NEW STOCKTON COURTHOUSE
FOR THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN:
DRAFT ENVIRONMENTAL IMPACT REPORT

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Prepared for:

Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, California 94102-4272

Prepared by:

TETRA TECH EM INC.
1999 Harrison Street, Suite 500
Oakland, California 94612
(510) 302-6341

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ACRONYMS AND ABBREVIATIONS

$\mu g/m^3$	Micrograms per cubic meter
AOC	Administrative Office of the Court
Cal/EPA	California Environmental Protection Agency
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
DPR	California Department of Parks and Recreation
EIR	Environmental impact report
EPA	U.S. Environmental Protection Agency
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
LEED	Leadership in Energy and Environmental Design
LUST	Leaking underground storage tank
MICR	Million incremental cancer risk
$MMTCO_2E$	Million tons of carbon dioxide equivalent
NPDES	National Pollutant Discharge Elimination System
PM_{10}	Particulate matter with an aerodynamic diameter less than 10 micrometers
$PM_{2.5}$	Particulate matter with an aerodynamic diameter less than 2.5 micrometers
PPM	Parts per million
SWPPP	Stormwater pollution prevention Plan
TAC	Toxic air contaminant
USGS	U.S. Geological Survey
WQMP	Water quality management plan

1.0 EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) has been prepared for the proposed new Stockton Courthouse Project. The Administrative Office of the Courts of the Judicial Council of California (AOC) is the lead agency directing preparation of the EIR in association with its consultant, Tetra Tech EM, Inc.

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

The EIR evaluates a total of four alternatives: the "No Project" alternative, the Hunter Square Expanded alternative, the Washington Street alternative, and the Private Parcels alternative. The Hunter Square Expanded alternative includes several properties adjacent to the proposed project for potential acquisition that provide additional space and give the AOC additional flexibility for development of the project. AOC is also considering the Washington Street alternative, which is approximately one-third mile from the proposed project site. This site is vacant and will provide ample space for the project. A Bank of America parcel, several additional private parcels, and a City of Stockton parcel form a fourth alternative, the Private Parcel alternative. The Private Parcel alternative is adjacent to Hunter Square Plaza.

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

The proposed project will result in significant unavoidable impacts to visual resources/aesthetics, cultural resources, construction-related noise, recreation, and traffic hazards. The Hunter Square Expanded alternative will result in significant and unavoidable impacts to cultural resources, construction-related noise, and traffic hazards. The Washington Street alternative will result in significant and unavoidable impacts to construction-related noise. The Private Parcel alternative will result in significant and unavoidable impacts to construction-related noise. Table EX-1 lists the EIR's impact conclusions.

For the proposed project, transportation impacts associated with some traffic increase, a decrease in intersection levels of service, and parking are potentially significant, but they can be reduced to below significant levels with mitigation. In addition, the project will also result in potentially significant impacts in the following areas: construction related air quality emissions; underground cultural and paleontological resources that may be encountered during excavation; hazardous materials; land use conflict associated with lack of a designation for Hunter Square Plaza; and vibration-related noise impacts during construction.

The California Environmental Quality Act (CEQA) requires identification of an "environmentally superior" alternative, in addition to the "No Project" Alternative. The Washington Street Alternative was identified as the "Environmentally Preferred Alternative." This alternative will avoid or reduce the potential impacts identified above. A technical study

was prepared for Transportation is contained in Appendix G. An independent Cultural Resources evaluation was also conducted and incorporated into the Cultural Resources discussion. Additional investigations supporting the cultural resources analysis are included in Appendix F.

1.1 INTRODUCTION AND PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

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

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

1.2 CEQA EIR PROCESS

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

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

1.2.1 Notice of Preparation and Initial Study

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

The Notice of Preparation included an Initial Study (Appendix C), which identified the issues that are the focus of this EIR. Appendix D contains the comments received in response to the Notice of Preparation and the summary of stakeholders' comments from the scoping meeting.

1.2.2 Public Review of the Environmental Impact Report

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

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

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

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

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

1.2.3 EIR Organization

The Draft EIR contains the following sections:

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

1.3 PROJECT DESCRIPTION

The AOC proposes to construct a new courthouse in Stockton's Hunter Square for the Court. The proposed courthouse property is immediately west of the County's existing Courthouse/Administration Building, which is at 222 East Weber Avenue. The AOC's proposed project consists of:

- The AOC's acquisition of an approximately 1-acre parcel from the City of Stockton,
- Design and construction of a new courthouse facility,

- Modification of a portion of the Main Street mall, the Main Street fountain, and an adjacent park area,
- Movement of the Court's staff and operations from the existing Courthouse and other leased space in downtown Stockton to the new courthouse,
- Addition of vehicle traffic to a portion of the Main Street mall, and
- Operation of the new courthouse by the AOC to support the Court's operations.

1.3.1 Project Background

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

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

1.3.2 Purpose and Objectives of the Proposed Project

The purpose of the proposed project is to provide the Court with a new courthouse. The project's objectives are to provide:

- A new courthouse with improved security features, public access and public service features, and working and operational features for the Court's staff;
- Courthouse facilities that increase the efficiency of the Court's staff and operations and increase the Court's ability to serve residents of San Joaquin County;
- Courthouse facilities that promote efficient interaction and communication between 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 AOC expects that the new courthouse will help the Court offer expanded services and serve the increasing number of visitors who will otherwise visit the Court's downtown Stockton facilities.

1.3.3 Project Location

The AOC's preferred site is the Hunter Square parking area and a portion of the adjacent park (see Figures 1 and 2) in Stockton. The proposed courthouse property is located immediately west of the existing Courthouse/Administration Building. The AOC intends to acquire this site from the City, and the AOC also intends to acquire temporary license rights for a portion of the City's Main Street mall and an adjacent park area (see Figure 3). A parking lot occupies the northern portion of the site, and a small park occupies the southern portion of the site.

The proposed new courthouse site has no Assessor's Parcel Number (APN), but the AOC understands that the proposed courthouse parcel will extend from the northeast corner of parcel 149-020-05 to the northwest corner of parcel 149-020-16 to the southwest corner of parcel 149-020-16 and to the southeast corner of parcel 149-020-12. The project includes formal creation of the parcel, establishment of its land use designation as commercial, and classification of its zoning designation as Commercial Downtown (CD), which is consistent with adjacent parcels.

1.4 PROJECT CHARACTERISTICS

1.4.1 New Courthouse

The proposed project includes the AOC's acquisition of the approximately 1-acre Hunter Square parcel from the City, design and construction of a new courthouse, and operation of the courthouse for the Court. Figures 1 and 2 show the proposed project location, and Figure 4 provides a conceptual site plan.

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

The building's entrance will face northeast toward Weber Avenue and the Courthouse/Administration Building, but it will be set back approximately 50 feet from Weber Avenue. The courthouse will have a plaza and public area between the building and Weber

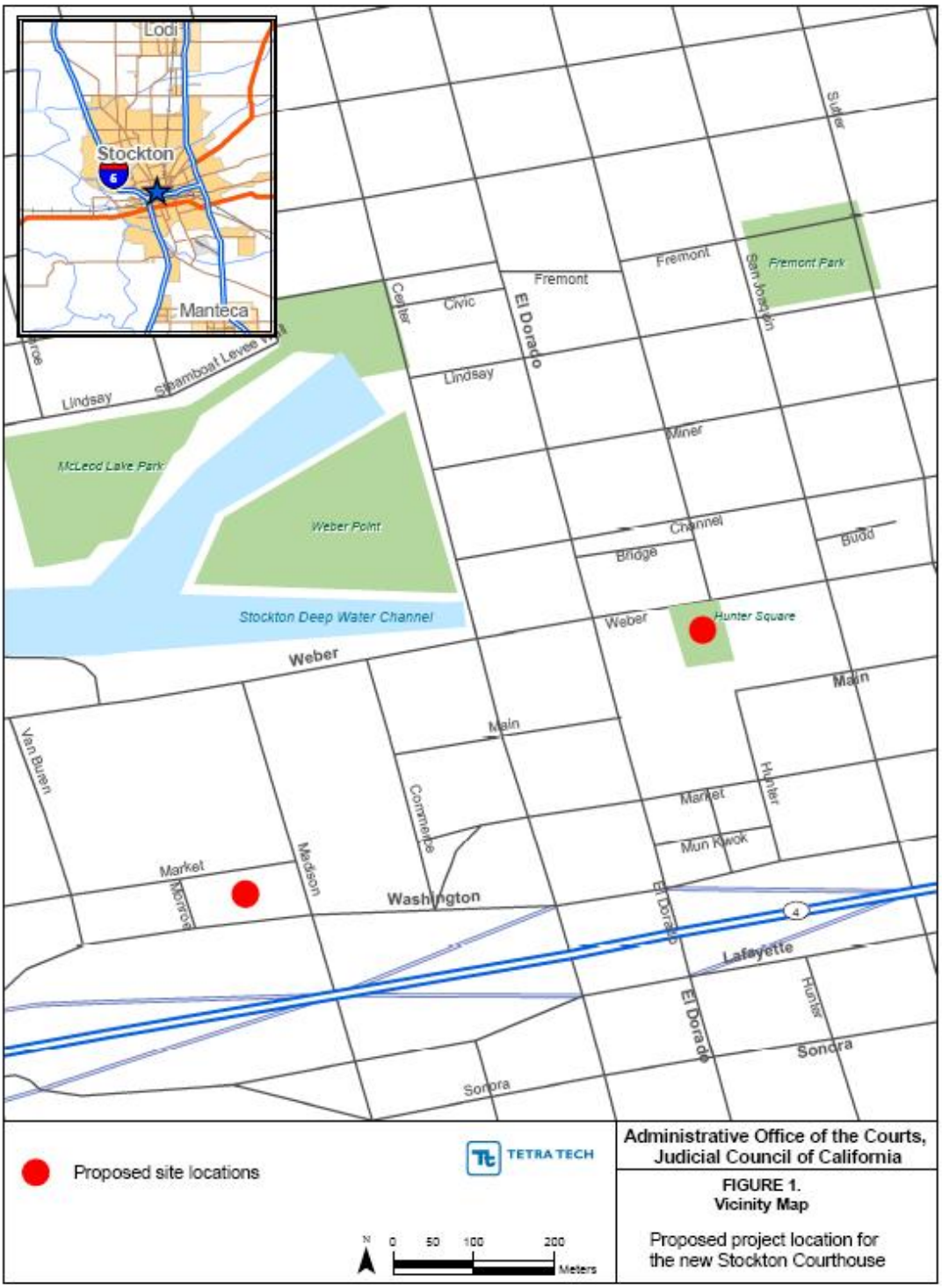
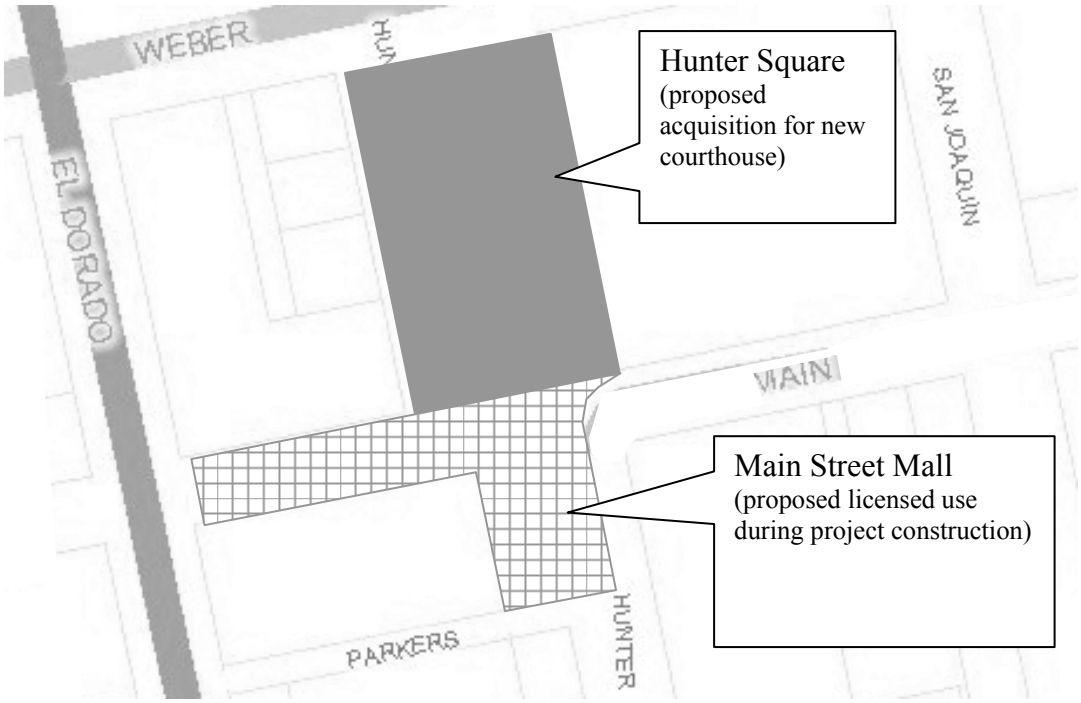


Figure 1. Vicinity Map of Proposed Courthouse

Figure 2. Existing Downtown Stockton Courthouse

Figure 3. Proposed Project Site – Acquisition and License Property

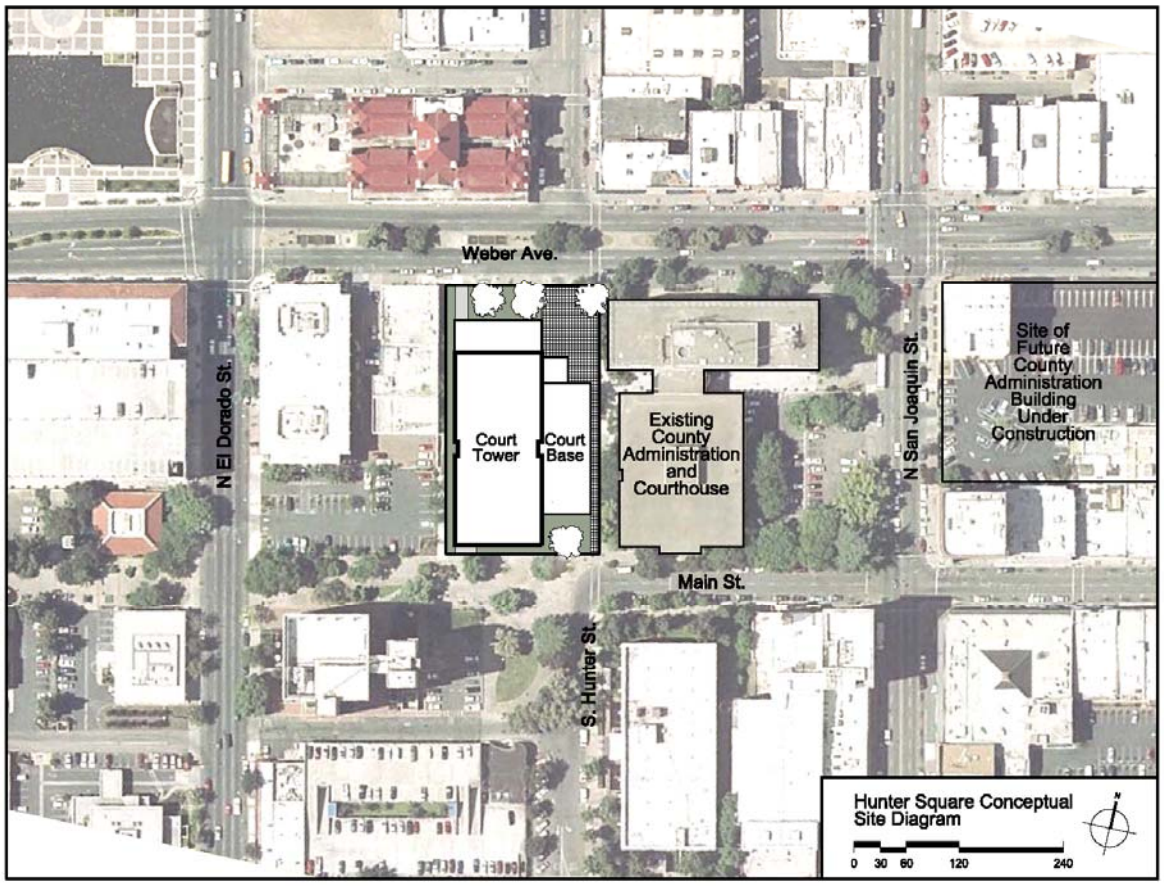


Avenue; landscaped areas on the east, south, and west sides of the building; and secure vehicle access facilities on the south side. The AOC understands that the County plans to construct a public plaza on the site of the Courthouse/Administration Building after the AOC's completion of the proposed courthouse. The courthouse's landscaped grounds will be adjacent to the County's future plaza.

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

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

Figure 4. Plan for Proposed New Stockton Courthouse



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

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

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

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

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

- Acquire the courthouse site in 2009,
- Prepare preliminary plans, drawings, and bid documents in late 2009 and 2010,
- Prepare working drawings in 2010,
- Bid and award the construction contract in early 2011,
- Begin construction in 2011,
- Complete construction in early 2013,
- Vacate the Court's space in the Courthouse/Administration Building and other leased space in Stockton and begin Court operations in the new courthouse in early 2013, and
- Transfer the AOC's interest in the Courthouse/Administration Building to the County after the Court begins operations in the new courthouse.

1.4.2 Parking

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

1.4.3 Plans and Arrangements for Construction of the Proposed Courthouse

To facilitate construction operations, the AOC intends to license space adjacent to the proposed courthouse site. Figure 6 shows the proposed licensed or leased areas that the AOC's construction contractor will use for staging areas. The AOC's construction contractor will establish security fencing around the perimeter of the proposed courthouse site and the staging areas. To minimize risks to public safety and construction operations, the AOC will seek the County's approval to improve access features and security operations for the eastern entrance to the Courthouse/Administration Building, close public entry to the western entrance to the

San Joaquin Courthouse/Administration Building, require use of the building's eastern entrance for access to the building, and maintain a secured emergency egress pathway from the Courthouse/Administration Building's western entrance and emergency exits to Main Street and Weber Avenue.

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

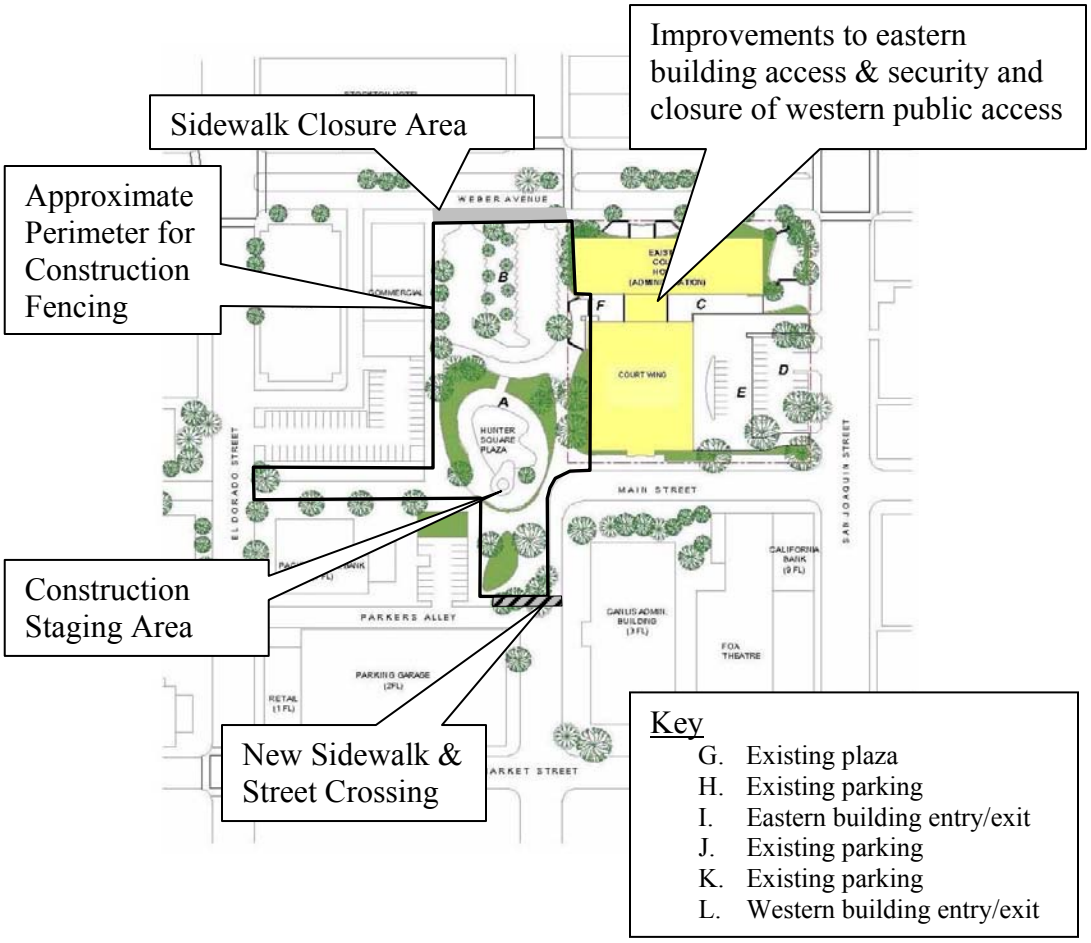


Figure 6: Site Plan for Proposed Temporary Construction Staging Area

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

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

1.4.4 Court's Withdrawal from the Current Courthouse Building

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

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

1.5 DISCRETIONARY PROJECT APPROVALS

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

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

Construction of a new courthouse on Hunter Square is the AOC's preferred project. The AOC has identified three alternatives. The Hunter Square Expanded includes the Hunter Square parcel

plus three privately owned parcel, an alley, and a portion of a privately owned parking lot. The Washington Street parcel is approximately 0.3 miles southwest of the existing courthouse.

1.6 ENVIRONMENTAL ANALYSIS

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

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

The EIR evaluates a total of four alternatives: the "No Project" alternative, the Hunter Square Expanded alternative, the Washington Street alternative, and the Private Parcels alternative. The Hunter Square Expanded alternative includes several properties adjacent to the proposed project for potential acquisition that provide additional space and give the AOC additional flexibility for development of the project. AOC is also considering the Washington Street alternative, which is approximately one-third mile from the proposed project site. This site is vacant and will provide ample space for the project. A Bank of America parcel, several additional private parcels, and a City of Stockton parcel form a fourth alternative, the Private Parcel alternative. The Private Parcel alternative is adjacent to Hunter Square Plaza.

The proposed project will result in significant and unavoidable impacts to construction-related noise, traffic, and traffic hazards. The Hunter Square Expanded alternative will result in significant and unavoidable impacts to construction-related noise, traffic, and traffic hazards. The Washington Street alternative will result in significant and unavoidable impacts to construction-related noise. The Private Parcel alternative will result in significant and unavoidable impacts to construction-related noise, and traffic. Table EX-1 lists the EIR's impact conclusions.

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

The California Environmental Quality Act (CEQA) requires identification of an "environmentally superior" alternative, in addition to the "No Project" Alternative. The Draft EIR identifies the Washington Street Alternative as the "Environmentally Preferred Alternative." This alternative will avoid or reduce the potential impacts identified above. An independent Cultural Resources evaluation was also conducted and incorporated into the Cultural Resources discussion. Additional investigations supporting the cultural resources analysis are included in Appendix F. A technical study was prepared for Transportation is contained in Appendix H.

Table EX-1. Summary of the Proposed Project's Impacts and the Alternatives' Impacts

Environmental Resource and Issue	Proposed Project	No Project Altern-ative	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?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
(Post-Construction, Operation, and Maintenance Phase) Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*Less Than Significant Impact*	*Potentially Significant Impact Unless Mitigated*
	Proposed mitigation for potentially significant impacts: ***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: Less than significant*				
Have a substantial adverse affect on a scenic vista?	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*Less Than Significant Impact*	*Less Than Significant Impact*
	Proposed mitigation for potentially significant impacts: ***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: Less than significant*				

Environmental Resource and Issue	Proposed Project	No Project Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
Substantially damage scenic resources?	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Less Than Significant Impact*
	Proposed mitigation for potentially significant impacts: ***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; &* ***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: Less than significant*				
Create a new source of substantial light or glare that will adversely affect day or nighttime views?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Create a new source of substantial shading?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
2. AIR QUALITY−Will the project:					
Conflict with or obstruct implementation of the applicable air quality plan?	*No Impact*	*No Impact*	*No Impact*	*No Impact*	*No Impact*
(Construction Phase) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
(Post-Construction, Operation, and Maintenance Phase) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant 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 Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
(Construction Phase) Expose sensitive receptors to substantial pollutant concentrations?	*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 Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
(Post-Construction, Operation, and Maintenance Phase) Expose sensitive receptors to substantial pollutant concentrations?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Create objectionable odors affecting a substantial number of people?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
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 (AB) 32, California Global Warming Solutions Act of 2006?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
3. CULTURAL RESOURCES–Will the project:					
Cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.5?	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*Less Than Significant Impact*	*Less Than Significant Impact*
	Proposed mitigation for potentially significant impacts: ***Cultural Resources 1—****The courthouse's public spaces will provide display spaces 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;* ***Cultural Resources** 2—As recommended by the Historic Environmental 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;* ***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* ***Cultural Resources 4—****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.* *Significance of impact after mitigation: Less than significant*				
Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*Potentially Significant Impact Unless Mitigated*	*Potentially Significant Impact Unless Mitigated*
	Proposed mitigation for potentially significant impacts: ***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.* *Significance of impact after mitigation: Less than significant*				

Environmental Resource and Issue	Proposed Project	No Project Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
Disturb any human remains, including those interred outside of formal cemeteries?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
4. GEOLOGY AND SOILS–Will the project:					
Expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Expose people or structures to potential substantial adverse effects involving strong seismic ground shaking?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Expose people or structures to potential substantial adverse effects involving ground failure (including subsidence or liquefaction-induced lateral spreading)?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Expose people or structures to potential substantial adverse effects involving expansive soil?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Destroy a unique paleontological resource or site?	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*Potentially Significant Impact Unless Mitigated*	*Potentially Significant Impact Unless Mitigated*
	Proposed mitigation for potentially significant impacts: ***Geology 1**—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* *Significance of impact after mitigation: Less than significant*				
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?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*

Environmental Resource and Issue	Proposed Project	No Project Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
65962.5 and, as a result, will it create a significant hazard to the public or the environment?	*Proposed mitigation for potentially significant impacts:* ***Hazards 1****—The AOC will conduct a Phase II Environmental Site Assessment 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. If the Phase II Environmental Site Assessment identifies hazardous materials, 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.* ***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.* *Significance of impact after mitigation: Less than significant*				
6. HYDROLOGY AND WATER QUALITY–Will the project:					
Violate any water quality standards or waste discharge requirements?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
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?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
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?	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*	*No Impact*	*Potentially Significant Impact Unless Mitigated*
	Proposed mitigation for potentially significant impacts: *Land Use 1—If the Downtown Alliance has not moved the Farmers 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 Farmer's Market activities on Main Street.* *Significance of impact after mitigation: Less than significant*				
(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?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*
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?	*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 Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
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 & UNAVOID-ABLE IMPACT***	*No Impact*	***SIGNIFICANT & UNAVOID-ABLE IMPACT***	***SIGNIFICANT & UNAVOID-ABLE IMPACT***	***SIGNIFICANT & UNAVOID-ABLE IMPACT***
	Proposed mitigation for potentially significant impacts: ***Noise 1—Muffle stationary noise sources and enclose them within temporary sheds, incorporate insulation barriers, or employ other measures to the extent feasible.*** ***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).*** ***Noise 3—Ensure all construction equipment is properly maintained and operated and equipped with mufflers.*** ***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.*** ***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.*** ***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;*** ***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.*** ***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.*** *Significance of impact after mitigation: Significant and unavoidable*				

Environmental Resource and Issue	Proposed Project	No Project Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
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?	*No Impact*	*No Impact*	*No Impact*	*No Impact*	*No Impact*
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?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
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*	*No Impact*	*Less Than Significant Impact*
	Proposed mitigation for potentially significant impacts: ***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;* ***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 S. Hunter Street and El Dorado Street and the area bounded by the Main Street Mall, S. Hunter Street, and Parker's Alley.* *Significance of impact after mitigation: Less than significant*				
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*

Environmental Resource and Issue	Proposed Project	No Project Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
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 & UNAVOID-ABLE IMPACT***	*No Impact*	***SIGNIFICANT & UNAVOID-ABLE IMPACT***	*Less Than Significant Impact*	***SIGNIFICANT & UNAVOID-ABLE IMPACT***
	Proposed mitigation for potentially significant impacts: ***Traffic 1*** *(2013 Scenario)—Revise signal timing for the Caltrans intersection at Center/Lafayette –EB SR4 off-ramp. This will improve Level of Service from E to D.* *Significance of impact after mitigation: Significant and unavoidable*				
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*
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*	*No Impact*	*No Impact*	*No Impact*	*No Impact*
Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	***SIGNIFICANT & UNAVOID-ABLE IMPACT***	*No Impact*	***SIGNIFICANT & UNAVOID-ABLE IMPACT***	*No Impact*	*No Impact*
	Proposed mitigation for potentially significant impacts: ***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:* • *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.* *Significance of impact after mitigation: Significant and unavoidable*				
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*

Environmental Resource and Issue	Proposed Project	No Project Altern-ative	Hunter Square Expanded Alternative	Washington Street Alternative	Private Parcels Alternative
Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., 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*
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?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	*Less Than Significant Impact*	*No Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*	*Less Than Significant Impact*

2.0 INTRODUCTION

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

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

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

2.2 CEQA EIR PROCESS

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

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

2.2.1 Notice of Preparation and Initial Study

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

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

- Aesthetics and Visual Resources;
- Air Quality;
- Cultural Resources;
- Geology, Soils, and Seismicity;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use, Plans, and Policies;
- Noise;
- Public Services;
- Recreation;
- Traffic and Circulation; and
- Utilities and Service Systems.

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

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

2.2.2 Public Review of the Environmental Impact Report

This document constitutes the Draft EIR. It describes the project and the environmental setting (existing conditions), identifies the project's environmental impacts, identifies mitigation

measures for impacts found to be significant or potentially significant, and analyzes project alternatives.

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

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

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

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

2.2.3 Lead Agency

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

Lead Agency Contact:

Mr. Jerome Ripperda, Environmental Analyst
Administrative Office of the Courts
Office of Court Construction and Management
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833-3509

E-mail: Jerry.Ripperda@jud.ca.gov
Phone: (916) 263-8865
FAX: (916)-263-8140.

2.2.4 Responsible Agencies

A "responsible agency" is a public agency, other than the lead agency, which has responsibility for carrying out or approving a project (Public Resources Code Section 21069). For this courthouse project, the City must approve the State's proposed acquisition of the project site, various license agreements, and AOC proposals for mitigation proposals on City property.

2.2.5 Mitigation Monitoring and Reporting Program

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

2.2.6 Final EIR and EIR Certification

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

2.3 EIR ORGANIZATION

The Draft EIR contains the following sections:

- **Chapter 1, Executive Summary**. Summarizes the proposed project, alternatives analyzed, and potential environmental impacts.
- **Chapter 2, Introduction.** Describes the purpose of the EIR, CEQA EIR process; and organization of the EIR.
- **Chapter 3, Project Description.** Describes the proposed project location and objectives, and provides a detailed project description.

- **Chapter 4, Environmental Setting, Potential Impacts, and Mitigation Measures.** Describes existing conditions in the vicinity of proposed facilities, discusses project consistency with relevant local plans and policies, and identifies the environmental impacts associated with the project operation, as well as presents mitigation measures for the potential environmental impacts studied in the EIR.
- **Chapter 5, Alternatives.** Discusses a range of alternatives to the proposed project, or to the location of the proposed project, that could feasibly attain most of the basic objectives of the project, but will avoid or substantially lessen any of the significant effects of the project, and evaluates the comparative merits of the alternatives.
- **Chapter 6, CEQA Considerations.** Discusses several issues required by CEQA, including significant unavoidable impacts, significant irreversible effects, growth inducing impacts, and cumulative impacts to the project.
- **Chapter 7, Report Personnel**. Lists the names and associations for the persons involved in drafting this EIR.
- **Chapter 8, Literature Cited.** Lists the documents used to prepare this EIR.

3.0 PROJECT DESCRIPTION

The AOC proposes to construct a new courthouse in Stockton's Hunter Square for the Court. The proposed courthouse property is immediately west of the County's existing Courthouse/Administration Building, which is at 222 East Weber Avenue. The AOC's proposed project consists of:

- The AOC's acquisition of an approximately 1-acre parcel from the City of Stockton,
- Design and construction of a new courthouse facility,
- Modification of a portion of the Main Street mall, the Main Street fountain, and an adjacent park area,
- Movement of the Court's staff and operations from the existing Courthouse and other leased space in downtown Stockton to the new courthouse,
- Addition of vehicle traffic to a portion of the Main Street mall, and
- Operation of the new courthouse by the AOC to support the Court's operations.

3.1 PROJECT BACKGROUND

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

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

3.2 PURPOSE AND OBJECTIVES OF THE PROPOSED PROJECT

The purpose of the proposed project is to provide the Court with a new courthouse. The project's objectives are to provide:

- A new courthouse with improved security features, public access and public service features, and working and operational features for the Court's staff;

- Courthouse facilities that increase the efficiency of the Court's staff and operations and increase the Court's ability to serve residents of San Joaquin County;
- Courthouse facilities that promote efficient interaction and communication between 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 AOC expects that the new courthouse will help the Court offer expanded services and serve the increasing number of visitors who will otherwise visit the Court's downtown Stockton facilities.

3.3 PROJECT LOCATION

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

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

The proposed new courthouse site has no Assessor's Parcel Number (APN), but the AOC understands that the proposed courthouse parcel will extend from the northeast corner of parcel 149-020-05 to the northwest corner of parcel 149-020-16 to the southwest corner of parcel 149-020-16 and to the southeast corner of parcel 149-020-12. The project includes formal creation of the parcel, establishment of its land use designation as commercial, and classification of its zoning designation as Commercial Downtown (CD), which is consistent with adjacent parcels.

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

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

- East—Existing San Joaquin County Courthouse/Administration Building;
- 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
- West—Commercial buildings and parking lots.

3.4 PROJECT CHARACTERISTICS

3.4.1 New Courthouse

The proposed project includes the AOC's acquisition of the approximately 1-acre Hunter Square parcel from the City, design and construction of a new courthouse, and operation of the courthouse for the Court. Figures 1 and 2 show the proposed project location, and Figure 4 provides a conceptual site plan.

