Parks, and Other Public Facilities and Services**

14 ***Potential Impact— Result in substantial impacts associated with schools, parks, and other***
15 ***public facilities?—No Impact.*** The AOC discussed impacts to schools, parks, and other public
16 facilities in the Initial Study and concluded that there will be no impact. The AOC also
17 concludes that the proposed project will produce no changes for other public services such as are
18 provided by the California Highway Patrol, San Joaquin District Attorney, County Child
19 Support, County Public Defender, County Probation Department, County Sheriff-Coroner-Public
20 Administrator’s Office, County Public Health Division, County Mental Health Division/Office
21 of Substance Abuse, County Human Services Agency, and the City Attorney.

22 *Mitigation Measures:* None required.

23 **5.4.10 Recreation**

24 **5.4.10.1 Environmental Setting**

25 The Private Parcel alternative’s location is currently developed as commercial businesses and is
26 not used for recreation. The project does not involve residential development or recreational
27 facilities.

28 **5.4.10.2 Potential Impacts and Mitigation Measures**

29 The AOC’s analysis of the Private Parcels alternative’s potential impacts uses the same
30 analytical methodology, regulatory background, and standards of significance as the proposed
31 Hunter Square project. See [Section 4.10.2](#) for a discussion of these issues.

1 **5.4.10.2.1 Existing Recreational Facilities**

2 **Potential Impact—No Impact.** ~~The nature of the activity of the proposed project would~~ Private
3 Parcels alternative courthouse will not result in an increase in use of neighborhood and regional
4 parks or other recreational facilities. There will be no loss in recreational area.

5 *Mitigation Measures:* None required.

6 **5.4.10.2.2 Construction or Expansion of Recreational Facilities**

7 **Potential Impact—No Impact.** The proposed project at the Private Parcels alternative’s location
8 does not involve residential development or recreational facilities. Furthermore, it will not
9 require related construction or expansion or cause an increase in residential housing or a rise in
10 the use of neighborhood and regional parks or other recreational facilities. Therefore, the project
11 will have no impact.

12 *Mitigation Measures:* None required.

13 **5.4.11 Traffic and Circulation**

14 This section evaluates the potential impacts of the project in terms of traffic and circulation and
15 is based on a transportation impact study prepared by PHA Transportation Consultants (see
16 Appendix H). This chapter provides information on potential traffic impacts of the proposed
17 project on local streets and regional freeway interchange. The analysis also evaluates potential
18 impacts on public transit operations, bicycle facilities, site access, circulation, and parking. The
19 site and building size of this Private Parcel alternative is essentially the same as the proposed
20 project; as such, the environmental setting site access, street system, potential impact, and
21 mitigation measures remain unchanged.

22 **5.4.11.1 Environmental Setting**

23 The traffic and circulation environmental setting for the Private Parcels alternative is essentially
24 the same as the Hunter Square project’s setting described in [Section 4.11.1](#)

25 **5.4.11.1 Potential Impacts and Mitigation Measures**

26 The AOC’s analysis of the Private Parcels alternative’s potential impacts uses the same
27 analytical methodology, regulatory background, and standards of significance as the proposed
28 Hunter Square project. See [Section 4.11.2](#) for a discussion of these issues.

29 **5.4.11.2.1 Traffic Increase and Level of Service**

30 **Potential Impact: Cause an increase in traffic that is substantial in relation to the existing**
31 **traffic load and capacity of the street system?—Significant and Unavoidable.** The traffic
32 impacts for the Private Parcels alternative and mitigation measures for the impacts are essentially
33 the same as the Hunter Square project’s impacts described in [Section 4.11.3.1](#).

1 *Mitigation Measures:* As stated in Section 4.11.3.1, the AOC concludes that there is no feasible
2 timing improvement or widening improvement that can mitigate the El Dorado/Washington
3 Street intersection impacts to a level that is less than significant. There are also no feasible
4 mitigation measures for the State Route 4 ramp impacts.

5 **5.4.11.2.2 Congestion Management Service Standard**

6 *Potential Impact: Exceed a level of service standard established by the county congestion*
7 *management agency for designated roads or highways?—Less than Significant.* The Level of
8 Service estimates are not expected to create unacceptable level of service conditions based on the
9 San Joaquin Council of Governments’ traffic levels of service standards, which focus on
10 roadway segments rather than on intersections.

11 *Mitigation Measures:* None required.

12 **5.4.11.2.3 Air Traffic Patterns**

13 *Potential Impact: Produce a change in air traffic patterns, including either an increase in*
14 *traffic levels or a change in location that results in substantial safety risks?—No Impact.* The
15 proposed project will not generate air traffic and will not change existing air traffic patterns.

16 *Mitigation Measures:* None required.

17 **5.4.11.2.4 Hazards Posed by Design Features**

18 *Potential Impact: Substantially increase hazards because of a design feature (such as sharp*
19 *curves or dangerous intersections) or incompatible uses?—Potentially Significant.* The new
20 courthouse design will conform to the California Building Code and will be generally consistent
21 with City of Stockton design standards. Therefore, the proposed project will not create any
22 increased hazards related to a design feature. As a result, there will be no significant impacts
23 related to the building’s design.

24 The project will create 30 courtrooms at the Private Parcel alternative’s site, so operations of the
25 proposed new courthouse will increase the number of people crossing El Dorado Street, Weber
26 Avenue, and Main Street. Potential impacts include:

- 27 1. Traffic and pedestrian controls currently are adequate for the crosswalks at El Dorado
28 Street and Main Street, El Dorado Street and Weber Avenue, Weber Avenue and San
29 Joaquin Street, and San Joaquin Street and Main Street, and these controls will be
30 sufficient to keep project-related hazard impacts at levels that are less than significant;
- 31 2. ~~The proposed project will eliminate the existing Hunter Square parking lot. At the~~
32 ~~Weber Avenue and North Hunter Street crosswalk, removal of the lot and its~~
33 ~~driveways will reduce turning complications and lane changes, and the AOC expects~~
34 ~~that these changes will increase safety at the crosswalk. However, the presence of~~
35 buses at the existing Weber Avenue transit stop will continue to affect drivers’

1 behavior, obstruct drivers' field of vision as they approach the crosswalk, and
2 obstruct northbound pedestrians' view of eastbound traffic. Since the project will
3 increase the number of persons using the crosswalk, the hazards at this crosswalk are
4 potentially significant; and

- 5 3. Section 4.11.1.4 noted that there are no traffic controls at the intersection for the Main
6 Street and South Hunter Street crosswalk, and the AOC observed that pedestrians'
7 and drivers' behaviors were irregular and unpredictable. The project will increase the
8 number of persons traveling to the courthouse, and more persons will be crossing
9 through the Main Street and South Hunter Street crosswalk. In addition, the project
10 will add traffic to Main Street because of trips associated with sheriff's busses, court
11 staff members' vehicles, and service vehicles. Hazards at this crosswalk are
12 potentially significant because of the potential increase in the number of pedestrian
13 and vehicle interactions, the Main Street and South Hunter Street intersection's
14 reduction of two traffic lanes to one lane and the intersection's left turn geometry, and
15 the absence of traffic control at the intersection.

16 *Mitigation Measures:* As noted above, there will be no significant impacts related to the
17 building's design. Therefore, no mitigation measures are required for design-related impacts.
18 The following mitigation measures will reduce the project's operational impacts to a level that is
19 less than significant for the Weber Avenue and North Hunter Street crosswalk and the Main
20 Street and South Hunter Street crosswalk. However, the project's impacts on the Main Street
21 mall will remain significant and unavoidable despite mitigation measures:

22 **Traffic 1~~2~~:** For the crosswalk at Weber Avenue and North Hunter Street, the proposed
23 project will re-locate the existing transit stop from its location adjacent to Hunter Square
24 and west of the Weber Avenue and North Hunter Street crosswalk to a new location off
25 Weber Avenue that is east of the Weber Avenue and North Hunter Street crosswalk. The
26 new transit stop will be at least 1.5 bus lengths east of the crosswalk. This mitigation
27 measure will reduce the potential hazard impacts for the crosswalk at Weber Avenue and
28 North Hunter Street crosswalk to a level that is less than significant;

29 **Traffic 2~~3~~:** For crosswalk at Main Street and South Hunter Street, the proposed project
30 will provide five improvements:

- 31
- 32 • First, the project will revise the lane geometry of the western portion of East Main
33 Street near its intersection with South Hunter Street to merge the current two
lanes into one lane;
 - 34 • Second, the project will repaint the crosswalk to enhance its visibility;
 - 35 • Third, the project will eliminate Main Street parking spaces that are within 30 feet
36 of the crosswalk;

- 1 • Fourth, the project will add structural improvements (such “bulb outs,” or curb
2 peninsulas that extend into the street) to the crosswalk that reduce the crosswalk’s
3 length across Main Street; and
- 4 • Fifth, the project will add a stop sign to the intersection to control westbound
5 Main Street traffic and a stop sign to control Main Street mall traffic that is
6 exiting from the proposed new courthouse.

7 The combination of the five components of this mitigation measure will reduce the potential
8 hazard impacts for the crosswalk at Weber Avenue and North Hunter Street to a level that is less
9 than significant.