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

The building's entrance will face northeast toward Weber Avenue and the Courthouse/Administration Building, but it will be set back approximately 50 feet from Weber Avenue. The courthouse will have a plaza and public area between the building and Weber

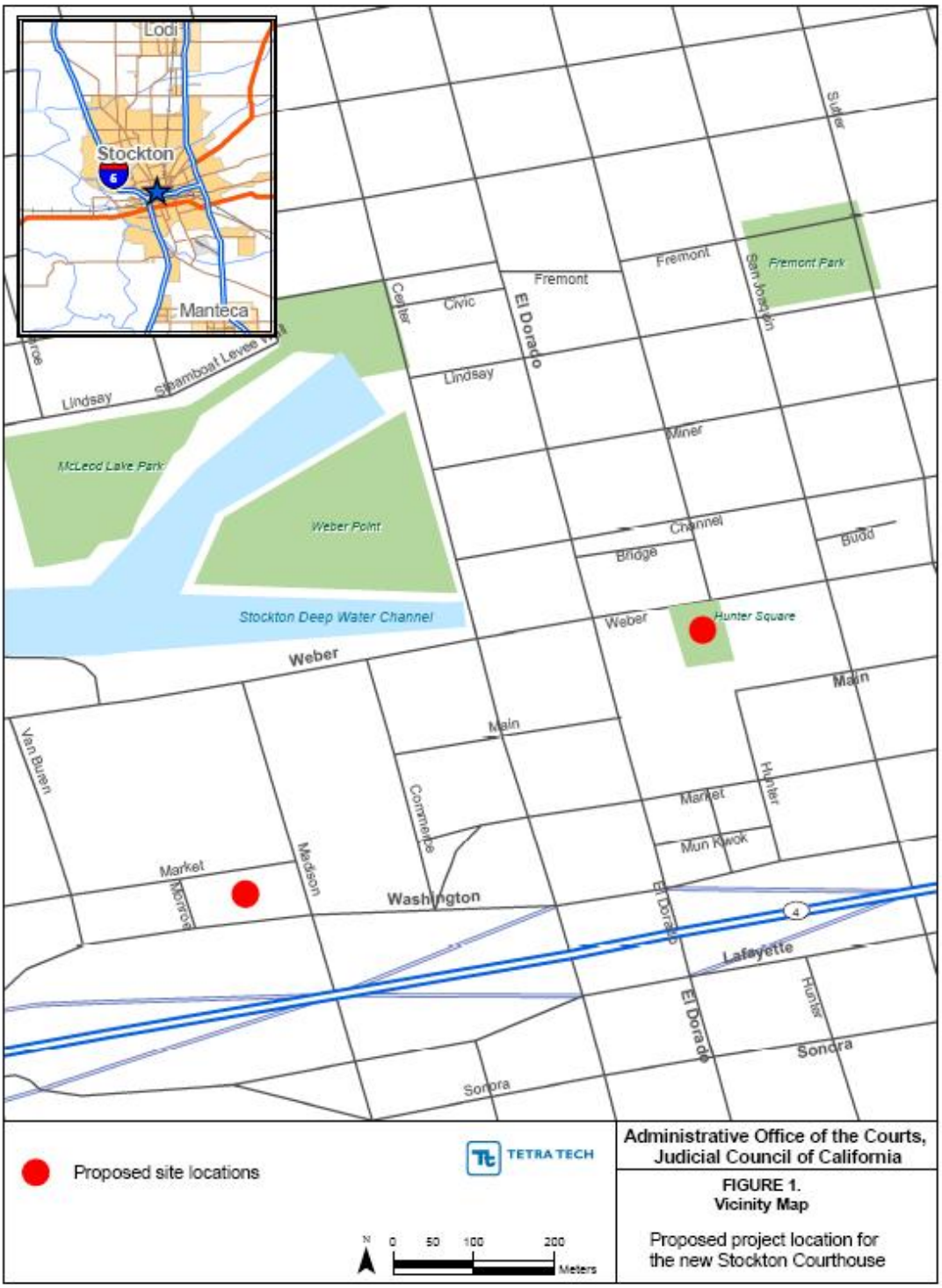
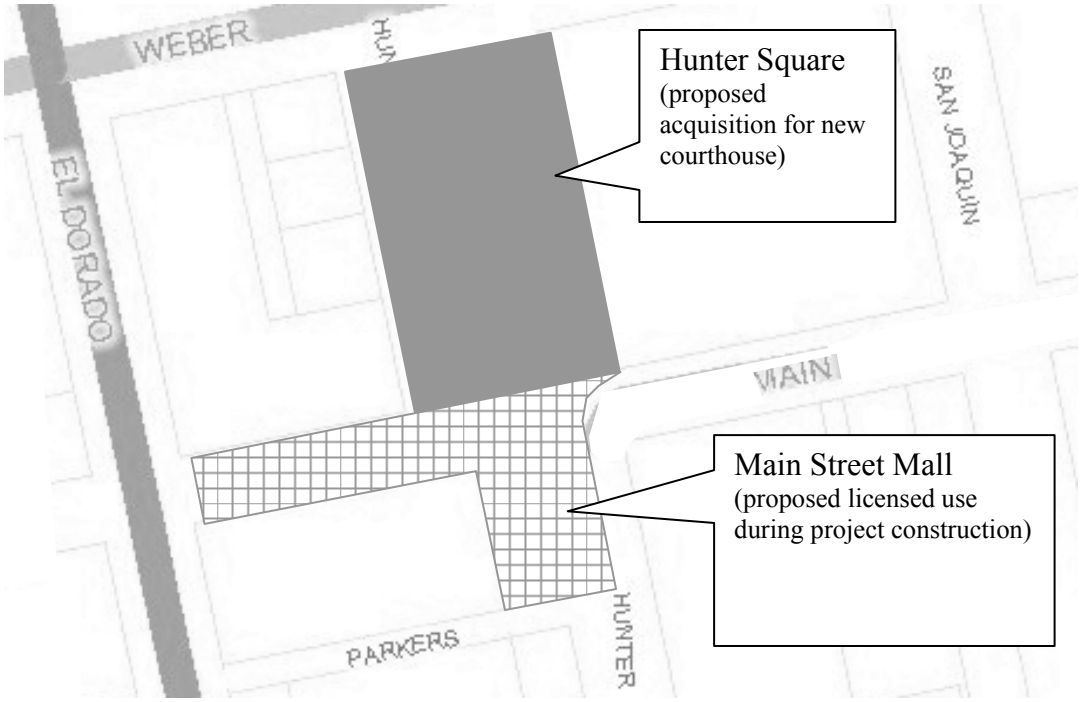


Figure 1. Vicinity Map of Proposed Courthouse

Figure 2. Existing Downtown Stockton Courthouse

Figure 3. Proposed Project Site – Acquisition and License Property

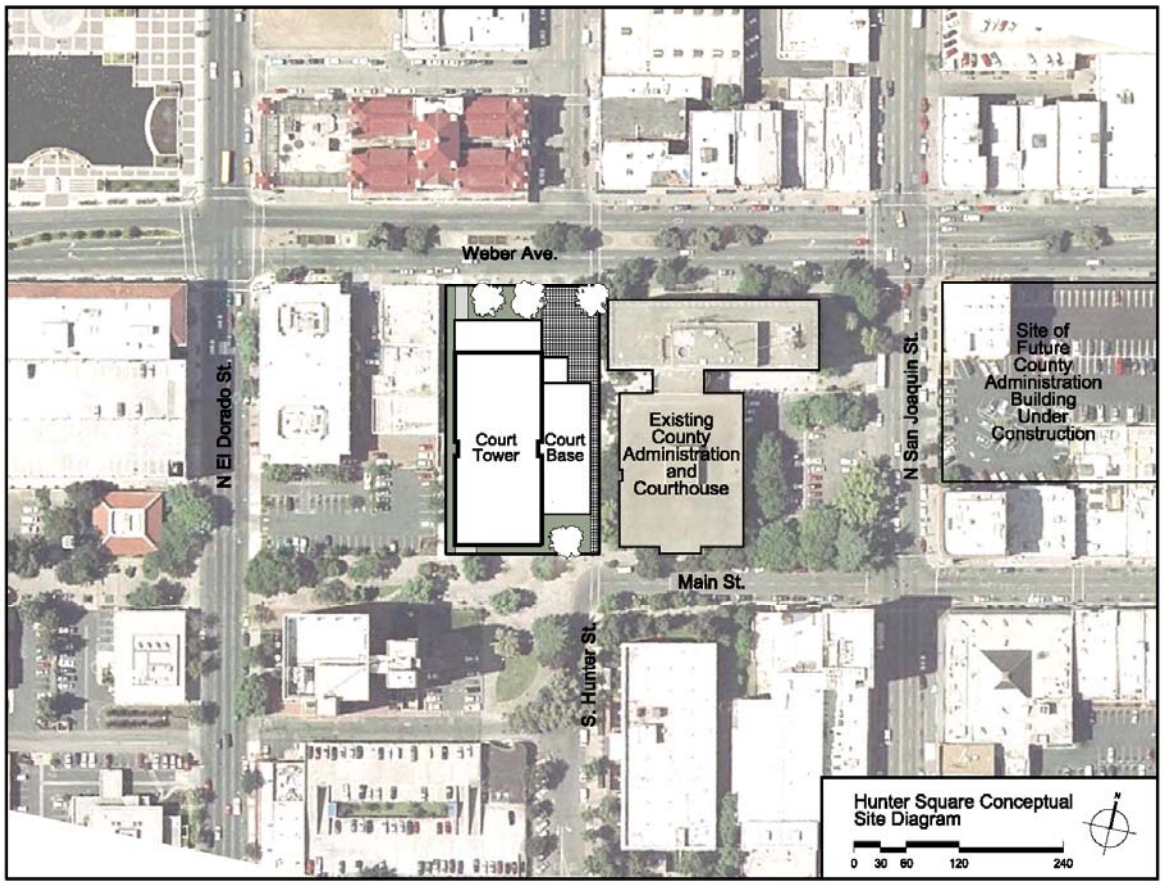


Avenue; landscaped areas on the east, south, and west sides of the building; and secure vehicle access facilities on the south side. The AOC understands that the County plans to construct a public plaza on the site of the Courthouse/Administration Building after the AOC's completion of the proposed courthouse. The courthouse's landscaped grounds will be adjacent to the County's future plaza.

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

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

Figure 4. Plan for Proposed New Stockton Courthouse



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

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

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

appropriate California Building Code Title 24 markers, (see Figure 5) on the pavement of the Main Street mall to mark vehicle lanes on the mall near the courthouse ramps and to warn pedestrians of vehicle traffic in the mall area.

Figure 5. Example Marker for California Building Code Title 24 Compliance

The AOC will base the design of the new courthouse on its *Principles of Design for California Court Buildings* (AOC 2008d). The AOC adapted these principles from the *Guiding Principles for Federal Architecture* by Daniel Patrick Moynihan, Hon. AIA and on the *Excellence in Public Buildings Initiative*, by Stephan Castellanos, FAIA, former State Architect of California. These principles include:

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

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

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

- Acquire the courthouse site in 2009,
- Prepare preliminary plans, drawings, and bid documents in late 2009 and 2010,
- Prepare working drawings in 2010,
- Bid and award the construction contract in early 2011,
- Begin construction in 2011,
- Complete construction in early 2013,
- Vacate the Court's space in the Courthouse/Administration Building and other leased space in Stockton and begin Court operations in the new courthouse in early 2013, and
- Transfer the AOC's interest in the Courthouse/Administration Building to the County after the Court begins operations in the new courthouse.

3.4.2 Parking

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

3.4.3 Plans and Arrangements for Construction of the Proposed Courthouse

To facilitate construction operations, the AOC intends to license space adjacent to the proposed courthouse site. Figure 6 shows the proposed licensed or leased areas that the AOC's construction contractor will use for staging areas. The AOC's construction contractor will establish security fencing around the perimeter of the proposed courthouse site and the staging areas. To minimize risks to public safety and construction operations, the AOC will seek the County's approval to improve access features and security operations for the eastern entrance to the Courthouse/Administration Building, close public entry to the western entrance to the San Joaquin Courthouse/Administration Building, require use of the building's eastern entrance for access to the building, and maintain a secured emergency egress pathway from the Courthouse/Administration Building's western entrance and emergency exits to Main Street and Weber Avenue.

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

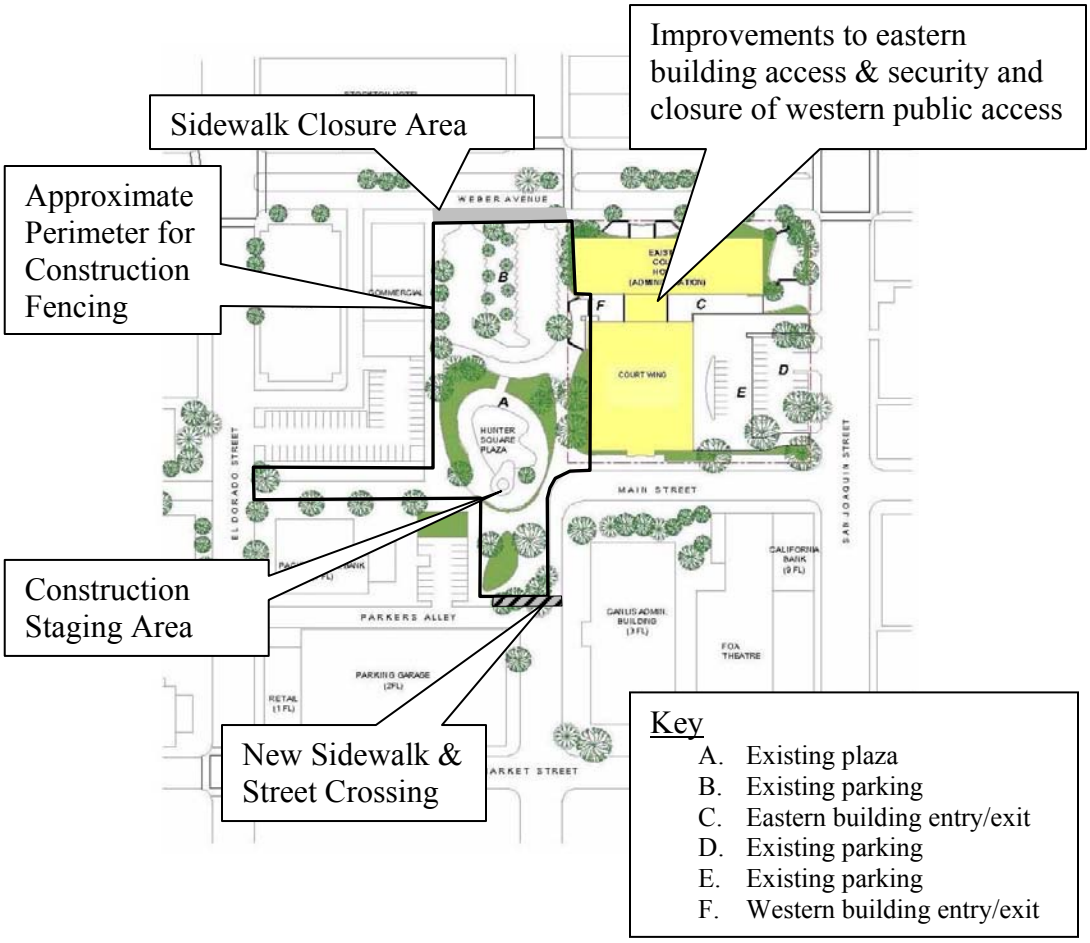


Figure 6: Site Plan for Proposed Temporary Construction Staging Area

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

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

3.4.4 Court's Withdrawal from the Current Courthouse Building

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

3.5 EXISTING CONDITIONS

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

3.5.1 San Joaquin County Courthouse

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

3.5.2 Courthouse Annex Facility in Downtown Stockton

The Court opened its new downtown Stockton Courthouse annex at 540 East Main Street (the old downtown location for J.C. Penny) in July 2008. Three judicial officers, support staff, Family Court Services department, Records Department, Pro Per Clinic, and satellite Department of Child Support Services office operate in the facility. The new annex has three courtrooms on the first floor. The AOC and Court expect to add five additional courtrooms and a jury assembly room on the second floor to accommodate five of the six additional judgeships that the court expects to receive in the upcoming years until the proposed new downtown courthouse opens in 2013. The leased space provides more working space for support staff, private conference rooms for attorneys' meetings with their clients, and an easily accessible Pro Per Clinic and self-help center for the public. After completion of the new courthouse in 2013, the Court will transfer most of its operations from this leased facility to the new courthouse. The Court plans to retain approximately 30,000 square feet of space for records storage.

3.5.3 Current Court Operations

Table 3-1 lists the judicial services that the Court provides at its various facilities. The Court currently has 33 courtrooms—25 courtrooms in Stockton and two courtrooms in each of the other facilities.

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

The Court summons jurors for judicial proceedings. Although the Court's need for jurors depends on the number of cases needing jurors and the types of pending judicial proceedings, the capacity of the Court's juror assembly room limits the maximum number of new jurors to approximately 200 jurors.

Tuesdays are typically the days with the greatest number of courthouse visitors for the Courts; the hour from 7:45 to 8:45 a.m. has the maximum number of entries; the hour with the greatest courthouse population is 8:30 to 9:30 a.m. The courthouse population typically declines from the early peak until noon, rises to a second peak from 1:00 to 2:00 p.m., and then declines steeply to a population low between 4:00 to 5:00 p.m. The Court's judicial proceedings and trials generally 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 4:00 p.m., Monday through Friday, excluding legal holidays.

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					

Operation	Jurisdiction	Stockton Crths.	Stockton Annex	Juv. Just. Center	Tracy	Manteca	Lodi
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					
	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

3.6 EXISTING PLANS AND POLICIES

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

3.6.1 General Plan

The City of Stockton General Plan 2035 identifies public facilities and services issues and states that the city will coordinate with government agencies to use available sites near existing neighborhoods and arterial streets that are appropriate for supporting government facilities. The general plan does not currently have a land use designation for the proposed project site. It is located within the Amended West End Redevelopment Project Area.

3.6.2 Zoning

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

3.6.3 Other Relevant Plans and Policies

Other relevant plans and policies include the following:

- San Joaquin Valley Unified Air Pollution Control District's Air Quality Management Plan;
- Regional Transportation Improvement Program for San Joaquin County;
- San Joaquin County Regional Transportation Plan;
- City stormwater policies;
- County of San Joaquin General Plan;
- City redevelopment plans such as the Downtown Stockton Strategic Plan and the Strong Neighborhood Initiative; and
- City of Stockton Development Code.

3.7 DISCRETIONARY PROJECT APPROVALS

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

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

4.0 ENVIRONMENTAL ANALYSIS

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

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

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

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

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

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

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

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

4.01 AESTHETICS AND VISUAL RESOURCES

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

4.01.1 Environmental Setting

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

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

4.01.1.1 Visual and Aesthetic Features

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

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

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

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

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

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

Since the main entrance to the Courthouse/Administration Building is on the Courthouse/Administration Building's east side, large numbers of people walk on the building's

adjacent sidewalks, the Hunter Square parking lot, the Hunter Square pool area and the Main Street mall. The Hunter Square pool area offers a convenient and relatively undisturbed seating area, and there are often people sitting around the pool on days with comfortable weather conditions. The Main Street pedestrian mall provides a vehicle-free space for pedestrian movement or other activities.

4.01.1.2 Wind and Microclimate

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

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

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

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

4.01.1.3 Scenic Vistas

The location of visual resources relative to the viewer determines the importance of the visual resources. Foreground (0 to ½ mile) resources or elements are features nearest to the viewer, and

background (greater than 2 miles) elements are features at a great distance from the viewer. The middle ground (1/2 mile to 2 miles) elements of a view are intermediate between the foreground and background. Generally, the closer an element in the viewshed is to the viewer, the more dominant it is and the greater is its importance to the viewer.

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

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

1. Western side of the El Dorado Street crosswalk at Main Street mall—eastward views along the mall are limited because the mall's trees obscure eastward views. Views toward the northeast include the north wing of the Courthouse/Administration Building, but trees obstruct views of the courthouse wing of the Courthouse/Administration Building;
2. Weber Avenue/El Dorado Street intersection (northwest corner)—buildings along Weber Avenue block views of most of Hunter Square; the trees in northern portion of the Hunter Square parking area are visible. The upper portion of the California Building and the top of the Bank of Stockton building are visible;
3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street)—the Hunter Square parking lot and mature trees associated with the lot's landscaping are prominently visible in the foreground; the Hunter Square parking lot trees obstruct views of the fountain, but viewers can move along Weber Street to viewpoints that provide views of the fountain through gaps in the tree canopy. Part of Weber Avenue provides a viewpoint through a Hunter Square walkway (allée) lined with trees to the Main Street fountain. At the Weber Avenue pedestrian crosswalk, the view includes the Hunter Square Plaza parking lot, the Main Street fountain, and a building along Washington Street;
4. Western entrance of the existing San Joaquin Courthouse/Administration Building—trees interfere with most views. The parking area and buildings on the west side of the parking area dominate westward foreground views toward the Stewart-Eberhardt Parking Garage, and the parking garage obstructs views of more distant objects. The southern portion of Hunter Square, including the pool structure, and the Main Street mall's trees, dominates the nearest portion of southwestern foreground views, and the Pacific Bank Building dominates the remainder of the foreground view and obstructs views of more distant objects;

5. Sidewalk area near the entrance of the existing San Joaquin Courthouse/Administration Building—the Hunter Square pool, the brick retaining wall around the pool and the raised pool, and the Main Street fountain dominate the nearest portion of the foreground view, and the Main Street mall's trees and the Pacific Bank Building dominate the remainder of the foreground view and obstructs views of more distant objects;
6. Southwest corner of the Main Street/San Joaquin Street intersection—viewers have unobstructed views along San Joaquin. Street trees and buildings form a visual "canyon" for westward views down Main Street. The canyon frames viewer attention on the Hunter Square fountain, and trees of the Main Street pedestrian mall provide a dark green backdrop to the fountain's cascading water;
7. Northwest corner of the Market Street/Hunter Street intersection—the adjacent County of San Joaquin Canlis Building and the trees and lawn of the southern portion of Hunter Square dominate the foreground view, and trees obstruct northward views;
8. Hunter Square at the Main Street/Hunter Street intersection—northward views include the San Joaquin County Courthouse/Administration Building and trees of the adjacent parking lot. The nearby fountain dominates westward views, and the Bank of America Building, Steward-Eberhardt Parking Garage, and Main Street pedestrian mall's trees dominate the area behind the fountain; and
9. State Route 4 near Washington Street exit—northward views include downtown Stockton, and viewers can glimpse the Stockton Hotel for a brief moment while travelling southwest on State Route 4.

4.01.1.4 Scenic Resources

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

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

4.01.1.5 Light, Shading, and Glare

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

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

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

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

4.01.2 Analytical Framework

4.01.2.1 Analytical Methodology

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

- Identify the visual features that define the visual character of the viewsheds,
- Assess the quality of the identified visual resources relative to overall regional visual character, and
- Assess the project's impacts to the scenic resources.

For analysis of shadowing impacts, the AOC limits its evaluation of shading and shadow to daytime shadows cast by objects blocking sunlight; the analysis does not consider shadows from objects blocking artificial light sources. Analysts created four shadow plots for the proposed site location using the

proposed courthouse location and the appropriate azimuth and altitude for the city of Stockton on each of the four equinoxes and solstices (December 21, March 21, June 21, and September 21). For each date, analysts assessed five time periods (8:00 a.m., 10:00 a.m., 12:00 p.m., 2:00 p.m., and 4:00 p.m.) to show the range of shadow direction and length that will occur. The height of the building was assumed to be 220 feet. The shadow plots created are representative of a flat topography with no other sources of shadows. This location is in a generally flat area; however, there is some natural undulation. In addition, there are many other sources of shadows in close proximity to the proposed courthouse location because of its urban nature.

4.01.2.2 Regulatory Background

Local

The City's 2035 General Plan contains the following policies relevant to the project area's aesthetic resources and visual character:

CD-1.1 Urban Design Plans	The City shall ensure that plans for districts, corridors and villages reflect citywide urban design concepts set out in the General Plan.
CD-1.6 Open Space Features	The City shall promote community design that incorporates the open space features of Stockton's waterways, wetlands, and parks into the travel experience. This includes visual access to open space features and private and public investment that visually frames and complements natural landscapes and parks.
CD-2.2 New Infrastructure	The City shall require that new infrastructure investment respect the image and character of historic neighborhoods and districts. Landscape, original roadways, sidewalks and other public realm features in historic neighborhoods shall be restored or repaired where ever possible.
CD-6.4 Buildings	The City shall require that new public and institutional buildings be planned and designed to implement citywide and district design objectives.

4.01.2.3 Standards of Significance

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

- Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings;
- Have a substantial adverse affect on a scenic vista;
- Substantially damage scenic resources; or

- Create a new substantial source of light or glare that will adversely affect day or nighttime public views in the area or cause extended periods of shading of public facilities.

4.01.3 Potential Impacts and Mitigation Measures

4.01.3.1 Visual Character and Aesthetic Quality

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

Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?—Potentially Significant. The proposed courthouse will replace the proposed parcel's parking area with mature trees and the park with its pool with a 12-story building with service drives and surrounding landscaped areas. In addition, the proposed courthouse will add use a portion of the Main Street mall for limited vehicle traffic, add visually prominent safety features (see Figure 5) to the mall's surface, and possibly remove several trees from the mall or prune limbs from several trees on the mall. As noted above, the project will remove the existing fountain during construction.

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

generally consistent with development standards of the City of Stockton Development Code. Since the high-rise building will not be unusual for the downtown Stockton setting and the visual character and aesthetic quality of the proposed courthouse will be consistent with the visual character and aesthetic quality of the downtown area, the AOC concludes that the physical appearance of the building will not substantially degrade the existing visual character or aesthetic quality of the site's surroundings.

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

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	35	4	4	2
9:00-11:00	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

The proposed courthouse's 12-story tower may generate high-velocity ground borne winds. The building's interactions with westerly winds may generate high-velocity ground borne winds on the building's west side that will affect the Main Street pedestrian mall; the building's interactions with northerly winds may generate high-velocity ground borne winds on the building's north side that will affect pedestrians using of the Weber Avenue southern sidewalk, persons entering the new courthouse, and persons using the proposed plaza areas on the north side of the new courthouse.

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

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

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

> **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.

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

4.01.3.2 Scenic Vistas

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

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

1. At the western side of the El Dorado Street crosswalk at Main Street mall—As noted in Section 4.01.1.3, eastward views along the mall are limited because the mall's trees obscure eastward views. The new courthouse will block northeast views toward the north wing of the Courthouse/Administration Building;
2. Weber Avenue/El Dorado Street intersection (northwest corner)—The new courthouse will obstruct views of the upper portion of the California Building and the top of the Bank of Stockton building;
3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street)—the new courthouse will eliminate the Hunter Square parking area, associated mature landscaping, and the Main Street fountain. From Weber Avenue, the courthouse's plaza, landscaping and northern façade will be prominent to viewers;
4. Western entrance of the existing San Joaquin Courthouse/Administration Building—The new courthouse will eliminate the Hunter Square parking lot and views of buildings on the west side of the parking lot, the southern portion of Hunter Square including the pool structure and park-like setting, and possibly some of the Main Street mall's trees. Viewers will see the east side of the new courthouse and its eastern landscaping;
5. Sidewalk area near the entrance of the existing San Joaquin Courthouse/Administration Building—The new courthouse will eliminate the Hunter Square pool, including the brick retaining wall; viewers will see the new courthouse, but the courthouse will block views of the Main Street mall's trees and the Pacific Bank Building. As stated above, the project will remove the existing fountain, but the AOC will construct a new fountain on the Main Street mall to comply with mitigation measure Aesthetics 2; the AOC has not chosen a location on the Main Street mall for the replacement fountain, and the new courthouse may potentially block views of the replacement fountain;
6. Southwest corner of the Main Street/San Joaquin Street intersection—The project will remove the Main Street fountain, but the AOC will construct a new fountain on the Main Street mall to comply with mitigation measure Aesthetics 2. The AOC has not chosen a location on the Main Street mall for the replacement fountain, but the fountain's new location will still be visible from the Main Street/San Joaquin Street intersection and other Main Street locations;
7. Northwest corner of the Market Street/Hunter Street intersection—The new courthouse will be behind the trees of the S. Hunter plaza, and the courthouse will add a new visual feature to the view;
8. Hunter Square at the Main Street/S. Hunter Street intersection—The northward views of the San Joaquin County Courthouse/Administration Building will remain unchanged. For the northwestward view, the new courthouse will replace the Hunter Square pool, lawn, and parking area, and the project's compliance with mitigation measure Aesthetics 2 will replace the Main Street mall's existing fountain with a new fountain on the Main Street mall; and
9. State Route 4 near Washington Street exit—The new courthouse will block northward any brief glimpse the Stockton Hotel while traveling southwest on State Route 4.

Table 4-2 lists the AOC's conclusions regarding the significance of the project's impacts scenic views.

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.

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

Mitigation Measures:

Aesthetics 2—See Section 4.01.3.1; and

Aesthetics 3—The replacement water feature will have sufficient height and other features to make the replacement water feature a dominant visual and aesthetic feature of the mall area between S. Hunter Street and El Dorado Street and it shall be prominently visible from the intersection of San Joaquin Street/Main Street.

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

4.01.3.3 Scenic Resources

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

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

Mitigation Measures:

Aesthetics 2—See Section 4.01.3.1; and

Aesthetics 3— See Section 4.01.3.2.

4.01.3.4 Lighting, Glare, and Shading

Potential Impact: Create a new source of substantial light, or glare that will adversely affect day or nighttime views?—Less than Significant. The proposed project will create light sources for exterior and interior building lighting and security lighting on courthouse grounds. 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 lighting plan that complies with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to lighting include:

- Meet or provide lower light levels and uniformity ratios than those recommended by the Illuminating Engineering Society of North America (IESNA) Lighting for Exterior Environments: An IESNA Recommended Practice (IESNA 1999),
- Design exterior lighting such that all exterior luminaries with more than 1,000 initial lamp lumens are shielded and all luminaries with more than 3,500 initial lamp lumens meet the Full Cutoff IESNA Classification,
- The maximum candela value of all interior lighting shall fall within the building (not out through windows) and the maximum candela value of all exterior lighting shall fall within the property, and

- Any luminary within a distance of 2.5 times its mounting height from the property boundary shall have shielding such that no light from that luminary crosses the property boundary.

Most of the building's interior lighting will be limited to the Court's typical weekday operational hours and the periods immediately before and after the court's operations. The AOC intends to shield all light sources to minimize light on surrounding properties, and landscaping also will block light from these properties. Furthermore, light sources are already present on the project site from the existing parking lot and neighboring buildings such as the existing courthouse and commercial businesses west of the proposed project site. The building's security lighting will not be substantially different from nearby buildings, so the security lighting will not be a source of substantial light. Implementation of these measures and other LEED guidelines will reduce both the generation of exterior light and the potential for light trespass to affect off-site areas. Because the project will comply with LEED criteria for reducing light pollution, the AOC concludes that the project will not create a new source of substantial light that will adversely affect day or nighttime views in the area.

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

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

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

During the summer when shadows are the shortest, the proposed building will only shade the property immediately west and east of the building. This will include the three private parcels to the west and the existing San Joaquin County Courthouse/Administration Building to the east.

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

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

Mitigation Measures: None required.

Figure 7. Approximate Location and Length of Shadows Cast by the Proposed Courthouse.

4.02 AIR QUALITY

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

4.02.1 Environmental Setting

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

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

The district is located in the southern portion of California's Central Valley. The valley is basically flat with a slight downward gradient to the north-northwest. The Central Valley opens to the sea at the Carquinez Strait, where the Sacramento-San Joaquin Delta empties into San Francisco Bay. The Sierra Nevada mountains (8,000-14,000 feet in elevation) are the district's eastern boundary, the Coast Range (averaging 3,000 feet in elevation) are the district's western boundary, and the Tehachapi Mountains (6,000-8,000 feet in elevation) are the district's southern boundary. Due to the mountains, the San Joaquin Valley resembles a "bowl" open only to the north.

4.02.1.1 Climate and Meteorology

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

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

- Surface inversions are formed when the ground surface becomes cooler than the air above it during the night; the inversion is dissipated when heat from the sun warms the ground, which in turn heats the lower layers of air, which rise to break up the inversion layer. Summer radiation inversion mixing heights are usually encountered 2,000–2,500 feet above the valley floor; during the winter, radiation inversion heights are typically 500–1,000 feet above the valley floor.

- Subsidence inversions occur as air is pushed downward by, for example, the movement of air over mountain ranges, or by differential pressure changes in the atmosphere. As this air moves downward, its pressure increases, and the pressure increase raises the air's temperature. The warm layer of air created by this phenomenon will descend to some relatively static elevation above the ground and create a low inversion layer. This type of inversion is quite persistent, since heat from the ground does not reach the inversion base to break it up. This is common in high pressure areas along the coast.

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

Between winter storms, high pressure and light winds allow cold moist air to pool on the Central Valley's floor, which creates strong low-level temperature inversions and very stable air conditions that produce "tule" fog. Fog formation occurs when local cooling of the atmosphere reaches the atmosphere's dew point temperature. Conditions favorable to fog formation are also conditions favorable to high concentrations of carbon monoxide and respirable particulate matter with an

aerodynamic diameter of 10 micrometers or less (PM10), but ozone levels are low during these periods due to the lack of sunlight. Maximum carbon monoxide concentrations tend to occur on clear, cold nights when a strong surface inversion is present and large numbers of fireplaces are in use. A secondary peak in carbon monoxide concentrations occurs during morning commute hours when a large number of motorists are driving and sunlight has not yet broken the surface inversion.

4.02.1.2 Criteria Air Pollutants

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

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

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

4.02.1.3 Hazardous Air Pollutants/Toxic Air Contaminants

Hazardous air pollutants are chemicals that can cause adverse effects to human health or the environment. The Clean Air Act requires EPA to regulate emissions of 188 hazardous air pollutants from a published list of industrial sources called "source categories." EPA has identified source categories that must meet technology requirements to control hazardous air pollutant emissions and is required to develop regulations for all industries that emit one or more of the hazardous air pollutants in significant quantities. Diesel emissions from vehicles and equipment haves been identified as a primary contributor to risk associated with hazardous air pollutants (California Air Resources Board [CARB] 2006a).

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

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

4.02.1.4 Diesel Particulate Matter

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

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

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

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

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

$\mu g/m^3$ Micrograms per cubic meter
Source: CARB 2000

4.02.1.5 Ambient Air Quality Standards

Air quality is assessed by measuring ambient concentrations of criteria pollutants, where acceptable levels of exposure can be determined 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.

The EPA or California Air Resources Board designate 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 8-hour	0.09 ppm 0.070 ppm	Nonattainment	– – 0.08 ppm	– – Nonattainment
Carbon monoxide	1-hour 8-hour	20 ppm 9 ppm	Attainment	35 ppm 9 ppm	Attainment
Nitrogen dioxide	1-hour Annual	0.18 ppm 0.030 ppm	Attainment	– – 0.053 ppm	Attainment
Sulfur dioxide	1-hour 24-hour Annual	0.25 ppm 0.04 ppm – –	Attainment	– – 0.14 ppm 0.03 ppm	Attainment
PM_{10}	24-hour Annual	50 µg/m^3 20 µg/m^3	Attainment	150 µg/m^3 – –	Attainment
$PM_{2.5}$	24-hour Annual	– – 12 µg/m^3	– – Nonattainment	35 µg/m^3 15 µg/m^3	Attainment Nonattainment

µg/m^3 Micrograms per cubic meter
ppm Parts per million
Source: CARB, 2008a.

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 4-6 summarize the frequency of violations and current air quality conditions at the three stations nearest the project for ozone, PM_{10}, and $PM_{2.5}$.

Table 4-6: Frequency of Air Quality Standard Violation

Monitoring	Year	Number of Days Standard is Exceeded

Site		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	– –

Notes: "– – " = Insufficient or unavailable data. Days over PM_{10} California ambient air quality standard are based on monitoring every sixth day.

Source: CARB Air Quality Data 2006b.

Table 4-7: Recent Air Quality Concentrations

Monitoring Site	Year	Ozone, Max 8-hour (ppm)	PM_{10}, Max 24-hour ($\mu g/m^3$)	$PM_{2.5}$, Max 24-hour ($\mu g/m^3$)
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	– –

$\mu g/m^3$ Micrograms per cubic meter

ppm Parts per million

Source: CARB Air Quality Data 2006c.

4.02.1.6 Existing Emission Inventory

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

Table 4-8 summarizes the emissions of Criteria Air Pollutants in San Joaquin County.

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

Source	Volatile Organic Compounds	Carbon Monoxide (ton/day)	Oxides of Nitrogen (ton/day)	Sulfur Dioxide (ton/day)	PM_{10} (ton/day)	$PM_{2.5}$ (ton/day)

	(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**

Source: CARB 2008c.

4.02.1.7 Sensitive Receptors

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

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

4.02.1.8 Reduction of Greenhouse Gas Emissions

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

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

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

Senate Bill 1771 (2000) required the California Energy Commission to update California's inventory of greenhouse gas emissions in January 2002 and provide updates every five years. The State uses the inventory to develop policies affecting emissions of greenhouse gases. The California Energy Commission (2006) concluded that transportation activities are responsible for approximately 40% of California's greenhouse gas emissions, the industrial sector produces approximately 20% of the emissions, electrical generation is also responsible for approximately for 22% of the emissions, agriculture and forestry produce approximately 8% of the greenhouse gas emissions, and other activities contribute approximately another 8% of the emissions.

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

- Green buildings are constructed, renovated, operated, and maintained using an integrated design process that creates and ensures a healthy and comfortable environment while maximizing energy and resource efficiency;
- Employing a whole-building design approach can create tremendous synergies that result in multiple benefits at little or no cost, allowing for efficiencies that will never be possible on an incremental basis;
- Green buildings exceed minimum energy efficiency standards, decrease consumption of potable water, reduce solid waste during construction and operation, and incorporate sustainable and low-emitting materials that contribute to healthy indoor air quality, which protects human health and minimizes impacts to the environment; and
- Situating buildings close to public transportation and services, and providing amenities that encourage walking and cycling, offer further potential to reduce transportation related greenhouse gas emissions.

Currently, there is no quantitative level of significance for GHG emissions and some lead agencies have, therefore, considered any level of GHG emissions to be significant. The State Office of Planning and Research has recently published Draft CEQA guidance for GHG emissions designed to clarify this situation (OPR, 2009; http://www.opr.ca.gov/index.php?a=ceqa/index.html). The guidance currently allows lead agencies the flexibility to consider qualitative or other performance-based standards when determining significance of impacts for GHG emissions. The CARB has been asked by the OPR to recommend a method for setting quantitative thresholds of significance for GHG emissions, which may provide a numerical basis for GHG significance levels in the future.

4.02.2 Analytical Framework

4.02.2.1 Analytical Methodology

The EIR's analysts assessed potential impacts from the proposed project's air emissions by estimating emission rates from construction and on-going operations and then comparing them with significance criteria. Emission rates of chemicals and particles released into the air were estimated using the publicly available software, URBEMIS version 9.2.4. This computer model allows users to estimate construction and operational emissions of various pollutants, including inhalable particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), carbon monoxide, reactive organic gases, sulfur oxides, oxides of nitrogen, and carbon dioxide.

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

- Demolition
- Fine Site Grading
- Mass Site Grading
- Trenching
- Building Construction
- Architectural Coating
- Paving

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

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

4.02.2.2 Regulatory Background

Federal

The U.S. Environmental Protection Agency (EPA) is responsible for implementing programs established under the federal Clean Air Act, including establishing and reviewing the national ambient

air quality standards and judging the adequacy of state implementation plans. However, EPA has delegated the authority to implement many of the federal programs to the states while retaining an oversight role to ensure that the programs continue to be implemented.