10 **5.4.11.2.5 Emergency Access**

11 **Potential Impact: Result in inadequate emergency access?—No Impact.** Based on the
12 preliminary site plan, the proposed project will have a main access from Weber Avenue and a
13 sallyport access at the back of the building. These features should provide adequate access for
14 vehicles (30 vehicles) and pedestrians. The AOC’s development of the project site will conform
15 to recommendations of the court, the San Joaquin County Sheriff’s Department, and the Stockton
16 Fire Department to ensure adequate emergency access considerations. The Stockton Fire
17 Department will review plans to ensure emergency access. The proposed project does not
18 include closure of any public through street that is currently used for emergency services and
19 will not be expected to interfere with the adopted emergency response plan. Therefore, the AOC
20 concludes that the project will have no impacts on emergency access.

21 *Mitigation Measures:* None required.

22 **5.4.11.2.6 Parking Capacity**

23 **Potential Impact: Result in inadequate parking capacity?—Less than Significant.** Construction
24 of the project will temporarily eliminate approximately 50 parking spaces in the Hunter Square
25 parking lot. The AOC concludes that the temporary impact is less than significant.

26 The Private Parcel alternative’s parking impacts will be essentially the same as the Hunter Square
27 project’s impacts. See [Section 4.11.1 .5](#). The AOC concludes that the parking impacts from the
28 Private Parcel alternative will be less than significant.

29 *Mitigation Measures:* None required.

30 **5.4.11.2.7 Existing Alternative Transportation Policies**

31 **Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative**
32 **transportation (such as bus turnouts and bicycle racks)?—Less than Significant.** Survey
33 results of existing court trip generation indicated very few visitor or staff members use public

1 transportation for work or to conduct business at the courthouse. Therefore, the proposed project
2 is not expected to have a significant impact on the public transportation system.

3 *Mitigation Measures:* None required.

4 **5.4.12 Utilities and Service Systems**

5 **5.4.12.1 Environmental Setting**

6 The Private Parcel alternative will be located on an approximately 1.4-acre parcel in downtown
7 Stockton. The site is currently developed as a banking building and other buildings of unknown
8 use on three other parcels. Currently, the parcel is developed and has wastewater, water supply,
9 and trash collection services.

10 **5.4.12.2 Potential Impacts and Mitigation Measures**

11 These impacts will be generally the same as the proposed project. Some utilities may require
12 upgrading, such as sewer and stormwater pipelines and catch basins that serve the site. The
13 Private Parcel alternative will also be expected to generate a greater water demand for outside
14 landscaping because of the larger project area. However, excessive water use could be mitigated
15 through green design and conservation measures.

16 **5.4.12.2.1 Wastewater Treatment**

17 ***Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water***
18 ***Quality Control Board?—Less than Significant.*** Buildings in Stockton are located within the
19 Central Valley Regional Water Quality Control Board and are subject to control under the
20 Stockton Regional Wastewater Control Facility. Based on the design of the courthouse facility,
21 the wastewater effluent from the new building will meet the requirements for discharge that are
22 established by the Regional Water Quality Control Board.

23 The AOC will apply for a Silver rating certification under the U.S. Green Building Council's
24 LEED Green Building Rating System for the project, and the AOC intends to implement a
25 wastewater plan that complies with LEED requirements. These requirements (U.S. Green
26 Building Council 2003) relevant to wastewater include:

- 27
- Innovative wastewater technologies

28 In addition, the building will be subject to the Central Valley Regional Water Quality Control
29 Board's Waste Discharge Requirements Order No. R5-2002-0083.

30 Since the analysis is based on the proposed courthouse and not on the location, the building will
31 meet the requirements of the California Building Code and will be a LEED Silver building, the
32 AOC concludes that the project's impacts on wastewater treatment requirements will be less than
33 significant.

1 *Mitigation Measures:* None required.

2 **5.4.12.2.2 New Water or Wastewater Treatment Facilities**

3 ***Potential Impact: Require or result in the construction of new water or wastewater treatment***
4 ***facilities or expansion of existing facilities, the construction of which could cause significant***
5 ***environmental effects?—Less than Significant.*** Section 4.12.3.2 provides estimates of the
6 Hunter’s Square’s wastewater demand; since the Private Parcel alternative’s courthouse will
7 have the same square footage as the proposed action, wastewater demand of the alternatives is
8 identical.

9 Although the new courthouse will add water demand for the city’s water supply, the court’s
10 move from the existing courthouse will partially compensate for the demand of the new building.
11 In addition, the new courthouse will provide approximately twice the space of the existing
12 courthouse and courthouse annex. Still, the AOC and court expect the project to include only a
13 minor increase in the number of staff persons and only an approximately 30 percent increase in
14 the number of jurors and courthouse visitors. Since the increase in courthouse population will be
15 small and the AOC expects only minor and temporary future use of the current court’s space, the
16 AOC concludes that the impacts on water treatment facilities will be less than significant.

17 *Mitigation Measures:* None required.

18 **5.4.12.2.3 Require or Result in the Construction of Storm Water Drainage Facilities or**
19 **Expansion of Existing Facilities**

20 ***Potential Impact: Require or result in the construction of new storm water drainage facilities***
21 ***or expansion of existing facilities, the construction of which could cause significant***
22 ***environmental effects?—No Impact.*** Section 4.12.3.3 provides information on storm drain
23 facilities in vicinity of the Private Parcels alternative.

24 Since storm drain facilities exist in the project area, the proposed Private Parcel alternative will
25 not require construction of new off-site storm water facilities. According to the city’s Public
26 Works Division, the project will not create an abundance of stormwater that will require a
27 change to the current system. The AOC will apply for a Silver rating certification under the U.S.
28 Green Building Council’s LEED Green Building Rating System for the project, and the AOC
29 intends to implement a stormwater plan that complies with LEED requirements. Therefore, the
30 alternative’s impacts will be less than significant.

31 *Mitigation Measures:* None required.

32 **5.4.12.2.4 Have Sufficient Water Supplies Available to Serve the Project from Existing**
33 **Entitlements and Resources**

34 ***Potential Impact: Have sufficient water supplies available to serve the project from existing***
35 ***entitlements and resources, or are new or expanded entitlements needed?—Less than***
36 ***Significant.*** As explained in Section 4.12.3.4, the California Water Service Company will

1 provide water service to the site, and it stated that the proposed courthouse will not consume an
2 overabundance of water from the current water supply. Based on the current consumption levels
3 from November 2007 through October 2008, the average consumption of water — without
4 LEED standards — for an approximately 100,000-square-foot building is 600 cubic feet per 100
5 cubic feet. The water consumption changes from summer to winter, with consumption being
6 three times the amount in the summer. By implementing the LEED Silver standards for water
7 efficiency, the reduction in water and the increase in the size will counterbalance any excessive
8 additional use (California Water Service Company 2008). The AOC will implement LEED
9 water conservation measures as part of its LEED Silver rating certification effort.

10 The AOC concludes that the alternative’s water supply impacts are less than significant.

11 *Mitigation Measures:* None required.

12 **5.4.12.2.5 Wastewater Treatment Capacity**

13 ***Potential Impact: Result in a determination by the wastewater treatment provider that serves***
14 ***or may serve the project that it has adequate capacity to serve the project’s projected demand***
15 ***in addition to the provider’s existing commitments?—Less than Significant.*** The Private
16 Parcel alternative’s proposed courthouse has essentially the same square footage and similar
17 acreage and projected use as the Hunter Square courthouse. Section 4.12.3.5 concluded that the
18 proposed Hunter Square project’s wastewater treatment demand will be minor based on the
19 calculations and information provided in Section 4.12.2.1 for the Stockton Regional Wastewater
20 Facility. Therefore, the AOC concludes that the Private Parcel alternative’s impacts to
21 wastewater treatment capacity will be less than significant.

22 *Mitigation Measures:* None required.

23 **5.4.12.2.6 Landfills**

24 ***Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate***
25 ***the project’s solid waste disposal needs?—Less than Significant.*** Section 4.12.3.6 concluded
26 that the Foothill Landfill has sufficient capacity to serve the AOC’s proposed courthouse.
27 Therefore, the AOC concludes that the alternative’s landfill impacts will be less than significant.

28 *Mitigation Measures:* None required.

29 **5.5 COMPARISON OF ALTERNATIVES**

30 **5.5.1 Project Purpose and Objectives**

31 One of the key factors in considering alternatives is whether they can feasibly attain most of the
32 basic objectives of the project. The purpose of the proposed project is to provide the court with a
33 new courthouse. The project’s objectives are to provide:

- 1 • A new courthouse with improved security features, public access, and public service
2 features, and working and operational features for the court's staff;
- 3 • Courthouse facilities that increase the efficiency of the court's staff and operations
4 and increase the court's ability to serve residents of San Joaquin County;
- 5 • Courthouse facilities that promote efficient interaction and communication between
6 the court's staff and other government agencies' staff and between the court's staff
7 and other parties involved in judicial proceedings;
- 8 • A new courthouse that is as accessible as the current courthouse for persons involved
9 in judicial proceedings, government agency personnel, and the public; and
- 10 • Court facilities that comply with the State of California's Building Code.

11 Chapters 4 and 5 evaluate the impacts from the proposed project and alternatives. The AOC has
12 not rejected any alternatives. Table 5-9 lists the environmental issues evaluated by this EIR and
13 indicates whether the AOC concludes that the alternative will produce a significant impact
14 before mitigation and whether mitigation measures can reduce a potentially significant impact to
15 a level that is less than significant.

1

Table 5-9. Summary of Significant Impacts before Mitigation and after Mitigation

Environmental Resource		Hunter Square		Hunter Square Expanded		Washington Street		Private Parcels	
		Before Mitigation	After Mitigation	Before Mitigation	After Mitigation	Before Mitigation	After Mitigation	Before Mitigation	After Mitigation
Aesthetics/ Visual Resources	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	3	0	3	0	0	0	1	0
	Not Sig.	3	6	3	6	6	6	5	6
Air Quality	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	0	0	0	0	0	0	0	0
	Not Sig.	8	8	8	8	8	8	8	8
Cultural Resources	Sig. & Unav	1	1	1	1	0	0	0	0
	Pot. Sig.	1	0	1	0	1	0	1	0
	Not Sig.	1	2	1	2	2	3	2	3
Geology	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	1	0	1	0	1	0	1	0
	Not Sig.	4	0.5	4	0.5	4	0.5	4	0.5
Hazards & Hazardous Materials	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	1	0	1	0	0	0	1	0
	Not Sig.	1	2	1	2	2	1	2	2
Hydrology & Water Quality	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	0	0	0	0	0	0	0	0
	Not Sig.	2	2	2	2	2	2	2	2
Land Use	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	1	0	1	0	0	0	0	0
	Not Sig.	1	2	1	2	2	2	2	2
Noise	Sig. & Unav	1	1	1	1	1	1	1	1
	Pot. Sig.	0	0	0	0	0	0	0	0
	Not Sig.	2	2	2	2	2	2	2	2
Public Services	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	0	0	0	0	0	0	0	0
	Not Sig.	3	3	3	3	3	3	3	3
Recreation	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	1	0	1	0	0	0	0	0
	Not Sig.	1	2	1	2	2	2	2	2
Traffic & Circulation	Sig. & Unav	1	1	1	1	1	1	1	1
	Pot. Sig.	1	0	1	0	1	0	1	0
	Not Sig.	5	6	5	6	5	6	5	6
Utilities & Service Systems	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	0	0	0	0	0	0	0	0
	Not Sig.	4	4	4	4	4	4	4	4

2 Note: Sig. & Unav Significant and unavoidable impact; Pot. Sig.= Potentially Significant, Not Sig.= Less that significant or no impact

1 5.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

2 CEQA Guidelines Section 15126.6(e) requires a lead agency to identify an environmentally
3 superior alternative and states that “if the environmentally superior alternative is the ‘no project’
4 alternative, the EIR shall also identify an environmentally superior alternative among the other
5 alternatives.”

6 From the alternatives evaluated for the proposed project, the environmentally superior alternative
7 will be the No Project Alternative. This alternative will avoid all significant impacts from the
8 proposed project. However, in accordance with the CEQA Guidelines, an environmentally
9 superior alternative must also be selected from the remaining project alternatives. The
10 environmentally superior alternative among the remaining alternatives will be the Washington
11 Street alternative or the Private Parcels alternative. Both of these alternatives will result in only
12 two significant and unavoidable impacts.

1 **6.0 CEQA CONSIDERATIONS**

2 Section 15126 of the CEQA Guidelines requires that all aspects of a project must be considered in
3 evaluating its impact on the environment, including planning, acquisition, development, and
4 operation. As part of this analysis, the EIR must also identify: (1) significant environmental effects
5 of the proposed project, (2) significant environmental effects that cannot be avoided if the proposed
6 project is implemented, (3) significant irreversible environmental changes that will result from
7 implementation of the proposed project, and (4) growth-inducing impacts of the proposed project.

8 **6.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS**

9 Section 15126.2 (b) of the CEQA Guidelines requires that an EIR describe any significant
10 impacts that cannot be avoided, even with implementation of feasible mitigation measures.
11 Chapter 4 discusses the environmental effects of the proposed project. Significant impacts that
12 cannot be avoided even with adoption of mitigation measures include:

- 13 • Historic Resources
- 14 • Noise (Construction), and
- 15 • Traffic Load, ~~and~~
- 16 • ~~Traffic Hazards.~~

17 The AOC has adopted mitigation measures for historic resources, construction noise, traffic load,
18 and traffic hazards, but the measures are insufficient to reduce impacts to a level that is less than
19 significant. Noise impacts cannot be avoided or sufficiently reduced because of the proximity of
20 sensitive receptors to the potential courthouse sites. Traffic load impacts cannot be reduced
21 because of the limited connections between Stockton’s street grid with State Route 4’s ramps.
22 The AOC cannot reduce traffic hazards impacts because the proposed parcel has limited
23 connections to city streets. Impacts to historic resources cannot be reduced because of the loss of
24 an irreplaceable resource.

25 **6.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS**

26 Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible
27 environmental changes that will be caused by the proposed project. Section 15126.2(c) states:

28 Uses of non-renewable resources during the initial and continued phases of the project may
29 be irreversible, since a large commitment of such resources makes removal or nonuse
30 thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway
31 improvement which provides access to a previously inaccessible area) generally commit
32 future generations to similar uses. Also, irreversible damage can result from environmental
33 accidents associated with the project. Irretrievable commitments of resources should be
34 evaluated to assure that such current consumption is justified.

35 Development of the proposed project will ~~not~~ produce an irreversible significant environmental
36 change due to historic resource impacts to loss of Hunter Square. Plaza as a historic resource,

1 ~~degradation of Hunter Square and the Main Street mall's aesthetic and visual resource resources,~~
2 ~~loss of the park's recreational resource, and increase in traffic hazards on the Main Street mall.~~
3 ~~The loss of these resources will be considered a significant irreversible environmental change.~~

4 CEQA Guidelines also require a discussion of the potential for irreversible environmental damage
5 caused by an accident associated with the project. The proposed project does not involve
6 production or transport of hazardous materials. Therefore, activities resulting from operation of the
7 proposed project will not appear to pose significant risks or health hazards.

8 6.3 GROWTH-INDUCING IMPACTS

9 As required by CEQA Guidelines Section 15126.2(d), an EIR must discuss ways a proposed
10 project could foster economic or population growth or construction of additional housing, either
11 directly or indirectly, in the surrounding environment. In addition, the EIR must discuss the
12 characteristics of the project that could encourage and facilitate other activities that could
13 significantly affect the environment, either individually or cumulatively. Growth can be induced
14 in a number of ways, such as through elimination of obstacles to growth, through stimulation of
15 economic activity within the region, or through establishment of policies or other precedents that
16 directly or indirectly encourage additional growth.

17 In general, a project may foster spatial, economic, or population growth in a geographic area if
18 the project removes an impediment to growth (for example, it establishes an essential public
19 service, provides new access to an area; or changes zoning or requires approval of an amendment
20 to the general plan); or economic expansion or growth occurs in an area in response to the
21 project (changes in revenue base or creates employment expansion). These circumstances are
22 further described below:

- 23 • **Elimination of Obstacles to Growth:** This circumstance refers to the extent to
24 which a proposed project removes infrastructure limitations or provides infrastructure
25 capacity or removes regulatory constraints that could result in growth unforeseen at
26 the time the project is approved.
- 27 • **Economic Effects:** This term refers to the extent to which a proposed project could
28 cause increased activity in the local or regional economy. Economic effects can
29 include such effects as the multiplier effect. A “multiplier” is an economic term used
30 to describe inter-relationships among various sectors of the economy. The multiplier
31 effect provides a quantitative description of the direct employment effect of a project,
32 as well as indirect and induced employment growth.
- 33 • **Growth Inducing Impacts:** The multiplier effect acknowledges that the on-site
34 employment and population growth of each project is not the complete picture of
35 growth caused by the project. Moreover, certain projects have the potential to induce
36 population and housing growth through provision or expansion of public services and
37 facilities into areas not currently served.

1 **6.3.1 Elimination of Obstacles to Growth**

2 The project will not provide expanded utilities or other infrastructure that could, in turn, stimulate
3 growth beyond the urban core. Rather, the project may aid in revitalizing the downtown area.

4 **6.3.2 Economic Effects**

5 The project will result in an increase in courthouse staff via consolidation and expansion of
6 facilities and services. The resulting employment opportunities will be either filled by local or
7 imported workers and result in both direct and indirect economic effects. In addition, the
8 construction workforce, although temporary, will contribute to the demand for goods and
9 services, including temporary housing.

10 **6.3.3 Impacts of Induced Growth**

11 The project does not involve changes to the general plan that could have the potential to induce
12 growth. Likewise, the project is proposed in the developed downtown, and thus will not induce
13 growth in open space, recreational, or agricultural areas.

14 **6.4 CUMULATIVE IMPACTS**

15 Cumulative impacts refer to “two or more individual effects which, when considered together,
16 are considerable or which compound to increase other environmental effects” (CEQA Guidelines
17 Section 15355). An EIR is required to analyze cumulative impacts and propose feasible options
18 for mitigating or avoiding the project’s contribution to any significant cumulative impacts, if the
19 project’s contribution is “cumulatively considerable” (CEQA Section 21083; CEQA Guidelines
20 Section 15130). “Cumulatively considerable” means that “the incremental effects of an
21 individual project are significant when viewed in connection with the effects of past projects, the
22 effects of other current projects, and the effects of probable future projects” (CEQA Guidelines
23 Section 15065(a)). The discussion of cumulative impacts should reflect the severity of the
24 impacts and their likelihood of occurrence.