The 1970 federal Clean Air Act established national ambient air quality standards for six pollutants: carbon monoxide, ozone, PM_{10}, nitrogen dioxide, sulfur dioxide, and lead. These six criteria pollutants are known to have adverse impacts on human health and the environment. To protect human health and the environment, EPA has set primary and secondary maximum ambient thresholds. The primary thresholds were set to protect human health, particularly children and the elderly, as well as individuals in the population that suffer from chronic lung conditions (such as asthma and emphysema). The secondary standards were set to protect the natural environment and prevent further deterioration of animals, crops, vegetation, and buildings. The combined primary and secondary standards are termed the national ambient air quality standards.

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

State

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

The California Clean Air Act requires regions to develop and implement strategies to attain California ambient air quality standards. CARB, California's state air quality management agency, is responsible for establishing and reviewing the California ambient air quality standards, compiling the California state implementation plan, securing approval of the plan from EPA, and identifying toxic air contaminants. CARB also regulates mobile emission sources in California, such as construction equipment, trucks, and automobiles, and oversees the activities of air districts, which are organized at the county or regional level. Regional air quality management districts, such as the Air Pollution Control District, must prepare an air quality plan specifying how federal and state standards will be met.

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

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

Portable sources and temporary activities that emit air contaminants are also managed through the EPA/CARB Off-Road Mobile Sources Emission Reduction Program. The California Clean Air Act mandates that CARB achieve the maximum degree of emission reductions from all off-road mobile sources to attain the California ambient air quality standards. Off-road mobile sources include construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. The standards require historically unregulated construction equipment of model year 2000 and later to achieve exhaust standards for nitrogen oxides, volatile organic compounds, carbon monoxide, and PM_{10}. These standards and ongoing rulemaking jointly address emissions of nitrogen oxides and toxic particulate matter from diesel combustion. CARB is also developing a control measure to reduce diesel particulate matter emissions as well as nitrogen oxides from in-use (existing) off-road diesel equipment throughout the state. Owners and operators of off-road diesel equipment and vehicles will need to begin reporting to CARB in 2008 and to meet fleet emissions targets in 2009. Public agencies and utilities are subject to fleet rules to reduce diesel particulate matter.

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

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

San Joaquin Valley Unified Air Pollution Control District

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

- Rule 4101 – Visible Emissions—The purpose of this rule is to prohibit the emissions of visible air contaminants to the atmosphere for 3 minutes in any 1 hour;
- Rule 4102 – Nuisance—The purpose of this rule is to prohibit the emission of air contaminants that are a nuisance or detriment to the public;
- Rule 4601 – Architectural Coatings – The purpose of this rule is to limit VOC emissions from the application of architectural coatings;
- Rule 4641 – Asphalt, Paving, and Maintenance Operations – The purpose of this rule is to limit the emissions of volatile organic compounds from the application and production of certain types of asphalt products;

- Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities – The purpose of this rule is to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities;
- Rule 9110 – General Conformity – The federal conformity rule prohibits any federal actions that may be inconsistent with Air Pollution Control District's efforts to achieve national ambient air quality standards; and
- Rule 9510 – Indirect Source Review– This regulation helps fulfill the objective of meeting commitments in the PM_{10} and ozone attainment plans through design elements, on-site, and off-site features.

Each local air quality management or air pollution control district establishes criteria to assess a project's impacts on air quality. The Air Pollution Control District has established annual significance thresholds for oxides of nitrogen and reactive organic gases for stationary sources. Additionally, the Air Pollution Control District has specified compliance with Regulation VIII as sufficient for control of PM_{10} for these sources. However, the district has not established rules for characterizing impacts from construction. Absent formal CEQA guidelines on construction thresholds from the Air Pollution Control District, construction emissions greater than any that will trigger an air quality impact analysis, as found in the Air Pollution Control District regulations for stationary sources, are considered potentially significant. If construction-phase emissions exceed these thresholds for a stationary source air quality impact analysis, then construction has the potential to violate air quality standards or contribute substantially to 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: 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.

2008 $PM_{2.5}$ Plan

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

Assembly Bill 32

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

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

Memorandum of Agreement Between the City of Stockton and the Attorney General of California and the Sierra Club

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

4.02.2.3 Standards of Significance

The AOC considers an impact to be significant if:

- The proposed project will conflict with the applicable air quality plan or obstruct the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- 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;
- Expose sensitive receptors to substantial pollutant concentrations;
- Create objectionable odors affecting a substantial number of people; or
- 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 (AB) 32, California Global Warming Solutions Act of 2006.

4.02.3 Potential Impacts and Mitigation Measures

4.02.3.1 Applicable Air Quality Plan Conflicts

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

Mitigation Measures: None required.

4.02.3.2 Air Quality Standard Violations

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

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

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. The criteria air pollutant emissions from the operation and maintenance of the Proposed Project are included in Table 4-11. 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.

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

Mitigation Measures: None required.

4.02.3.3 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, and $PM_{2.5}$ are 1500 and 107 tons per day, respectively. The maximum modeled emissions from this project are 121 pounds per day of ozone precursors and 3.9 pounds per day of $PM_{2.5}$. This project will not considerably increase the emission or either ozone or $PM_{2.5}$ in the Air Pollution Control District.

Mitigation Measures: None required.

4.02.3.4 Sensitive Receptor Exposure to Substantial Pollutant Levels

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

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

Mitigation Measures: None required.

4.02.3.5 Objectionable Odors

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

Mitigation Measures: None required.

4.02.3.6 Greenhouse Gas Emission Reduction Plan

Potential Impact: Conflict with the State Goal of Reducing Greenhouse Gas Emissions in California to 1990 Levels by 2020—Less than Significant. The AOC's design effort includes the objective of achieving a LEED Silver certification, which complies with the Air Resources Board's Draft Scoping Plan for AB 32 compliance (California Air Resources Board 2008d) and the Proposed Scoping Plan (California Air Resources Board 2008e); the California Building Standards Commission's green building standards in the 2007 California Green Building Standards Code, CCR, Title 24, Part 11; and the Memorandum of Agreement Between the City of Stockton and the Attorney General of California and the Sierra Club (City of Stockton 2008e).

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

Mitigation Measures: None required.

4.03 CULTURAL RESOURCES

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

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

4.03.1 Environmental Setting

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

4.03.1.1 Prehistoric Setting

The area that now encompasses Stockton was originally inhabited by Native American peoples. Much of the San Joaquin Valley and the areas surrounding the San Joaquin and Sacramento Rivers have been occupied throughout most of the Holocene Epoch (10,000 Before Present [B.P.] to the present). Much of the direct, dateable evidence for the San Joaquin Valley for this period came from what has been called the Farmington Complex, placed tentatively at around 9,000 to 7,000 B.P. Since then, Farmington-type artifacts have been discovered in other locations between the Cosumnes and Stanislaus River watersheds. However, only a small amount of physical evidence exists of these early peoples.

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

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

4.03.1.2 Ethnographic Setting

The project area was originally inhabited by the Northern Valley Yokuts. Most information on this group is gleaned from translated accounts of Spanish military men and missionaries. Northern Valley Yokuts' territory is defined roughly by the crest of the Diablo Range on the west and the foothills of the Sierra Nevada on the east. The southern boundary is located approximately where the San Joaquin River bends northward, and the northern boundary is roughly half way between the Calaveras and

Mokelumne Rivers. The Yokuts may have been fairly recent arrivals in the San Joaquin Valley, perhaps being pushed out of the foothills about 500 years ago. Population estimates for the Northern Valley Yokuts vary from 11,000 to more than 31,000 individuals. Populations were concentrated along waterways and on the more hospitable east side of the San Joaquin River.

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

4.03.1.3 Historic Setting

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

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

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

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

The City of Stockton incorporated in 1850, and Stockton experienced its most rapid growth due to its role as a major gold rush supply and transportation center in the mid-1800s. In the latter half of the 1880s, Stockton became a major shipping point for overseas grain trade in the latter half of the 1880s.

With Stockton's thriving agricultural economy came associated residential development. Many of the residential neighborhoods in the central portion of the city were developed by the owners of businesses and industries and reflect the relative wealth of the owners. These homes, dating to the late 1800s, reflect the Victorian architectural style.

A variety of immigrant groups arrived in the Stockton area after Spain ceded control to Mexico and California later became a part of the United States. Immigrants of Spanish and Mexican ancestry located in the Central Valley followed by French, German, Irish, and other European ethnic groups. Gold-seekers of various nationalities traveled through Stockton on the way to the foothills of California. Many people of Chinese-descent traveled to Stockton after their homes and business were damaged or destroyed in the San Francisco earthquake and subsequent fire of 1906. A large Filipino population migrated to Stockton in the 1930's where they made up the majority of local farm labor. In addition, many Midwesterners of various ethnic descents arrived in the area as farm workers. Large numbers of women worked at the local canneries in this time period. World War II brought large ship-building operations to Stockton, employing large numbers of men and women. Farm labor shortages resulted and migrants from Mexico were brought in to Stockton as part of a government-sponsored program to assist with the farming industry (Architectural Resources Group 2000).

The Chinese Community

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

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

Field workers identified intact archaeological deposits on two lots. No prehistoric sites were encountered. Resources discovered from 117-123 Channel Street (termed Analytical Unit A), the Sing Lee Chinese Laundry deposit, and from 121-123 Channel Street (Analytical Unit B) were found to be eligible for the California Register of Historical Resources. Archaeologists completed a

Department of Parks and Recreation (DPR) 523 site form, which recorded these archaeological resources as the Stockton City Center Cinemas Site (CA-SJO0295H), and curated the deposits at the Archaeological Collections Facility at California State University, Sonoma.

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

4.03.1.4 Historic District and Historic Properties

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

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

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

As shown in Table 4-12, the area surrounding the proposed project site contains several buildings that are listed in the National Register of Historical Resources.

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

4.03.1.5 Hunter Square

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

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

Water features have been located in Hunter Square in various incarnations throughout most of the history of the city. In the 1850s, there was an artesian well, which was awarded a blue ribbon at the state fair. A granite drinking fountain was constructed in the plaza area facing Main Street in 1891, created with funds collected by the *Stockton Mail* newspaper. The current fountain and reflection pool were constructed between 1965 and 1967 by the City as the centerpiece for the then-redesigned Hunter Square. During the city's West End Renewal Project, Main Street was also closed to create the current park and water feature. It is currently used for the downtown Farmer's Market, street fairs, and for informal gathering by nearby workers and visitors to the courthouse and downtown.

Due to its location and undeveloped space, Stockton's residents and visitors have used Hunter Square as a parking lot throughout its history. The Hunter Street and Main Street alignments marked the eastern and southern boundaries of Hunter Square. Vehicles parked along the western edge of Hunter Square and in north:south rows (see photos in Appendices F and G).

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

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

The City received a historic landmark petition for Hunter Square in 1979 (City of Stockton 1979, see Appendix G). The City subsequently denied the petition (City of Stockton 1984. see Appendix G). Therefore, Hunter Square currently has no City-designated historic status.

4.03.2 Analytical Framework

4.03.2.1 Analytical Methodology

To assess effects on cultural resources, a lead agency must evaluate significance of cultural resources. Cultural resource analysts normally take the following steps:

- Identify potential historical resources and unique archaeological resources;
- Evaluate the eligibility of historical resources; and
- Evaluate the effects of the project on eligible historical resources.

Efforts to identify cultural resources that could be affected by the proposed project included archival research and a review of other studies completed for the project area. The potential impacts of the project on cultural resources were evaluated by considering both construction and operational impacts of the proposed project. The proposed project site is currently developed with buildings, a parking lot, and

a small park. It will not be possible to conduct an archaeological field investigation on the proposed site at this time, as the site is not vacant.

Analysts derived information from the following sources:

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

Archival Records Search

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

4.03.2.2 Regulatory Background

Federal

National Register of Historic Places

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

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

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

State

California Register of Historical Resources

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

1. Association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1);
2. Association with the lives of persons important to local, California, or national history (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 purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC 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 in order to include a range of historical resources which 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) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.01).

(2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.01(g) of the Public Resources Code, will be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, the lead agency will consider a resource to be "historically significant" if the resource meets the criteria for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.01).

(4) The fact that a resource is not listed in, or determined to be eligible for listing, in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.01(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Section 5020.1(j) or 5024.01.

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

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

In the event that any human remains are encountered during site disturbance, Section 7050.5 of the California Health and Safety Code requires cessation of all ground–disturbing work in the vicinity of the remains until the coroner of San Joaquin County has been contacted. There will be no further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent human remains until the county coroner is contacted. If the coroner concludes that the human remains are of Native American origin, the Native American Heritage Commission must be contacted within 24 hours, and the project sponsor will comply with state laws relating to the disposition of Native American burials, regulated by the Native American Heritage Commission (Public Resource Code Sec. 5097).

Local

City of Stockton General Plan.

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

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

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

- Goal NCR-3—To encourage the identification, protection, and enhancement of the city's archaeological, historical, and paleontological resources for their cultural values.
- Policy NCR-3.1—Evaluation of Historic Resources. The city shall use appropriate state and federal standards in evaluating the significance of historic resources that are identified in the city.
- Policy NCR-3.2—Historic Structures and Sites. The city shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building.
- Policy NCR-3.5—Archaeological Resource Surveys. Prior to project approval, the city shall require project applicant to have a qualified archeologist conduct the following activities: (1) conduct a record search at the Central California Information Center located at California State University Stanislaus and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archeological Resource Management Reports).
- Policy NCR-3.6—Discovery of Archaeological Resources. Consistent with Stockton Municipal Code Section 16 310.050 – Cultural Resources, In the event that archaeological/paleontological resources are discovered during site excavation, the city shall require that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist. The city will require that a qualified archeologist/paleontologist make recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontologist materials. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the city.

- Policy NCR-3.7—Native American Resources. The city shall consult with Native American representatives regarding cultural resources to identify locations of importance to Native Americans, including archeological sites and traditional cultural properties. Coordination with the Native American Heritage Commission should begin at the onset of a particular project.
- Policy NCR-3.8—Discovery of Human Remains. Consistent with Stockton Municipal Code Section 16-310.050 – Cultural Resources and the CEQA Guidelines (Section 15064.05), if human remains of Native American origin are discovered during project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
    1. The San Joaquin County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and,
    2. If the remains are of Native American origin, 1. The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; 2. The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the Commission, or 3. The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.

<u>City of Stockton Municipal Code</u>

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

The code also establishes criteria and procedures for designation and maintenance of landmarks and historic sites. Section 16-310.050 of the municipal code regulates impacts to historic resources, archaeological resources, and human remains as discussed in the General Plan. Chapter 16, Article VII, Section 16-730.120 of the Stockton Development Code requires a Certificate of Appropriateness be approved by the community development director, with a recommendation from the Cultural Heritage Board, for construction, demolition, alteration, removal, or relocation of any publicly or

privately owned landmark, or any structure, natural feature, or site within a historic preservation district.

San Joaquin County General Plan 2010.

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

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

4.03.2.4 Standards of Significance

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

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

4.03.3 Potential Impacts and Mitigation Measures

4.03.3.1 Historic Resources

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

As noted earlier in Section 4.03.2.2, a CEQA lead agency must determine if a proposed project will affect resources listed in the National Register of Historical Resources or the California Register of Historical Resources. The AOC concludes that Hunter Square is not listed in the National Register of Historical Resources or the California Register of Historical Resources. The proposed project site is not located within the City's downtown historic district. In addition, the City's Cultural Heritage Board

rejected a nomination (see Appendix F) to designate Hunter Square as a historic landmark; therefore Hunter Square is not on a local list of historic resources.

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

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

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

1. The Historic Environmental Consultants report emphasizes Hunter Square's historical associations, community uses over time, and representation of an important past design theme, and as a traditional open space and "place" in the heart of downtown Stockton. These features of Hunter Square are part of Stockton's cultural heritage;

2. The historical association with Charles Weber includes Weber's ownership of the land for a period of time, donation of the land to the City, and layout of Hunter Square as part of the City's original street grid. These features indicate Hunter Square's association with the life of a person important in Stockton's past;

3. Regarding Hunter Square's potential 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, the AOC notes that there have been water structures and other features on Hunter Square in the past, but these features are no longer present. Stockton subsequently developed the current improvements in the square in the 1960s to make it an attractive site for gatherings, meetings, or community use; the Historic Environmental Consultant's report describes the square's current features as "…a competent … example of the Modernist movement…" and "… a notable effort by Stockton professional designers." However, the AOC notes that "competent" and "notable" do not meet the standards of Criterion 3 of the California Register, which include "…distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important individual, or possesses high artistic values…" (Public Resources Code Section 5024.1).

The Judicial Branch's *Principles of Design for California Court Buildings* (AOC 2008d) includes the principle that court buildings shall represent an individual expression that is responsive to local context, geography, climate, culture, and history, and shall improve and enrich the sites and communities in which they are located. In accordance with this principle and to complete its evaluation of the project's

impacts on archaeological resources, the AOC concludes that Hunter Square is a significant historic resource based on its contribution to the patterns of Stockton's cultural heritage and its association with the life of Charles Weber. Since the past features are no longer present and the current features do not meet the criteria of the California Register, the AOC concludes that the square does not qualify as a significant cultural resource under the "…potential embodiment of the distinctive characteristics…" criterion. Therefore, since the project will cause a substantial adverse change in a significant cultural resource, the construction impacts and operational impacts of the proposed courthouse on historic resources will be potentially significant.

Mitigation Measures:

Cultural Resources 1—The courthouse's public spaces will provide display spaces 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;

Cultural Resources 2—As recommended by the Historic Environmental 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;

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

Cultural Resources 4—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.

The AOC concludes that the above mitigation measures will reduce impacts to a level that is less than significant.

4.03.3.2 Archaeological Resources

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

Therefore, there remains some potential for the two sites to contain previously undiscovered archaeological resources. Excavation and grading could damage or destroy any buried archaeological resources that may be present. Disturbance of buried cultural resources will be a potentially significant impact for the proposed site location and the alternative site in the area, which has not already been investigated for archaeological resources (the eastern one-third of the site). Operation of the proposed project will not result in additional impacts to the archaeological resources in the project area beyond the potential construction–related impacts identified above. Implementation of the following mitigation measure will reduce potential adverse effects to less–than–significant levels:

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

> **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.

4.03.3.3 Disturbance of Any Human Remains, Including those Interred Outside of Formal Cemeteries

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

Mitigation Measures: None required.

4.04 GEOLOGY, SOILS, AND SEISMICITY

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

4.04.1 Environmental Setting

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

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

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

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

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

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

4.04.2 Analytical Framework

4.04.2.1 Analytical Methodology

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

4.04.2.2 Regulatory Background

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

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

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

4.04.2.3 Standards of Significance

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

- Expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault;
- Expose people or structures to potential substantial adverse effects involving strong seismic ground shaking;
- Expose people or structures to potential substantial adverse effects involving ground failure (including subsidence or liquefaction- induced lateral spreading);
- Expose people or structures to potential substantial adverse effects involving expansive soil;
- Destroy a unique paleontological resource or site;
- Expose people or structures to potential substantial adverse effects involving landslides;
- Expose people or structures to potential substantial adverse effects involving soil erosion or the loss of topsoil; or
- Destroy a unique geological feature.

4.04.3 Potential Impacts and Mitigation Measures

4.04.3.1 Rupture of a Known Earthquake Fault

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

Mitigation Measures: None Required.

4.04.3.2 Strong Seismic Ground Shaking

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

Mitigation Measures: None Required.

4.04.3.3 Ground Failure

Potential Impact: Expose People or Structures to Substantial Adverse Effects Involving Ground Failure (Including Subsidence or Liquefaction-Induced Lateral Spreading)—Less than Significant. According to the Phase I environmental site assessment report prepared by Earth Tech (Earth Tech 2008), no specific liquefaction hazard areas have been identified at the site. Given the presence of both shallow to moderate groundwater (6 to 14 feet deep) and alluvial soils, potentially significant impacts from liquefaction may occur in the event of a major (6.0 or above) earthquake; however, as noted above the Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to regional faults suggests a low to moderate potential for ground shaking. The AOC will complete a geotechnical investigation during its design process, and the building's designers will incorporate the investigation's results into design requirements that comply with the State Uniform Building Code. Therefore, the AOC concludes that the potential ground failure impact is less than significant.

Mitigation Measures: None Required.

4.04.3.4 Expansive Soils

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

Mitigation Measures: None Required

4.04.3.5 Unique Paleontological Resource

Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant. Construction of the proposed project could result in direct or indirect destruction of a unique

paleontological resource or site. The proposed project's construction operations will include excavations for the building.

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

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

> **Geology 1—**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

4.04.3.6 Landslides, Erosion or Loss of Topsoil, Unique Geological Features

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

Mitigation Measures: None required

4.05 HAZARDS AND HAZARDOUS MATERIALS

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

4.05.1 Environmental Setting

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

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

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

- Conical Zone,
- Horizontal Zone,
- Inner Approach Zone,
- Outer Approach Zone,
- Primary Surface Zone,
- Runway Protection Zone, and
- Transitional Zone.

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

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

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

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

- **<u>Weber Block located at Weber Avenue and El Dorado Street</u>:** Although this case is potentially down gradient of the proposed project site, its close proximity, 250 feet, makes it a potential environmental concern. Shell Oil operated at the site between 1955 and 1984, which involved at least three leaking underground storage tanks. There were removal actions, groundwater extraction and treatment, and a Preliminary Endangerment Assessment completed. A deed restriction has been issued prohibiting day care, elder care, and hospital centers at the site. Voluntary cleanup has been entered into with the Stockton Department of Housing and Development and the DTSC. No excavation is allowed; only groundwater extraction is allowed (Earth Tech 2008). This site has been closed, and the Central Valley Regional Water Quality Control Board issued a No Further Action letter. There are deed restrictions for commercial industrial uses on the property, now known as Dean DiCarli Waterfront Square, rather than Weber Block (City of Stockton, 2008e);

- **<u>Motor Pool and San Joaquin County Support Services at 222 E. Weber Avenue</u>:** This case is up gradient of the Property. The leaks involved methyl tertiary butyl ether and gasoline from multiple underground storage tanks. The status is listed as "Remedial action underway." This site may be of environmental concern to the Property due to its very close proximity, 332 feet to the northeast (Earth Tech 2008); and

- **<u>San Joaquin County Motor Pool at 130 N. Hunter Street</u>:** This case is up gradient of the property and is reported to have had gasoline releases that affected a drinking water aquifer. Methyl tertiary butyl ether has also been detected. The status was not identified in the Phase I ESA. This site is reported to have generated unspecified organic liquid wastes and oil wastes. This case may be an environmental concern to the Property due to its close proximity, 448 feet to the north- northeast (Earth Tech 2008). The Coy Parking Garage is now on this site. The City was assigned rights under the leaking underground storage tank program and has completed most of the required cleanup. Groundwater monitoring wells are being installed within the parking garage and are scheduled for completion by the end of 2008 (City of Stockton, 2008e).

4.05.2 Analytical Framework

4.05.2.1 Analytical Methodology

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

- Phase I Environmental Site Assessment (Earth Tech 2008).;
- Review of American Society for Testing and Material standard environmental records searches that were performed by Environmental Data Resources during the Phase I Environmental Site Assessment (2008).;
- Review of the proposed project with respect to compliance with federal, state, and local legal requirements pertaining to hazards and hazardous materials;

- Review of the Stockton General Plan 2035 (2007a); and
- Field notes from site visits conducted July 30, 2008 and September 9, 2008.

4.05.2.2 Regulatory Background

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

Federal

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

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

State

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

Hazardous Waste Control Act requires the safe management, handling, and transport of hazardous waste within the State of California. The requirements include the identification and classification, generation and transport, and design and permitting of recycling, treatment, storage, and disposal facilities. Treatment standards, operation of facilities and staff training, closure of facilities, and liability requirements are also addressed under this Act.

Local

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

Emergency management of hazardous materials is also addressed in the General Plan 2035. New policies specify that the City shall coordinate with local, state, and federal agencies to establish,

maintain, and test a coordinated emergency response system that addresses a full range of hazardous conditions. Major access and evacuation corridors and coordinated geographic information system planning for emergency response are also addressed.

4.05.2.3 Standards of Significance

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

- Produces a substantial safety hazard in the vicinity of an airport or airstrip for people visiting or working in the project area; or
- Creates a hazard to the public or the environment that is substantial;

Is located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and will create a significant hazard to the public or the environment.

4.05.3 Potential Impacts and Mitigation Measures

4.05.3.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People Visiting or Working in the Project Area

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

Mitigation Measures: None required.

4.05.3.2 Public Exposure to Hazards

Potential Impact: 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?—Potentially Significant. These impacts were discussed in the Initial Study and above in Section 4.05.1. There are three off-site leaking underground storage tanks that are potential sources in close proximity to the proposed project site that pose a potentially significant impact.

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

> **Hazards 1**—The AOC will conduct a Phase II Environmental Site Assessment 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. If the Phase II Environmental Site Assessment identifies hazardous materials, 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.

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.

4.05.3.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland Fires

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

Mitigation Measures: None required.

4.06 HYDROLOGY AND WATER QUALITY

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

4.06.1 Environmental Setting

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

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

4.06.2 Analytical Framework

4.06.2.1 Analytical Methodology

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

4.06.2.2 Regulatory Background

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

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

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

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

4.06.2.3 Standards of Significance

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

- Violate any water quality standards or waste discharge requirements;
- Create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- Substantially degrade water quality;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that will result in substantial erosion or siltation on site or off site, or result in flooding on site or off site;.

- Place housing within a 100-year flood hazard area, or place structures within a 100-year flood hazard area that will impede or redirect flood flows; or
- Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, or involving inundation by seiche, tsunami, or mudflow.

4.06.3 Potential Impacts and Mitigation Measures

4.06.3.1 Water Quality Standards

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

Since the project will have only a limited area of disturbance (approximately 1.2 acres), distance to nearest waterway, and the temporary nature of construction, potential water quality and stormwater impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

4.06.3.2 Stormwater Runoff and Erosion

Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?—Less than Significant. The proposed project site is currently a parking area and fountain, and the site has flat topography and is adjacent to the City's storm drain system. The proposed building may slightly increase the amount of impervious area. Since the project will have only a limited area of disturbance (about 1 acre), and the temporary nature of construction, potential runoff and erosion impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

4.06.3.3 Groundwater; Erosion and Flooding; 100–year Flood Hazard Area Failure of Levees or Dams; Inundation by Seiche, Tsunami, or Mudflow

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

Mitigation Measures: None required.

4.07 LAND USE, PLANS, AND POLICIES

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

4.07.1 Environmental Setting

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

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

4.07.2 Analytical Framework

4.07.2.1 Analytical Methodology

To evaluate the project's potential impacts on land use, the EIR's analysts reviewed applicable land use regulations. These land use plans include:

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

4.07.2.2. Regulatory Background

<u>Stockton General Plan</u>

The proposed project site is located within the downtown area of the City of Stockton. Land surrounding the proposed project site has a Commercial designation. This designation allows for a wide variety of retail, service, and commercial recreational uses, business, medical and professional offices, residential uses, public and quasi-public uses, and other similar and compatible uses (City of Stockton

2007a). The Hunter Square area currently does not have a land use designation under the General Plan. Actions to give the property a land use designation will require a general plan amendment.

Stockton Municipal Code

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

Redevelopment Plans

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

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

Airport Land Use Plan

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

4.07.2.3 Standards of Significance

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

- 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, or
- Physically divide an established community.

4.07.3 Potential Impacts and Mitigation Measures

4.07.3.1 Conformance with Local Plans and Policies

Potential Impact (Construction): 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?—Potentially Significant. The proposed project may affect the Downtown Alliance's Farmers Market and the City's policy of supporting the downtown Farmer's Market. As noted in Section 4.07.1, the AOC understands that the Downtown Business Alliance is planning to adopt the recommendation of its marketing consultant to relocate the downtown Farmers Market (Destination Development, Inc. 2008). During construction of the courthouse, the project's presumed use of the Main Street segment between San Joaquin Street and Hunter Street for project-related traffic may conflict with operation of the Farmers Market on Fridays during April, May, June, July, August, September, and October. This impact is potentially significant.

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

Mitigation Measure:

> **Land Use 1**—If the Downtown Alliance has not moved the Farmers 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 Farmer's Market activities on Main Street.

Potential Impact (Post-Construction, Operation, and Maintenance): 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?—Less Than Significant. The proposed project site is currently a street and is not a formal parcel. The project will create a new assessor's parcel with commercial zoning designation and land use designation. Since the project will not conflict with land use policies, the AOC concludes that the project's impacts will be less than significant.

After completion of construction of the proposed courthouse, the AOC presumes that the Farmers Market will no longer operate on Main Street between San Joaquin Street and Hunter Street, and courthouse-related traffic will not conflict with the Farmers Market. Therefore, there will be no impact

Mitigation Measures: None required

4.07.3.2 Physically Divide a Community.

Potential Impact: Physically Divide a Community?—No Impact. This impact was discussed in the Initial Study, and the AOC determined that the proposed project will have no impact.

Mitigation Measures: None required

4.08 NOISE

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

4.08.1 Environmental Setting

4.08.1.1 Noise Background

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

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

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

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

Source: Modified from Caltrans Technical Noise Supplement, 1998

4.08.1.2 Noise Exposure and Community Noise

An individual's exposure to noise is a measure of sound experienced over a period of time. A noise level is a measure of noise at a given instant in time. The noise levels presented in Table 4-13 represent noise measured at a given instant in time; however, they rarely persist consistently over long periods of time. Rather, community noise varies continuously over time because of the contributing sound sources in the community noise environment. Community noise is primarily the product of many distant noise sources that constitute a relatively stable background noise, and the individual contributors are usually indistinguishable. Background noise levels change throughout a typical day, but do so gradually, corresponding with the addition and subtraction of distant noise sources such as traffic and wind. Community noise is constantly variable throughout a day, besides the slowly changing background noise, because of the addition of short-duration, single-event noise sources, such as aircraft flyovers, passing vehicles, or sirens, which are readily identifiable to the individual. These successive additions of sound to the noise environment change the community noise level from instant to instant, requiring noise exposure to be measured over a period of time to accurately characterize community noise environment and to evaluate noise impacts in qualitative terms. This time-varying characteristic of environmental noise is described using statistical noise descriptors. The most frequently used noise descriptors are:

- **Leq—**The equivalent sound level is used to describe noise over a specified period of time, typically 1 hour, in terms of a single numerical value. The Leq is the constant sound level that contains the same acoustic energy as the varying sound level during the same time period (the average noise exposure level for the time period);
- **Lmax—**The instantaneous maximum noise level for a specified period of time;
- **L50—**The noise level that is equaled or exceeded 50 percent of the specified time.
- **L90—**The noise level that is equaled or exceeded 90 percent of the specified time. The L90 is often considered the background noise level averaged over the specified time;
- **DNL—**The Day/Night Average Sound Level is the 24-hour day and night A-weighed noise exposure level, which accounts for the greater sensitivity of most people to nighttime noise by weighting noise levels at night. Noise between 10:00 p.m. and 7:00 a.m. is weighted (penalized) by adding 10 dBA to take into account the greater annoyance from nighttime noise;
- **Ldn—**The Ldn is the same as the DNL described above; and.
- **CNEL—**Similar to the DNL, the Community Noise Equivalent Level includes a 5 dBA increase for the evening hours between 7:00 p.m. and 10:00 p.m. and a 10 dBA increase between the hours of 10:00 p.m. and 7:00 a.m.

4.08.1.3 Effects of Noise on People

The effects of noise on people can be categorized as follows:

- Subjective effects of annoyance, nuisance, and dissatisfaction;
- Interference with activities such as speech, sleep, and learning; and
- Physiological effects such as hearing loss or sudden startling.

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists, and different tolerances to noise tend to develop based on an individual's experiences with noise.

Thus, an important way of predicting a person's reaction to a new noise environment is the way it compares with the existing environment, where the person has already adapted: the "ambient noise" level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it. For increases in the A-weighted noise level, the following relationships may occur (Caltrans 1998):

- Under controlled conditions in an acoustics laboratory, the trained healthy human ear is able to discern changes in sound levels of 1 dBA;
- Outside these controlled conditions, the trained ear can detect changes of 2 dBA in normal environmental noise;
- It is widely accepted that the average healthy ear, however, can barely perceive changes in the noise level of 3 dBA;
- A change in level of 5 dBA is a readily perceptible increase in noise level, and
- A 10 dBA change is recognized as twice as loud as the original source.

These relationships occur in part because of the logarithmic nature of sound and the decibel system. Two noise sources do not combine in a simple linear fashion, but rather logarithmically, because the decibel scale is based on logarithms. For example, if two identical noise sources produce noise levels of 50 dBA, the combined sound level will be 53 dBA, not 100 dBA.

4.08.1.4 Noise Attenuation

Stationary "point" sources of noise, including stationary mobile sources such as idling vehicles, attenuate (lessen) at a rate of 6 dBA to 7.5 dBA each time the distance doubles from the source, depending on the environment, such as atmospheric conditions and noise barriers, either vegetative or manufactured. Widely distributed noises, such as a large industrial facility spread over many acres or a street with moving vehicles (known as a "line" source) will typically attenuate at a lower rate, approximately 3 to 4.05 dBA each time the distance doubles from the source, which also depends on environmental conditions (Caltrans 1998). Noise from large construction sites will exhibit characteristics of both "point" and "line" sources, and attenuation will therefore generally range between 4.05 and 7.5 dBA each time the distance doubles.

4.08.1.5 Sensitive Receptors

Some land uses are considered more sensitive to ambient noise levels than others because of the amount of noise exposure, in terms of both duration and insulation from noise, and the types of activities typically involved. Residences, motels and hotels, schools, libraries, churches, hospitals, nursing homes, auditoriums, and parks and other outdoor recreation areas generally are more sensitive to noise than are commercial and industrial land uses. Sensitive receptors in the vicinity of the project site include a private school approximately 100 feet west of the project site across the alley and residents of the Hotel Stockton, 200 feet north of the site across Weber Avenue. In addition, the Mansion House Apartments and Argonaut Hotel are 200 feet and 250 feet northeast of the project site, across Weber Avenue. The existing courthouse and county administrative offices are located east of the project site. The other land uses surrounding the project site are commercial businesses.

4.08.1.6 Existing Noise Environment

The primary existing source of noise at the site is automobile and truck traffic on Weber Avenue. Construction noise from renovation of the County of San Joaquin's administration offices site that is east of the project site also contributes to existing ambient noise levels in the area. No major stationary or industrial noise sources are located in close proximity.

One long-term (72-hour) and three short-term (10-minute) noise measurements were collected to characterize ambient noise conditions in the project vicinity. The noise measurement locations are described in Table 4-14.

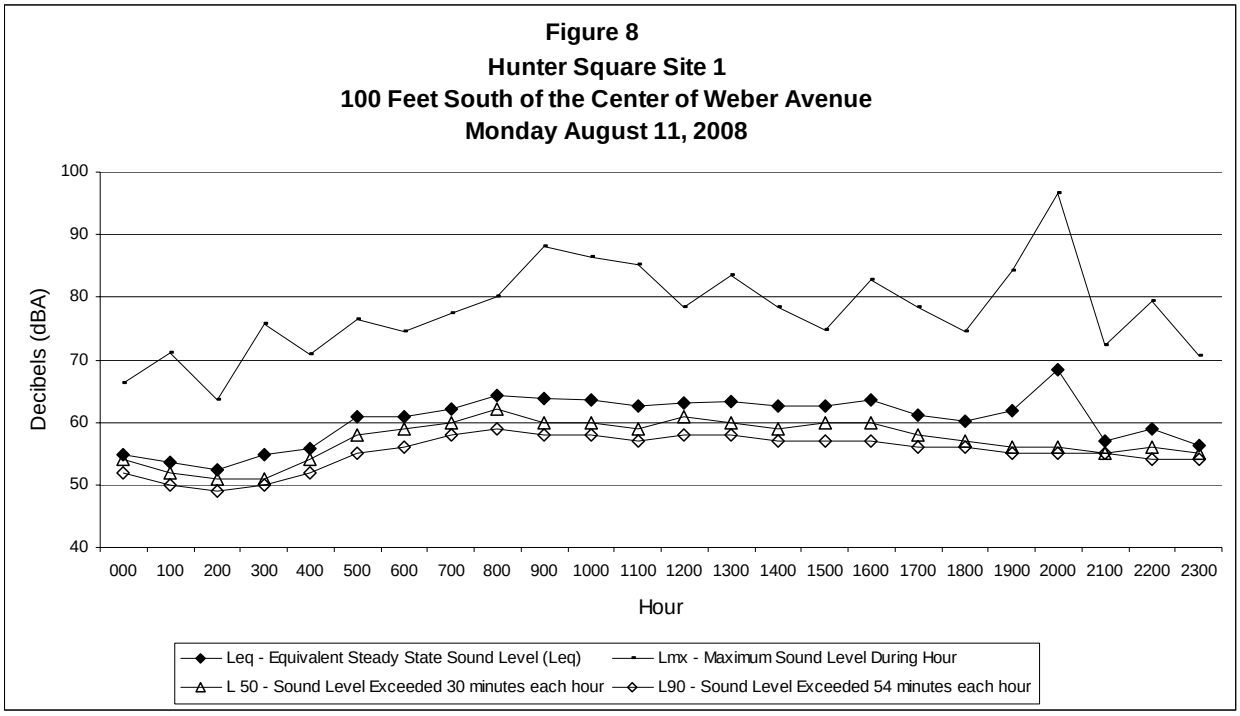
Table 4-14: Summary of Existing Noise Measurements

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.