25 CEQA Guidelines Section 15130(b) states that an EIR’s analysis of cumulative impacts should
26 be based on either a list of past, present, and probable future projects that will produce related
27 impacts or a summary of projections contained in an adopted general plan or related planning
28 document. This EIR relies on the list method of cumulative impact analysis. A list of probable
29 (or reasonably foreseeable) projects is provided in [Table 6-1](#). The list includes projects in the
30 greater West End Redevelopment Area, which includes the site of the proposed project. The
31 West End Redevelopment Area is divided into six sub-areas: Central, East, South, Northwest,
32 Northeast, and Southwest.

1
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**Table 6-1: West End Redevelopment Project Area:
Status of Redevelopment Projects and Activities**

Project	Project Type	Description	Status/Timing	Distance to Hunter Square (mi)	Distance to Washington St Alternative Site (mi)
Central Sub-Area					
New City Administration Building (former WaMu building on Main and Sutter Streets)	Office	New City Hall Location	2008-2012 expected move in	0.18	0.59
New County Administration Building (Sutter and Weber Streets)	Office	Eight-story, 200,000 square-foot office building	Currently under construction 2008-2010	0.16	0.58
Historic Henery Building Rehabilitation Project (Sutter and Main Streets)	Residential	Rehabilitation of the Historic Henery Building as residential condominiums or apartments	Early planning phase	0.17	0.56
Firefighters Union Building (33 S. San Joaquin Street)	Office	Rehabilitation of the 33 S. San Joaquin building to serve Firefighter's Union	Predevelopment phase; Construction 2007-2008	0.12	0.47
State Office Building (31 Channel Street)	Office	Construction of new 150,000-square-foot office building	Early planning phase; Construction 2012-2015	0.14	0.41
East Sub-Area					
Cabral Station Neighborhood Master Plan (Bounded by Weber/ Miner/ Stanislaus/UPRR mainline rail tracks)	Mixed Use	Expand parking for ACE rail station, rehabilitate existing Victorian homes, construct new housing, and new neighborhood retail	Early planning phase; Construction 2007-2017	0.5	0.9
Weber Avenue Streetscape Phase II Project	Public Infrastructure	Complete Phase II of streetscape project from California to Aurora streets	Construction 2010-2012	0.38	0.79
South Sub-Area					
Gleason Park (Sonora and California Streets)	Park	Reconstruction of Gleason Park	Construction complete	0.4	0.65
Mercy Housing Project (Sonora and Stanislaus Streets)	Residential	Construction of affordable ownership single-family and multi-family apartment units	Approved project; Construction 2010-2012	0.5	0.79
Alex G. Spanos School (Sonora and California Streets)	Elementary School	Construction of a new elementary school for Stockton Unified School District	Construction complete	0.4	0.65

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4

Project	Project Type	Description	Status/Timing	Distance to Hunter Square (mi)	Distance to Washington St Alternative Site (mi)
Northwest Sub-Area					
“Ironworks” Block 26 Project (Fremont and Harrison Streets)	Mixed Use	Low-rise office (60,000 square feet); Residential condominiums (100 units)	Early planning phase	0.63	0.47
Colberg Project (Fremont and Edison Streets)	Mixed Use Residential	Residential condominiums; Residential apartments; retail development	Early planning phase	0.71	0.51
Extension of waterfront promenade	Public Infrastructure	Continue waterfront pedestrian promenade from Van Buren west to Yosemite Street	Early planning phase	0.65	0.38
EDD Office Building block redevelopment, Northeast corner of Fremont and Madison	Parking/ Conference Center / Retail	Construct new parking structure on EDD office building block with structured parking; ground- floor retail; and conference facilities	Early planning phase	0.41	0.47
Northeast Sub-Area					
Fremont Park Housing	Residential	Construction of infill housing units on vacant parcels surrounding Fremont Park	Early planning phase	0.3	0.62
Southwest Sub-Area					
Southpointe Residential Project, W. Weber adjacent to Stockton Channel and Mormon	Residential	Construction of 152 residential condominiums	Entitlement Phase; Construction 2011-2013	0.76	0.45
Marina and Visitor Boating Docks (Stockton Channel) Weber Point to Mormon Slough	Public Infrastructure	Construction of a new 56-slip marina and visitor boating docks	Approved project; Construction 2007-2008; Completion September 2009	0.45	0.17
Waterfront Promenade (Stockton Channel)	Public Infrastructure	Reconstruction of existing waterfront promenade from Center Street to Interstate 5	Approved project; Construction 2007-2008; Completion	0.4	0.17
Morelli Park Boat Launch (Weber Street/Interstate 5)	Public infrastructure	Reconstruction of Morelli Park and boat launch	Project completed 2008	0.81	0.51
DMV Office Project, Lincoln and Washington Streets	Office	Construction of low-rise, 15,000-square-foot office building	Entitlement Phase 2009-2010	0.51	0.11
Waterfront Office Towers (Weber and Lincoln Streets)	Office	Construction of towers no. 3 and 4 at the Waterfront Office Towers complex	Early planning phase	0.49	0.18

Note: Distances are estimated from the geographic center of the project to the a) insertion of Hunter St. and Weber St for the Hunter Square location, or b) geographic center of the Washington St Alternative location.

1 The information presented in Table 6-1 was obtained from the City of Stockton website, the
2 Downtown Stockton Central Parking District Expansion Project EIR (incorporated by reference),
3 and personal communication with Kitty Walker of the Stockton Redevelopment agency on
4 September 10, 2008.

5 The proposed new Stockton Courthouse is located within the West End redevelopment Project
6 Area, largely encompassing downtown Stockton. Table 6-1 presents past, present, and probable
7 future projects in the West End Redevelopment Area. The projects contained in Table 6.1 reflect
8 a combination of office, commercial, and residential uses. The following pages evaluate the
9 cumulative impacts of the proposed project with Table 6-1's projects and the cumulative impacts
10 of the project's alternatives with Table 6-1's projects. ~~Projects were analyzed to evaluate whether~~
11 ~~their impacts will have a cumulative impact when combined with the impacts of the proposed~~
12 ~~project identified in this EIR.~~

13 ~~The proposed project has been identified to have a significant and unavoidable cumulative impact~~
14 ~~on air quality (construction related, post-construction, operation, and maintenance related, and~~
15 ~~greenhouse gases), cultural resources (historic resources of regional significance), and~~
16 ~~transportation (traffic related). Mitigation measures are provided for these cumulative significant~~
17 ~~impacts; however, the cumulative impacts will remain significant and unavoidable. Cumulative~~
18 ~~impacts will be less than significant in the areas of aesthetic/visual resources, air quality, geology~~
19 ~~and soils, hazards and hazardous materials, hydrology/water quality, land use and planning,~~
20 ~~noise, public services, recreation, and utilities and service systems.~~

21 ~~The analysis of cumulative impacts for each of the three alternative project locations provided a~~
22 ~~similar result. However, there will be no significant cumulative impacts to cultural resources for~~
23 ~~the Washington Street alternative and the Private Parcels alternative. In addition, there will be~~
24 ~~no significant cumulative impacts to traffic for the Washington Street alternative.~~

25 ~~Cumulative project and alternative project impacts are further discussed below:~~

26 **6.4.1 Hunter Square Proposed Project**

27 **6.4.1.01 Aesthetic/Visual Resources**

28 Section 4.01.3.1 concludes that the project's construction effects on the existing visual character
29 or aesthetic quality of the site and its surroundings will have a less than significant effect on
30 visual character and aesthetic quality. There are no indications that other agencies will be
31 constructing projects near the proposed courthouse construction site and that there will be
32 cumulative construction impacts on visual character or aesthetic quality. Therefore, the AOC
33 concludes that cumulative construction impacts on visual character or aesthetic quality are less
34 than significant.

35 For post-construction, operation, and maintenance issues, Section 4.01.3.1 concludes that the
36 project's effects on the existing visual character or aesthetic quality of the site and its
37 surroundings will be potentially significant. The direct impacts are created by the project's

1 potential generation of high-velocity groundborne winds; its removal of the Main Street fountain,
2 which degrades a scenic view and removes a scenic feature; and potential removal of trees from
3 the Main Street mall. The project also removes approximately 0.1 acre of park space that
4 provides aesthetic and visual resources. There are no indications that other agencies will be
5 eliminating park space or open space near the proposed courthouse site or degrading the Main
6 Street mall. Therefore, the AOC concludes that cumulative construction impacts on visual
7 character or aesthetic quality are less than significant.

8 **6.4.1.02 Air Quality**

9 Section 4.2.03.2 concludes that the project's construction will have a less than significant effect
10 on air quality near the site and its surroundings. Construction ~~related result in much greater~~
11 daily and yearly emissions will be greater than operations and maintenance impacts.