Source: Miller Environmental Consultants, 2008

Figures 8 through 10 show the hour-by-hour noise measurements over the three-day period of August 11 to 13, 2008 (Monday through Wednesday). These figures show that all three days experienced the lowest ambient sound levels at night (between 10 p.m. and 4 a.m.) and the highest levels during typical working hours (between 7 a.m. and 6 p.m.).

The 24-hour Ldn over the three-day period ranged from 64 to 65 dBA, and the hourly average noise levels (Leqs) ranged from 51 to 69 dBA. By comparison, the City of Stockton's normally acceptable maximum allowable ambient noise exposure for office buildings is 65 Ldn.



4.08.2 Analytical Framework

4.08.2.1 Analytical Methodology

Metrosonics Model db308 sound level meters were used to measure current ambient noise levels. The meters were calibrated before the measurements to ensure their accuracy. The meters were programmed to record the maximum (Lmax), average (Leq), L50, and L90 noise levels. A summary of the noise level measurement results is provided in Table 4-14 and graphs of the 24-hour measurements are provided in Figures 8 through 10.

4.08.2.2 Regulatory Background

Federal, state, and local agencies regulate different aspects of environmental noise. Noise regulations established at different administrative levels, from federal to local, are described below.

Federal

Federal regulations establish noise limits for medium and heavy trucks (more than 4.05 tons, gross vehicle weight rating) under Title 40 Code of Federal Regulations (CFR) Part 205, Subpart B. The federal truck pass-by noise standard is 80 dB at 15 meters from the centerline of the vehicle pathway. These standards are implemented through regulatory controls on truck manufacturers.

Figure 9
Hunter Square Site 1
100 Feet South of the Center of Weber Avenue
Tuesday August 12, 2008

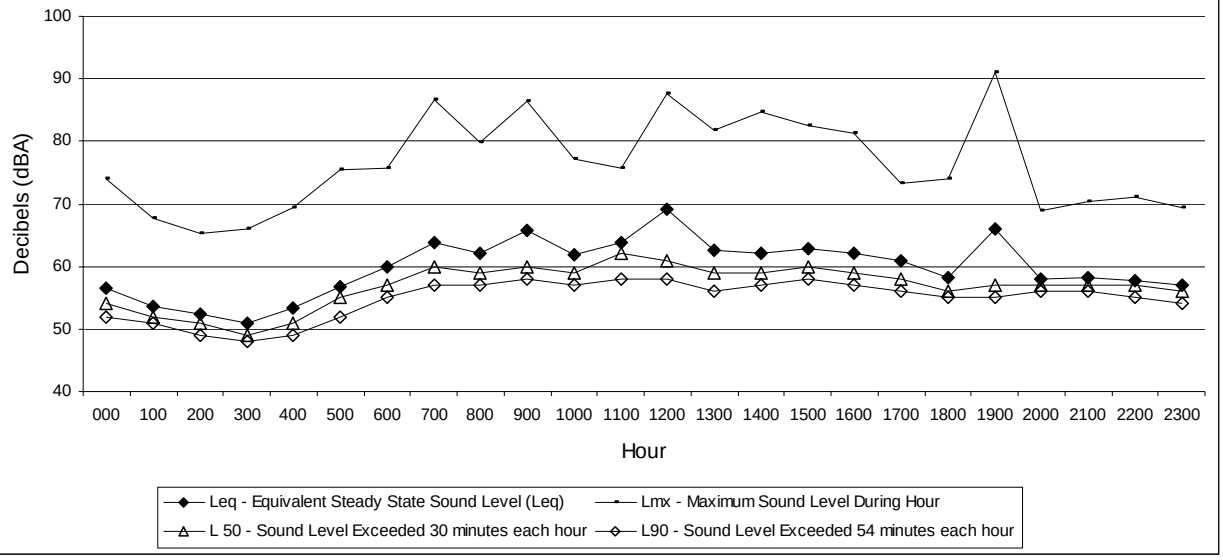


Figure 10
Hunter Square Site 1
100 Feet South of the Center of Weber Avenue
Wednesday August 13, 2008

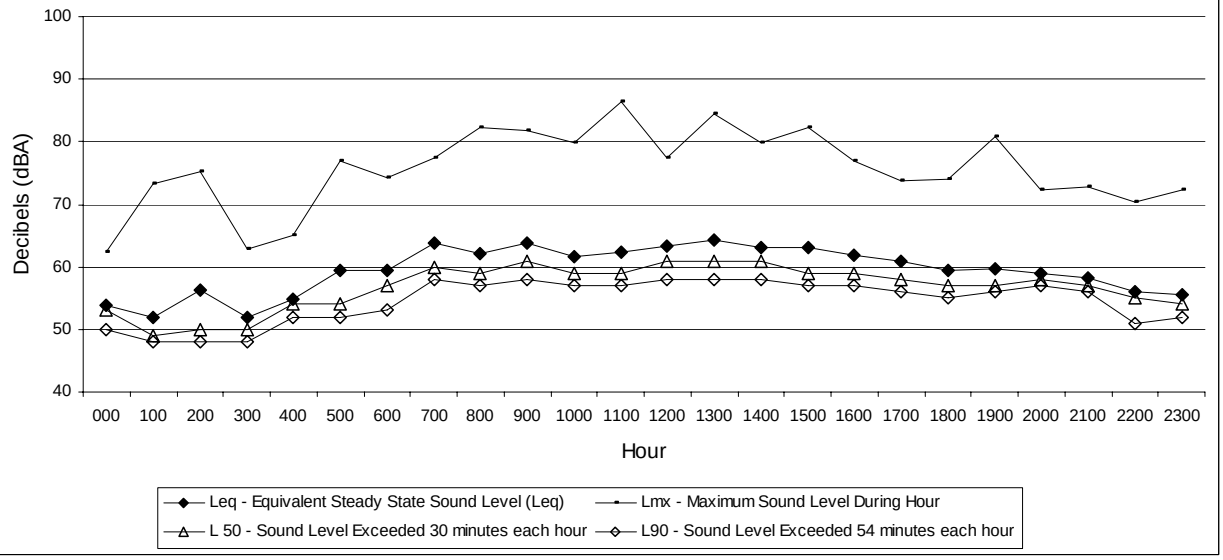


Table 4-15: Land Use Compatibility for Community Noise Environment

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.

Source: State of California, Governor's Office of Planning and Research, General Plan Guidelines, 1998.

State

Title 4, California Code of Regulations, sets forth guidelines for evaluating the compatibility of various land uses as a function of community noise exposure. The land use compatibility guidelines are listed in Table 4-15.

The State of California establishes noise limits for vehicles licensed to operate on public roads. The pass-by standard for heavy trucks is consistent with the federal limit of 80 dB. The pass-by standard for light trucks and passenger cars (less than 4.05 tons, gross vehicle rating) is also 80 dB at 15 meters from the centerline. These standards are implemented through controls on vehicle manufacturers and by legal sanctions on vehicle operators by state and local law enforcement officials.

The State of California has also established noise insulation standards for new multi-family residences, hotels, and motels that will be subject to relatively high levels of transportation-related noise. These requirements are collectively known as the California Noise Insulation Standards (Title 24, California Code of Regulations). The noise insulation standards set an interior standard of DNL 45 dB in any habitable room. They require an acoustical analysis to demonstrate how dwelling units have been designed to meet this interior standard where the units are proposed in areas subject to exterior noise levels greater than DNL 60 dB. Title 24 standards are typically enforced by local jurisdictions through the building permit application process.

Local

Local regulation of noise involves implementation of general plan policies and noise ordinance standards. Local general plans identify general principles intended to guide and influence development plans. General plans recognize different sensitivities toward the noise environment for different types of land uses. Residential areas are generally considered the most sensitive type of land use to noise, and industrial/commercial areas are generally considered the least sensitive. Noise ordinances set the specific standards and procedures for addressing particular noise sources and activities. Local noise ordinances typically set standards related to construction, nuisance-type noise sources, and noise levels at the industrial property line. The City of Stockton noise regulations and standards apply to the land uses near the project site.

City of Stockton General Plan

The City of Stockton has adopted noise compatibility guidelines for various land uses that are contained in the Noise Element of the General Plan (City of Stockton 2007). The Stockton General Plan refers to the County Noise Standards. As shown in Table 4-16 Stockton considers a noise environment of up to 65 DNL acceptable for office buildings, business commercial and professional, which is the category most similar to the courthouse. A noise environment of up to 75 DNL is allowed for new development of these types of uses only when a detailed analysis of noise reduction requirements has been conducted and the best practicable and available noise insulation features have been incorporated into the project design. These features for a courthouse typically will involve construction with better-insulating windows 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							

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 insulation features have been included in the design.

Unacceptable. 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 2007).

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.

Policy HS-2.3 Noise Analysis. The city will require noise analysis of proposed development projects as part of the environmental review process and require mitigation measures to reduce noise impacts to acceptable levels. The acoustical analysis will:

a. Be the responsibility of the applicant.
b. Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics.
c. Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions.
d. Estimate existing and projected (20 years) noise levels in terms of Ldn/CNEL and compare the levels with the adopted policies of the Public Health and Safety Element.
e. Recommend appropriate mitigation to achieve compatibility with the adopted noise policies and standards of this Public Health and Safety Element. Where the noise source in question consists of intermittent single events, the acoustical analysis must address the effects of maximum noise levels in sleeping rooms in terms of possible sleep disturbance.
f. Estimate noise exposure after the prescribed mitigation measures have been implemented. If the project does not comply with the adopted standards and policies of the Public Health and Safety Element, the analysis must provide acoustical information for a statement of overriding considerations for the project.
g. Describe a post-project assessment program, which could be used to evaluate the effectiveness of the proposed mitigation measures.

Policy HS-2.6 Controlling Truck Traffic Noise. The city will control noise sources in residential areas and other noise-sensitive areas by restricting truck traffic to designated truck routes.

Policy HS-2.10 Construction Noise. The city will seek to limit the potential noise impacts of construction on surrounding land uses.

Policy HS-2.11 Limiting Construction Activities. The city will limit construction to the hours of 7 a.m. to 7 p.m., Monday through Saturday. No construction will occur on Sundays or national holidays without a written permit from the city.

Policy HS-2.12 Sound Attenuation Features. The city will require sound attenuation features such as walls, berming, and heavy landscaping between commercial, industrial, and residential uses to reduce impacts from noise and vibration.

Policy HS-2.13 Noise Buffering. The city will require noise buffering or construction treatments (such as additional insulation or double-paned glass) in new development that includes noise-sensitive uses located near major streets, highways, the airport, railroad tracks, or other significant noise sources.

Policy HS-2.14 State Noise Insulation Standards. The city will enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code.

Policy HS-2.15 California Vehicle Code Standards. The city will actively support enforcement of California Vehicle Code sections relating to vehicle mufflers and modified exhaust systems.

Policy HS-2.17 Commercial Uses. The city will require that noise produced by commercial uses does not exceed 75 dB Ldn/CNEL at the nearest property line.

City of Stockton Noise Ordinance

The City of Stockton noise ordinance is codified in Chapter 16, Article III, Division 16-340 of the city's municipal code (City of Stockton 2008). The following sections present prohibited activities and noise standards that apply to the project.

16-340.030 – Activities Deemed Violations of this Division: The following acts are a violation of this division and are therefore prohibited.

A. Construction noise. Operating or causing the operation of tools or equipment on private property used in alteration, construction, demolition, drilling, or repair work between the hours of 10:00 p.m. and 7:00 a.m., so that the sound creates a noise disturbance across a residential property line, except for emergency work of public service utilities.

B. Loading and unloading operations. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects on private property between the hours of 10:00 p.m. and 7:00 a.m. in a manner to cause a noise disturbance.

16-340.040 – Standards: The following provisions shall apply to all uses and properties, as described below, and shall establish the city's standards concerning acceptable noise levels for both noise-sensitive land uses and for noise-generating land uses and transportation-related sources:

B. Standards for proposed noise-generating land uses and transportation-related sources. Excluding noise-generating projects on infill sites, which shall comply with paragraph C, below, the following standards in Table 4-17 shall apply

2. Commercial, industrial, and other land use-related noise sources (except infill sites).
   a. New and expanded noise sources. Land use-related projects that will create new noise sources or expand existing noise sources shall be required to mitigate their noise levels so that the resulting noise:
      1) Does not adversely impact noise-sensitive land uses; and
      2) Does not exceed the standards specified in Table 4-17 Part II.

      Noise levels shall be measured at the property line of the nearest site which is occupied by, zoned for, or designated on the city's general plan diagram to allow the development of, noise-sensitive land uses.

Table 4-17: Maximum Allowable Noise Exposure for Noise-Sensitive Land Uses – Stockton 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

[1] The noise standard shall be applied at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards shall be applied on the receiving side of noise barriers or other property line noise mitigation measures.

[2] Each of the noise level standards specified shall be increased by five for impulse noise, simple tone noise, or noise consisting primarily of speech or music.

Source: City of Stockton, Stockton Municipal Code, 2008.

b. Maximum Sound Level

1) Commercial

a) The Maximum Sound Level (Lmax) produced by commercial land uses or by other permitted noise generating activities on any retail commercial zoning district (i.e., CO, CN, CG, CD, CL, or CA Districts) shall not exceed 75 dB; and

b) The Hourly Equivalent Sound Level (Leq) from these land uses shall not exceed 65 dB during daytime or nighttime hours as measured at the property line of any other adjoining retail commercial zoning district (CO, CN, CG, CD, CL, or CA Districts).

c. **Adjacent to Other Uses.** If commercial, industrial, or public facilities land uses are adjacent to any noise-sensitive land uses or vacant residential (RE, RL, RM, or RH) or open space (OS) zoning districts, these uses shall comply with the performance standards contained in Table 4-17 Part II.

C. Standards for Infill Sites

1. Noise-sensitive land uses on noise-impacted infill sites. Noise-sensitive land uses which are approved for development or expansion on noise-impacted infill sites shall only be required to mitigate the existing and projected noise levels from those sources so that the resulting noise levels within the interior of the noise-sensitive land uses do not exceed the indoor space standards in Table 4-17 Part II.
2. Noise-generating land uses impacting noise-sensitive infill sites. Noise generating land uses and transportation-related projects, which are approved for development or expansion in the vicinity of existing noise-sensitive infill sites, shall be required to mitigate:
   a. Exterior noise levels (measured at the property line nearest the noise source) so that the ambient noise levels at the time of development and the maximum exterior noise standards for Commercially and Industrially-zoned properties are not exceeded; and
   b. Interior noise levels (measured at least four feet from the interior side of the wall nearest the noise source) so that the resulting noise levels within the interior of any impacted noise-sensitive land uses do not exceed the interior space standards in Table 4-17.

16-340.060 – Evaluation of Proposed Projects:

B. Noise thresholds of significance. The threshold for determining the potential significance of a noise impact under CEQA shall be:

1. An incremental increase of 3 dB Ldn or greater to exterior or interior noise levels; or
2. Any exceedence of existing maximum noise standards, which may constitute a significant cumulative noise impact.

4.08.2.3 Standards of Significance

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

- Generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies;
- Cause a substantial permanent increase in ambient noise levels;
- Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- Generate excessive ground-borne vibration or ground-borne noise levels;
- Expose people residing or working in the project area to excessive noise levels for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; or
- Expose people residing or working in the project area to excessive noise levels for a project within the vicinity of a private airstrip.

According to the City of Stockton noise standards, the threshold for determining the potential significance of a noise impact under CEQA is:

1. An incremental increase of 3 dB Ldn or greater to exterior or interior noise levels; or
2. Any noise that exceeds existing maximum noise standards that may constitute a significant cumulative noise impact.
3. Stockton guidelines generally indicate that construction should be limited to 7 a.m. to 7 p.m. Monday through Saturday (Policy HS-2.11). Construction work between 10 p.m. and 7 a.m. is a violation of Stockton Noise Ordinance Section 16-340.030.

4.08.3 Potential Impacts and Mitigation Measures

4.08.3.1 Noise Standards

Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. The City of Stockton noise ordinance (Section16-340.040 of the Development Code) specifies the maximum sound level for commercial land uses. The maximum sound level (Lmax) produced by commercial land uses cannot exceed 75 dB. The hourly equivalent sound level (Leq) from these land uses must not exceed 65 dB during daytime or nighttime hours as measured at the property line of any other adjoining retail commercial zoning district. If commercial land uses are adjacent to any noise-sensitive land uses, they must comply with the performance standards contained in Table 4-17 Part II. According to the noise ordinance, no exterior noise level can exceed 65 dBA and no interior noise level can exceed 45 dBA in residential areas.

The general plan identifies degrees of acceptable usage for new development depending on land use and noise levels (measured as decibels or dB), as shown in Table 4-16. These noise levels are based on daily averages with more weight in the averages for nighttime noise. The proposed project will be adjacent to multi-family residential areas, office buildings, commercial and professional businesses, a courthouse, and other governmental offices. Taking into account the nearby land uses, this table can be used as a guide for evaluating significance thresholds.

Section 4.08.3.3 analyzes construction-related noise impacts.

The courthouse will generate some noise from heating, ventilating, and air conditioning mechanical equipment. Since the mechanical equipment will be typical for office buildings, the equipment's noise generation will not be expected to exceed 50 dBA at a distance of 100 feet. This amount will not increase the average noise level in this area (Leq) of 51 to 69 dBA and will not generate a significant impact.

As shown in Table 4-17 the City of Stockton's normally acceptable maximum allowable ambient noise exposure for office buildings is 65 Ldn. The Ldn for the Hunter Square site is 64 to 65 dBA; therefore, new buildings at this site do not require any special noise insulation outside of normal, conventional construction. Therefore, impacts will be less than significant.

Potential Impact (Traffic): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. After construction is complete and the courthouse begins its operations, the additional vehicles traveling to the site will increase noise levels adjacent to nearby roads. However, traffic must double to increase noise levels by 3 decibels, and the project will not double traffic on Weber Avenue near potential sensitive receptors.

The EIR's traffic analysis (see Appendix G) shows that the added project traffic will be small when compared with the existing traffic levels. Peak hour (morning) intersection turning data from the traffic study were analyzed to evaluate project increases and resulting traffic-generated noise increases on roadway links near the project site. The resulting noise increases are shown in Table 4-18. The minor increase in traffic from this project will increase peak hour noise levels by less than 2 dBA at all locations. This amount will not increase existing noise levels in the area by more than 3 dBA and will not be a significant noise impact. Therefore, the increased noise from new traffic will be minimal, and impacts from vehicle noise to the nearby residents will be less than significant.

Mitigation Measures: None required.

4.08.3.2 Long-term, Permanent Ambient Noise Levels

Potential Impact: A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?—Less than Significant. As explained in Section 4.08.3.1, the building's mechanical equipment will not be expected to generate substantial noise. Therefore, the project's mechanical sound will not produce a substantial increase in ambient noise levels. As also explained in Section 4.08.3.1, the project's traffic will not be expected to generate substantial traffic-related noise. Therefore, any increase from the project's traffic-related noise will be less than significant.

Mitigation Measures: None required.

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

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).

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).

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.

4.08.3.3 Short-term, Temporary Ambient Noise and Vibration Levels

Potential Impact: 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 and Unavoidable. During construction, operation of construction equipment will generate noise. Typical noise levels of construction equipment at a distance of 50 feet from the source range from 81 to 101 dBA, Leq (Table 4-19). Although the noise contribution from worker commute vehicles will be temporary and small, the noise from construction equipment could be appreciable during the construction phase of the project.

Pile driving is typically the loudest source of construction noise. Impacts from pile driving can result from both elevated single-event or "impact" noise levels and from vibration. Pile driving can produce noise levels in excess of acceptable limits, even when feasible noise reduction methods are used. The greatest potential impacts will be experienced within 50 to 100 feet of the source, resulting in noise levels of approximately 90 dBA. The existing courthouse buildings and commercial businesses are within 50 feet of the proposed project site. If the construction contractor uses pile driving for substantial work, the pile driving operations will therefore generate noise levels in excess of 90 dBA outside of the existing courthouse and adjacent buildings to the west. Excessive noise levels could also affect the residences at the Hotel Stockton, Mansion House Apartments, and Argonaut Hotel, as well as other nearby businesses. Daytime exterior noise levels in excess of 75 dBA generated by commercial land uses are considered a violation of the city's noise ordinance. However, construction noise is considered a violation only between 10 p.m. and 7 a.m. Assuming pile driving noise will be 101 dBA at 50 feet, noise levels above 75 dBA could occur up to 500 feet from the pile driving. Therefore, the proposed project may have a potentially significant noise impact if the AOC's construction contractor uses pile driving equipment for substantial work.

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

Source: Cunniff, Environmental Noise Pollution, 1977 and U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, 1971.

Depending on the construction equipment used, ground-borne vibrations can be perceptible within 30 to 100 feet of a source. Structural damage from pile driving typically does not occur in buildings more than 50 feet from the location of the activity (Caltrans 2004). However, these vibrations could result in cosmetic or structural damage to buildings because the existing courthouse buildings and commercial businesses are within 50 feet of the proposed project site. Therefore, a potentially significant ground-borne vibration impact will result.

Another concern is the impact of construction on the on-going activities at the existing County of San Joaquin's Administrative Building at the corner of Weber Avenue and San Joaquin Street. Miller Environmental Consultants toured the County of San Joaquin Courthouse/Administrative Building on August 6, 2008, to assess the potential impacts of construction on the operations in this building. Miller found that the County of San Joaquin Courthouse/Administrative Building has only a limited number of windows that will face construction in Hunter Square. The courtrooms have no windows, and the number of windows facing Hunter Square in the northern wing of the county administrative building is limited. Most of the windows in the northern wing of the county administrative building that face Hunter Square are in hallways rather than offices, so noise in the offices is further attenuated by the walls between the offices and the outer windows. The judge's chambers in the southern wing of the county administrative building are potentially most affected by the noise from project construction. Windows in these offices directly face Hunter Square. However, most of the chambers were empty because the judges were in the courtrooms during the tour of the building. When the judges are in their chambers, construction adjacent to their office windows will have a noise impact and affect the ability to hold private discussions or have quiet time to review case materials.

Except for the judge's chambers, which could be affected by construction noise periodically, most of the offices in the county administrative building will not be affected by construction noise. The Court's Business Services Manager, James Flohrschultz, indicated that there have been no noise complaints from building occupants related to construction of the new county building east of the county administrative building directly across South San Joaquin Street (Miller Environmental Consultants 2008). Although project construction (the new courthouse) will be closer to the existing county administrative building than the construction of the new county building, the lack of complaints about construction indicates the noise attenuation provided by the county administrative building is effective.

Various dampening and shielding methods can attain some reduction from pile driving impacts. However, these methods rarely reduce the noise to an acceptable level for the sensitive receptors close to the site. Therefore, restrictions on the hours of construction-related pile driving have been included, in addition to the various technical measures described below.

Mitigation Measures: The following mitigation measures will reduce the potential construction-related noise impacts, but the construction noise could still be a significant and unavoidable short-term impact to sensitive receptors and commercial businesses near the site:

Noise 1—Muffle stationary noise sources and enclose them within temporary sheds, incorporate insulation barriers, or employ other measures to the extent feasible.

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).

Noise 3—Ensure all construction equipment is properly maintained and operated and equipped with mufflers.

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.

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.

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 predrilling 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;

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.

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.

4.08.3.4 Airport Noise

Potential Impact—Less than Significant. The project is not located within the area of influence of the nearest airport, the Stockton Metropolitan Airport (San Joaquin County Council of Governments 1993), which is located 4 miles from the proposed project. Based on the distance from the nearest airport, there will be no noise impact.

Mitigation Measures: None required.

4.08.3.5 Private Airstrip Noise

Potential Impact—Less than Significant. The project is not located in the vicinity of a private airstrip. There will be no impact.

Mitigation Measures: None required.

4.09 PUBLIC SERVICES

This section evaluates the potential impacts of the project in terms of public services.

4.09.1 Environmental Setting

The Stockton Fire Department has 13 engine companies and four truck companies within the city limits. The nearest station to the project site is Fire Station No. 2, 0.7 mile northeast at 110 West Sonora Street. The fire department is staffed with 276 personnel available to respond to emergencies, including two battalion chief officers. Fire hydrants are located on each of the four corners around the courthouse.

The City of Stockton Police Department provides law enforcement services for businesses and residents within the city limits. The police department facility nearest the project is located at 22 East Market Street, 0.3 mile northeast of the site. This station is also the current police department headquarters.

The County of San Joaquin's Sheriff's Department and contract security firms provide security at the Court's facilities. Although police personnel are in the Court's facilities, the police personnel are performing official responsibilities that are independent of the provision of Courthouse security.

Several other agencies have law enforcement responsibilities or other public service responsibilities that involve interactions with the Court and use of the Court's facilities in Stockton. These agencies include

the California Highway Patrol, the San Joaquin District Attorney, County Child Support, County Public Defender, County Probation Department, County Sheriff-Coroner-Public Administrator's Office, County Public Health Division, County Mental Health Division/ Office of Substance Abuse, County Human Services Agency, and the City Attorney.

4.09.2 Analytical Framework

4.09.2.1 Analytical Methodology

To evaluate the project's potential impacts on public systems, the EIR's analysts conducted site reconnaissance and contacted local agencies regarding the environmental conditions of the project site. The AOC's evaluation of public systems on and near the proposed New Stockton Courthouse Project included the following information:

- Review of the proposed project with respect to compliance with federal, state, and local legal requirements pertaining to public services and
- Review of the Stockton General Plan 2035 (2007a)

4.09.2.2 Regulatory Background

No regulatory documents were consulted for this section. Information was based on consultation with individuals in each agency responsible for providing the public services.

4.09.2.3 Standards of Significance

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

- Result in substantial impacts associated with the provision of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for fire protection services,
- Result in substantial impacts associated with the provision of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for police protection services, and
- Result in substantial impacts associated with the provision of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for schools, parks, or other public facilities.

4.09.3 Potential Impacts and Mitigation Measures

4.09.3.1 Fire Protection Services

Potential Impact: 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?—No Impact. The project is proposed adjacent to existing development and within close proximity to a fire station. Therefore, the project will not have a significant impact on fire response times and will not otherwise create a substantially greater need for fire protection than already exists.

Mitigation Measures: None required.

4.09.3.2 Police Protection Services

Potential Impact: 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?—Less than Significant. The Stockton Police Department does not provide security services for the Court, so the project will not affect the Police Department. The project will reduce security protection needs since the project will consolidate Court operations into fewer and more secure facilities and therefore require fewer security personnel. The new courthouse will have improved security features that enhance the efficiency of Court security operations, and the new courthouse will reduce the number of Court building entrances requiring security personnel. Therefore, the project will not have a significant impact on s services.

Since the Stockton Police Department does not provide police protection services to the Court's facilities, the project will have a less than significant effect on the Police Department's services.

Mitigation Measures: None required.

4.09.3.3 Schools, parks, and other public facilities and services.

Potential Impact—No Impact. The AOC discussed impacts to schools, parks, and other public facilities in the Initial Study and determined that there will be no impact. The AOC also concludes that the proposed project will produce no changes for other public services such as those provided by the California Highway Patrol, the San Joaquin District Attorney, County Child Support, County Public Defender, County Probation Department, County Sheriff-Coroner-Public Administrator's Office, County Public Health Division, County Mental Health Division/ Office of Substance Abuse, County Human Services Agency, and the City Attorney.

Mitigation Measures: None required

4.10 RECREATION

This section evaluates the potential impacts of the project in terms of recreation.

4.10.1 Environmental Setting

The city operates 53 parks, in addition to neighborhood and community sports facilities. Hunter Square is a prominent feature of the site and includes a fountain, malls, and public open space.

4.10.2 Analytical Framework

4.10.2.1 Analytical Methodology

Recreational impacts can result either directly through elimination of a recreational resource or indirectly from additional population growth. This analysis considered these factors, together with the availability of recreational resources on-site and in the project area and the project demand for recreational services. The analysis also considered local city planning policies and funding mechanisms.

4.10.2.2 Regulatory Background

The EIR for the Stockton general plan has identified "funding" as a major issue for maintaining existing levels of service and providing for future facilities (City of Stockton 2007a). Therefore, the general plan has adopted policies to provide for developer fees, public facility fees, and other financing mechanisms (General Plan Policy RW-3.5). Public projects, therefore, need to consider impacts to existing, as well as future, recreational amenities and facilities.

4.10.2.3 Standards of Significance

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

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or accelerate or
- Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

4.10.3 Potential Impacts and Mitigation Measures

4.10.3.1 Existing Recreational Facilities

Potential Impact: Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?—Potentially Significant. The project will eliminate the existing approximately 0.5-acre Hunter Square park and replace the proposed site's lawn, sidewalks, and pool with a new courthouse courthouse that will fill much of the open space that exists between the Courthouse/Administration Building and the buildings immediately west of Hunter Square. The new courthouse will include landscaping and a small plaza around the new courthouse, and the project's new open space areas will replace approximately 0.4 acres of the park. the project will result in a smaller acreage of fragmented areas that are visually and

spatially distinct and have less recreational value. Therefore, loss of this public open space will cause a potentially significant impact from this project.

Mitigation Measures:

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;

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 S. Hunter Street and El Dorado Street and the area bounded by the Main Street Mall, S. Hunter Street, and Parker's Alley.

The AOC concludes that implementation of the mitigation measures will reduce the project's recreation impacts to a level that is less than significant.

4.10.3.2 Construction or Expansion of Recreational Facilities

Potential Impact: Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?—No Impact. The AOC discussed this impact in the Initial Study and determined that there will be no impact.

Mitigation Measures: None required.

4.11 TRAFFIC AND CIRCULATION

This section evaluates the potential impacts of the project in terms of traffic and circulation and is based on a transportation impact study prepared by PHA Transportation Consultants (see Appendix H). This chapter provides information on potential traffic impacts of the proposed project on local streets and regional freeway interchanges. The analysis also evaluates potential impacts on public transit operations, bicycle facilities, site access, circulation, and parking.

4.11.1 Environmental Setting

This section discusses site access and existing street system; public transit, bicycle and pedestrian facilities; current traffic operations; hazards; and parking supply of the project area.

4.11.1.1 Site Access and Existing Street Systems

The street system providing direct access and circulation to the Hunter Square site includes:

- Center Street—a one-way four-lane arterial street providing southbound access through the downtown area. It connects to a westbound on-ramp to State Route 4. Additional turn lanes are provided at major intersections along the street. There is on–street parking on both sides of the street;
- El Dorado Street—a one-way four-lane arterial street providing northbound access through the downtown area. It runs parallel to Center Street and functions as a one-way couplet. As with Center Street, additional turning lanes are provided at major street intersections, and on-street parking is permitted;
- Weber Avenue—a four-lane east-west street that is adjacent to the project site. It has on-street parking next to the proposed project parcel;
- Main Street—a one-way westbound two-lane street between with on-street parking. The Main Street segment between S. Hunter Street and El Dorado Street is a pedestrian mall;
- Hunter Street—a north-south street. North Hunter is a two-way street that connects to Weber Avenue, but South Hunter is a one-way southbound street between Main Street and Market Street.;
- Washington Street—a one-way westbound two-lane road between El Dorado Street and Stanislaus Street and becomes three lanes east of El Dorado Street. Site related traffic is not expected to use Washington Street to access the site at Hunter Square. However, much of the project-related traffic will use a section of this street, west of El Dorado, to access the alternative project site at Washington Street.

Interstate 5 is an eight-lane freeway that provides north-south regional access to and from the Cities of Stockton and Sacramento. It also provides regional access to and from northern and southern California cities. A significant amount of project related traffic is expected to use this route, in conjunction with State Route 4, traveling to and from the proposed court building.

State Route 4 is a six-lane cross-town highway that connects Interstate 5 and State Route 99. Its ramps at Washington Street, El Dorado Street, Center Street, Lafayette Street, and Stanislaus Street provide a connection to the Stockton downtown area.

State Route 99 is a six-lane freeway that also provides north-south regional access to and from the Cities of Sacramento and Stockton. As with Interstate-5, a considerable amount of project generated traffic will use this route, in conjunction with State Route 4, to access the project site.

4.11.1.2 Public Transit, Bicycle and Pedestrian Facilities

The San Joaquin County Regional Transit District provides public transit service throughout downtown Stockton with various transit services that include commuter bus, downtown trolley, and dial-a-ride service. Bus routes that serve the area of the existing and proposed court building include Routes 23, 26, 40, and 51 thru 55, with bus stops on Weber Avenue, San Joaquin Street, and El Dorado Street. The Regional Transit District transit center is located within a short walk from the proposed Hunter Square site at the intersection of Weber Avenue and California Street. Trip generation survey results for the

existing court indicated very few visitor or staff members use public transportation for work or to conduct business at the courthouse.

There are no striped bike lanes near the project site. However, pedestrian sidewalks are on both sides of Weber Avenue and other streets in the area. A pedestrian crosswalk with audible signal is available on Weber Avenue in front of the existing Courthouse/Administration Building to provide a safe pedestrian connection between the Courthouse/Administration building and the Coy Garage at Hunter Street.

4.11.1.3 Current Traffic Operation

The study evaluates intersection traffic operations for morning and afternoon peak hours to determine current traffic Level of-Service. Level of Service is the qualitative measure of traffic flow characteristics that traffic engineers use to evaluate traffic intersection and roadway service levels. This methodology employs a Level A through F scale, with Level A being optimum operating conditions and Level F below standard. Tables 4-19 and 4-20 below, show the Level of Service criteria and the existing operating conditions of intersection traffic. Results showed that all of the study intersections currently operate at Level of Service C or better, indicating short traffic delays with low-level congestion.

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.

Note:
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.

4.11.1.4 Hazards

Pedestrian crosswalks were evaluated as the project is expected to add more vehicle and pedestrian traffic to the area. Currently, pedestrian crosswalks are available to provide safe pedestrian crossing at all streets near the existing San Joaquin Courthouse/Administration Building and the proposed courthouse.

The El Dorado Street/Weber Avenue, Weber Avenue/San Joaquin Street, San Joaquin Street/Main Street crosswalks have traffic signal controls for the intersections. No significant pedestrian hazards were observed at these intersections (AOC 2008b).

The El Dorado Street/Main Street and Weber Avenue/N. Hunter Street crosswalks have pedestrian-triggered audio warnings and flashing lights. The Weber Avenue/N. Hunter Street crosswalk also includes a median island that provides additional protection for pedestrians, but the nearby Hunter Square parking lot's entrance driveway and exit driveway and the transit stop complicate vehicle movement patterns. Traffic signals at Market Street and Weber Avenue control traffic on El Dorado Street, and the signals and signal-related traffic queuing strongly slows traffic speeds near the El Dorado Street crosswalk. For Weber Avenue, there is no traffic

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

control for Weber Avenue traffic at the intersection with N. Hunter Street, but signals at El Dorado Street and San Joaquin Street influence traffic speeds on Weber Avenue.

For the El Dorado Street crosswalk and Weber Avenue,. Field observation noted that traffic on El Dorado Street occasionally moved at an apparently high speed for an arterial street and the crosswalk crosses three traffic lanes and two parking lanes, drivers responded to the presence of pedestrians by reducing speed, stopping when the crosswalk system began flashing, and did not enter the crosswalk when pedestrians were in the crosswalk.

Drivers' compliance with pedestrians' crossing attempts for the Weber Avenue crosswalk at N. Hunter were less regular and predictable. Field observation noted that some drivers did not slow down at the crosswalk. Crosswalk problems were greatest on the eastbound lanes since drivers were less observant of pedestrians because the drivers were often performing lane changes and turns due to the adjacent driveways and transit vehicle movements may have obscured drivers' field of view.

The Main Street/S. Hunter Street crosswalk has no traffic control and has no crosswalk light or audio improvements. At the intersection, Main Street has two westbound lanes that end at the intersection, and drivers must make a left turn to continue on S. Hunter Street, which carries traffic southbound in only one lane. Field observation indicates that since there is only a small amount of traffic on this portion of Main Street, pedestrians can generally cross freely at the intersection. However, when a vehicle approaches the crosswalk, pedestrians' and drivers' behavior are unpredictable and irregular. When two vehicles travel westward on Main Street simultaneously in separate lanes, driver and pedestrian interactions become more complicated.

4.11.1.5 Parking

Major parking facilities in downtown Stockton near the proposed project site include the Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, the Channel Parking Garage, the Hunter Square parking lot, and the County of San Joaquin Motor Pool/Hunter Street Parking Garage. Table 4-22 lists the facilities' features.

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 Dept. uses approximately 10 spaces in the facility, and other government agency park approximately 30-40 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

The AOC surveyed parking supply and demand in the vicinity of the proposed project site in September, October, and November of 2008. Table 4-23 shows data from a Tuesday, September 9 survey of parking garages and on-street 1-hour, 2-hour, and 10-hour metered spaces. Table 4-24 shows data from several AOC surveys of the Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, and the public portion of the County of San Joaquin's Motor Pool Garage (with public entrance on S. Hunter Street).

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	Occu-pancy %	Filled Parking Spaces	Occu-pancy %	Filled Parking Spaces	Occu-pancy %
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 Squre 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	

This snapshot survey captured parking space utilization at parking meters, surface parking lots, and parking structures on September 9, 2008 – a Tuesday – which is the busiest day of the week for the court operations. During the period surveyed, a total of 3,457 parking spaces was identified (supply), and an average of 2,292 spaces was utilized (demand), for an average utilization of 66%. These results are similar to an earlier *Survey of Open Spaces at Downtown Parking Garages and Surface Parking Lots Owned and Managed by Central Parking District,* a windshield survey conducted by the City of Stockton Central Parking District in 2007, that found a 68% average parking utilization in the downtown area.

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.

4.11.2 Analytical Framework

4.11.2.1 Analytical Methodology

To identify the potential traffic impact with the proposed project, the traffic study evaluated traffic operations at 15 nearby street intersections that provide access to the Hunter Square site and five intersections near the alternate site at Washington Street. The study evaluates traffic Level of Service

for four scenarios "Existing Conditions," "Approved Project Conditions," "Project Conditions," and "Short-term 2103 Conditions." "Existing Conditions," traffic is based on traffic counts collected in May 2008. The "Approved Project Conditions" adds traffic from the County Administration Building, which is under construction, and the proposed new City Hall at East Main Street. The "Project Conditions" scenario adds traffic from the proposed Courthouse project. The "Short-term 2013 Conditions" looks at potential traffic conditions five years into the future. Comparing traffic Level of Service among the study scenarios will identify the incremental impact of the proposed Courthouse project. The study focused on traffic operation during commute hours 7-9 a.m. and 4-6 p.m.

4.11.2.2 Study Assumptions

The traffic study assumed that the County will use the Court's existing space in the Courthouse/Administration Building as office space after the AOC's completion of the new courthouse. As a result, the study evaluates the project with the assumption that the existing Courthouse/Administration Building will continue to have its current level of traffic trips and the proposed courthouse's traffic will be entirely new trips. Due to the County's recent approval of its Master Plan Update (County of San Joaquin 2008), the AOC understands that the County will not use most of the Court's existing space. Therefore, the project is actually a re-location of the existing Court operations from the existing Courthouse/Administration Building and the Courthouse Annex, and much of the estimated traffic are already using the downtown street system. This study approach overestimates the traffic impact of the project.

The estimated traffic distribution also assumes that all Court-related traffic, traffic associated with the new County Administration Building, and the proposed new City Hall will use Weber Avenue to access downtown parking during the morning peak traffic period and to exit the downtown area during the afternoon peak traffic period. In reality, many County and Court employees and visitors will use other streets as they will park at garages and parking lots throughout the downtown area. In other words, only a small percentage of the estimated employees and visitors will actually use Weber Street. Consequently, the estimated traffic impact on Weber Street is also overstated.

As a new project, the proposed courthouse project is expected to generate approximately 650 morning peak hour trips and 390 afternoon peak hour trips. These trips were estimated based on trip rates established by surveys conducted at the existing courthouse on Weber Avenue

To evaluate hazards, analysts evaluated traffic controls and pedestrian crossing facilities at intersections near the proposed courthouse parcel. Analysts also observed vehicle movements through intersections to monitor vehicle driver:pedestrian interactions.

To evaluate parking, analysts tabulated the availability of parking spaces near the proposed courthouse parcel. Analysts evaluated parking space availability on September 9, 2008 during 8:30 to 9:30, 10:15-11:15, and 1 p.m. to 2 p.m. periods. The September 9 survey area included on-street parking areas within several blocks of the proposed courthouse site; the Stewart-Eberhardt, Coy, Channel Street, Market Street, and County Motor Pool parking garages, and several parking lots. The AOC also repetitively evaluated parking space availability in the Stewart-Eberhardt, Coy, and County Motor Pool parking garages during October 2008 and November 2008.

4.11.2.2 Regulatory Background

The City of Stockton's general plan considers Level of Service D the minimum acceptable for its roadway systems, except for the downtown area, where the minimum acceptable Level of Service is E. The City of Stockton does not have specified standards and criteria for non-signalized intersections. In traffic engineering practice, however, potential mitigation should be investigated and considered when a four-way stop control intersection reaches Level of Service E, or when the side street approaches at a two-way stop-control intersection reach Level of Service E.

The City's Central Parking District administers the City's surface lots and parking structures in the downtown area. An Advisory Board appointed by the City Council operates the District. It funds capital improvements, maintenance and operating expenses of the CPD by an *ad valorem* assessment on all property located within the District, charges for monthly and hourly parking privileges, and other income from contract agreements with other entities.

The Stockton City Council established the Downtown Parking Community Facilities District 2001to provide additional flexibility and financial resources in providing adequate public parking facilities in Downtown Stockton (City of Stockton. 2007a). The Central Parking District currently owns and operates 14 parking facilities in the downtown area, providing approximately 6,000 parking spaces. The Central Parking District attempts to exempt downtown developments from general parking standards which require a specific number of on-site parking spaces for each type of land use. All properties within Central Parking District boundaries (except residential uses, schools, and homeless shelters) have the option to provide all off-street parking or on-site parking or to annex to the Central Parking District and pay special fees toward the provision of off-site parking.

4.11.2.3 Standards of Significance

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

- Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.
- Exceed a level of service standard established by the county congestion management agency for designated roads or highways.
- 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.
- Substantially increase hazards because of a design feature.
- Result in inadequate emergency access.
- Result in inadequate parking capacity.
- Conflict with adopted policies, plans, or programs supporting alternative transportation.

The City of Stockton's general plan considers Level of Service D the minimum acceptable for its roadway systems, except for the downtown area, where the minimum acceptable Level of Service is E. The City of Stockton does not have specified standards and criteria for non-signalized intersections. In traffic engineering practice, however, potential mitigation should be investigated and considered when a

four-way stop control intersection reaches Level of Service E, or when the side street approaches at a two-way stop-control intersection reach Level of Service E.

The City of Stockton defines significant impact as follows:

- For a city intersection, a transportation impact for a project is considered significant if the addition of project traffic will cause an intersection that will function at Level of Service D or better without the project to function at Level of Service E or F.
- For city intersections with Level of Service E or F conditions without the project, a transportation impact for a project is considered significant if the addition of project traffic causes an increase of greater than 5 seconds in the average delay for the intersection.
- For downtown intersections, the minimum acceptable condition is Level of Service E.
- For Caltrans facilities, the minimum acceptable Level of Service is D.

4.11.3 Potential Impacts and Mitigation Measures

4.11.3.1 Traffic Increase and Level of Service

Potential Impact: Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?— Significant and Unavoidable. Table 4-21 shows traffic Level of Service for existing conditions, approved projects conditions, and project conditions. Results indicated that all of the study intersections will operate at acceptable Level of Service under the approved projects scenario and project scenario.

Table 4-26 shows the projected traffic Level of Service for short-term 2013 scenario. Under the short-term 2013 scenario, two of the study intersections will operate at unacceptable conditions:

- El Dorado/Weber intersection is projected to operate at Level of Service F (PM),
- Center/Lafayette/EB State Route 4 off-ramp is projected to operate at Level of Service E (AM)

As discussed earlier, the above analysis is based on a highly conservative assumptions that the Courthouse, the County Administration Building, and the Proposed Stockton City Hall are new projects and that all traffic related to these projects will use Weber Avenue to access these sites. In reality, all of these three projects are relocations from one site to another and would not add new traffic to the downtown area. Further, employees and visitors traveling to and from these projects will not all using Weber Avenue as they will park at different garages. As such, the projected Level of Service E and F conditions are not likely to occur, and the project's impact at these intersections will be less than significant

Mitigation Measures: The following mitigation measure will reduce the potentially significant intersection impacts to levels that are less than significant:

Traffic 1 *(2013 Scenario)***—**Revise signal timing for the Caltrans intersection at Center/Lafayette –EB SR4 off-ramp. This will improve Level of Service from E to D.

Table 4-25: Project Conditions Traffic Operation (Level of Service) Analysis
New Stockton Courthouse Traffic Study – Stockton

		Existing Conditions		Existing+ Approved Projects		Existing + Approved + Project	
Study Intersections	**Time**	**Delay**	**LOS**	**Delay**	**LOS**	**Delay**	**LOS**
1. Center/Park	AM	13.0	B	12.8	B	13.5	B
	PM	15.6	B	16.5	B	14.5	B
2. El Dorado/Park	AM	4.8	A	4.7	A	4.8	A
	PM	7.5	A	6.9	A	7.8	A
3. Center/Oak	AM	6.5	A	5.9	A	5.7	A
	PM	5.1	A	6.1	A	5.0	A
4. El Dorado/Oak	AM	12.6	B	4.5	A	4.5	A
	PM	6.3	A	5.6	A	4.8	A
5. Center/Fremont	AM	8.0	A	7.5	A	7.5	A
	PM	17.3	B	7.2	A	10.2	A
6. El Dorado/Fremont	AM	7.9	A	5.8	A	8.3	A
	PM	14.5	B	8.3	A	9.7	A
7. Center/Weber	AM	11.2	B	11.6	B	11.1	B
	PM	17.4	B	40.1	D	50.2	D
8. El Dorado/Weber	AM	15.4	B	15.9	B	38.4	D
	PM	25.9	C	36.4	D	71.3	E
9. Weber/California	AM	9.4	A	10.3	B	10.6	B
	PM	10.7	B	11.6	B	11.7	B
10. Center/Washington	AM	10.0	A	5.7	A	6.2	A
	PM	15.4	B	14.4	B	41.5	D
11. El Dorado/Washington – WB SR 4 off-ramp	AM	14.1	B	15.1	B	23.0	C
	PM	30.8	C	24.4	C	27.5	C
12. Stanislaus/Washington-WB SR 4 off-ramp	AM	20.3	C	23.0	C	24.4	C
	PM	15.8	B	20.6	C	22.0	C
13. Center/Lafayette- EB SR 4 off-ramp	AM	26.5	C	21.7	C	28.7	C
	PM	12.9	B	18.7	B	19.6	B
14. El Dorado/Lafayette –WB SR 4 off-ramp	AM	8.0	A	7.6	A	7.2	A
	PM	15.9	B	13.7	B	12.3	B
15 Stanislaus/Lafayette- EB SR 4 off-ramp	AM	21.0	C	25.9	C	26.4	C
	PM	24.3	C	32.2	C	37.1	D

Notes:
Delay = Stop delay per vehicle in seconds
LOS = Level-of-Service

The delay shown in Synchro (and all HCM methods) is the delay per vehicle. When vehicle volume is added, the total aggregate delay in the numerator goes up. However, so does the number of vehicles in the denominator. In some cases, the aggregate delay may not go up as significantly as the volume, hence the delay/vehicle actually goes down. This is not uncommon, especially with pre-timed signal operation when you have some reserve time (such as increasing the volumes for the non critical movements).

Table 4-26: Short-term 2013 Traffic Operation (Level of Service) Analysis New Stockton Courthouse Traffic Study – Stockton

Study Intersections	Time Period	Delay	LOS
1. Center/Park	AM	14.7	B
	PM	17.2	B
2. El Dorado/Park	AM	5.0	A
	PM	7.5	A
3. Center/Oak	AM	6.1	A
	PM	5.9	A
4. El Dorado/Oak	AM	4.5	A
	PM	5.6	A
5. Center/Fremont	AM	8.2	A
	PM	9.7	A
6. El Dorado/Fremont	AM	9.0	A
	PM	9.7	A
7. Center/Weber	AM	11.9	B
	PM	47.1	D
8. El Dorado/Weber	AM	62.5	E
	PM	90.3	F
9. Weber/California	AM	11.4	B
	PM	12.2	B
10. Center/Washington	AM	6.7	A
	PM	55.9	E
11. El Dorado/Washington – WB SR 4 off-ramp	AM	31.6	C
	PM	33.6	C
12. Stanislaus/Washington - WB SR 4 off-ramp	AM	48.4	D
	PM	33.7	C
13. Center/Lafayette- EB SR 4 off-ramp	AM	61.8	E
	PM	31.6	C
14. El Dorado/Lafayette – WB SR 4 off-ramp	AM	8.5	A
	PM	13.2	B
15. Stanislaus/Lafayette- EB SR 4 off-ramp	AM	32.6	C
	PM	52.2	D

Notes:
Delay = Stop delay per vehicle in seconds
LOS = Level-of-Service

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:

- 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.

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 due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?— 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. Therefore, there will be no significant impacts related to the building's design.

Due to the project's creation of 30 of courtrooms at the Hunter Square site, 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/Main Street, El Dorado Street/Weber Avenue, Weber Avenue/San Joaquin Street, and San Joaquin Street/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/N. 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;
3. For the Main Street/S. Hunter Street crosswalk, Section 4.11.1.4 noted that there are no traffic controls at this intersection and the AOC observed that pedestrians' and drivers' behaviors were irregular and unpredictable. Due to the project's increase in the number of persons traveling to the courthouse, more persons will be crossing through the Main Street/S. Hunter Street crosswalk. In addition, the project will add traffic to Main Street due to trips associated with Sheriff's busses, Court staff members' vehicles, and service vehicles. Due to the potential increase in the number of pedestrian/vehicle interactions, the Main Street/S. Hunter Street intersection's reduction of two traffic lanes to one lane and the intersection's left turn geometry, and the absence of traffic control at the intersection, hazards at this crosswalk are potentially significant; and
4. The project will add limited driveway-related vehicle traffic to a portion of the Main Street mall. Since the mall currently carries no regular vehicle traffic, the courthouse-related traffic will be a new hazard. The project's California Building Code Title 24 markers (see Figure 5) will provide some visual and tactile reminder for pedestrians and vehicle drivers. However, urban areas typically segregate pedestrian traffic and vehicle traffic; safety measures may reduce the risk of pedestrian/vehicle collisions, but pedestrians and vehicle drivers make mistakes. Therefore, the project's addition of vehicle traffic to a portion of the Main Street mall will be a significant and unavoidable impact.

Mitigation Measures: As noted above, there will be no significant impacts related to the building's design. Therefore, no mitigation measures are required for design-related impacts. The following mitigation measures will reduce the project's operational impacts to a level that is less than significant for the Weber Avenue/N. Hunter Street crosswalk and the Main Street/S. Hunter Street crosswalk. However, the project's Main Street mall impacts will remain significant and unavoidable despite mitigation measures:

Traffic 3—For the Weber Avenue/N. 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/N. Hunter Street crosswalk to a new location of Weber Avenue that is east of the Weber Avenue/N. 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/N. Hunter Street crosswalk to a level that is less than significant;

Traffic 4—For the Main Street/S. Hunter Street crosswalk, the proposed project will provide five improvements.

a) First, the project will revise the lane geometry of the western portion of E. Main Street near its intersection with S. Hunter Street to merge the current two lanes into one lane;

b) Second, the project will repaint the crosswalk to enhance its visibility;

c) Third, the project will eliminate Main Street parking spaces that are within 30 feet of the crosswalk;

d) Fourth, the project will add structural improvements (such "bulbouts" or curb peninsulas that extend into the street) to the crosswalk that reduce the crosswalk's length across Main Street; and

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. The combination of the five components of this mitigation measure will reduce the potential hazard impacts for the Weber Avenue/N. Hunter Street crosswalk to a level that is less than significant;

Traffic 5—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/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. This mitigation measure and mitigation measure Traffic 4's Main Street mall stop sign will reduce the potential hazard impacts for the Main Street mall, however, the inherent danger of combining pedestrians and vehicles into the same area will keep potential impacts at a level that is significant and unavoidable.

4.11.3.5 Emergency Access

Potential Impact: Result in inadequate emergency access?—No Impact. Based on the preliminary site plan, the proposed project will have a main access from Weber Avenue and a sally port access at the back of the building. These features should provide adequate vehicle access (approximately 35 to 40 vehicles) and pedestrian access. The AOC's development of the project site will conform to recommendations of the Court, the San Joaquin County Sheriff's Department, and the Stockton Fire Department to ensure adequate emergency access considerations. The Stockton Fire Department will review plans to ensure emergency access. The proposed project does not include closure of any public through street that is currently used for emergency services and will not be expected to interfere with the adopted emergency response plan. Therefore, the AOC concludes that the project will have no impacts on emergency access.

Mitigation Measures: None required.

4.11.3.6 Parking Capacity

Potential Impact: Result in inadequate parking capacity?—Less Than Significant. Construction of the project will eliminate approximately 50 parking spaces in the Hunter Square parking lot. The Court currently has a maximum juror population of approximately 275 jurors to 300 jurors in the Courthouse/Administration Building. When the Court begins operations in the new courthouse, the AOC expects that the Court will add approximately additional 100 juror and approximately 100 visitor and staff trips per day. The project will provide approximately 40 parking spaces at the building for judges and administrative officers. Therefore, the project will need approximately 250 additional parking spaces for the Court's operations in the proposed new courthouse.

Tables 4-23 and 4-24 provide data on the current available parking supply, and they show that the parking facilities near the existing and proposed courthouse currently have unused capacity. The mean morning vacancies for the Stewart-Eberhardt, Edmund Coy, and Hunter Street garages total over 400 spaces, therefore, despite the project's elimination of the Hunter Square parking lot, the existing facilities appear to have sufficient capacity to satisfy the project's parking needs. The AOC recognizes that forecasting the parking needs of other potential downtown development is uncertain. However, Table 4-23 indicates that that the Channel Street garage has additional parking available and on-street parking spaces are available within two blocks of the proposed courthouse site. Therefore, the AOC concludes that the project's parking impacts will be less than significant.

Mitigation Measures: None required.

4.11.3.7 Existing Alternative Transportation Policies

Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?—Less than Significant. Survey results of existing court trip generation indicated very few visitor or staff members use public transportation for work or to conduct business at the courthouse. Therefore, the proposed project is not expected to have a significant impact on the public transportation system.

Mitigation Measures: None required.

4.12 Utilities and Service Systems

This section evaluates the project's potential impacts on utilities and service systems.

4.12.1 Environmental Setting

The new courthouse for the Court will be located on an approximately 1-acre parcel in downtown Stockton. The site is currently a parking lot and a park. Water service extends to the site, and adjacent developed parcels have wastewater service, water supply service, and trash collection service.

4.12.2 Analytical Framework

Utilities for the new courthouse have been analyzed, and telecommunication, electric, gas, water, and sewer sources were consulted to determine the impacts the project will have on these services. Additionally, landfill and wastewater treatment facilities were consulted to determine if the new courthouse will significantly affect the remaining capacity of these facilities.

4.12.2.1 Analytical Methodology

To evaluate the project's potential impacts on utilities and public systems, the EIR's analysts conducted a document search and site reconnaissance to observe the environmental conditions of the project site. The AOC's evaluation of utilities and public systems on and near the proposed New Stockton Courthouse Project included the following information:

- Phase I Environmental Site Assessment (Earth Tech 2008),
- Review of American Society for Testing and Material standard environmental records searches that were performed by Environmental Data Resources during the Phase I Environmental Site Assessment (Earth Tech 2008),
- Review of the proposed project with respect to compliance with federal, state, and local legal requirements pertaining to utilities and public systems, and
- Review of the Stockton General Plan 2035 (2007a)

4.12.2.2 Regulatory Background

The laws and regulations that govern the utilities and service systems in Stockton fall under state and local jurisdiction. The City of Stockton also has drafted new policies on the Stockton Municipal Water Department in its Stockton General Plan 2035 (City of Stockton 2007a).

Federal

- Clean Water Act is a 1977 amendment to the Federal Water Pollution Control Act of 1972, which set the basic structure for regulating discharges of pollutants to waters of the United States.
- National Pollutant Discharge Elimination Systems is the permitting process by which technology-based and water quality-based controls are implemented.

State Senate Bill 610 amended State law to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 requires detailed information regarding water availability in the form of a water supply assessment, prior to approval of specified large development projects. Section 15155 of the CEQA Guidelines requires a City or County lead agency to develop a water supply assessment. A City or County must secure a water supply assessment from the governing body of a public water system for any "project" that is subject to CEQA and proposes commercial development of more than 250,000-square-feet of floor space, a retail center with more than 500,000-square-feet of floor space, or more than 500 dwelling units. California Water

Code Section 10910 also requires a City or County lead agency to identify any water system that will supply water to a project.

Local

Stockton General Plan 2035 contains policies on the wastewater serves for the City of Stockton.

4.12.2.3 Standards of Significance

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

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- Require the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- Require the construction of new storm water drainage facilities; expansion of existing facilities, the construction of which could cause significant environmental effects;
- Have insufficient water supplies to serve the project from existing entitlements and resources;
- Result in a determination by the wastewater treatment provider that serves the project that it lacks adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or
- Lacks service by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

4.12.3 Potential Impacts and Mitigation Measures

4.12.3.1 Wastewater Treatment

Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?—Less Than Significant. Buildings in Stockton are located within the Central Regional Water Quality Control Board are subject to control under the Stockton Regional Wastewater Control Facility. Based on the design of the courthouse facility, the wastewater effluent from the new building will meet the requirements for discharge that are applicable to the Regional Water Quality Control Board.

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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a wastewater plan that is in compliance with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to wastewater include:

- Innovative wastewater technologies

Since the proposed courthouse will meet requirements of the California Building Code and will be a LEED silver building, the AOC concludes that the project's impacts on wastewater treatment requirements will be less than significant.

Mitigation Measures: None required.

4.12.3.2 New Water or Wastewater Treatment Facilities

Potential 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. The City's General Plan EIR indicates that the Stockton Municipal Water Department will serve the project. The proposed project's projected wastewater demand, based upon assumptions for "institutional uses," is approximately one-third the water demand. Water demand is 3,000 gallons per day per acre (gpd/acre). The Proposed Project site is approximately 1 acre; therefore, water demand is 3,000 gpd and wastewater demand, 1,000 gpd (AOC 2008a).

Although the new courthouse will add water demand for the City's water supply, the Court's move from the existing courthouse will partially compensate for the demand of the new building. In addition, although the new courthouse will provide approximately twice the space of the existing courthouse and courthouse annex, the AOC and Court expect the project to include only a minor increase in the number of staff persons. Since the increase in courthouse population will be small and the AOC expects only minor and temporary future use of the current Court's space, the AOC concludes that the impacts on water treatment facilities will be less than significant.

Solid waste services are provided by the City of Stockton Solid Waste and Recycling Division. The Stockton Regional Wastewater Facility Plant is a regional wastewater facility with a capacity of 55 million gallons per day (MGD) based on the 2006 upgrade to the system as discussed in the City's General Plan. The City's General Plan EIR recommends that the facility be expanded to approximately 94.07 MGD (106,064 acre-feet per year) by 2035. Currently the wastewater facility is operating at 35 MGD influent and 55 MGD effluent with several settling ponds which facilitate evaporation. Therefore, the project's wastewater generation (1,000 gpd) will not exceed wastewater treatment requirements of the Water Board based on the current wastewater facility capacity of 55 MGD (City of Stockton 2007c). The AOC concludes that the impacts on wastewater treatment facilities will be less than significant.

Mitigation Measures: None required.

4.12.3.3 Require or Result in the Construction of Storm Water Drainage Facilities or Expansion of Existing Facilities

Potential 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. Storm drains and flood control facilities are administered by the City of Stockton and San Joaquin Area Flood Control District. The City Development Services Department, Public Works Division, is responsible for design and construction of storm drain facilities. The Mormon Slough flows east to west approximately seven blocks south of the proposed project site and into the

Stockton Deep Water Channel. Storm water and surface water discharge by sheet flow to street gutter storm drains and to storm drains in paved parking lots, and percolates directly into those landscaped portions of the project site (Earth Tech 2008). The proposed project will not require the construction of new off-site storm water facilities. According to the Public Works Division, the project will not create an abundance of stormwater that will require a change control to the current system.

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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a stormwater plan that is in compliance with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to stormwater include:

- Stormwater- Quantity control
- Stormwater- Quality control

Mitigation Measures: None required.

4.12.3.4 Have Sufficient Water Supplies Available to Serve the Project from Existing Entitlements and Resources

Potential 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. The California Water Service Company will provide water service to the site. The California Water Service Company stated that the project will not consume an overabundance of water from the current water supply. Based on the current consumption levels from November 2007 through October 2008, the average consumption of water, without LEED standards, for an approximately 100,000 square foot building is approximately 600 cubic feet per 100 cubic feet. The water consumption changes from summer to winter with consumption being three times the amount in the summer. By implementing the LEED Silver standards for water efficiency, the reduction in water and the increase in the size will counterbalance any excessive additional use (CWSC 2008).

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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a water supply plan that is in compliance with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to water supply include:

- Water efficient landscaping- Reduce water use by 50%, use non potable water, or use no water for landscaping.

The AOC concludes that water supply impacts are less than significant.

Mitigation Measures: None required.

4.12.3.5 Wastewater Treatment Capacity

Potential Impact: 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?—Less Than Significant Impact. The proposed project's wastewater treatment demand will be minor based on the calculations and information provided in

Section 4.12.2.1 regarding the Stockton Regional Wastewater Facility. Therefore, the proposed project will not have significant wastewater treatment capacity impacts.

Mitigation Measures: None required.

4.12.3.6 Landfills

Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?—Less Than Significant. The proposed project will be served by the City of Stockton Solid Waste and Recycling Division. The solid waste generated by the project will contribute to existing landfill capacity; however the additional contribution will not be considered substantial as compared to remaining landfill capacity. Currently the Foothill Landfill can hold 51 million tons of material and is not expected to reach capacity until 2054 (MUD 2008b). Therefore, the AOC concludes that the project's impacts are less than significant.

Mitigation Measures: None required.

5.0 ALTERNATIVES

An EIR must evaluate a reasonable range of alternatives to the proposed project that could feasibly attain most of the basic objectives of the project but that will avoid or substantially lessen any of the significant effects of the project. The EIR must then evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6). An EIR need not evaluate the environmental effects of alternatives at the same level of detail as the proposed project, but must include enough information to allow meaningful evaluation, analysis, and comparison with the proposed project. CEQA provides the following guidelines for discussing alternatives to a proposed project:

- The specific alternative of the "no project" shall also be evaluated along with its impacts...If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6 (e)(2));
- The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives will impede to some degree the attainment of the proposed objectives, or will be more costly (CEQA Guidelines Section 15126.6 (b));
- If an alternative will cause one or more significant effects in addition to those that will be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines Section 15126.6 (d)); and
- The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice….The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making...An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative (CEQA Guidelines Section 15126.6 (f)).

The primary intent of the alternatives analysis is to disclose other ways that the lead agency can attain the project's objectives while reducing or avoiding the magnitude ofthe environmental impacts of the proposed project. Alternatives that are included and evaluated in the EIR must be feasible. Furthermore, the Public Resources Code and the CEQA Guidelines direct that the EIR need "set forth only those alternatives necessary to permit a reasoned choice." The CEQA Guidelines define "a range of reasonable alternatives" and, thus, limit the number and type of alternatives that need to be evaluated in a given EIR. According to the CEQA Guidelines (Section 15126.6(b)):

> The alternatives shall be limited to ones that will avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.

CEQA defines "feasible" as:

> …capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.

According to (CEQA Guidelines Section 15126.6(f)(1)), a lead agency may consider the following factors in its assessment of the feasibility of alternatives: site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and the ability of the proponent to attain site control

The selection of alternatives takes into account the project objectives (see Section 2, Project Description.

Equally important to attaining the project objectives is the reduction of some or all significant impacts, particularly any impacts that could not be mitigated to a level below the threshold of significance. The project-specific and cumulative significant and post-mitigation unavoidable impacts are:

- The proposed addition of the new courthouse, along with the proposed elimination of the parking lot and mature landscaping, and park area which combined provide a visually open area, will alter downtown Stockton's visual character, resulting in significant and unavoidable impacts.
- The proposed elimination of the historic Hunter Square Plaza though development of the new courthouse will result in significant and unavoidable impacts on cultural and historic resources.
- The proposed elimination of the existing open space, park, and pool will result in significant and unavoidable impacts to recreation and open space.
- The proposed project will result in significant and unavoidable impacts to ambient noise from construction operations.
- The proposed project will result in significant and unavoidable impacts to traffic from increase in court operations.
- The proposed project will have significant and unavoidable impacts related to the cumulative impacts from loss of cultural resources and increase in traffic.

To reduce significant and unavoidable impacts to cultural/historical resources, recreation related public space, visual resources, and construction-related noise, this EIR evaluates the following alternatives:

A. The **No Project Alternative** assumes the proposed project will not be implemented. Hunter Square plaza and the fountain proposed for demolition under the proposed project will remain unaltered;

B. The **Hunter Square Expanded** alternative assumes the proposed project will include Hunter Square Plaza parcel plus any combination of: (1) any of the three private parcels adjacent to the east, (2) the city alleyway west of the three private parcels, and (3) the eastern portion of the Bank of America parking lot, defined as the portion of the parking lot north of the main street pedestrian mall, east of the west edge of the city alley, and south of the three private parcels;

C. The **Washington Street** alternative assumes the proposed project will include three blocks located north of Washington Street. The site is bounded on the north by Market Street, on

the east by Madison Street, on the south by Washington Street, and on the west by Lincoln Street; and

D. The **Private Parcels** alternative assumes the proposed project will include the Bank of America property at the southeast corner of Weber Avenue and El Dorado Street, three private parcels that are east of the Bank of America property, and the city alley immediately east of the Bank of America building. This alternative does not include any portion of the proposed Hunter Square site.

The following text describes the alternatives and presents an assessment of each alternative's impacts relative to the proposed project. The focus of this analysis is the difference between the alternative and the proposed project. The analysis indicates which mitigation measures will be required of the alternative and which significant and unavoidable impacts will be avoided with implementation of the alternative rather than the proposed project. In some cases, the analysis indicates what additional mitigation measures, if any, will be required for the alternative being discussed, and what significant and unavoidable impacts will be more (or less) severe.

5. 1 NO PROJECT ALTERNATIVE

CEQA requires the evaluation of the comparative impacts of the "No Project" alternative (CEQA Guidelines Section 15126.6(e)(1)). Under No Project Alternative, the AOC will not implement the the courthouse project. The Court will remain in the existing courthouse and the annex, and the Hunter Square Plaza parking area and park and Main Street mall will remain unchanged.

The No Project Alternative will not achieve any of the project objectives. It will fail to:

- Provide a new courthouse with improved security features, public access and public service features, and working and operational features for the Court's staff;
- Provide courthouse facilities that increase the efficiency of the Court's staff and operations and increase the Court's ability to serve residents of San Joaquin County;
- Provide courthouse facilities that promote efficient interaction and communication between the Court's staff and other government agencies' staff and between the Court's staff and other parties involved in judicial proceedings;
- Provide a new courthouse that is as accessible as the current courthouse for persons involved in judicial proceedings, government agency personnel, and the public; and
- Provide 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) any of the three private parcels that are west of Hunter Square, (2) the alley that is west of the three private parcels, and (3) the 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). The acreage of this site will be approximately 1.8 acres.

If the AOC acquires any of the three private parcels, the AOC will demolish associated buildings prior to construction of the new courthouse. The proposed Hunter Square Expanded courthouse will be generally similar to the courthouse described for the proposed project (Section 3.5); it will be approximately 220 feet tall, have approximately 325,000 square feet of space, and have 12 stories with a basement. The footprint of the building will occupy approximately 0.8 acres. The entrance of the building will face northeastward towards Weber Avenue and the current San Joaquin Courthouse/Administration Building, and the building will be set back approximately 50 feet from the street. There will be a plaza area between the building and Weber Avenue, and the courthouse will include landscaped areas on the east and west sides. The south side of the courthouse will secured vehicle access facilities to the basement of the building. The Hunter Square Expanded alternative's larger parcel size will allow the AOC to expand the area of the proposed building's lower floors and provide more open space around the building's eastern and western sides.

5.2.01 Aesthetics and Visual Resources

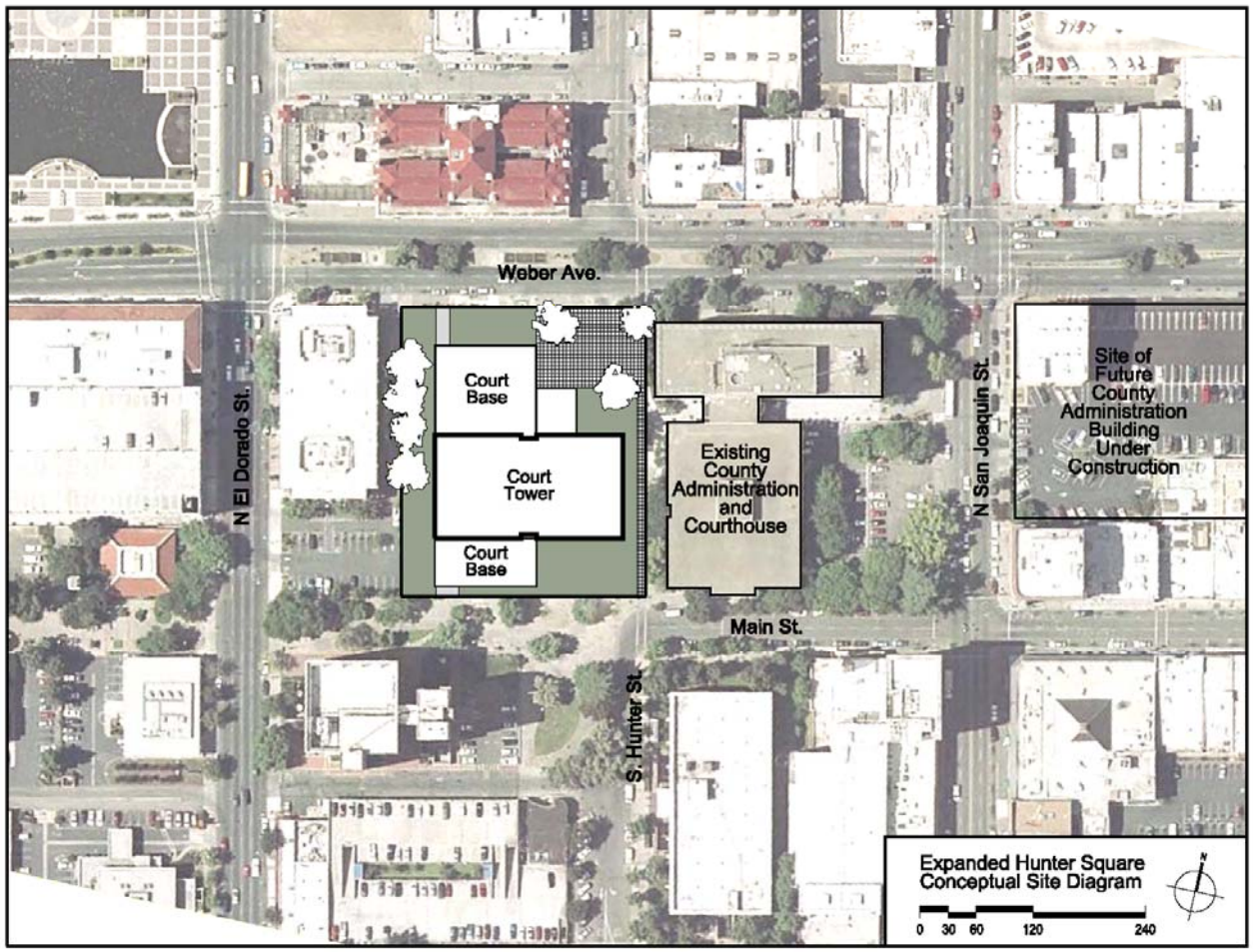
This section evaluates the Hunter Square Expanded alternative's potential impacts to aesthetics and visual resources.

5.2.01.1 Environmental Setting

The environmental setting of the Hunter Square Expanded alternative's site includes the following features:

- Hunter Square parking area;
- Hunter Square Park with its pool, sidewalk, low brick retaining wall, lawn, and shade trees;
- Main Street mall with its fountain, raised pool, pedestrian mall, and shade trees;
- Three private parcels with their two-story buildings;
- A City alley along the western side of the three private parcels; and
- A portion of the Bank of America's parking lot.

Figure 11. Hunter Square Expanded Alternative



The northeast portion of the proposed courthouse site is a parking lot with several trees (see Figure 2); the southeast portion of the proposed courthouse site is a park with a lawn, landscaping, and pool; the southwest portion of the site is a parking lot; and the northwest portion of the site is a two-story commercial building. The existing seven-story Courthouse/Administration Building wing and the three-story Courthouse wing are east of the proposed courthouse site. A three-story County of San Joaquin administration building is southeast of the proposed courthouse site. Commercial buildings and a parking structure are south of the site. A seven-story bank building is to the southwest. A three story banking building is to the west. Weber Avenue and the five-story Hotel Stockton are north of the proposed courthouse site. The hotel is in the National Register of Historic Places. It has commercial businesses on the ground floor, and the upper floors are affordable housing.

Section 4.01.1.3 describes scenic vistas near the Hunter Square vicinity for the following viewpoints:

1. Western side of the El Dorado Street crosswalk at Main Street mall;

2. Weber Avenue/El Dorado Street intersection (northwest corner);
3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street);
4. Western entrance of the existing San Joaquin Courthouse/Administration Building;
5. Sidewalk area near the entrance of the existing San Joaquin Courthouse/Administration Building;
6. Southwest corner of the Main Street/San Joaquin Street intersection;
7. Northwest corner of the Market Street/Hunter Street intersection;
8. Hunter Square at the Main Street/Hunter Street intersection; and
9. State Route 4 near Washington Street exit.