12 ~~As shown in Table 6-1, There are indications that~~ other agencies ~~might will~~ be constructing
13 projects within the West End Redevelopment Area during the time that the AOC is constructing
14 the proposed courthouse, and that there might will be cumulative construction-related impacts on
15 air quality. However, since construction operations will have a short duration and the project's
16 construction-related emissions for reactive organic gases, oxides of nitrogen and sulfur, and
17 carbon monoxide are much lower than the Air Pollution Control District's thresholds, the AOC
18 concludes that the project's cumulative impacts for these emissions are less than significant.
19 Since construction operations will have a short duration, Table 6-1's projected nearby
20 construction projects such as the Firefighters' Union Building Rehabilitation Project and the
21 extension of the waterfront promenade do not involve extensive earthwork or building
22 fabrication, and Table 6-1's major building fabrication projects will be complete (for example,
23 the New County Administration Building) or located over 0.25 miles from the Hunter Square
24 area (such as the EDD Office Building redevelopment, the South Shore Executive Center, and
25 the Waterfront Office Towers). Therefore, the AOC concludes that cumulative construction
26 impacts on particulate matter air quality are less than significant and unavoidable.

27 For post-construction, operation, and maintenance issues, Section 4.2.03.2 concludes that the
28 project will have a less than significant effect on air quality near the site and its surroundings.
29 ~~There are indications that other agencies will be constructing projects within the West End~~
30 ~~Redevelopment Area. However, it is unclear whether the proposed courthouse project and other~~
31 ~~projects will occur at the same time or if there will be a net cumulative increase or decrease in~~
32 ~~emissions that affect air quality. Therefore, Since the project's operational emissions will not~~
33 ~~cause a substantial increase in pollutants and are below the Air Management District's thresholds~~
34 ~~the AOC concludes that cumulative post-construction, operation, and maintenance impacts on air~~
35 ~~quality are less than potentially significant and unavoidable.~~

36 Section 4.2.03.2 concludes that the greenhouse gas emissions from this project will have a less
37 than significant effect on the state's plans for reducing greenhouse gas emissions. There are
38 indications that other agencies will be constructing projects within the West End Redevelopment
39 Area, but the AOC presumes that the city's implementation of its settlement agreement with the
40 state's attorney general (City of Stockton 2008e) will produce equivalent compliance by other

1 developments and that the mutual adherence by the AOC and other development parties will
2 make cumulative effects on the state's plan less than significant.

3 **6.4.1.03 Cultural Resources**

4 The project's acquisition of the proposed courthouse parcel eliminates the possibility that another
5 party may affect the parcel's cultural resources. Potential vibrational impacts are discussed in
6 Section 6.4.1.08. The project will not be causing other physical changes that may affect nearby
7 cultural resources or interacting with other party's physical effects to affect nearby cultural
8 resources. Therefore, the AOC concludes that the cumulative effects are less than significant.

9 **6.4.1.04 Geology and Soils**

10 There will be no cumulative impacts associated with geology and soils.

11 **6.4.1.05 Hazards and Hazardous Materials**

12 The project does not involve hazardous materials, except for small amounts of commonly used
13 and commercially available construction and maintenance materials such as paint and cleaning
14 supplies. Since the project has a very low potential to cause exposure to hazardous materials, the
15 impacts are less than significant.

16 **6.4.1.06 Hydrology and Water Quality**

17 There will be no cumulative impacts associated with hydrology and water quality.

18 **6.4.1.07 Land Use and Planning**

19 The proposed project does not ~~appear to~~ conflict with existing policies or land uses. Therefore,
20 there is no indication of cumulative land use impacts.

21 **6.4.1.08 Noise**

22 Courthouse construction might produce cumulative noise and vibration impacts if construction
23 were occurring on adjacent properties, but the AOC is not aware that other parties intend to
24 proceed with nearby construction projects at the same time as the AOC; therefore, impacts are
25 less than significant. The AOC understands that the county intends to demolish the existing
26 Courthouse and Administration Building, but the county will implement this intention sometime
27 after the AOC completes the proposed courthouse.

28 **6.4.1.09 Public Services**

29 Public services such as police and fire protection have adequate long-term service capability.
30 Therefore, the AOC does not anticipate cumulative impacts to these public services. The city

1 has acquired a building for a new City Hall, and the county is nearing completion of its new
2 Administration Building. The AOC understands that the county and city plan re-locations of
3 various offices in downtown Stockton. The AOC's courthouse project will not affect the city's
4 plans or the county's current plans or the availability of resources for the local government
5 offices.

6 **6.4.1.10 Recreation**

7 For post-construction, operation, and maintenance issues, Section 4.10.3.1 concludes that the
8 project's effects on existing recreational facilities will be potentially significant. The direct
9 impacts are caused by the courthouse building's elimination of park space and the Main Street
10 fountain. There are no indications that other agencies will be eliminating park space or open
11 space near the proposed courthouse site or degrading the Main Street mall. Therefore, the AOC
12 concludes that cumulative construction impacts on recreation are less than significant.

13 **6.4.1.11 Traffic and Circulation**

14 The AOC's traffic analysis included consideration of the city's and county's re-location of
15 government offices into the downtown area. Therefore, the cumulative impacts are included in the
16 analysis presented in Section 4.11.3.1. ~~The AOC is not aware of other developments in the nearby
17 area that will proceed on a schedule that is similar to the proposed courthouse, so the AOC cannot
18 speculate on possible cumulative traffic load impacts.~~

19 **6.4.1.12 Utilities and Service Systems**

20 The proposed courthouse project will create a new courthouse, but the court will vacate its
21 current facilities after the new courthouse is complete, and the AOC understands that the county
22 will not be using the vacated space except for minor temporary relocations. Therefore, the
23 project will not contribute to a cumulative demand on utilities and service systems, and the
24 cumulative effects will be less than significant.

25 **6.4.2 Hunter Square Expanded Alternative**

26 **6.4.2.01 Aesthetic/Visual Resources**

27 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
28 Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative
29 construction impacts on visual character or aesthetic quality are less than significant.

30 **6.4.2.02 Air Quality**

31 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
32 Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative
33 impacts on air quality are less than significant.

1 **6.4.2.03 Cultural Resources**

2 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
3 Hunter Square project's cumulative effects. Therefore, the AOC concludes that the cumulative
4 effects are less than significant.

5 **6.4.2.04 Geology and Soils**

6 There will be no cumulative impacts associated with geology and soils.

7 **6.4.2.05 Hazards and Hazardous Materials**

8 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
9 Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative
10 impacts are less than significant.

11 **6.4.2.06 Hydrology and Water Quality**

12 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
13 Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative
14 impacts are less than significant.

15 **6.4.2.07 Land Use and Planning**

16 The proposed project will not appear to conflict with existing policies or land uses and, thus, no
17 cumulative land use impacts are indicated.

18 **6.4.2.08 Noise**

19 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
20 Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative
21 impacts are less than significant.

22 **6.4.2.09 Public Services**

23 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
24 Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative
25 impacts are less than significant.

26 **6.4.2.10 Recreation**

27 The Hunter Square Expanded alternative is creating new recreational and open space. Therefore,
28 the AOC concludes that cumulative impacts are less than significant.

1 **6.4.2.11 Traffic and Circulation**

2 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
3 Hunter Square project's cumulative effects, which are included in the analysis presented in
4 Section 4.11.3.1. The AOC is not aware of other developments in the nearby area that will
5 proceed on a schedule that is similar to the proposed courthouse, so the AOC cannot speculate on
6 possible cumulative traffic load impacts. Therefore, the AOC concludes that cumulative impacts
7 are less than significant.

8 **6.4.2.12 Utilities and Service Systems**

9 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
10 Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative
11 impacts are less than significant.

12 **6.4.3 Washington Street Alternative**

13 **6.4.3.01 Aesthetic/Visual Resources**

14 The Washington Street alternative's construction-related cumulative effects will be essentially
15 identical to the Hunter Square project's cumulative effects. The redevelopment agency intends
16 to develop the area near the potential courthouse site, but the AOC does not have information
17 that other construction projects will occur at the same time as the AOC's potential schedule for a
18 Washington Street courthouse. Therefore, the AOC concludes that cumulative impacts are less
19 than significant.

20 **6.4.3.02 Air Quality**

21 The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the
22 Hunter Square project's cumulative effects. Other agencies and parties may be planning
23 construction projects within the West End Redevelopment Area, but the AOC concludes that
24 potential concurrent construction operations are too uncertain for the AOC to conclude that the
25 courthouse may have cumulative construction-related air quality impacts.

26 Section 4.2.03.2 concludes that the greenhouse gas emissions from this project will have a less
27 than significant effect on the state's plans for reducing greenhouse gas emissions. There are
28 indications that other agencies will be constructing projects within the West End Redevelopment
29 Area, but the AOC presumes that the city's implementation of its settlement agreement with the
30 state's attorney general (City of Stockton 2008e) will produce equivalent compliance by other
31 developments and that the mutual adherence by the AOC and other development parties will
32 make cumulative effects on the state's plan less than significant.

1 **6.4.3.03 Cultural Resources**

2 The AOC does not have information that other construction projects will occur at the same time
3 as the AOC's potential schedule for a Washington Street courthouse or that potential projects
4 might interact with the AOC's projected activities at the Washington Street site. There will be no
5 significant impacts to cultural resources as a result of development of this alternative site.
6 ~~Therefore, no cumulative impacts to cultural resources are anticipated.~~

7 **6.4.3.04 Geology and Soils**

8 There will be no cumulative impacts associated with geology and soils.

9 **6.4.3.05 Hazards and Hazardous Materials**

10 The AOC does not have information that other projects will occur at the same time as the AOC's
11 potential schedule for a Washington Street courthouse that might contribute to a greater potential
12 for encountering hazardous materials. Therefore, the AOC concludes that the impacts will be less
13 than significant. Cumulative impacts could arise in the future — for example, should a
14 petrochemical plume be detected running through multiple properties. However, no hazardous
15 materials are indicated at the project site.

16 **6.4.3.06 Hydrology and Water Quality**

17 The Washington Street alternative's cumulative effects will be essentially identical to the Hunter
18 Square project's cumulative effects. Other agencies and parties may be planning construction
19 projects within the West End Redevelopment Area, but the AOC concludes that potential
20 concurrent construction operations are too uncertain for the AOC to conclude that the courthouse
21 may have cumulative construction-related hydrology and water quality impacts.

22 **6.4.3.07 Land Use and Planning**

23 The proposed project will not appear to conflict with existing policies or land uses and, thus, no
24 cumulative land use impacts are indicated.

25 **6.4.3.08 Noise**

26 Cumulative noise impacts could result during construction in the event construction were
27 occurring on adjacent properties, but the AOC is not aware that other parties intend to proceed
28 with nearby construction projects at the same time as the AOC; therefore, impacts are less than
29 significant.

1 **6.4.3.09 Public Services**

2 Public services such as police and fire protection have adequate long-term service capability.
3 Therefore, the AOC does not anticipate cumulative impacts to these public services. The AOC's
4 potential Washington Street alternative's courthouse will not affect the city's plans or the
5 county's current plans or the availability of resources for the local government offices.

6 **6.4.3.10 Recreation**

7 There will be no impacts to recreation as a result of the development of this alternative site.
8 Therefore, no cumulative impacts to recreation facilities are anticipated.

9 **6.4.3.11 Traffic and Circulation**

10 The AOC's traffic analysis included consideration of the city's and county's re-location of
11 government offices into the downtown area. Cumulative impacts are included in the analysis
12 presented in Section 5.4.11.2.1. Therefore, the cumulative impacts are included in the analysis
13 presented in Section 4.11.3.1. The AOC is not aware of other developments in the nearby area that
14 will proceed on a schedule that is similar to the proposed courthouse, so the AOC cannot speculate
15 on possible cumulative traffic load impacts.

16 **6.4.3.12 Utilities and Service Systems**

17 The Washington Street alternative's cumulative effects will be essentially identical to the Hunter
18 Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are
19 less than significant.

20 **6.4.4 Private Parcels Alternative**

21 **6.4.4.01 Aesthetic/Visual Resources**

22 Since the potential Private Parcel's alternative will create some new open space and convert
23 parking areas and buildings to landscaped space, the alternative will have no cumulative impacts.

24 **6.4.4.02 Air Quality**

25 The Private Parcel alternative's cumulative effects will be essentially identical to the Hunter
26 Square project's cumulative effects.

27 **6.4.4.03 Cultural Resources**

28 There will be no significant impacts to cultural resources as a result of the development of the
29 Private Parcels alternative site. Therefore, no cumulative impacts to cultural resources are
30 anticipated.

1 **6.4.4.04 Geology and Soils**

2 There will be no cumulative impacts associated with geology and soils.

3 **6.4.4.05 Hazards and Hazardous Materials**

4 The AOC does not have information that other projects will occur at the same time as the AOC's
5 potential schedule for a Private Parcels courthouse that might contribute to a greater potential for
6 encountering hazardous materials. Therefore, the AOC concludes that the impacts will be less
7 than significant. ~~Cumulative impacts could arise in the future — for example, should a~~
8 ~~petrochemical plume be detected running through multiple properties. However, no hazardous~~
9 ~~materials are indicated at the project site.~~

10 **6.4.4.06 Hydrology and Water Quality**

11 There will be no cumulative impacts associated with hydrology and water quality.

12 **6.4.4.07 Land Use and Planning**

13 The proposed project ~~will~~ does not appear to conflict with existing policies or land uses and,
14 thus, no cumulative land use impacts are indicated.

15 **6.4.4.08 Noise**

16 The Private Parcels alternative's cumulative effects will be essentially identical to the Hunter
17 Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are
18 less than significant.

19 **6.4.4.09 Public Services**

20 The Private Parcels alternative's cumulative effects will be essentially identical to the Hunter
21 Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are
22 less than significant.

23 **6.4.4.10 Recreation**

24 Since the potential Private Parcel's alternative will create some new open space and convert
25 parking areas and buildings to landscaped space, the alternative will have no cumulative impacts.

26 **6.4.4.11 Traffic and Circulation**

27 The AOC's traffic analysis included consideration of the city's and county's re-location of
28 government offices into the downtown area. ~~Therefore, the~~ Cumulative impacts are included in the
29 analysis presented in Section 4.11.3.1. ~~The AOC is not aware of other developments in the nearby~~

1 ~~area that will proceed on a schedule that is similar to the proposed courthouse, so the AOC cannot~~
2 ~~speculate on possible cumulative traffic load impacts.~~

3 **6.4.4.12 Utilities and Service Systems**

4 The Private Parcel alternative's cumulative effects will be essentially identical to the Hunter
5 Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are
6 less than significant.

7

1 **7.0 REPORT PREPARATION**

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4.0 MITIGATION MONITORING PLAN

Public Resources Code Section 21081.6 requires state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of specified environmental findings related to environmental impact reports (EIR). This document presents the AOC's Mitigation Monitoring Plan for the New Stockton Courthouse for the proposed project location at Hunter Square. This Mitigation Monitoring Plan includes a description of the requirements of CEQA and a compliance checklist. The Final EIR includes mitigation measures that address the proposed project's significant environmental impacts. The purpose of this Mitigation Monitoring Plan is to ensure compliance with the AOC's adopted mitigation measures during project implementation.

4.1 COMPLIANCE CHECKLIST

The Mitigation Monitoring Plan includes the following components:

- **Project Design Features** – Project Design Features are specific design elements proposed by the AOC and incorporated into the project to prevent the occurrence of potential environmental effect or reduce the significance of potential environmental effects. Because project design features have been incorporated into the project, they do not constitute mitigation measures as defined by CEQA. However, the AOC has identified project design features and associated best management practices in this Mitigation Monitoring Plan to ensure that personnel implement the features;
- **Standard Conditions and Requirements** – Standard conditions and requirements are based on local, state, or federal regulations or laws that are frequently required independently of CEQA review. They also serve to offset or prevent specific impacts. Typical standard conditions and requirements include compliance with the provisions of the Uniform Building Code, National Pollutant Discharge Elimination System permit system, and San Joaquin Valley Unified Air Pollution Control District Rules. Standard conditions and requirements are presented within the analyses for each environmental resource in the body of the EIR; and
- **Mitigation Measures** – When the AOC has identified a potentially significant environmental effect despite the application of project design features and standard conditions and requirements, the AOC has proposed project-specific mitigation measures.

The AOC's proposed courthouse design will conform to the specifications of the California Trial Court Facilities Standards, including the standard that the AOC shall design and construct Court buildings using proven best practices and technology with careful use of natural resources. To implement this standard, the project's project manager will include specifications that design efforts and construction operations implement best management practices and other measures throughout the construction phase to avoid or minimize potential impacts. These project design features, best management practices, and other measures will include:

- **General measures**
 - Designate a contact person for public interaction during construction operations;
 - Inform community through the use of a monthly newsletter that identifies the upcoming work and potential impacts to the surrounding communities.

- The project's lighting plan will comply with LEED requirements including:
 - Meet or provide lower light levels and uniformity ratios than those recommended by the Illuminating Engineering Society of North America Lighting for Exterior Environments: An IESNA Recommended Practice (IESNA 1999);
 - Exterior lighting will be shielded to minimize light intrusion on adjacent properties.
- Storm water, water quality, and soil erosion management measures
 - Prior to the start of construction activities, the AOC will ensure that the construction contractor prepares a Storm Water Pollution Prevention Plan and secures the Regional Water Quality Control Board's approval of the plan;
 - The construction contractor will incorporate best management practices consistent with the guidelines provided in the California Storm Water Best Management Practice Handbooks: Construction;
 - For construction during the rainy season, the construction contractor will implement erosion measures that may include mulching, geotextiles and mats, earth dikes and drainage swales, temporary drains, silt fence, straw bale barriers, sandbag barriers, brush or rock filters, sediment traps, velocity dissipation devices, or other measures.
- Air quality management measures
 - Apply water or a stabilizing agent to exposed surfaces in sufficient quantity to prevent generation of dust plumes;
 - Moisten or cover excavated soil piles to avoid fugitive dust emissions;
 - Discontinue construction activities that generate substantial blowing dust on unpaved surfaces during windy conditions;
 - Install and use a wheel-washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site;
 - Cover dump trucks hauling soil, sand, and other loose materials with tarps or other enclosures that would reduce fugitive dust emissions;
 - Ensure that all construction and grading equipment is properly maintained;
 - Ensure that construction personnel will turn off equipment when equipment is not in use;
 - Ensure that all vehicles and compressors will utilize exhaust mufflers and engine enclosure covers (as designed by the manufacturer) at all times; and
 - When feasible, construction operations will use electric construction power instead of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.