Appendix E includes photos of downtown Stockton views from these viewpoints. The existing views for the Hunter Square Expanded alternative are essentially the same as the Hunter Square proposed project site.

The wind and microclimate; scenic vistas; scenic resources; and light, shading, and glare features of the Hunter Square Expanded alternative's environmental setting are essentially the same as the Hunter Square alternative (see Wind and Microclimate; Scenic Resources; and Light, Shading, and Glare).

5.2.01.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.01.2 for a discussion of these issues.

5.2.01.2.1 Visual Character and Aesthetic Quality

Potential Impact (Construction): Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?—Less than Significant. As discussed in the proposed project's (Hunter Square) analysis, the AOC will install temporary fencing around the project site. Construction of the project will involve use of heavy equipment, stockpiling of construction materials, and accumulation of debris and waste materials. The construction will be visible from several downtown streets, public buildings, and adjacent commercial establishments and hotels. However, project construction scenes and features will be temporary. The AOC expects that demolition of the buildings and construction will require approximately 27 months; construction of the building's exterior structure will require approximately 12 months. The project may disassemble the fountain, and it will block views and access to the Main Street mall area. Since the impacts will occur only during the short, temporary construction period, the AOC considers the potential visual and aesthetic effects associated with project construction to be less than significant.

Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings—Potentially Significant. The Hunter Square Expanded alternative's courthouse will convert the proposed parcel's parking lots

with mature landscaping, park with its pool, and buildings to a 12-story building with service drives and surrounding landscaped areas. It will also add vehicle traffic to a portion of the Main Street mall, add safety features to the mall's surface, and possibly remove several trees from the mall or prune limbs from several trees on the mall. The project will remove the existing fountain during construction.

This alternative's 1.8-acre site currently provides approximately 0.5 acres of park space that provide visual and acoustical interest; open space with relatively wide exposure to sky, sun, wind, and rain; vehicle-free areas; and a locale with relative low noise levels. The current park space connects with the Main Street mall to create a relatively large open space area. The proposed new courthouse building will occupy approximately 0.8 acres, and the project's plaza and landscaping will occupy approximately 1.0 acres. Therefore, the project will create approximately 0.5 acres of park space. The new courthouse's open space will provide attractive new architectural and landscaping features. The project will provide new open space areas that are only slightly smaller than the existing park space; however, the replacement space will be fragmented and less buffered from nearby congestion. Construction of the new courthouse will eliminate the large contiguous open space areas that provide visual and acoustical interest; open space with relatively wide exposure to sky, sun, wind, and rain; vehicle-free areas; and a locale with relative low noise levels. However, due to the increase in open space area provided by this alternative site layout, the impacts will be less than significant.

As discussed in Section 4.01.3.1, the AOC expects that the project's limited driveway-related vehicle traffic in the Main Street pedestrian mall will have only minor aesthetic and visual effects.

The proposed site is in an urban setting, and surrounding buildings include a wide variety of styles and materials. The courthouse's design will be consistent with courthouse design standards, and the AOC expects the courthouse's features to be generally consistent with development standards of the City of Stockton Development Code. Since the high-rise building will not be unusual for the downtown Stockton setting and the visual character and aesthetic quality of the proposed courthouse will be consistent with the visual character and aesthetic quality of the downtown area, the AOC concludes that the physical appearance of the building will not substantially degrade the existing visual character or aesthetic quality of the site's surroundings.

Although the visual character of the proposed courthouse will be consistent with the surrounding buildings, the new courthouse may generate high-velocity ground borne winds. The building's interactions with westerly winds may generate high-velocity ground borne winds on the building's west side that will affect the Main Street pedestrian mall; the building's interactions with northerly winds may generate high-velocity ground borne winds on the building's north side that will affect pedestrians using of the Weber Avenue southern sidewalk, persons entering the new courthouse, and persons using the proposed plaza areas on the north side of the new courthouse. The AOC concludes that the wind effects may be a potentially significant impact.

Mitigation Measures: As noted the Hunter Square alternative's analysis, the following mitigation measure will reduce the Hunter Square Expanded alternative's visual character and aesthetic quality impacts:

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.

After implementation of the mitigation measure, the AOC concludes that the Hunter Square Expanded alternative's visual character and aesthetic quality impacts will be less than significant.

5.2.01.2.2 Scenic Vistas

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

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

1. Western side of the El Dorado Street crosswalk at Main Street mall—As noted in Section 4.01.1.3, eastward views along the mall are limited because the mall's trees obscure eastward views. The new courthouse will block northeast views toward the north wing of the Courthouse/Administration Building;
2. Weber Avenue/El Dorado Street intersection (northwest corner)—The new courthouse will obstruct views of the upper portion of the California Building and the top of the Bank of Stockton building;
3. Weber Avenue (north sidewalk near the Hotel Stockton and Hunter Street)—the new courthouse will eliminate the Hunter Square parking area, associated mature landscaping, and the Main Street fountain. From Weber Avenue, the courthouse's plaza, landscaping and northern façade will be prominent to viewers. The courthouse and its landscaping trees will block views of the Main Street fountain;

4. Western entrance of the existing San Joaquin Courthouse/Administration Building—The new courthouse will eliminate the Hunter Square parking lot and buildings on the west side of the parking lot, the southern portion of Hunter Square including the pool structure, and possibly some of the Main Street mall's trees. Viewers will see the east side of the new courthouse and its eastern landscaping;
5. Sidewalk area near the entrance of the existing San Joaquin Courthouse/Administration Building— The new courthouse will eliminate the Hunter Square pool, including the brick retaining wall; viewers will see the new courthouse, but the courthouse will block views of the mall's trees and the Pacific Bank Building and potentially the Main Street fountain (see mitigation measure Aesthetics 2) depending on its location;
6. Southwest corner of the Main Street/San Joaquin Street intersection—The AOC's construction contractor will remove the Main Street fountain, , but the AOC will construct a new fountain on the Main Street mall to comply with mitigation measure Aesthetics 2. The AOC has not chosen a location on the Main Street mall for the replacement fountain, but the fountain's new location will still be visible from the Main Street/San Joaquin Street intersection and other Main Street locations;
7. Northwest corner of the Market Street/Hunter Street intersection—The new courthouse will be behind extend above the trees of the S. Hunter plaza, and the courthouse will add a new visual feature to the view;
8. Hunter Square at the Main Street/S. Hunter Street intersection—The northward views of the San Joaquin County Courthouse/Administration Building will remain unchanged. For the northwestward view, the new courthouse will replace the Hunter Square pool, lawn, and parking area, and the project's compliance with mitigation measure Aesthetics 2 will replace the Main Street mall's existing fountain with a new fountain on the Main Street mall; and
9. State Route 4 near Washington Street exit —The new courthouse will block northward any brief glimpse the Stockton Hotel while travelling southwest on State Route 4.

Section 4.01.3.2's Table 4-2 lists the AOC's conclusions regarding the significance of the Hunter Square alternative's impacts on scenic views. The AOC's conclusions for the Hunter Square Expanded alternative's impacts on scenic views are the same as the conclusions for the Hunter Square analysis.

Due the reasons stated in Table 4-2, the AOC concludes that the Hunter Square Expanded alternative's impacts to scenic vistas will be less than significant for most vistas. However, removal of the existing Main Street fountain will be a significant impact to the Main Street/San Joaquin Street westward scenic vista. The impacts to the other scenic vistas will be less than significant.

Mitigation Measures:

Aesthetics 2—See Section 4.01.3.1; and

Aesthetics 3—The replacement water feature will have sufficient height and other features to make the replacement water feature a dominant visual and aesthetic feature of the mall area

between S. Hunter Street and El Dorado Street and it shall be prominently visible from the intersection of San Joaquin Street/Main Street.

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

5.2.01.2.3 Scenic Resources

Potential Impact: Substantially damage scenic resources?—Less than Significant. Section 4.01.4, Scenic Resources, described several buildings and the Hunter Square fountain as scenic resources in downtown Stockton. The AOC concluded that the proposed project will have no effect on the scenic buildings, including Bob Hope Theater and Hotel Stockton, and the AOC also concludes that the Hunter Square Expanded alternative will also have no effect on the scenic buildings.

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

Mitigation Measures:

Aesthetics 2—See Section 4.01.3.1; and

Aesthetics 3— See Section 4.01.3.2.

5.2.01.2.4 Lighting, Glare, and Shading

Potential Impact: Create a new source of substantial light, or glare that will adversely affect day or nighttime views?—Less than Significant. The proposed project will create light sources for exterior and interior building lighting and security lighting on courthouse grounds. 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 lighting plan that complies with LEED requirements. The Hunter Square alternative's Section 4.01.3.4 describes the U.S. Green Building Council 2003's lighting requirements.

The AOC concludes that light or glare impacts from the proposed project will be less than significant because:

- .Most of the building's interior lighting will be limited to the Court's typical weekday operational hours and the periods immediately before and after the court's operations;

- The AOC intends to shield all light sources to minimize light on surrounding properties, and landscaping also will block light from these properties;
- Light sources are already present on the project site from the existing parking lot and neighboring buildings such as the existing courthouse and the Bank of America building west of the proposed Hunter Square Expanded site;
- The building's security lighting will not be substantially different from nearby buildings, so the security lighting will not be a source of substantial light;
- Implementation of LEED guidelines will reduce both the generation of exterior light and the potential for light trespass to affect off-site areas; and
- The project will not add building features such as metallic finishes that generate substantial glare.

Potential Impact: Create a new source of substantial shading?—Less than Significant. The proposed 12-story courthouse will cast shade. Since the Hunter Square Expanded alternative will have almost the same building dimensions and placement as the Hunter Square alternative's building, Hunter Square Expanded alternative's shading impacts will be essentially the same as Section 4.01.3.4's impacts. Figure 7 shows results of shading analyses for the Hunter Square alternative.

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

Mitigation Measures: None required.

5.2.02 Air Quality

This section evaluates the Hunter Square Expanded alternative's potential impacts on air quality. This alternative is very similar to the Hunter's Square alternative, with the addition of some demolition work at the beginning of the construction phase of the project. The operational and maintenance phases remain unchanged from the Hunter's Square alternative.

5.2.02.1 Environmental Setting

Although the Hunter Square Expanded alternative adds three parcels with existing buildings and a portion of the Bank of America's parking lot, the Hunter Square Expanded alternative's environmental setting for air quality is essentially the same as the proposed Hunter Square project described in Section 4.02.1.

5.2.02.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts use the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.02.2 for a discussion of these issues.

5.2.02.2.1 Applicable Air Quality Plan Conflicts

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

Mitigation Measures: None required.

5.2.02.2.2 Air Quality Standard Violations

Potential Impact (Construction): Violate any air quality standard or contribute substantially to an existing or projected air quality violation?—Less than Significant. Table 5-1 shows the Hunter Square Expanded alternative's construction-related emissions; the emissions do not exceed criteria air pollutant limits established by the State and Air Pollution Control District. During the construction phase, it is assumed that the project complies with mitigation measures outlined in the Air Pollution Control District's requirements. In particular, Rule 8021 of Regulation VIII requires that measures be to reduce particulate matter emissions from construction activities. The URBEMIS modeling performed for this project assumes that the construction contractor waters the construction site three times per day to minimize fugitive particulate matter emissions. These emissions, presented in Table 5-1, are all below the established Air Pollution Control District thresholds; therefore, the project's construction-related impacts will be less than significant.

Mitigation Measures: None required.

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 5-1: Criteria Air Pollutant Emissions from Construction for the Hunter Square Expanded Alternative

Project Component	Pollutant	Pounds/Day	Tons/Year
Expanded Hunter	$PM_{2.5}$	4.9	0.1

Square	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

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, and $PM_{2.5}$ are 1500 and 107 tons per day, respectively. 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 Air Pollution Control District. Therefore, the AOC concludes that the impacts will be less than significant.

Mitigation Measures: None required.

5.2.02.2.4 Sensitive Receptor Exposure to Substantial Pollutant Levels

Potential Impact (Construction): Expose sensitive receptors to substantial pollutant concentrations?— Less Than Significant. As noted above, the alternative's construction-related emissions do not exceed criteria air pollutant limits. During the construction phase, it is assumed that the project complies with mitigation measures outlined in the Air Pollution Control District's requirements. In particular, Rule 8021 of Regulation VIII requires that measures be to reduce particulate matter emissions from construction activities. The URBEMIS modeling performed for this project assumes that the construction contractor waters thrice-daily watering of the construction site three times per day occurs to minimize fugitive particulate matter emissions. The results of this

simulation are provided in Table 5.1. These emissions are all below the established Air Pollution Control District thresholds. Since the emissions are below the Air Pollution Control District's thresholds and construction operations that generate substantial emissions will have a limited duration, the AOC concludes that the impacts are less than significant.

Mitigation Measures: None required.

Potential Impact (*Post-Construction, Operations, and Maintenance)*: Expose sensitive receptors to substantial pollutant concentrations?—Less than Significant. Operations and maintenance activities associated with this project are typical of other activities in the area. The results of the URBEMIS simulation for operations and maintenance are in Table 5.2. These emissions are all below the established Air Pollution Control District thresholds. Since the emissions are below the Air Pollution Control District's thresholds and operation and maintenance activities are typical for the project area, the AOC concludes that the impacts are less than significant.

Mitigation Measures: None required.

5.2.02.2.5 Objectionable Odors

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

Mitigation Measures: None required.

5.2.02.2.6 Greenhouse Gas Emission Reduction Plan

Potential Impact: Conflict with the State Goal of Reducing Greenhouse Gas Emissions in California to 1990 Levels by 2020—Less than Significant. As noted previously in Section 4.02.3.6, the AOC's courthouse project is consistent with plans to reduce greenhouse emissions. Therefore, the AOC concludes that the Hunter Square Expanded alternative's impacts on the State's goal of reducing greenhouse gas emissions are less than significant.

Mitigation Measures: None required.

5.2.03 Cultural Resources

5.2.03.1 Environmental Setting

Then environmental setting of the Hunter Square Expanded alternative's cultural environmental setting is similar to the proposed project. Details remain the same except for the demolition of the three private parcels. These parcels are not in the National Register of Historic Places, California Register of Historical Resources, or for local listing as a Stockton Historic Site
.

5.2.03.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.03.2 for a discussion of these issues.

5.2.03.2.1 Historic Resources

Potential Impact: Cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.05?—Potentially Significant. Section 4.03.3.1 discusses historic resource issues for Hunter Square and the Main Street mall and concludes that the impacts are potentially significant. The City's *Revised Draft Downtown Stockton Historic Resources Survey* concluded that the buildings were not historic resources. Therefore, the AOC concludes that demolition of the buildings on the parcels adjacent to Hunter Square is not a significant impact.

Mitigation Measures:

> Cultural Resources 1, Cultural Resources 2, Cultural Resources 3, and Cultural Resources 4 are included in Section 4.03.3.1 for mitigation of the impacts.

The AOC concludes that the above mitigation measures will reduce impacts of the Hunter Square Expanded alternative's impacts to a level that is less than significant.

5.2.03.2.2 Archaeological Resources

Potential Impact: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.05?—Potentially Significant. The CCIC archival search did not identify recorded or unrecorded archaeological resources on the proposed project site. However, historical archaeological resources were encountered on the City Center Cinemas project site, located near the proposed project site. As discussed earlier, resources discovered from 117-123 Channel Street (termed Analytical Unit A), the Sing Lee Chinese Laundry deposit, and from 121-123 Channel Street (Analytical Unit B) were found to be eligible for the California Register of Historical Resources. CCIC indicated that, based on existing data in its files,

> "The project area has a minimal sensitivity for the possible discovery of prehistoric or historic archaeological resources on the *surface* of the proposed project area, but a moderate-to-high sensitivity for both prehistoric and historic archaeological resources *under the surface*, that may be encountered during excavation and trenching."

Therefore, there remains some potential for the two sites to contain previously undiscovered archaeological resources. Excavation and grading could damage or destroy any buried archaeological resources that may be present. Disturbance of buried cultural resources will be a potentially significant impact for the proposed site location and the alternative site in the area, which has not already been investigated for archaeological resources (the eastern one-third of the site). Operation of the proposed project will not result in additional impacts to the archaeological resources in the project area beyond the potential construction–related impacts identified above. Implementation of the following mitigation measure will reduce potential adverse effects to less–than–significant levels:

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

Cultural Resources 5—Section 4.03.3.2 describes the mitigation measure.

The AOC concludes that the above mitigation measure will reduce impacts to a level that is less than significant.

5.2.03.2.3 Disturbance of Any Human Remains, Including those Interred Outside of Formal Cemeteries

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

Mitigation Measures: None required.

5.2.04 Geology, Soils, and Seismicity

5.2.04.1 Environmental Setting

The environmental setting for the proposed project, Hunter Square, is the same for the Hunter Square Alternative.

5.2.04.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.04.2 for a discussion of these issues.

5.2.04.2.1 Rupture of a Known Earthquake Fault

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

Mitigation Measures: None Required.

5.2.04.2.2 Strong Seismic Ground Shaking

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

Mitigation Measures: None Required.

5.2.04.2.3 Expansive Soils

Potential Impact: Expose people or structures to potential substantial adverse effects involving expansive soil?—Less than Significant. Based on the soils present at the proposed project site, the potential that expansive soils will expose people or buildings to substantial adverse effects is not significant. The AOC will complete a geotechnical investigation during its design process, and the building's designers will incorporate the investigation's results into design requirements that comply

with the State Uniform Building Code. Therefore, the AOC concludes that the potential expansive soils impact is less than significant.

Mitigation Measures: None Required

5.2.04.2.4 Unique Paleontological Resources

Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant. Construction of the proposed project at the Hunter Square Expanded alternative site could result in direct or indirect destruction of a unique paleontological resource or site. The project will include excavation for the building itself, primarily associated with sinking piers.

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

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

> **Geology 1—**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

5.2.04.2.5 Ground Failure

Potential Impact: Expose People or Structures to Substantial Adverse Effects Involving Ground Failure (Including Subsidence or Liquefaction-Induced Lateral Spreading)—Less than Significant. According to the Phase I environmental site assessment report prepared by Earth Tech (Earth Tech 2008), no specific liquefaction hazard areas have been identified at this alternative site. Given the presence of both shallow to moderate groundwater (6 to 14 feet deep) and alluvial soils, potentially significant impacts from liquefaction may occur in the event of a major (6.0 or above) earthquake; however, as noted above the Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to regional faults suggests a low to moderate potential for ground shaking. The AOC will complete a geotechnical investigation during its design process, and the building's designers will incorporate the investigation's results into design requirements that comply with the State Uniform

Building Code. Therefore, the AOC concludes that the potential ground failure impact is less than significant.

Mitigation Measures: None Required.

5.2.04.2.6 Landslides, Erosion or Loss of Topsoil, Unique Geologic Feature

Potential Impact—No Impact. There are no unique geologic features located on or near this alternative site. There is little to no risk of landslides due to the flat topography of the region.

The site is predominately either paved or covered with landscaping. Water from the site drains into municipal drains. Since the project will cover exposed soil and will not produce substantial amounts of runoff sheet flow that could cause erosion, the AOC believes that the project will not cause substantial soil erosion or loss of topsoil.

Therefore, there will be no impact from landslides, erosion or to unique geological features.

Mitigation Measures: None required
This section evaluates the potential impacts of the Hunter Square Expanded alternative in terms of hazards and hazardous materials.

5.2.05.1 Environmental Setting

The elevation at the Hunter Square Expanded alternative site is 15 feet above sea level, and the general topographic gradient is west. The elevation profiles of the surrounding topography range from 14 to 19 feet above sea level in the north:south direction and 0 to 22 feet above sea level in the east:west direction.

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

The largest airport in or near the City of Stockton is the Stockton Metropolitan Airport, 4 miles from the Hunter Square Expanded alternative. The project site is outside the airport's Area of Influence, which includes the following zones:

- Conical Zone,
- Horizontal Zone,
- Inner Approach Zone,
- Outer Approach Zone,
- Primary Surface Zone,
- Runway Protection Zone, and
- Transitional Zone.

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

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

A Phase I Environmental Site Assessment conducted for the Hunter Square Expanded alternative site concluded that no recognized environmental conditions were identified, but that three existing leaking underground storage tank cases might be impacting the shallow groundwater beneath the property (Earth Tech 2008). These three cases are summarized below, and one case in particular might affect the ability for the property to be developed:

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

Weber Block located at Weber Avenue and El Dorado Street: Although this case is potentially down gradient of the Hunter Square Expanded alternative site, its close proximity, 250 feet, makes it a potential environmental concern. Shell Oil operated at the site between 1955 and 1984, which involved at least three leaking underground storage tanks. There were removal actions, groundwater extraction and treatment, and a Preliminary Endangerment Assessment completed. A deed restriction has been issued prohibiting day care, elder care, and hospital centers at the site. Voluntary cleanup has been entered into with the Stockton Department of Housing and Development and the California Department of Toxic Substances Control. No excavation is allowed; only groundwater extraction is allowed (Earth Tech 2008). This site has been closed, and a No Further Action letter has been issued by the Central Valley Regional Water Quality Control Board. There are deed restrictions for commercial industrial uses on the property, now known as Dean DiCarli Waterfront Square, rather than Weber Block (City of Stockton, 2008e).

Motor Pool and San Joaquin County Support Services at 222 E. Weber Avenue: This case is up gradient of the Property. The leaks involved methyl tertiary butyl ether and gasoline from multiple underground storage tanks. The status is listed as “Remedial action underway”. This site may be of environmental concern to the Property due to its very close proximity, 332 feet to the northeast (Earth Tech 2008).

San Joaquin County Motor Pool at 130 N. Hunter Street: This case is up gradient of the property and is reported to have had gasoline releases that affected a drinking water aquifer. Methyl tertiary butyl ether has also been detected. The status was not identified in the Phase I ESA. This site is reported to have generated unspecified organic liquid wastes and oil wastes. This case may be an environmental concern to the Property due to its close proximity, 448 feet to the north- northeast (Earth Tech 2008). The Coy Parking Garage is now on this site. The City was assigned rights under the leaking underground storage tank program and has completed most of the required cleanup. Groundwater monitoring wells are being installed within the parking garage and are scheduled for completion by the end of 2008 (City of Stockton, 2008e).

5.2.05.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.05.2 for a discussion of these issues.

5.2.05.2.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People Visiting or Working in the Project Area

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

Mitigation Measures: None required.

5.2.05.2.2 Public Exposure to Hazards

Potential Impact: 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?—Potentially Significant. These impacts were discussed in the Initial Study and above in Section 4.05.1. There are three off-site leaking underground storage tanks that are potential sources in close proximity to the Hunter Square Expanded alternative site that pose a potentially significant impact.

Mitigation Measures: The following mitigation measure will reduce public exposure to hazard impacts to a level that is less than significant.

> **Hazards 1**—The AOC will conduct a Phase II Environmental Site Assessment to provide additional data for evaluating the potential for future exposure to hazardous materials that may be affecting the shallow groundwater beneath the Hunter Square Expanded alternative site. If hazardous materials are identified in the Phase II Environmental Site Assessment, 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.

Hazards 2—If hazardous materials are found during excavation of the Hunter Square Expanded alternative 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.

5.2.05.2.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland Fires

Potential Impact—No Impact. The AOC discussed these impacts in the Initial Study and determined that the Hunter Square Expanded alternative will have no impact.

Mitigation Measures: None required.

5.2.06 Hydrology and Water Quality

5.2.06.1 Environmental Setting

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

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

5.2.06.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.06.2 for a discussion of these issues.

The larger footprint indicates that stormwater impacts will be greater because the impervious surfaces will increase with redevelopment of the additional parcels. However, these additional areas will not appreciably change the total developable area, as compared with the proposed project, and impacts will remain the same.

5.2.06.2.1 Water Quality Standards

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

Since the project will have only a limited area of disturbance (1.4 acres), distance to nearest waterway, and the temporary nature of construction, potential water quality and stormwater impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

5.2.06.2.2 Stormwater Runoff and Erosion

Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?—Less than Significant. The project alternative site is currently a parking area park, fountain, and two story commercial building. The site has flat topography and is adjacent to the City's storm drain system. The proposed building may slightly increase the amount of impervious area. Since the project will have only a limited area of disturbance (1.4 acres), and the temporary nature of construction, potential runoff and erosion impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

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

Potential Impact—No Impact. The project site is already developed, and since the proposed courthouse will cover less than one acre of ground, the proposed new courthouse will not substantially interfere with groundwater recharge. The AOC believes that the project will not produce substantial population growth. Therefore, the project will not have impacts on groundwater supplies or groundwater surface levels.

Stream or river drainage courses are not present and would not otherwise be affected. The site is flat and is either paved or covered with landscaping. Water from the site flows into municipal storm water drains. Since the project will not affect site drainage and will repave or re-landscape the site, there will be no impacts that result in erosion or flooding.

The proposed project site is not located within the 100-year flood plain of the 2008 Federal Emergency Management Agency (FEMA) maps.

The project site is not adjacent to a stream, river, or lake that could inundate the site, and no levees or dams protect the site. The project site is on flat terrain, and the site is above sea level.

The project site is approximately 20 miles east of the extreme eastern end of the Sacramento-San Joaquin Delta; therefore, the project site is not subject to a seiche or tsunami. The project site is on flat terrain, therefore there is no risk of a mudflow.

Mitigation Measures: None required.

5.2.07 Land Use, Plans, and Policies

5.2.07.1 Environmental Setting

The proposed project site is an approximately 1.8-acre lot immediately adjacent to the existing Courthouse/Administration building at 222 East Weber Avenue. A parking area occupies the northern portion of the parcel and a small park that includes a pool occupies the southern portion of the parcel. The Main Street fountain is just south of the proposed project site. The site has a lawn area and trees. The western portion of the site is commercial businesses. Properties surrounding the proposed project site include the Courthouse/Administration Building, Main Street pedestrian mall, and a bank (Bank of America).

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

5.2.07.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.07.2 for a discussion of these issues.

5.2.07.2.1 Conformance with Local Plans and Policies

Potential Impact (Construction): 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?—Potentially Significant. The proposed project may affect the Downtown Alliance's Farmers Market and the City's policy of supporting the downtown Farmer's Market. As noted in Section 4.07.1, the AOC understands that the Downtown Business Alliance is planning adopt the recommendation of its marketing consultant to relocate the downtown Farmers Market (Destination Development, Inc. 2008). During construction of the courthouse, the project's presumed use of the Main Street segment between San Joaquin Street and Hunter Street for project-related traffic may conflict with operation of the Farmers Market on Fridays during April, May, June, July, August, September, and October. This impact is potentially significant.

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

Mitigation Measure:

> **Land Use 1**—If the Downtown Alliance has not moved the Farmers 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 Farmer's Market activities on Main Street.

Potential Impact (Post-Construction, Operation, and Maintenance): 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?—Less Than Significant. The western portion of the Hunter Square Expanded alternative site is designated Commercial and zoned CD, Commercial Downtown. The Hunter Square portion of this alternative site is currently a street and is not a formal parcel. The project will create a new assessor's parcel with CD, Commercial Downtown, zoning designation and Commercial land use designation. Since the project will not conflict with land use policies, the AOC concludes that the project's impacts will be less than significant.

After completion of construction of the proposed courthouse, the AOC presumes that the Farmers Market will no longer operate on Main Street between San Joaquin Street and Hunter Street, and courthouse-related traffic will not conflict with the Farmers Market. Therefore, there will be no impact

Mitigation Measures: None required

5.2.07.2.2 Physically Divide a Community

Potential Impact: Physically Divide a Community?—No Impact. The proposed project covers only a small area (approximately one acre) and would not divide any communities. Therefore there will be no impact.

Mitigation Measures: None required

5.2.08 Noise

5.2.08.1 Environmental Setting

The environmental setting for the Hunter Square Expanded alternative will generally be the same as for the proposed Hunter Square project. See Section 4.08.1 for specific details.

5.2.08.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed Hunter Square project. See Section 4.08.2 for a discussion of these issues.

5.2.08.2.1 Noise Standards

Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. Section 4.08.3.1 describes noise standard impacts for the Hunter Square proposed project. The impacts for the Hunter Square Expanded alternative will be essentially the same as the Hunter Square proposed project. Therefore, impacts will be less than significant.

Mitigation Measures: None required.

Potential Impact (Traffic): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. After construction is complete and the Hunter Square Expanded alternative courthouse begins its operations, the additional vehicles traveling to the site will increase noise levels adjacent to nearby roads similar to the proposed project as discussed in Section 4.08.3.1. Therefore, the increased noise from new traffic will be minimal, and impacts from vehicle noise to the nearby residents will be less than significant.

Mitigation Measures: None required.

5.2.08.2.2 Long-term, Permanent Ambient Noise Levels

Potential Impact: A substantial permanent increase in ambient noise levels in the vicinity of the alternative above levels existing without the alternative?—Less than Significant. As explained in Section 4.08.3.1, the building's mechanical equipment will not be expected to generate substantial noise. Therefore, the mechanical sound will not produce a substantial increase in ambient noise levels. As also explained in Section 4.08.3.1, the alternative's traffic will not be expected to generate substantial traffic-related noise. Therefore, any increase from the alternative's traffic-related noise will be less than significant.

Mitigation Measures: None required.

5.2.08.2.3 Short-term, Temporary Ambient Noise and Vibration Levels

Potential Impact: A substantial temporary or periodic increase in ambient noise levels in the vicinity above levels existing without the alternative or generation of excessive ground-borne vibration or ground-borne noise levels?—Significant and Unavoidable. Short-term ambient noise analysis will generally be the same as for the Hunter Square proposed project even with the addition of demolition activities because noise levels will be consistent with construction related noise levels. Therefore, the alternative will have a potentially significant noise impact.

Mitigation Measures: Mitigation Measures Noise 1 through 8 will reduce the potential construction-related noise impacts, but the construction noise may still be a significant and unavoidable short-term impact to sensitive receptors and commercial businesses near the site.

5.2.08.2.4 Airport Noise

Potential Impact—Less than Significant. The Hunter Square Expanded alternative is not located within the area of influence of the nearest airport, the Stockton Metropolitan Airport (San Joaquin County Council of Governments 1993), which is located 4 miles from the proposed project and thus this alternative. Based on the distance from the nearest airport, there will be no noise impact.

Mitigation Measures: None required.

5.2.08.2.2 Private Airstrip Noise

Potential Impact—Less than Significant. The project is not located in the vicinity of a private airstrip. There will be no impact.

Mitigation Measures: None required.

5.2.09 Public Services

This section evaluates the Hunter Square Expanded alternative's potential impacts on public services.

5.2.09.1 Environmental Setting

The Stockton Fire Department has 13 engine companies and four truck companies within the city limits. The nearest station to the project site is Fire Station No. 2, 0.7 mile northeast at 110 West Sonora Street. The fire department is staffed with 276 personnel available to respond to emergencies, including two battalion chief officers. Fire hydrants are located on each of the four corners around the courthouse.

The City of Stockton Police Department provides law enforcement services for businesses and residents within the city limits. The police department nearest the project is located at 22 East Market Street, 0.3 mile northeast of the site. This station is also the current police department headquarters. The County of San Joaquin's Sheriff's Department and contract security firms provide security at the Court's courthouse facilities.

Several other agencies have law enforcement responsibilities or other public service responsibilities that involve interactions with the Court and use of the Court's facilities in Stockton. These agencies include the California Highway Patrol, the San Joaquin District Attorney, County Child Support, County Public Defender, County Probation Department, County Sheriff-Coroner-Public Administrator's Office, County Public Health Division, County Mental Health Division/ Office of Substance Abuse, County Human Services Agency, and the City Attorney.

5.2.09.2 Potential Impacts and Mitigation Measures

Based on the same location as the proposed project, impacts to Public Services and Facilities at this alternative site will be the same as for the proposed project.

5.2.09.2.1 Fire Protection Services

Potential Impact: 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?—No Impact. The Hunter's Square Expanded alternative is proposed adjacent to existing development and within close proximity to a fire station. Therefore, the project will not have a significant impact on fire response times and will not otherwise create a substantially greater need for fire protection than already exists.

Mitigation Measures: None required.

5.2.09.2.2 Police Protection Services

Potential Impact: 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?—Less than Significant. The Stockton Police Department does not provide security services for the Court, so the project will not affect the Police Department. The Hunter's Square Expanded alternative will reduce security protection needs since the project will consolidate Court operations into fewer and more secure facilities and therefore require fewer security personnel. The new courthouse will have improved security features that enhance the efficiency of Court security operations, and the new courthouse will reduce the number of Court building entrances requiring security personnel. Therefore, this alternative will not have a significant impact on security services.

Mitigation Measures: None required.

5.2.09.2.3 School, parks, and other public facilities and services

Potential Impact— Result in substantial impacts associated with Schools, Parks, and other Public Facilities?—No Impact. The project includes no new housing. Therefore, the project will not have a significant effect upon schools or other public facilities. The AOC also concludes that the proposed project will produce no changes for other public services such as those provided by the California Highway Patrol, the San Joaquin District Attorney, County Child Support, County Public Defender, County Probation Department, County Sheriff-Coroner-Public Administrator's Office, County Public Health Division, County Mental Health Division/ Office of Substance Abuse, County Human Services Agency, and the City Attorney

Mitigation Measures: None required

5.2.10 Recreation

5.2.10.1 Environmental Setting

The environmental setting of the Hunter Square Expanded alternative is similar to that of the proposed project. See section 4.10.1

5.2.10.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.10.2 for a discussion of these issues.

5.2.09.2.1 Existing Recreational Facilities

Potential Impact: Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?—Less Than Significant. The project will eliminate most of the existing Hunter Square approximately 0.5-acrea park and replace the proposed site's lawn, sidewalks, and pool with a new courthouse. The building will include landscaped areas on the east, south, and west, and the project will create approximately 1.0 acres of new open spaceThe new courthouse will include landscaping and a small plaza around the new courthouse. Since the project is adding recreational space and improving recreational facilities, the AOC concludes that the Hunter Square Expanded alternatives' recreational acreage impacts are less than significant.

Mitigation Measures: None required.

5.2.09.2.2 Construction or Expansion of Recreational Facilities

Potential Impact: Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?—No Impact. The project proposed at this alternative site will not require additional recreational facilities, beyond that which already exists. Therefore the AOC concludes that there will be no impact.

Mitigation Measures: None required.

5.2.11 Traffic and Circulation

This section evaluates the potential impacts of the project in terms of traffic and circulation and is based on a transportation impact study prepared by PHA Transportation Consultants (see Appendix H). This chapter provides information on potential traffic impacts of the proposed project, on local streets and regional freeway interchange The analysis also evaluates potential impacts on public transit operations, bicycle facilities, site access, circulation, and parking. It should be noted that the environmental setting, access, street system, impact and mitigation measures described below are the same as those under the proposed project because the size and location of the project are essentially unchanged.

5.2.11.1 Environmental Setting

This section discusses site access and existing street system; public transit, bicycle and pedestrian facilities; current traffic operations; hazards; and parking supply of the project area.

5.2.11.1.1 Site Access and Existing Street Systems

The street system providing direct access and circulation to the Hunter Square site includes:

- Center Street—a one-way four-lane arterial street providing southbound access through the downtown area;
- El Dorado Street—a one-way four-lane arterial street providing northbound access through the downtown area;
- Weber Avenue—a four-lane east-west street that is adjacent to the project site;
- Main Street—a one-way westbound two-lane street between with on-street parking. The Main Street segment between S. Hunter Street and El Dorado Street is a pedestrian mall;
- Hunter Street—a north-south street. North Hunter is a two-way street that connects to Weber Avenue, but South Hunter is a one-way southbound street between Main Street and Market Street.;
- Washington Street—a one-way westbound two-lane road between El Dorado Street and Stanislaus Street.

Interstate 5, State Route 4, and State Route 99 are the major freeways in Stockton, and significant numbers of drivers travelling to the Court use these highways. Section 4.11.1 provides additional information on these highways.

5.2.11.1.2 Public Transit, Bicycle and Pedestrian Facilities

The San Joaquin County Regional Transit District provides public transit service throughout downtown Stockton with various transit services that include commuter bus, downtown trolley, and dial-a-ride service. Bus routes that serve the area of the existing and proposed court building include Routes 23, 26, 40, and 51 thru 55, with bus stops on Weber Avenue, San Joaquin Street, and El Dorado Street. The Regional Transit District transit center is located within a short walk from the proposed Hunter Square site at the intersection of Weber Avenue and California Street. Trip generation survey results for the existing court indicated very few visitor or staff members use public transportation for work or to conduct business at the courthouse.

There are no striped bike lanes near the project site. However, pedestrian sidewalks are on both sides of Weber Avenue and other streets in the area. A pedestrian crosswalk with audible signal is available on Weber Avenue in front of the existing Courthouse/Administration Building to provide a safe pedestrian connection between the Courthouse/Administration building and the Coy Garage at Hunter Street.

5.2.11.1.3 Current Traffic Operation

The study evaluates intersection traffic operations for morning and afternoon peak hours to determine current traffic Level of Service. Level of Service is the qualitative measure of traffic flow characteristics that traffic engineers use to evaluate traffic intersection and roadway service levels. This methodology employs a Level A through F scale, with Level A being optimum operating conditions and Level F below standard. Section 4.11.1.3's Tables 4-19 and 4-20 show the Level of Service criteria and the existing operating conditions of intersection traffic in the Hunter Square area. Results showed that all of the study intersections currently operate at Level of Service C or better, which indicates short traffic delays with low-level congestion.