During construction of the New Stockton Courthouse project, the AOC will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities;
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures;
- Ensuring contractors' knowledge of and compliance with the Mitigation Monitoring Plan;
- Requiring correction of activities that violate mitigation measures;
- Securing compliance with the Mitigation Monitoring Plan;

- Obtaining assistance as necessary from technical experts in order to develop site- specific procedures for implementing the mitigation measures;
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures; and
- Ensuring that parties with concerns or observations of violations of project permit conditions or mitigation have a project-related contact person. Upon receiving any complaints, the contact person will immediately contact the construction representative and the AOC’s construction supervisor or inspector. The AOC will be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative.

The New Stockton Courthouse project’s Final EIR presents a detailed set of mitigation measures that will be implemented throughout the life of the project. The AOC will ensure the implementation, monitoring, and documentation of the mitigation measures.

4.2 MITIGATION MONITORING PLAN SUMMARY TABLE

The following table identifies the environmental impact each measure is designed to address, mitigation measure number, the measure text, monitoring action, implementation schedule, the monitoring agency, and an area for sign-off indicating compliance.

1
2

Table 4-1 Mitigation Monitoring Plan and Compliance

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
AESTHETICS				
Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings? (Post-Construction, Operation, and Maintenance Phase)	<i>Aesthetics 1—To prevent the new courthouse from generating high-velocity ground borne winds, the AOC will include building features that will intercept winds moving down the building’s face toward the ground and prevent substantial wind impact to pedestrians;</i>	Incorporate requirements into building design	During project design	AOC Project Manager (PM)
	<i>Aesthetics 2—The AOC will construct a new water feature on the Main Street mall between South Hunter Street and El Dorado Street. The water feature will provide attractive visual features, will create cascading water sounds that can be detected in the surrounding area, and will create mist to cool the adjacent area; and</i>	Design water feature	During project design	AOC PM
		Secure City of Stockton’s approval of water feature’s design and location	During project design	AOC PM
		Document the City’s approval of Main Street Mall’s design to AOC’s Environmental Analyst (EA)	Prior to completion of working drawings	AOC PM and EA
	<i>Aesthetics 3—For every tree that the AOC removes from the Main Street pedestrian mall, the AOC will replace the removed tree with a new tree. In addition, for every tree that the AOC removes from the Main Street pedestrian mall, the AOC will ensure the planting of four new trees along streets that are between the proposed new courthouse site and the City’s Stewart-Eberhardt</i>	Secure City of Stockton’s approval of tree replacement and maintenance plans	During project design	AOC PM
		Include planting and maintenance specifications in design documents	During project design	AOC PM

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<i>Parking Garage, between the proposed new courthouse site and the city's Coy Parking Garage, or between the proposed new courthouse and other parking facilities.</i>			
Have a substantial adverse affect on a scenic vista?	<i>Aesthetics 2—See Aesthetics 2 above...</i>	See Aesthetics 2 above	See Aesthetics 2 above	See Aesthetics 2 above
Substantially damage scenic resources?	<i>Aesthetics 2—See Aesthetics 2 above...</i>	See Aesthetics 2 above	See Aesthetics 2 above	See Aesthetics 2 above
	<i>Aesthetics 3—See Aesthetics 3 above...</i>	See Aesthetics 3 above	See Aesthetics 3 above	See Aesthetics 3 above
CULTURAL RESOURCES				
Cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.5?	<i>Cultural Resources 1—The courthouse's public spaces will provide display spaces (including a plaque designating Hunter Square as a historic site) for a history of Hunter Square (including its association with Charles Weber), the history of San Joaquin courthouses (including Hunter Square's association with the courthouses), and public art related to Hunter Square's link to Stockton's cultural heritage;</i>	Include public displays and public art in design documents	During project design	AOC PM

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<i>Cultural Resources 2—As recommended by the Historic Environment Consultants report, the proposed new courthouse project will maximize new public space around the proposed Courthouse with open space and landscaping to accommodate public use;</i>	Incorporate features into building design	During project design	AOC PM
	<i>Cultural Resources 3 (Aesthetics 2)—The AOC will construct a new water feature on the Main Street mall between South Hunter Street and El Dorado Street; and</i>	Design water feature	During project design	AOC PM
		Secure City of Stockton’s approval of water feature’s design and location	During project design	AOC PM
		Document the City’s approval of water feature’s design and location to AOC’s EA	Prior to completion of working drawings	AOC PM and EA
	<i>Cultural Resources 4—To maximize public space and accommodate public use, the AOC ...will coordinate layout and design of its proposed parcel’s public space with the County.</i>	Incorporate features into building design	During project design	AOC PM
Cause a substantial adverse change in the significance of	<i>Cultural Resources 5—An archaeological monitor will be present during site-clearing activities that expose bare ground. Project personnel will not collect cultural resources found on the project site. If the construction</i>	Incorporate archaeological resource restrictions into contractor’s bid package	Prior to completion of working drawings	AOC PM and EA

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
an archaeological resource pursuant to Section 15064.5?	<i>contractor encounters archaeological resources during initial construction clearing, the construction contractor will halt all work within 100 feet of the discovery, and a qualified archaeologist will ascertain the nature of the discovery and the significance of the find. The archaeologist will provide proper management recommendations including avoidance, evaluation, or a mitigation plan to prevent any significant adverse effects on the resource.</i>	Document the design document's archaeological monitoring measures to AOC's EA	Prior to completion of working drawings	AOC PM and EA
		Document the identity and professional qualifications of archaeological monitor(s) to AOC's EA	Prior to start of construction	AOC PM and EA
		Ensure that archaeological resource restrictions are enforced during construction	During construction	AOC's Construction Inspectors
		If the archaeological monitor evaluates cultural resources during construction activities and prepares management recommendations, the monitor shall document completion of the management recommendations to the AOC PM, Construction Inspector Manager, and EA	During construction	AOC PM, Construction Inspector Manager, and EA
GEOLOGY AND SOILS				
Destroy a unique paleontological resource or site?	Geology I — <i>If paleontological resources are encountered during construction, all work will be halted within a 30-foot radius of the finding and a qualified paleontologist will evaluate the discovery, determine its significance, and to provide proper management recommendations. Project personnel will not collect paleontological</i>	Incorporate paleontological monitoring measures into contractor's bid package	Prior to completion of working drawings	AOC PM and EA
		Document the design document's paleontological monitoring measures to AOC's EA	Prior to completion of working drawings	AOC PM and EA

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<i>resources</i>	Document the identity and professional qualifications of paleontological monitor(s) to AOC's EA	Prior to start of construction	AOC PM and EA
		Ensure that paleontological resource restrictions are enforced during construction	During construction	AOC PM and Construction Inspectors
		If the paleontological monitor evaluates paleontological resources during construction activities and prepares management recommendations, the monitor shall document completion of the management recommendations to the AOC PM, Construction Inspector Manager, and EA	During construction	AOC PM and Construction Inspectors
HAZARDS AND HAZARDOUS MATERIALS				
Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will	Hazards 1 — <i>The AOC conducted a Phase II Environmental Site Assessment (April 2009) to provide additional data for evaluating the potential for future exposure to hazardous materials that may be affecting the shallow groundwater beneath the proposed project site. This Phase II Environmental Site Assessment identified no additional hazardous materials above regulatory action levels. However, the AOC will continue to monitor the construction site for hazardous materials and, if any are</i>	Incorporate hazardous materials measures into contractor's bid package	Prior to completion of working drawings	AOC PM and EA
		Document the design document's hazardous materials measures to AOC's EA	Prior to completion of working drawings	AOC PM and EA
		Ensure that hazardous materials restrictions are enforced during construction	During construction	AOC PM and Construction Inspectors

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
it create a significant hazard to the public or the environment?	<i>discovered, will remediate the site by removing the contaminated materials and sources of contamination, and will dispose of the materials in full compliance with all legal requirements.</i>	If construction personnel encounter hazardous materials, the construction contractor shall document compliance with hazardous materials disposal requirements to the AOC Construction Inspector and EA	During construction	AOC Construction Inspector and EA
LAND USE AND PLANNING				
Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect? (Construction Phase)	<i>Land Use 1—If the Downtown Alliance has not moved the Farmer’s Market prior to the start of construction of the proposed courthouse, the AOC’s construction contractor will close its staging area’s Main Street driveway from 10:30 a.m. to 1:30 p.m. on Fridays when the Downtown Stockton Alliance is holding the Farmer’s Market on Main Street.</i>	Incorporate restrictions into contractor’s bid package	During preparation of bid documents	AOC PM
		Ensure restrictions are enforced during construction	During construction	AOC Construction Inspectors