5.2.11.1.4 Hazards

Pedestrian crosswalks were evaluated as the project is expected to add more vehicle and pedestrian traffic to the area. Currently, pedestrian crosswalks are available to provide safe pedestrian crossing at all streets near the existing San Joaquin Courthouse/Administration Building and the proposed courthouse.

The El Dorado Street/Weber Avenue, Weber Avenue/San Joaquin Street, San Joaquin Street/Main Street crosswalks have traffic signal controls for the intersections. No significant pedestrian hazards were observed at these intersections (AOC 2008b).

The El Dorado Street/Main Street and Weber Avenue/N. Hunter Street crosswalks have pedestrian-triggered audio warnings and flashing lights. The Weber Avenue/N. Hunter Street crosswalk also includes a median island that provides additional protection for pedestrians, but the nearby Hunter Square parking lot's entrance driveway and exit driveway and the transit stop complicate vehicle movement patterns. Traffic signals at Market Street and Weber Avenue control traffic on El Dorado Street, and the signals and signal-related traffic queuing strongly slows traffic speeds near the El Dorado Street crosswalk. For Weber Avenue, there is no traffic control for Weber Avenue traffic at the intersection with N. Hunter Street, but signals at El Dorado Street and San Joaquin Street influence traffic speeds on Weber Avenue.

For the El Dorado Street crosswalk and Weber Avenue, field observation noted that traffic on El Dorado Street occasionally moved at an apparently high speed for an arterial street and the crosswalk crosses three traffic lanes and two parking lanes, drivers responded to the presence of pedestrians by reducing speed, stopping when the crosswalk system began flashing, and did not enter the crosswalk when pedestrians were in the crosswalk.

Drivers' compliance with pedestrians' crossing attempts for the Weber Avenue crosswalk at N. Hunter were less regular and predictable. Field observation noted that some drivers did not slow down at the crosswalk. Crosswalk problems were greatest on the eastbound lanes since drivers were less observant of pedestrians because the drivers were often performing lane changes and turns due to the adjacent driveways and transit vehicle movements may have obscured drivers' field of view.

The Main Street/S. Hunter Street crosswalk has no traffic control and has no crosswalk light or audio improvements. At the intersection, Main Street has two westbound lanes that end at the intersection, and drivers must make a left turn to continue on S. Hunter Street, which carries traffic southbound in only one lane. Field observation indicates that since there is only a small amount of traffic on this portion of Main Street, pedestrians can generally cross freely at the intersection. However, when a vehicle approaches the crosswalk, pedestrians' and drivers' behavior are unpredictable and irregular. When two vehicles travel westward on Main Street simultaneously in separate lanes, driver and pedestrian interactions become more complicated.

5.2.11.1.5 Parking

Major parking facilities in downtown Stockton near the proposed project site include the Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, the Channel Parking Garage, the Hunter Square parking lot, and the County of San Joaquin Motor Pool/Hunter Street Parking Garage. Section 4.11.1.5's Table 4-22 lists the parking facilities' features.

The AOC surveyed parking supply and demand in the vicinity of the proposed project site in September, October, and November of 2008. Section 4.11.1.5's Table 4-23 shows data from a Tuesday, September 9 survey of parking garages and on-street 1-hour, 2-hour, and 10-hour metered spaces; utilization of parking garage spaces varied varied by time of day and parking facility, but all parking garages had space available during the sample times. Section 4.11.1.5's Table 4-24 shows data from several AOC surveys of the Stewart-Eberhardt Parking Garage, the Edmund Coy Parking Garage, and the public portion of the County of San Joaquin's Motor Pool Garage (with public entrance on S. Hunter Street). These repetitive surveys showed that use of the Stewart-Eberhardt Parking Garage varies more than the other sampled facilities. The City's staff closed the Stewart-Eberhardt Parking Garage on some of the sampled days, but the other parking facilities all had spaces available.

This snapshot survey captured parking space utilization at parking meters, surface parking lots, and parking structures on September 9, 2008 – a Tuesday – which is the busiest day of the week for the court operations. During the period surveyed, a total of 3,457 parking spaces was identified (supply), and an average of 2,292 spaces was utilized (demand), for an average utilization of 66%. These results are similar to an earlier Survey of Open Spaces at Downtown Parking Garages and Surface Parking Lots Owned and Managed by Central Parking District, a windshield survey conducted by the City of Stockton Central Parking District in 2007, that found a 68% average parking utilization in the downtown area.

5.2.11.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative's analysis of utilities and service systems. See Section 4.11.2 for a discussion of these issues.

5.2.11.2.1 Traffic Increase and Level of Service

Potential Impact: Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?— Significant and Unavoidable. Table 5-3 shows traffic Level of Service for existing conditions, approved projects conditions, and project conditions. Results indicated that all of the study intersections will operate at acceptable Level of Service under the approved projects scenario and project scenario.

Table 5-4 shows the projected traffic Level of Service for short-term 2013 scenario. Under the short-term 2013 scenario, two of the study intersections will operate at unacceptable conditions:

- El Dorado/Weber intersection is projected to operate at Level of Service F (PM),
- Center/Lafayette/EB State Route 4 off-ramp is projected to operate at Level of Service E (AM

As discussed earlier, the above analysis is based on a highly conservative assumptions that the Courthouse, the County Administration Building, and the Proposed Stockton City Hall are new projects and that all traffic related to these projects will use Weber Avenue to access these sites. In reality, all of these three projects are relocations from one site to another and would not add new traffic to the downtown area. Further, employees and visitors traveling to and from these projects will not all using Weber Avenue as they will park at different garages. As such, the projected Level of Service E and F conditions are not likely to occur, and the project's impact at these intersections will be less than significant

Mitigation Measures: The following mitigation measure will reduce the potentially significant intersection impacts to levels that are less than significant:

Traffic 1 *(2013 Scenario)*—Revise signal timing for the Caltrans intersection at Center/Lafayette –EB SR4 off-ramp. This will improve Level of Service from E to D.

Table 5-3. Project Conditions Traffic Operation (Level of Service) Analysis
New Stockton Courthouse Traffic Study – Stockton

		Existing Conditions		Existing+ Approved Projects		Existing + Approved + Project	
Study Intersections	**Time**	**Delay**	**LOS**	**Delay**	**LOS**	**Delay**	**LOS**
1. Center/Park	AM	13.0	B	12.8	B	13.5	B
	PM	15.6	B	16.5	B	14.5	B
2. El Dorado/Park	AM	4.8	A	4.7	A	4.8	A
	PM	7.5	A	6.9	A	7.8	A
3. Center/Oak	AM	6.5	A	5.9	A	5.7	A
	PM	5.1	A	6.1	A	5.0	A
4. El Dorado/Oak	AM	12.6	B	4.5	A	4.5	A
	PM	6.3	A	5.6	A	4.8	A
5. Center/Fremont	AM	8.0	A	7.5	A	7.5	A
	PM	17.3	B	7.2	A	10.2	A
6. El Dorado/Fremont	AM	7.9	A	5.8	A	8.3	A
	PM	14.5	B	8.3	A	9.7	A

7. Center/Weber	AM	11.2	B	11.6	B	11.1	B
	PM	17.4	B	40.1	D	50.2	D
8. El Dorado/Weber	AM	15.4	B	15.9	B	38.4	D
	PM	25.9	C	36.4	D	71.3	E
9. Weber/California	AM	9.4	A	10.3	B	10.6	B
	PM	10.7	B	11.6	B	11.7	B
10. Center/Washington	AM	10.0	A	5.7	A	6.2	A
	PM	15.4	B	14.4	B	41.5	D
11. El Dorado/Washington – WB SR 4 off-ramp	AM	14.1	B	15.1	B	23.0	C
	PM	30.8	C	24.4	C	27.5	C
12. Stanislaus/Washington-WB SR 4 off-ramp	AM	20.3	C	23.0	C	24.4	C
	PM	15.8	B	20.6	C	22.0	C
13. Center/Lafayette- EB SR 4 off-ramp	AM	26.5	C	21.7	C	28.7	C
	PM	12.9	B	18.7	B	19.6	B
14. El Dorado/Lafayette –WB SR 4 off-ramp	AM	8.0	A	7.6	A	7.2	A
	PM	15.9	B	13.7	B	12.3	B
15 Stanislaus/Lafayette- EB SR 4 off-ramp	AM	21.0	C	25.9	C	26.4	C
	PM	24.3	C	32.2	C	37.1	D

Notes:

Delay = Stop delay per vehicle in seconds

LOS = Level-of-Service

Table 5-4. Short-term 2013 Traffic Operation (Level of Service) Analysis New Stockton Courthouse Traffic Study – Stockton

Study Intersections	Time Period	Delay	LOS
1. Center/Park	AM	14.7	B
	PM	17.2	B
2. El Dorado/Park	AM	5.0	A
	PM	7.5	A
3. Center/Oak	AM	6.1	A
	PM	5.9	A
4. El Dorado/Oak	AM	4.5	A
	PM	5.6	A
5. Center/Fremont	AM	8.2	A
	PM	9.7	A
6. El Dorado/Fremont	AM	9.0	A
	PM	9.7	A
7. Center/Weber	AM	11.9	B
	PM	47.1	D
8. El Dorado/Weber	AM	62.5	E
	PM	90.3	F
9. Weber/California	AM	11.4	B
	PM	12.2	B
10. Center/Washington	AM	6.7	A
	PM	55.9	E
11. El Dorado/Washington – WB SR 4 off-ramp	AM	31.6	C
	PM	33.6	C
12. Stanislaus/Washington - WB SR 4 off-ramp	AM	48.4	D
	PM	33.7	C
13. Center/Lafayette- EB SR 4 off-ramp	AM	61.8	E
	PM	31.6	C
14. El Dorado/Lafayette – WB SR 4 off-ramp	AM	8.5	A
	PM	13.2	B
15. Stanislaus/Lafayette- EB SR 4 off-ramp	AM	32.6	C
	PM	52.2	D

Notes:
Delay = Stop delay per vehicle in seconds
LOS = Level-of-Service

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:

- 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.

5.2.11.2.2 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.

5.2.11.2.3 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.

5.2.11.2.4 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?— 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. Therefore, there will be no significant impacts related to the building's design.

The project's increase in the number of courtrooms at the Hunter Square site, operations of the proposed new courthouse will increase the number of people crossing El Dorado Street, Weber Avenue, and Main Street. Below is a brief discussion of the potential impacts:

1. Crosswalks at El Dorado Street/Main Street, El Dorado Street/Weber Avenue, Weber Avenue/San Joaquin Street, and San Joaquin Street/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/N. 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;
3. For the Main Street/S. Hunter Street crosswalk, Section 4.11.1.4 noted that there are no traffic controls at this intersection and the AOC observed that pedestrians' and drivers' behaviors were irregular and unpredictable. Due to the project's increase in the number of persons traveling to the courthouse, more persons will be crossing through the Main Street/S. Hunter Street crosswalk. In addition, the project will add traffic to Main Street due to trips associated with Sheriff's busses, Court staff members' vehicles, and service vehicles. Due to the potential increase in the number of pedestrian/vehicle interactions, the Main Street/S. Hunter Street intersection's reduction of two traffic lanes to one lane and the intersection's left turn geometry, and the absence of traffic control at the intersection, hazards at this crosswalk are potentially significant; and
4. The project will add limited driveway-related vehicle traffic to a portion of the Main Street mall. Since the mall currently carries no regular vehicle traffic, the courthouse-related traffic will be a new hazard. The project's California Building Code Title 24 markers (see Figure 3.5) will provide some visual and tactile reminder for pedestrians and vehicle drivers. However, urban areas typically segregate pedestrian traffic and vehicle traffic; safety measures may reduce the risk of pedestrian/vehicle collisions, but pedestrians and vehicle drivers make mistakes. Therefore, the project's addition of vehicle traffic to a portion of the Main Street mall will be a significant and unavoidable impact.

Mitigation Measures: As noted above, there will be no significant impacts related to the building's design. Therefore, no mitigation measures are required for design-related impacts. The following mitigation measures will reduce the project's operational impacts to a level that is less than significant for the Weber Avenue/N. Hunter Street crosswalk and the Main Street/S. Hunter Street crosswalk. However, the project's Main Street mall impacts will remain significant and unavoidable despite mitigation measures:

Traffic 3—For the Weber Avenue/N. 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/N. Hunter Street crosswalk to a new location of Weber Avenue that is east of the Weber Avenue/N. 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/N. Hunter Street crosswalk to a level that is less than significant;

Traffic 4—For the Main Street/S. Hunter Street crosswalk, the proposed project will provide five improvements.

- First, the project will revise the lane geometry of the western portion of E. Main Street near its intersection with S. Hunter Street to merge the current two lanes into one lane;
- Second, the project will repaint the crosswalk to enhance its visibility;
- Third, the project will eliminate Main Street parking spaces that are within 30 feet of the crosswalk;
- Fourth, the project will add structural improvements (such "bulbouts" or curb peninsulas that extend into the street) to the crosswalk that reduce the crosswalk's length across Main Street; and
- 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/N. Hunter Street crosswalk to a level that is less than significant;

Traffic 5—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/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. This mitigation measure and mitigation measure Traffic 5's Main Street mall stop sign will reduce the potential hazard impacts for the Main Street mall, however, the inherent danger of combining pedestrians and vehicles into the same area will keep potential impacts at a level that is significant and unavoidable.

5.2.11.2.5 Emergency Access

Potential Impact: Result in inadequate emergency access?—No Impact. Based on the preliminary site plan, the proposed project will have a main access from Weber Avenue and a sally port access at the back of the building. These features should provide adequate vehicle access (30 vehicles) and pedestrian access. The AOC's development of the project site will conform to recommendations of the Court, the San Joaquin County Sheriff's Department, and the Stockton Fire Department to ensure adequate emergency access considerations. The Stockton Fire Department will review plans to ensure emergency access. The proposed project does not include closure of any public through street that is currently used for emergency services and will not be expected to interfere with the adopted emergency response plan. Therefore, the AOC concludes that the project will have no impacts on emergency access.

Mitigation Measures: None required.

5.2.11.2.6 Parking Capacity

Potential Impact: Result in inadequate parking capacity?—Less Than Significant. Construction of the project will eliminate approximately 50 parking spaces in the Hunter Square parking lot. The Court currently has a maximum juror population of approximately 275 jurors to 300 jurors in the Courthouse/Administration Building. When the Court begins operations in the new courthouse, the AOC expects that the Court will add approximately additional 100 juror and approximately 100 visitor and staff trips per day. The project will provide approximately 40 parking spaces at the building for judges and administrative officers. Therefore, the project will need approximately 250 additional parking spaces for the Court's operations in the proposed new courthouse.

Tables 4-23 and 4-24 provide data on the current available parking supply, and they show that the parking facilities near the existing and proposed courthouse currently have unused capacity. The mean morning vacancies for the Stewart-Eberhardt, Edmund Coy, and Hunter Street garages total over 400 spaces, therefore, despite the project's elimination of the Hunter Square parking lot, the existing facilities appear to have sufficient capacity to satisfy the project's parking needs. The AOC recognizes that forecasting the parking needs of other potential downtown development is uncertain. However, Table 4-23 indicates that that the Channel Street garage has additional parking available and on-street parking spaces are available within two blocks of the proposed courthouse site. Therefore, the AOC concludes that the project's parking impacts will be less than significant.

Mitigation Measures: None required.

5.2.11.2.7 Existing Alternative Transportation Policies

Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?—Less than Significant. Survey results of existing court trip generation indicated very few visitor or staff members use public transportation for work or to conduct business at the courthouse. Therefore, the proposed project is not expected to have a significant impact on the public transportation system.

Mitigation Measures: None required.

5.2.12 Utilities and Service Systems

This section evaluates the Hunter Square Expanded alternative's potential impacts on utilities and service systems.

5.2.12.1 Environmental Setting

As noted in the Hunter Square alternative's Section 4.12.1, the Hunter Square site is currently a parking lot and a park. Water service extends to the site, and adjacent developed parcels have wastewater service, water supply service, and trash collection service. The Hunter Square Expanded includes additional parking lot and alley areas, and these portions of the alternative may have no services. The

alternative's three private parcels include existing buildings that have wastewater service, water supply service, and trash collection service.

5.2.12.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Hunter Square Expanded alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative's analysis of utilities and service systems. See Section 4.12.2 for a discussion of these issues.

5.2.12.2.1 Wastewater Treatment

Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?—Less Than Significant. Buildings in Stockton are located within the Central Regional Water Quality Control Board and are subject to control under the Stockton Regional Wastewater Control Facility. Based on the design of the courthouse facility, the wastewater effluent from the new building will meet the requirements for discharge that are applicable to the Regional Water Quality Control Board.

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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a wastewater plan that is in compliance with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to wastewater include:

Innovative wastewater technologies

In addition, the building will be subject to the Waste Discharge Requirements Order No. R5-2002-0083 (WDRs). (CRWQCB, 2003)

Since the proposed courthouse will meet requirements of the California Building Code and will be a LEED silver building, the AOC concludes that the project's impacts on wastewater treatment requirements will be less than significant. Through planning and compliance with LEED and RWQCB with RWCF, the building will meet and exceed all required standards as it is proposed.

Mitigation Measures: None required.

5.2.12.2.2 New Water or Wastewater Treatment Facilities

Potential 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. Section 4.12.3.2 provides estimates of the Hunter Square alternative's wastewater demand. Because the Hunter Square Expanded alternative's courthouse will not change from the Hunter Square proposed action, wastewater demand for this alternatives is identical to the proposed action.

Although the new courthouse will add water demand for the City's water supply, the Court's move from the existing courthouse will partially compensate for the demand of the new building. In addition, although the new courthouse will provide approximately twice the space of the existing courthouse and courthouse annex, the AOC and Court expect the project to include only a minor increase in the number of staff persons and only an approximately 30 percent increase in the number of jurors and courthouse visitors. Since the increase in courthouse population will be small and the AOC expects only minor and temporary future use of the current Court's space, the AOC concludes that the impacts on water treatment facilities will be less than significant.

Mitigation Measures: None required.

5.2.12.2.3 Require or Result in the Construction of Storm Water Drainage Facilities or Expansion of Existing Facilities

Potential 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. Section 4.12.3.3 provides information on storm drain facilities in the Hunter Square vicinity.

Since storm drain facilities exist in the project area, the proposed Hunter Square Expanded alternative will not require the construction of new off-site storm water facilities. According to the City's Public Works Division, the project will not create an abundance of stormwater that will require a change control to the current system. 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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a stormwater plan that is in compliance with LEED requirements. Therefore, the alternative's impacts will be less than significant.

Mitigation Measures: None required.

5.2.12.2.4 Have Sufficient Water Supplies Available to Serve the Project from Existing Entitlements and Resources

Potential 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. As explained in Section 4.12.3.4, the California Water Service Company will provide water service to the site, and it stated that the proposed courthouse will not consume an overabundance of water from the current water supply. Based on the current consumption levels from November 2007 through October 2008, the average consumption of water, without LEED standards, for an approximately 100,000 square foot building is approximately 600 cubic feet per 100 cubic feet. The water consumption changes from summer to winter with consumption being three times the amount in the summer. The AOC will implement LEED water conservation measures as part of its LEED Silver Rating certification effort. By implementing the LEED Silver standards for water efficiency, the reduction in water and the increase in the size will counterbalance any excessive additional use (CWSC 2008).

The AOC concludes that the alternative's water supply impacts are less than significant.

Mitigation Measures: None required

5.2.12.2.5 Wastewater Treatment Capacity

Potential Impact: 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?—Less Than Significant Impact. The Hunter Square Expanded alternative's proposed courthouse has essentially the same space and projected use as the Hunter Square courthouse. Section 4.12.3.5 concluded that the proposed Hunter Square project's wastewater treatment demand will be minor based on the calculations and information provided in Section 4.12.2.1 for the Stockton Regional Wastewater Facility. Therefore, the AOC concludes that the Hunter Square Expanded alternative's impacts will have wastewater treatment capacity impacts that are less than significant.

Mitigation Measures: None required.

5.2.12.2.6 Landfills

Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?—Less Than Significant. Section 4.12.3.6 concluded that the Foothill Landfill has sufficient capacity to serve the AOC's proposed courthouse. Therefore, the AOC concludes that the alternative's landfill impacts will be less than significant.

Mitigation Measures: None required.

5.3 WASHINGTON STREET ALTERNATIVE

The Washington Street alternative will include three blocks located north of Washington Street (see Figure 12). The AOC's proposed parcel site occupies approximately 4.0 acres and is currently undeveloped. This alternative site is south of Market Street, west of Madison Street, north of Washington Street, and east of Lincoln Street. The site was formerly a mixed residential, commercial, and light industry area, but the City of Stockton's Redevelopment Agency cleared the site. This alternative site is currently an unpaved vacant lot with a few trees. The site is approximately 300 feet north of State Route 4's connecting ramp to northbound Interstate 5 and adjacent to and south of the Weber Institute for Applied Science and Technology, a high school within the Stockton Unified School District. A large parking lot associated with the high school exists north of the proposed site. Residential apartments are located northeast of the proposed site. An undeveloped lot is west of the proposed site. The proposed site is CO, Commercial Office

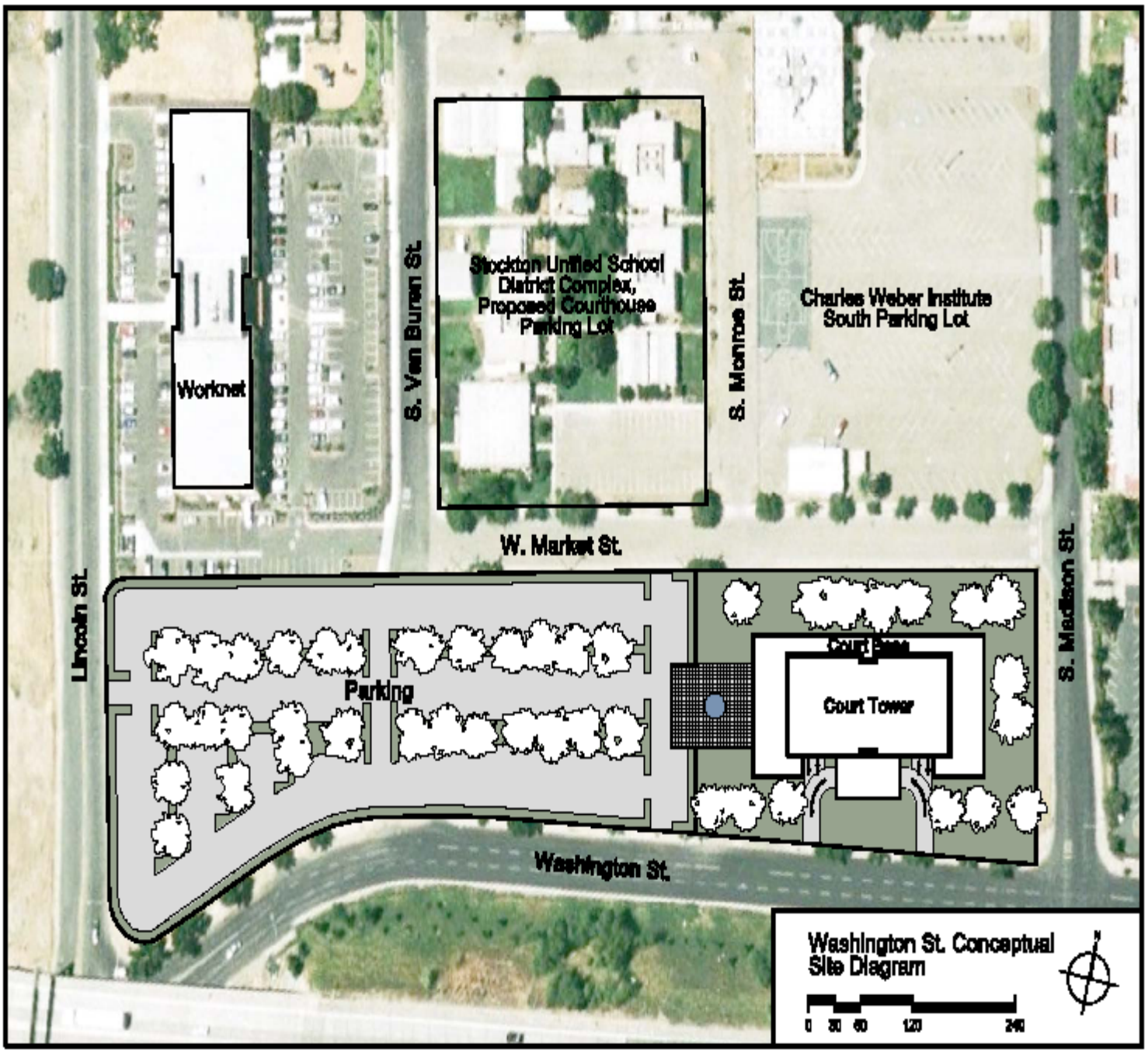
The Washington Street alternative's proposed courthouse will be generally similar to the proposed project courthouse described in Section 3.4; it will be approximately 220 feet tall, have approximately 325,000 square feet of space, and have 12 stories with a basement. Its entrance will face west towards the courthouse's parking lot and Lincoln Street. There will be landscaped areas on the north, east, and

south sides of the courthouse; and fenced, secured vehicle access facilities will be on the building's south side for access to the courthouse's secured parking, sallyport, and service docks.

The project will utilize a combination of on-site surface parking, existing and new surface parking on adjacent parcels owned by the Stockton Unified School District, and on-street parking on Market Street, Monroe Street, Madison Street, and Washington Street. Table 5-5 lists data for the alternative's proposed parking.

The Washington Street alternative's construction schedule will be essentially the same as for the proposed project.

Figure 12. Washington Street Alternative



The Washington Street alternative is more distant from other local government agencies than the proposed Hunter Square project, the Hunter Square Expanded alternative, and the Private Parcels alternative. Therefore, the implications of development of a new courthouse at this location are somewhat different than the downtown courthouse alternatives

Table 5-5 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

5.3.01 Aesthetics and Visual Resources

This section evaluates the Washington Street alternative's potential impacts to aesthetics and visual resources.

5.3.01.1 Environmental Setting

The proposed Washington Street alternative site is in western downtown Stockton. The proposed alternative courthouse site is a three-block cleared area that has several trees. Adjacent proposed parking areas include a Charles Weber Institute parking lot and a complex of unused San Joaquin Unified School District buildings (see Figure 12). Market Street runs along the northern edge of the alternative courthouse site; an apartment complex is east of the site; Washington Street and an elevated portion of State Route 4 are south of the site; and Lincoln Street and additional vacant parcels are west of the site.

5.3.01.1.1 Visual and Aesthetic Features

The site's vacant lots cover approximately four acres. There currently is a large fenced pile of rock on the central block of the alternative site, but the site's surface is generally bare soil or gravel. Three trees grow on the edges of the site.

5.3.01.1.2 Wind and Microclimate

The site's wind and microclimate is essentially the same as the Hunter Square's site (See Section 4.01.1.2). Figure 13 shows results of shading analyses for the proposed courthouse at the Washington Street alternative location..

5.3.01.1.3 Scenic Vistas

As noted in the discussion of the Hunter Square proposed project, views within the Stockton urban center are generally limited to foreground elements such as buildings, trees, elevated highways, and streetscapes.

Public views in the project's vicinity include the following viewpoints (Appendix E includes photos of downtown Stockton views):

1. View south-southwest From Charles Weber Institute on Madison Street—the view includes the Institute's south parking lot and an elevated portion of State Route 4;
2. Washington Street @ Madison Street—trees on the site, the WorkNet building, and the Stockton Unified School District's building complex along Market Street and Monroe Street dominate the westward view;
3. Lincoln Street @ Washington Street—trees dominate the view. State Route 4's embankment blocks the view of buildings of downtown Stockton;
4. Lincoln Street—nearby trees interfere with most eastward views, but buildings of downtown Stockton are visible through gaps in the trees; and
5. State Route 4 embankment—nearby trees dominate northward views, but buildings north of the Stockton Channel are visible through gaps in the trees.

5.3.01.1.4 Scenic Resources

As noted above, the site is essentially bare. The Stockton Channel and the Stockton waterfront area is approximately 1,000 feet northeast of the proposed courthouse site and is a prominent feature, but adjacent buildings and trees block views of the waterfront area from the project site.

5.3.01.1.5 Light, Shading, and Glare

The Washington Street site and the surrounding area do not have substantial amounts of daytime glare or nighttime lighting.

See Section 4.01.1.5 for a discussion of shading considerations.

5.3.01.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.01.2 for a discussion of these issues.

5.3.01.2.1 Visual Character and Aesthetic Quality

Potential Impact (Construction): Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?—Less than Significant. As discussed in the Hunter Square alternative's analysis, the AOC will install temporary fencing around the project site. Construction of the proposed project will involve use of heavy equipment, stockpiling of construction materials, and accumulation of debris and waste materials. The construction will be visible from several downtown streets, public buildings, and adjacent commercial establishments and hotels. However, project construction scenes and features will be temporary. The AOC expects that construction will require approximately 27 months; construction of the building's exterior structure will require approximately 12 months. Since the impacts will occur only during the short, temporary construction period, the AOC considers the potential visual and aesthetic effects associated with project construction to be less than significant.

Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings? — Less than Significant. The site is essentially barren. The proposed Washington Street alternative's courthouse will convert the proposed parcel to a 12-story building with service drives and surrounding landscaped areas. It will also utilize the existing Stockton Unified School District's parking lot and add parking to the District's property northwest of the intersection of Market Street/Monroe Street.

The high-rise building will be much taller than the surrounding buildings; however, the proposed site is an urban setting, and surrounding buildings include a wide variety of styles and materials. The courthouse's design will be consistent with courthouse design standards, and the AOC expects the courthouse's features to be generally consistent with development standards of the City of Stockton Development Code. Therefore, the AOC concludes that the project will not substantially degrade the existing visual character or aesthetic quality of the site's surroundings.

The new courthouse may generate high-velocity ground borne winds, but there are not substantial numbers of pedestrians near the alternative site. The building's interactions with westerly winds may generate high-velocity ground borne winds on the building's west side that may affect persons entering the buildings western entrance. The building's interactions with northerly winds may generate high-velocity ground borne winds on the building's north side, but the AOC expects that there will be few pedestrians walking on the north side of the building. 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 using the western entrance of new courthouse. The AOC concludes that the potential wind effects will be less than significant.

Mitigation Measures: None required.

5.3.01.2.2 Scenic Vistas

Potential Impact: Have a substantial adverse affect on a scenic vista?—Less than Significant. Section 5.3.01.1.3 Scenic Vistas identifies several public viewpoints near the Washington Street alternative's courthouse site and describes the views from the viewpoints; Appendix D provides images of these views. . Trees and buildings obstruct most of the views; therefore most of the views do not extend past the defined foreground distance of approximately 1/2 mile. The alternative's courthouse will obstruct most of the views described in Section 5.3.01.1.3, but the obstructed views do not include any substantial visual highlights. Therefore, the AOC concludes that the Washington Street alternative's effects on scenic vistas will be less than significant.

Mitigation Measures: None required.

5.3.01.2.3 Scenic Resources

Potential Impact: Substantially damage scenic resources?—No Impacts. The alternative's site is essentially bare, and construction of the new courthouse will not damage or eliminate any scenic resources. The AOC concludes that the Washington Street alternative will have no impacts to scenic resources

Mitigation Measures: None required.

5.3.01.2.4 Lighting, Glare, and Shading

Potential Impact: Create a new source of substantial light, or glare that will adversely affect day or nighttime views?—Less than Significant. The proposed project will create light sources for exterior and interior building lighting and security lighting on courthouse grounds. 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 lighting plan that complies with LEED requirements. The Hunter Square alternative's Section 4.01.3.4 describes the U.S. Green Building Council 2003's lighting requirements.

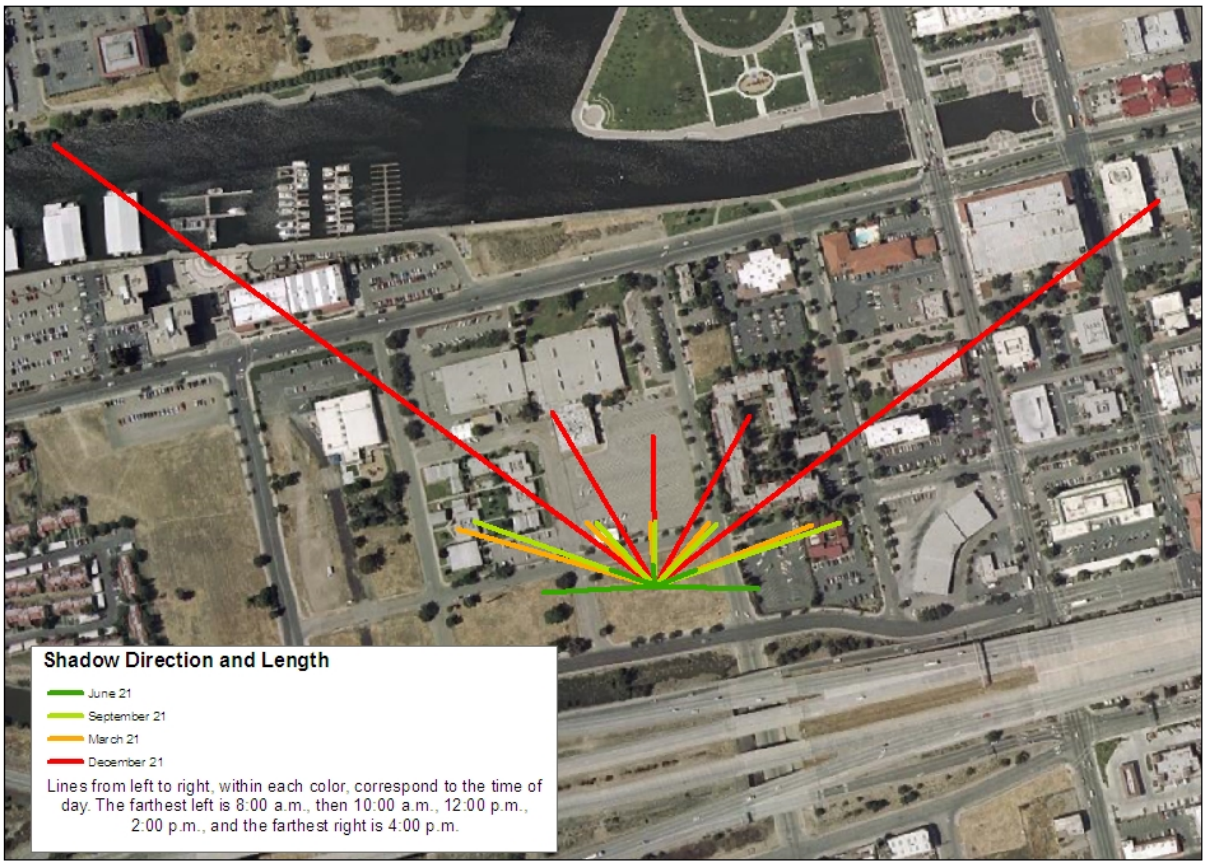
The AOC concludes that light or glare impacts from the proposed project will be less than significant because:

- .Most of the building's interior lighting will be limited to the Court's typical weekday operational hours and the periods immediately before and after the court's operations;

- The AOC intends to shield all light sources to minimize light on surrounding properties, and landscaping also will block light from these properties;
- Light sources are already present on the project site from the neighboring properties and highway;
- The building's security lighting will not be substantially different from nearby buildings, so the security lighting will not be a source of substantial light;
- Implementation of LEED guidelines will reduce both the generation of exterior light and the potential for light trespass to affect off-site areas; and
- The project will not add building features such as metallic finishes that generate substantial glare.

Potential Impact: Create a new source of substantial shading?—Less than Significant. The proposed 12-story courthouse will cast shade. Figure 13 shows results of shading analyses for the Washington Street alternative.

Figure 13. Shadow analysis for Washington Street Alternative.



The proposed Washington Street alternative courthouse will be significantly taller than surrounding buildings; therefore there are no other buildings in the area that cast similar shadows. On June 21, the proposed building will only shade the property immediately west and east of the building. This will include the courthouse parking lot to the west and a private parking lot to the east.

The shadow plots for March 21 and September 21 are similar and shade created by the proposed building will be similar at these times of year. In the mornings the proposed building will shade portions of the Stockton Unified School District Property. During midday, the building will shade the southern extent of the School District Property parking lot. In the afternoon, the proposed building will cast a shadow on the parking lots and business located to the east of the alternative site.

On December 21, the shade from the proposed building will cast a shadow that will extend to the Weber Channel area and current Children's' Museum in the mornings, will cast a shadow on the Weber Institute and on private residences between Madison and Commerce Streets during mid-day hours, and will cast shadows extending to the Stewart-Eberhardt garage in the late afternoons.

The new courthouse's shadows will primarily affect the properties to the north and east of the proposed building, which does not include public facilities. Since the courthouse's shading of the museum and school will occur for only limited portions of the day, the AOC concludes that shading impacts from the proposed project will be less than significant.

Mitigation Measures: None required.

5.3.02 Air Quality

This section evaluates the Washington Street alternative's potential impacts on air quality. The construction, operations, and maintenance required for this alternative is similar to the Hunter's Square alternative, with the exception of demolition required for the planned construction of a parking lot at the current Stockton Unified School District Complex.