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
NOISE				
A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project or generation of excessive ground-borne vibration or ground-borne noise levels?	<i>Noise 1—Muffle stationary noise sources and enclose them within temporary sheds, incorporate insulation barriers, or employ other measures to the extent feasible.</i>	Incorporate construction noise minimization measures into contractor's bid package	During preparation of bid documents	AOC PM
		Ensure that applicable measures are followed	During construction	AOC Construction Inspector
	<i>Noise 2—Use equipment and trucks equipped with the best available noise control techniques (for example, improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible).</i>	Incorporate construction noise minimization measures into contractor's bid package	During preparation of bid documents	AOC PM
		Ensure that applicable measures are followed	During construction	AOC Construction Inspector
	<i>Noise 3—Ensure all construction equipment is properly maintained and operated and equipped with mufflers.</i>	Incorporate construction noise minimization measures into contractor's bid package	During preparation of bid documents	AOC PM
		Ensure that applicable measures are followed	During construction	AOC Construction Inspector
	<i>Noise 4—Limit pile driving operations and generation of other loud noise-generating operations to hours between 8 a.m. and 5 p.m. (Monday through Saturday) If</i>	Incorporate construction noise minimization measures into contractor's bid package	During preparation of bid documents	AOC PM

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<i>feasible, the noisiest phases of construction (such as pile driving) should be limited to less than 10 days at a time. To be consistent with Stockton General Plan Policy HS-2.11, no construction will occur on Sundays or national holidays without a written permit from the city.</i>	Ensure that applicable measures are followed	During construction	AOC Construction Inspector
	<i>Noise 5—Use hydraulically or electrically powered impact tools (such as jack hammers, pavement breakers, and rock drills) for project construction wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves should be used where feasible. Quieter methods or tools, such as using drills rather than impact tools, should be used whenever feasible.</i>	Incorporate construction noise minimization measures into contractor’s bid package	During preparation of bid documents	AOC PM
		Ensure that applicable measures are followed	During construction	AOC Construction Inspector

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<p><i>Noise 6—To further mitigate pile driving and other extreme noise-generating construction impacts, a set of site-specific noise attenuation measures should be completed under the supervision of a qualified acoustical consultant. These attenuation measures should include as many of the following control strategies as feasible: (1) erect temporary plywood noise barriers around the construction site, particularly along the northern boundary nearest the residential land uses; (2) implement “quiet” pile-driving technology (such as pre-drilling piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; (3) use noise control blankets on building structures to reduce noise emissions from the site; and (4) monitor the effectiveness of noise attenuation measures by collecting noise measurements;</i></p>	<p>Incorporate construction noise minimization measures into contractor’s bid package</p>	<p>During preparation of bid documents</p>	<p>AOC PM</p>
		<p>Ensure that applicable measures are followed</p>	<p>During construction</p>	<p>AOC Construction Inspector</p>

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<p><i>Noise 7—The project applicant will be responsible for implementing the following measures to further control and monitor construction noise: (1) establishing a procedure for notifying the AOC staff of complaints; (2) posting on-site signs pertaining to permitted construction days and hours, complaint procedures, and whom to notify in the event of a problem; (3) listing telephone numbers for the on-site construction complaint manager (during regular construction hours and off-hours); (4) designating an on-site construction complaint manager for the project; (5) notifying the city, county, courthouse administrator, and any other land users within 300 feet of the project construction area about the estimated duration of the pile-driving activity at least 30 days in advance; and, (6) conducting a pre construction meeting with the job inspectors and the general contractor and on-site project manager to confirm that noise mitigation and practices (including construction hours, notification of area businesses, and posted signs) are completed.</i></p>	<p>Incorporate construction noise minimization measures into contractor's bid package</p>	<p>During preparation of bid documents</p>	<p>AOC PM</p>
	<p><i>Ensure that applicable measures are followed</i></p>	<p>Ensure that applicable measures are followed</p>	<p>During construction</p>	<p>AOC Construction Inspector</p>
	<p><i>Noise 8—The construction contractor will conduct crack surveys before pile driving that could cause architectural damage to nearby structures. The survey will include</i></p>	<p>Incorporate construction noise minimization measures into contractor's bid package</p>	<p>During preparation of bid documents</p>	<p>AOC PM</p>

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<p><i>any buildings within 50 feet of pile driving locations and within 100 feet of historical buildings or buildings in poor condition. The surveys will be done by photographs, video tape, or visual inventory, and will include inside as well as outside locations. All existing cracks in walls, floors, and driveways should be documented with sufficient detail for comparison after construction to determine whether actual vibration damage occurred. A post-construction survey should be conducted to document the condition of the surrounding buildings after the construction is complete.</i></p>	<p>Ensure that applicable measures are followed</p>	<p>During construction</p>	<p>AOC Construction Inspector</p>
RECREATION				
<p>Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p>	<p>Recreation 1 —<i>The proposed courthouse will include open space for public use on the courthouse parcel and include features such as benches, attractive landscaping including large trees that enhance the aesthetic and visual value of the space by providing substantial shade at the time that the AOC completes construction, public artwork, and other features to enhance the quality of the new courthouse’s outdoor public spaces;</i></p>	<p>Incorporate requirements into landscape design</p>	<p>During project design</p>	<p>AOC PM</p>
		<p>Include creation of public displays and public art in design documents</p>	<p>During project design</p>	<p>AOC PM</p>

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<p>Recreation 2—As part of the AOC’s construction of the new water feature in the Main Street mall (see mitigation measure Aesthetics 2 in Section 4.01.3.1), the AOC will improve the landscaping, public amenities, and other features of the Main Street Mall between South Hunter Street and El Dorado Street and the area bounded by the Main Street Mall, S. Hunter Street, and Parker’s Alley.</p>	Design landscaping, public amenities, and other feature	During project design	AOC PM
		Secure City of Stockton’s approval of features’ design and location	During project design	AOC PM
TRAFFIC				
Substantially increase hazards because of a design feature (such as sharp curves or dangerous intersections) or incompatible uses?	<p>Traffic 1—For the Weber Avenue and North Hunter Street crosswalk, the proposed project will re-locate the existing transit stop from its location adjacent to Hunter Square and west of the Weber Avenue and North Hunter Street crosswalk to a new location of Weber Avenue that is east of the Weber Avenue and North Hunter Street crosswalk. The new transit stop will be at least 1.5 bus lengths east of the crosswalk. This mitigation measure will reduce the potential hazard impacts for the Weber Avenue and North Hunter Street crosswalk to a level that is less than significant;</p>	Secure City of Stockton’s and Regional Transit District’s approval of feature’s design and location	During project design	AOC PM
	<p>Traffic 2—For the Main Street and South Hunter Street crosswalk, the proposed project will provide five improvements: a. First, the project will revise the lane</p>	Design the features	During project design	AOC PM

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<p><i>geometry of the western portion of East Main Street near its intersection with S. Hunter Street to merge the current two lanes into one lane;</i></p>	<p>Secure City of Stockton’s approval of features’ design and location</p>	<p>During project design</p>	<p>AOC PM</p>
	<p><i>b. Second, the project will repaint the crosswalk to enhance its visibility;</i></p>	<p>Document the City’s approval of features’ design and location to AOC’s EA</p>	<p>Prior to completion of working drawings</p>	<p>AOC PM and EA</p>
	<p><i>c. Third, the project will eliminate Main Street parking spaces that are within 30 feet of the crosswalk;</i></p>			
	<p><i>d. Fourth, the project will add structural improvements (such “bulb outs” or curb peninsulas that extend into the street) to the crosswalk that reduce the crosswalk’s length across Main Street; and</i></p>			
	<p><i>e. Fifth, the project will add a stop sign to the intersection to control westbound Main Street traffic and a stop sign to control Main Street mall traffic that is exiting from the proposed new courthouse.</i></p>	<p>Design the features</p>	<p>During project design</p>	<p>AOC PM</p>
<p>Traffic 3—<i>For the Main Street mall, the proposed project will provide a warning sound system at the courthouse’s exit ramps that will provide a sound signal when vehicles emerge from the courthouse’s ramps onto the mall. In addition, the project will add light signals similar to the</i></p>	<p>Secure City of Stockton’s approval of features’ design and location</p>	<p>During project design</p>	<p>AOC PM</p>	

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<p><i>signal system at the El Dorado Street and Main Street crosswalk so that vehicles exiting the courthouse ramps will trigger the light system, and the lights will alert pedestrians near the project's truncated dome mats.</i></p> <p><i>In addition, the AOC will add a combination of features to the Main Street pedestrian mall that will emphasize that it is a street where pedestrians and cyclists have legal priority over motorists. The features will include:</i></p> <ul style="list-style-type: none"> • <i>Appropriate signage indicating shared use of the space by pedestrians and vehicle drivers;</i> • <i>Very slow speed limits;</i> • <i>Traffic calming strategies such as narrow and often curving traffic lanes that require the driver to slow down for maneuvering through the lanes, textured paving or speed bumps that read through to the driver, and appropriate signage of speed limitations and enforcement of the speed limit; and</i> • <i>Maintenance of a safe pedestrian route for visually impaired users set off from the primary vehicular pathway by a combination of landscape buffers, raised planters, grasscrete, barney rubble (a combination of flat recycled</i> 	<p>Document the City's approval of features' design and location to AOC's EA</p>	<p>Prior to completion of working drawings</p>	<p>AOC PM and EA</p>

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/Parties
	<i>broken concrete interspersed with plantings), tactile warning strips including but not limited to raised dot paving, bollards and benches and other forms of street furniture, audible sound warnings that traffic is present, and effective street lighting to maintain pedestrian safety.</i>			

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