5.3.02.1 Environmental Setting

The Washington Street alternative's environmental setting for air quality is the same as the proposed Hunter Square project described in Section 4.02.1.

5.3.02.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts use the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.02.2 for a discussion of these issues.

5.3.02.2.1 Applicable Air Quality Plan Conflicts

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

Mitigation Measures: None required.

5.3.02.2.2 Air Quality Standard Violations

Potential Impact (Construction): Violate any air quality standard or contribute substantially to an existing or projected air quality violation?—Less than Significant. Table 5-3 shows the Washington Street alternative's construction-related emissions; the emissions do not exceed criteria air pollutant limits established by the State and Air Pollution Control District. During the construction phase, it is assumed that the project complies with mitigation measures outlined in the Air Pollution Control District's requirements. In particular, Rule 8021 of Regulation VIII requires that measures be to reduce particulate matter emissions from construction activities. The URBEMIS modeling performed for this project assumes that the construction contractor waters the construction site three times per day to

minimize fugitive particulate matter emissions. These emissions, presented in Table 5-3, are all below the established Air Pollution Control District thresholds; therefore, the project's construction-related impacts will be less than significant.

Mitigation Measures: None required.

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 5-4 shows the Washington Street 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 5-6: Criteria Air Pollutant Emissions from Construction for the Washington Street Alternative

Project Component	Pollutant	Pounds/Day	Tons/Year
Washington Street	$PM_{2.5}$	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

Table 5-4: Criteria Air Pollutant Emissions from Operation and Maintenance for the Washington Street Alternative

Project Component	Pollutant	Emission Rate	
		Pounds/Day	Tons/Year
Washington Street	$PM_{2.5}$	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

5.3.02.2.3 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, and $PM_{2.5}$ are 1500 and 107 tons per day, respectively. As shown in Table 5-3, the maximum modeled emissions from this project are 124 pounds per day of ozone precursors and 15.8 pounds per day of $PM_{2.5}$. The Washington Street alternative will not considerably increase the emission of ozone or $PM_{2.5}$ in the Air Pollution Control District. Therefore, the AOC concludes that the impacts will be less than significant.

Mitigation Measures: None required.

5.3.02.2.4 Sensitive Receptor Exposure to Substantial Pollutant Levels

Potential Impact (Construction): Expose sensitive receptors to substantial pollutant concentrations?—Less Than Significant. As noted above, the alternative's construction-related emissions do not exceed criteria air pollutant limits. During the construction phase, it is assumed that the project complies with mitigation measures outlined in the Air Pollution Control District's requirements. In particular, Rule 8021 of Regulation VIII requires that measures be to reduce particulate matter emissions from construction activities. The URBEMIS modeling performed for this project assumes that the construction contractor waters thrice-daily watering of the construction site three times per day occurs to minimize fugitive particulate matter emissions. The results of this simulation are in Table 5-3. These emissions are all below the established Air Pollution Control District thresholds. Since the emissions are below the Air Pollution Control District's thresholds and construction operations that generate substantial emissions will have a limited duration, the AOC concludes that the impacts are less than significant.

Mitigation Measures: None required.

Potential Impact (*Post-Construction, Operations, and Maintenance)*: Expose sensitive receptors to substantial pollutant concentrations?—Less than Significant. Operations and maintenance activities associated with this project are typical of other activities in the area. The results of the URBEMIS simulation for operations and maintenance are provided in Table 5-4. These emissions are all below the established Air Pollution Control District thresholds. Since the emissions are below the Air Pollution Control District's thresholds and operation and maintenance activities are typical for the project area, the AOC concludes that the impacts are less than significant.

Mitigation Measures: None required.

5.3.02.2.5 Objectionable Odors

Potential Impact: Create objectionable odors affecting a substantial number of people?—Less than Significant. Due to the nature of this project it is unlikely that there will be a potential odor impact. Typical odor nuisances include hydrogen sulfide, ammonia, chlorine and other sulfide-related emissions.

There will not be any significant sources of these pollutants during construction, operation, or maintenance of this project. Impacts due to odor will be less than significant.

Mitigation Measures: None required.

5.3.02.2.6 Greenhouse Gas Emission Reduction Plan

Potential Impact: Conflict with the State Goal of Reducing Greenhouse Gas Emissions in California to 1990 Levels by 2020—Less than Significant. As noted previously in Section 4.02.3.6, the AOC's courthouse project is consistent with plans to reduce greenhouse emissions.

Mitigation Measures: None required.

5.3.03 Cultural Resources

This section evaluates the Washington Street alternative's potential impacts on cultural resources.

5.3.03.1 Environmental Setting

Jones & Stokes Associates completed the *Data Recovery Report for the Worknet Office Project, Stockton, California*, an archaeological investigation for most of the Washington Street location, for the City of Stockton Department of Housing and Redevelopment in 2007.. The Worknet Office Project is located approximately 100 feet north of the western end of the Washington Street alternative's site. The study did not investigate the easternmost parcel of the alternative site location.

The investigators encountered numerous archaeological deposits, but the majority of the artifacts were either disturbed by vandalism, contained later twentieth-century artifacts, could not address research questions in the research design, or were not deemed otherwise significant due to their late date. One intact nineteenth-century privy vault was discovered, and investigators determined that the vault was eligible for the California Register of Historic Resources and subsequent data recovery.

Analysis of the archaeological site structure and artifact assemblage revealed that the late nineteenth-century Stockton working class neighborhood in the Worknet project area was not a socially, economically, or culturally homogeneous group as suggested by the documentary record. Although a small number of artifacts were recovered during the course of the field investigation, they do shed some light on the daily lives of the working class residents and their consumer behaviors. The study concluded that if there were a larger sample of intact archaeological features, a broader comparison between features, lots, and neighbors may have been possible, which also will have provided more data applicable to the research questions posed for the neighborhood.

The site is currently vacant. The Central California Information Center records search did not find any information regarding buildings or structures for the Washington Street alternative's site

5.3.03.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts use the same analytical methodology, regulatory background, and standards of significance as the proposed project Hunter Square. See Section 4.03.2 for a discussion of these issues.

5.3.03.2.1 Historic Resources

Potential Impact: Cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.05?—Less Than Significant.

As noted above, there are no historic resources located on the Washington Street alternative site. Additionally, there are no historic resources adjacent to the site. Therefore, the AOC concludes that the alternative's impacts will be less than significant.

Mitigation Measures: None required.

5.3.03.3.2 Archaeological Resources

Potential Impact: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.05?—Potentially Significant. The CCIC archival search did not identify recorded or unrecorded archaeological resources on the proposed project site. As noted above, the portion of the Washington Street alternative's site (approximately one-third) which has not been previously excavated, may contain significant below-ground cultural resources. Therefore, the AOC concludes that the alternative's impacts may be potentially significant.

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

> **Cultural Resources 1**—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 construction clearing operations or excavations, 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.

5.3.03.3.3 Disturbance of Any Human Remains, Including those Interred Outside of Formal Cemeteries

Potential Impact: Disturb any human remains, including those interred outside of formal cemeteries?—Less Than Significant. The proposed project will require excavation and grading for the building. No recorded prehistoric archaeological sites were identified on or in the vicinity of the project site, and no evidence exists to indicate that burials occurred within the project area. Therefore,

the AOC concludes that the project will have less than significant impacts on disturbance of human remains.

In the event that any human remains are encountered during site disturbance, Section 7050.5 of the California Health and Safety Code requires cessation of all ground–disturbing work in the vicinity of the remains until the coroner of San Joaquin County has investigated the remains and made a determination in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code. If the coroner concludes that the human remains are of Native American origin, the Native American Heritage Commission must be contacted within 24 hours, and the project sponsor will comply with state laws relating to the disposition of Native American burials, regulated by the Native American Heritage Commission (Public Resource Code Section 5097).

Mitigation Measures: None required.

5.3.04 Geology and Soils

5.3.04.1 Environmental Setting

The environmental setting of the Washington Street alternative is similar to that of the propose project, Hunter Square. See Section 4.04.1.

5.3.04.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed project Hunter Square. See Section 4.04.2 for a discussion of these issues.

Geologic conditions at the Washington Street alternative's site are similar to the proposed project. Impacts will be less than significant, as indicated for the proposed project.

5.3.04.2.1 Rupture of a Known Earthquake Fault

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

Mitigation Measures: None Required.

5.3.04.2.2 Strong Seismic Ground Shaking

Potential Impact: Expose People or Structures to Potential Substantial Adverse Effects Involving Strong Seismic Ground Shaking—Less than Significant. As noted above, the Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to regional faults suggests only a low to moderate potential for ground shaking. The AOC will complete a geotechnical investigation during its design process, and the building's designers will incorporate the investigation's results into design

requirements that comply with the State Uniform Building Code. Therefore, the AOC concludes that the potential impact is less than significant.

Mitigation Measures: None Required.

5.3.04.2.3 Expansive Soils

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

Mitigation Measures: None Required

5.3.04.2.4 Unique Paleontological Resources

Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant. Construction of the proposed project at the Washington Street alternative site could result in direct or indirect destruction of a unique paleontological resource or site. The project will include excavation for the building itself, primarily associated with sinking piers.

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

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

> **Geology 1 –** 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

5.3.04.2.5 Ground Failure

Potential Impact: Expose People or Structures to Substantial Adverse Effects Involving Ground Failure (Including Subsidence or Liquefaction-Induced Lateral Spreading)—Less than Significant. No specific liquefaction hazard areas have been identified at this alternative site. Given the presence of both shallow to moderate groundwater (6 to 14 feet deep) and alluvial soils, potentially significant

impacts from liquefaction may occur in the event of a major (6.0 or above) earthquake; however, as noted above the Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to regional faults suggests a low to moderate potential for ground shaking. The AOC will complete a geotechnical investigation during its design process, and the building's designers will incorporate the investigation's results into design requirements that comply with the State Uniform Building Code. Therefore, the AOC concludes that the potential ground failure impact is less than significant.

Mitigation Measures: None Required.

5.3.04.2.6 Landslides, Erosion or Loss of Topsoil, Unique Geologic Feature

Potential Impact—No Impact. There are no unique geologic features located on or near this alternative site. There is little to no risk of landslides due to the flat topography of the region.

The site is predominately graded soil. Water from the site permeates directly into the ground or drains into municipal drains. Since the project will cover exposed soil and will not produce substantial amounts of runoff sheet flow that could cause erosion, the AOC believes that the project will not cause substantial soil erosion or loss of topsoil.

Therefore, there will be no impact from landslides, erosion or to unique geological features.

Mitigation Measures: None required

5.3.05 Hazards and Hazardous Materials

This section evaluates the Washington Street alternative's potential impacts on hazards and hazardous materials.

5.3.05.1 Environmental Setting

The Washington Street alternative's environmental setting is generally the same as the Hunter Square project's environmental setting. See Section 4.05.1.

5.3.05.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed project. See Section 4.05.2 for a discussion of these issues.

5.3.05.2.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People Visiting or Working in the Project Area

Potential Impact: Result in a safety hazard in the vicinity of an airport or airstrip for people visiting or working in the project area?—Less than significant. The Washington Street alternative is not located in close proximity to any airport. The closest airport is approximately 4 miles to the south, and the proposed site is not located within the Federal Aviation Administration's Area of Influence for that airport (San Joaquin County Council of Governments. 1993). Therefore, selection of the Washington

Street alternative will not result in a safety hazard in the vicinity of an airport or airstrip for people visiting or working in this alternative project area, and the potential impact is less than significant.

Mitigation Measures: None required.

5.3.05.2.2 Public Exposure to Hazards

Potential Impact: 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?—Potentially Significant. This alternative will include three square blocks north of Washington Street. The site is bounded on the north by Market Street, on the east by Madison Street, on the south by Washington Street and on the west by Lincoln Street. The site is located adjacent to and north of Highway 4, and adjacent to and south of the Stockton Unified School District. Residential apartments are located adjacent to and northeast of the proposed site. The site is currently undeveloped.

The Stockton Waterfront Brownfields Project published a "Known Environmental Conditions Report" (Black & Veatch, 2005) in which 28 areas were identified and characterized. The Washington Street site was included in this report and identified and numbered as Areas 4, 5, and 6. The project objective was to summarize relevant soil and groundwater environmental information from available sources, identify information gaps, and provide recommendations for obtaining necessary information. The findings of the "Known Environmental Conditions Report" are summarized below:

- A Phase I ESA (1995) recommended no further action for Area 4.
- A ground penetrating radar survey of Areas 4, 5, and 6 was conducted to determine if USTs existed at the sites (1997). The survey concluded that none of the targets located and imaged during the survey could be identified as being an UST, potential UST, or UST remains.
- A Phase I ESA (1997) found no evidence of wells or USTs for Area 4.
- A site characterization (1999) found that Area 4 was vacant with no remaining structures. A railroad spur continued into Area 4.
- A Phase II ESA (2001) for Area 4 concluded that lead exceeding California hazardous waste criteria was present at the site but appeared to be confined to the upper foot of soil (but may be found deeper). There was reportedly no clear pattern of lateral distribution of lead across the site. Offsite removal of lead-impacted soil exceeding California's hazardous waste criteria will require disposal at a Class I landfill. A Soil Management Plan was recommended for preparation prior to site development and should include appropriate soil handling and disposal procedures, areas requiring excavation, stockpile sampling requirements, and a health and safety plan. Groundwater (one sample only) was reported to contain lead above laboratory reporting limits (210 µg/L). Nearby and adjacent properties demonstrated soil and groundwater contamination based on the regulatory agency database search. However, there was reportedly no evidence that the site had been adversely impacted by offsite sources, or will likely be impacted in the future.
- A Phase I ESA (1994) for Areas 5 and 6 found no visible evidence of contamination in surficial soils during a site visit. A gas station may have been present in Area 6.

- A ground penetrating radar survey (1997) of Areas 4, 5, and 6 was performed to determine if USTs were present at the sites. The survey concluded that none of the targets located and imaged during the survey could be identified as being an UST, potential UST, or UST remains.
- From at least 1895 to the present, Areas 5 and 6 have been occupied by residential dwellings, a school, shops, or vacant land. No industrial land use, USTs, or other environmental concerns were identified on these properties. No offsite environmental concerns were identified for Areas 5 and 6.
- Because no offsite environmental concerns were identified for Areas 5 and 6, no further investigation was recommended at Areas 5 or 6.

The Washington Street site has been well studied and characterized. The eastern portion of the site (Areas 5 and 6) does not appear to require any further investigation or remediation. Areas 5 and 6 were excavated as part of an archaeological excavation, and no underground tanks were uncovered. The City of Stockton may have to place deed restrictions on future uses, place vapor barriers or impervious surfaces to contain gaseous emissions, or install monitoring equipment and remediation systems, because this area was a brownfields site. The western portion of the site (Area 4) may require additional soil and groundwater sampling prior to construction of a new courthouse. This additional environmental analysis and possible remediation should be completed as early as possible, if the Washington Street alternative is selected as the preferred alternative.

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

Hazards 1—The AOC will conduct a Phase II Environmental Site Assessment to provide additional data for evaluating the potential for future exposure to hazardous materials that may be affecting the shallow groundwater beneath the Washington Street alternative site. If hazardous materials are identified in the Phase II Environmental Site Assessment, 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.

Hazards 2—If hazardous materials are found during excavation of the Washington Street alternative 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.

5.3.05.2.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland Fires

Potential Impact—No Impact. The AOC discussed these impacts in the Initial Study and determined that the Washington Street alternative will have no impact.

Mitigation Measures: None required.

5.3.06 Hydrology and Water Quality

5.3.06.1 Environmental Setting

The proposed project site and the surrounding area are level and located in a fully developed area. The Mormon Slough flows east to west approximately 2 blocks west of the project site and into the Stockton Deep Water Channel. There are no waterways adjacent to the proposed project site. Storm water and surface water discharge by sheet flow to street gutter storm drains percolates directly into portions of the project site.

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

5.3.06.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed project Hunter Square. See Section 4.06.2 for a discussion of these issues.

5.3.06.2.1 Water Quality Standards

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

Since the project will have only a limited area of disturbance (4.0 acres), distance to nearest waterway, and the temporary nature of construction, potential water quality and stormwater impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

5.3.06.2.2 Stormwater Runoff and Erosion

Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?—Less than Significant. The project alternative site is currently undeveloped. The site has flat topography and is adjacent to the City's storm drain system. The proposed building will increase the amount of impervious area. Since the project will have only a limited area of disturbance (4.0 acres), and the temporary nature of

construction, potential runoff and erosion impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

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

Potential Impact—No Impact. Since the proposed courthouse will cover less than one acre of ground, the proposed new courthouse will not substantially interfere with groundwater recharge. The AOC believes that the project will not produce substantial population growth. Therefore, the project will not have impacts on groundwater supplies or groundwater surface levels.

Stream or river drainage courses are not present and would not otherwise be affected. The site is flat and is covered by graded soil. Water from the site flows into municipal storm water drains or permeates into the ground. Since the project will not affect site drainage and will pave or landscape the site, there will be no impacts that result in erosion or flooding.

The proposed project site is not located within the 100-year flood plain of the 2008 Federal Emergency Management Agency (FEMA) maps.

The project site is not adjacent to a stream, river, or lake that could inundate the site, and no levees or dams protect the site. The project site is on flat terrain, and the site is above sea level.

The project site is approximately 20 miles east of the extreme eastern end of the Sacramento-San Joaquin Delta; therefore, the project site is not subject to a seiche or tsunami. The project site is on flat terrain, therefore there is no risk of a mudflow.

Mitigation Measures: None required.

5.3.07 Land Use, Plans, and Policies

5.3.07.1 Environmental Setting

The proposed project site is an approximately 4-acre lot. The site is currently undeveloped. Properties surrounding the proposed project site include Highway 4, undeveloped properties and the Weber Institute.

Zoning for the Washington Street alternative is CO, Commercial Office, and the site lies within the Channel District Overlay area. The site is located outside the FAA Area of Influence for the Stockton Municipal Airport (San Joaquin County Council of Governments 1993). This alternative site is planned for private and financial projects. The area north of this alternative site (the location of Weber Institute) is planned for mixed use.

5.3.07.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.07.2 for a discussion of these issues.

5.3.07.2.1 Conformance with Local Plans and Policies

Potential Impact: 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?—No impact. The proposed project is consistent with the General Plan designation and the redevelopment plan for the site. Therefore, the project would have no impact.

Mitigation Measures: None required.

5.3.07.2.2 Physically Divide a Community

Potential Impact: Physically Divide a Community?—No Impact. The proposed project covers only a small area (approximately 4 acres) and would not divide any communities. Therefore there will be no impact.

Mitigation Measures: None required

5.3.08 Noise

5.3.08.1 Environmental Setting

The environmental setting for the Washington Street alternative is similar to that of the proposed Hunter Square project. The existing ambient noise in this area is primarily traffic along nearby State Highway 4 and Interstate 5, and the noise level is approximately 65 dBA during the morning peak hour. Sensitive receptors in the vicinity of the project site include the Charles Weber Institute and the apartment complex that is northeast of the alternative's site. The other land uses surrounding the project site are commercial businesses.

5.3.08.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts use the same analytical methodology, regulatory background, and standards of significance as the proposed project. See Section 4.08.2 for a discussion of these issues.

5.3.08.3.1 Noise Standards

Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. Section 4.08.3.1 describes noise standard impacts for the

Hunter Square proposed project. The impacts for the Washington Street alternative will be essentially the same as the Hunter Square proposed project. Therefore, impacts will be less than significant.

Mitigation Measures: None required.

Potential Impact (Traffic): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. After construction is complete and the courthouse begins its operations, the additional vehicles traveling to the site will increase noise levels adjacent to nearby roads. As reported in the traffic section of this EIR, the Washington Street alternative will generate an increase of 650 morning peak hour vehicle trips and 390 afternoon peak hour vehicle trips. The traffic report shows that the added traffic at some of the intersections will more than double existing traffic levels. Peak hour (morning) intersection turning data from the traffic study were analyzed to estimate increases and resulting traffic-generated noise increases on roadway links near the Washington Street alternative. The resulting noise increases are shown in Table 5-8. The increase in traffic from this alternative will increase peak-hour noise levels in excess of 10 dBA at Market Street, west of Madison Street. This level is above the 3.0 dBA criterion for a significant impact. Even though the incremental increase in noise from the Washington Street alternative's traffic is greater than 3 dBA at six of the modeled roadway segments, the increase in traffic noise resulting from the alternative (ranging from 52.7 to 61.5 dBA) will be imperceptible compared with existing ambient noise levels. Therefore, the increased noise from new traffic will be minimal, and impacts from vehicle noise to the nearby residents will be less than significant.

Mitigation Measures: None required.

Table 5-8: Peak-Hour Traffic Noise Levels in the Alternative C 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]

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]
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]

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).

b Road center to receptor distance is 15 meters (approximately 50 feet) for all roadway segments. Noise levels were determined using Federal Highway Administration Traffic Noise Prediction Model (FHWA RD-77-108).

c The analysis considered the vehicle mix based on observations – cars 97%, medium trucks 2%, and heavy trucks 1%. Traffic speeds for all vehicle classes were set at 25 mph.

d The existing ambient noise in this area, primarily due to the traffic along nearby Highway 4 and Interstate 5, is approximately 65 dBA during the morning peak hour. Even though the incremental increase in noise from Alternative C traffic is greater than 3 dBA at the modeled roadway segment, the resulting traffic noise will be less than the current ambient noise level, so the increase in traffic noise will be imperceptible and will be a less than significant impact.

5.3.08.3.2 Long-term, Permanent Ambient Noise Levels

Potential Impact: A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?—Less than Significant. As explained in Section 4.08.3.1, the building's mechanical equipment will not be expected to generate substantial noise. Therefore, the alternative's mechanical sound will not produce a substantial increase in ambient noise levels. As also explained above, the alternative's traffic will not be expected to generate substantial traffic-related noise. Therefore, any increase from the alternative's traffic-related noise will be less than significant.

Mitigation Measures: None required.

5.3.08.3.3 Short-term, Temporary Ambient Noise and Vibration Levels

Potential Impact: A substantial temporary or periodic increase in ambient noise levels in the vicinity above levels existing without the alternative or generation of excessive ground-borne vibration or ground-borne noise levels??—Significant and Unavoidable. Short-term ambient noise analysis will

generally be the same as for the Hunter Square proposed project. However, these vibrations will not result in cosmetic or structural damage to buildings because structural damage from pile driving and ground borne vibrations typically does not occur in buildings more than 50 feet from the location of the activity and the existing school-related office building, school, residences, and offices are not within 50 feet of the alternative's courthouse site. Therefore, the alternative's ground borne vibration impacts will be less than significant.

During construction, operation of construction equipment will generate noise. The Charles Weber Institute and an apartment complex are within 300 feet of the alternative's courthouse site. Section 4.08.3.3 describes the Hunter Square project's noise impacts. The Washington Street alternative's impacts will be essentially the same as the Hunter Square project's noise impacts. The AOC concludes that the alternative's impacts will be significant and unavoidable.

Mitigation Measures: Mitigation measures **Noise 1**, **Noise 2**, **Noise 3**, **Noise 4**, **Noise 5**, **Noise 6**, **and Noise 7** (see Section 4.08.3.3) will reduce the potential construction-related noise impacts, but the construction noise could still be a significant and unavoidable short-term impact to sensitive receptors and commercial businesses near the site.

5.3.08.3.4 Airport Noise

Potential Impact—Less than Significant. The Washington Street alternative is not located within the area of influence of the nearest airport, the Stockton Metropolitan Airport (San Joaquin County Council of Governments 1993), which is located approximately 4 miles from the proposed alternative. Based on the distance from the nearest airport, there will be no noise impact.

Mitigation Measures: None required.

5.3.08.3.5 Private Airstrip Noise

Potential Impact—Less than Significant. The alternative is not located in the vicinity of a private airstrip. There will be no impact.

Mitigation Measures: None required.

5.3.09 Public Services and Facilities

This section evaluates the Washington Street alternative's potential impacts on public services.

5.3.09.1 Environmental Setting

The Washington Street alternative's environmental setting is essentially the same as information presented in Section 4.09.1.

5.3.09.2 Potential Impacts and Mitigation Measures

5.3.09.2.1 Fire Protection Services

Potential Impact: 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?—No Impact. The Washington Street alternative is proposed adjacent to existing development and within close proximity to a fire station. Therefore, the project will not have a significant impact on fire response times and will not otherwise create a substantially greater need for fire protection than already exists.

Mitigation Measures: None required.

5.3.09.2.2 Police Protection Services

Potential Impact: 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?—Less than Significant. The Stockton Police Department does not provide security services for the Court, so the Washington Street alternative will not affect the Police Department. The Washington Street alternative will reduce security protection needs from existing conditions since the project will consolidate Court operations into fewer and more secure facilities. The new courthouse will have improved security features that enhance the efficiency of Court security operations, and the new courthouse will reduce the number of Court building entrances requiring security personnel. Therefore, this alternative will not have a significant impact on security services.

Mitigation Measures: None required.

5.3.09.2.3 School, parks, and other public facilities and services

Potential Impact— Result in substantial impacts associated with Schools, Parks, and other Public Facilities?—Less Than Significant Impact. The project includes no new housing. Therefore, the project will not have a significant effect upon schools or parks.

Mitigation Measures: None required

5.3.10 Recreation

5.3.10.1 Environmental Setting

The Washington Street alternative's location is currently a vacant lot and is not used for recreation. The project does not involve residential development or recreational facilities.

5.3.10.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.10.2 for a discussion of these issues.

5.3.10.2.1 Existing Recreational Facilities

Potential Impact—No Impact. The nature of the activity of the proposed project would not result in an increase in the use of neighborhood and regional parks or other recreational facilities. There will be no loss in recreational area because the Washington Street alternative's location is currently a vacant lot and is not used for recreation.

Mitigation Measures: None required.

5.3.10.2.2 Construction or Expansion of Recreational Facilities

Potential Impact—No Impact. The proposed project at the Washington Street alternative's location does not involve residential development or recreational facilities, and it will not require related construction or expansion or cause an increase in residential housing or an increase in the use of neighborhood and regional parks or other recreational facilities. Therefore, the project will have no impact.

Mitigation Measures: None required.

5.3.11 Traffic and Circulation

This chapter provides information on potential traffic impacts of the Washington Street alternative on local streets and regional freeway interchange. The analysis also evaluates potential impacts on public transit operations, bicycle facilities, site access, circulation, and parking.

5.3.11.1 Environmental Setting

This section discusses site access and existing street system; public transit, bicycle and pedestrian facilities; current traffic operations; hazards; and parking supply of the project area.

5.3.11.1.1 Site Access and Existing Street Systems

The street system providing direct access and circulation to the Washington Street site includes:

- Center Street—a one-way four-lane arterial street providing southbound access through the downtown area. It connects to a westbound on-ramp to State Route 4. Additional turn lanes are provided at major intersections along the street. There is on–street parking on both sides of the street;
- El Dorado Street—a one-way four-lane arterial street providing northbound access through the downtown area. It runs parallel to Center Street and functions as a one-way couplet. As

with Center Street, additional turning lanes are provided at major street intersections, and on-street parking is permitted;

- Lincoln Street—a two-lane north:south street that is adjacent to the project site. It has on-street parking next to the Washington Street alternative's parcel;
- Washington Street—a one-way westbound two-lane road between El Dorado Street and Stanislaus Street and becomes three lanes east of El Dorado Street. Much of the project-related traffic will use a section of this street, west of El Dorado Street, to access the alternative site at Washington Street.

In addition to the above streets, Lincoln Street, Van Buren, Madison, and Commerce Street will provide direct site access.

Interstate 5 is an eight-lane freeway that provides north-south regional access to and from the Cities of Stockton and Sacramento. It also provides regional access to and from northern and southern California cities. A significant amount of project related traffic is expected to use this route, in conjunction with State Route 4, traveling to and from the proposed court building.

State Route 4 is a six-lane cross-town highway that connects Interstate 5 and State Route 99. Its ramps at Washington Street, El Dorado Street, Center Street, Lafayette Street, and Stanislaus Street provide a connection to the Stockton downtown area.

State Route 99 is a six-lane freeway that also provides north-south regional access to and from the Cities of Sacramento and Stockton. As with Interstate-5, a considerable amount of project generated traffic will use this route, in conjunction with State Route 4, to access the project site.

5.3.11.1.2 Public Transit, Bicycle and Pedestrian Facilities

The San Joaquin County Regional Transit District provides public transit service throughout downtown Stockton including area near the Washington Street site. There are no striped bike lanes near the project site. However, pedestrian sidewalks are present on most streets near the site except for the project site, which is vacant.

5.3.11.1.3 Current Traffic Operation

In addition to the fifteen intersections evaluated for the proposed project site at Hunter Square, the study evaluated traffic operation for six additional intersections near the site to determine traffic operations for morning peak hour to determine current traffic Level of Service. Level of Service is the qualitative measure of traffic flow characteristics that traffic engineers use to evaluate traffic intersection and roadway service levels. This methodology employs a Level A through F scale, with Level A being optimum operating conditions and Level F below standard. Results showed that all of the study intersections currently operate at Level of Service A and B, indicating little to no traffic delays. It should be noted that study intersection Level of Service was evaluated for AM peak hour only for this alternative because survey data from the existing court building indicated that the court generates much less traffic in the afternoon and is not expect to create traffic condition worst than the morning peak.

5.3.11.1.4 Hazards

There are two pedestrian crosswalks near this alternate site. One is at the intersection of West Weber Avenue and Lincoln Street, and the other is at the intersection of West Weber and Commerce Street. Neither pedestrian crosswalk has traffic control. The AOC will build a parking lot next to the courthouse if the site is selected. Off-site pedestrian traffic and potential hazards will be minimal for this alternative.

5.3.11.1.5 Parking

As shown in Table 5-5, the project will have approximately 200 On-site public spaces, and the AOC estimates that surrounding streets and parking areas on the Stockton Unified School District's property can provide an additional approximately 730 parking spaces.

5.3.11.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Washington Street alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.11.2 for a discussion of these issues.

Study Assumptions

The Washington Street alternative will have similar square footage and is expected to is expected to generate similar amount of trips, 650 morning peak hour trips and 390 afternoon peak hour trips.

The proposed county court traffic will likely travel westbound on Washington Street and turn right into the court building and parking lot, assuming the access driveways are on Washington Street. Traffic leaving the site must first go west, then turn south on Lincoln, and east on Lafayette Street to head back to the freeway system, or to the north via El Dorado Street, and south via Center Street. Study intersections near the alternate site are controlled by stop signs.

5.3.11.2.1 Traffic Increase and Level of Service

Potential Impact: Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?— Significant and Unavoidable . The Washington Street alternative's traffic Level of Service analysis indicated that all of the study intersections currently operate at Level of Service B or better and will continue to operate at Level of Service B or better under project conditions and short-term 2013 conditions. Traffic Level of Service was not evaluated for afternoon peak hour operation for the alternate site because the court project will generate much less traffic in the afternoon than in the morning.

Table 5-9 shows the projected traffic Level of Service for intersections near the Washington Street site. As indicated in proposed project scenario, two intersections, Weber /El Dorado and Center/Lafayette-SR EB off-ramp are projected to operate at unacceptable Level of Service. With the Washington Street alternative, the Weber/El Dorado intersection is likely to operate at better Level of Service since court traffic will not affect the westbound left-turn movement, which is a critical movement for the pm hour. However, the Center/Lafayette/EB State Route 4 off-ramp intersection is likely to remain at Level of Service E as with the proposed project at Hunter square site.

- Center/Lafayette/EB State Route 4 off-ramp is projected to operate at Level of Service E (AM)

As discussed earlier, the above analysis is based on highly conservative assumptions that the Courthouse, the County Administration Building, and the Proposed Stockton City Hall are new projects and that all traffic related to these projects will use Weber Avenue to access these sites. In reality, all of these three projects are relocations from one site to another and would not add new traffic to the downtown area. Further, employees and visitors traveling to and from these projects will not all using Weber Avenue as they will park at different garages. As such, the projected Level of Service E and F conditions are not likely to occur, and the project's impact at these intersections will be less than significant

Mitigation Measures: The following mitigation measure will reduce the potentially significant intersection impacts to levels that are less than significant:

Traffic 1 *(2013 Scenario)***:** Revise signal timing for the Caltrans intersection at Center/Lafayette –EB SR4 off-ramp. This will improve Level of Service from E to D.

Table 5-9 Washington Site Traffic Level of Service Analysis

New Stockton Courthouse Traffic Study – Stockton

			Existing Conditions		Existing+ Projects		Short-term 2013 Conditions	
Study Intersections		**Time**	**Delay**	**LOS**	**Delay**	**LOS**	**Delay**	**LOS**
17.	Van Buren/Weber	AM	12.3	B	12.3	B	13.3	B
18.	Madison/Weber	AM	11.4	B	12.1	B	13.2	B
19.	Madison/Market	AM	8.6	A	9.0	A	9.1	A
20.	Madison/Washington	AM	9.6	A	13.6	B	14.8	B
21.	Lincoln/Washington	AM	9.7	A	10.2	B	13.0	B
22.	Madison/Lafayette	AM	9.4	A	9.7	A	9.8	A

PHA Transportation Consultants – August 2008
All of the above intersections are controlled by stop signs.
LOS = Level-of-Service

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?—Insignificant. 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. Therefore, there will be no significant impacts related to the building's design.

Mitigation Measures: As noted above, there will be no significant impacts related to the building's design. Therefore, no mitigation measures are required for design-related impacts.

5.3.11.2.5 Emergency Access

Potential Impact: Result in inadequate emergency access?—No Impact. Based on the preliminary site plan, the proposed project will have a main access from Weber Avenue and a sally port access at the back of the building. These features should provide adequate vehicle access (30 vehicles) and pedestrian access. The AOC's development of the project site will conform to recommendations of the Court, the San Joaquin County Sheriff's Department, and the Stockton Fire Department to ensure adequate emergency access considerations. The Stockton Fire Department will review plans to ensure emergency access. The proposed project does not include closure of any public through street that is currently used for emergency services and will not be expected to interfere with the adopted emergency response plan. Therefore, the AOC concludes that the project will have no impacts on emergency access.

Mitigation Measures: None required.

5.3.11.2.6 Parking Capacity

Potential Impact: Result in inadequate parking capacity?—Less Than Significant. Construction of the project will eliminate approximately 50 parking spaces in the Hunter Square parking lot. The Court

currently has a maximum juror population of approximately 275 jurors to 300 jurors in the Courthouse/Administration Building. When the Court begins operations in the new courthouse, the AOC expects that the Court will add approximately additional 100 juror and approximately 100 visitor and staff trips per day. For the Washington Street alternative, AOC will build a parking to accommodate its parking needs.

Mitigation Measures: None required.

5.3.11.2.7 Existing Alternative Transportation Policies

Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?—Less than Significant. Survey results of existing court trip generation indicated very few visitor or staff members use public transportation for work or to conduct business at the courthouse. Therefore, the proposed project is not expected to have a significant impact on the public transportation system.

Mitigation Measures: None required.

5.3.12 Utilities and Service Systems

This section evaluates the Washington Street alternative's potential impacts on utilities and service systems.

5.3.12.1 Environmental Setting

The Washington Street alternative will be located on a 4-acre parcel in downtown Stockton. The site is currently undeveloped. Water service extends to the site, and adjacent developed parcels have wastewater service, water supply service, and trash collection service.

5.3.12.2 Potential Impacts and Mitigation Measures

These impacts will be generally the same as the proposed project. Some utilities may require upgrading, such as sewer and stormwater pipelines and catch basins that serve the site. The Washington Street alternative will also be expected to generate a greater water demand for outside landscaping because of the larger project area. However, excessive water use could be mitigated through green design and conservation measures.

5.3.12.2.1 Wastewater Treatment

Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?—Less Than Significant. Buildings in Stockton are located within the Central Regional Water Quality Control Board are subject to control under the Stockton Regional Wastewater Control Facility. Based on the design of the courthouse facility, the wastewater effluent from the new building will meet the requirements for discharge that are applicable to the Regional Water Quality Control Board.

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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a wastewater plan that is in compliance with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to wastewater include:

- Innovative wastewater technologies

In addition, the building will be subject to the Waste Discharge Requirements Order No. R5-2002-0083 (WDRs). (CRWQCB, 2003)

Since the analysis is based on the proposed courthouse and not the location, the building will meet requirements of the California Building Code and will be a LEED silver building, the AOC concludes that the project's impacts on wastewater treatment requirements will be less than significant.

Mitigation Measures: None required.

5.3.12.2.2 New Water or Wastewater Treatment Facilities

Potential 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. Section 4.12.3.2 provides estimates of the Hunter Square alternative's wastewater demand. Because the Washington Street alternative's courthouse will not change from the Hunter Square proposed action, wastewater demand for this alternatives is identical to the proposed action.

Although the new courthouse will add water demand for the City's water supply, the Court's move from the existing courthouse will partially compensate for the demand of the new building. In addition, although the new courthouse will provide approximately twice the space of the existing courthouse and courthouse annex, the AOC and Court expect the project to include only a minor increase in the number of staff persons and only an approximately 30 percent increase in the number of jurors and courthouse visitors. Since the increase in courthouse population will be small and the AOC expects only minor and temporary future use of the current Court's space, the AOC concludes that the impacts on water treatment facilities will be less than significant.

Mitigation Measures: None required.

5.3.12.2.3 Require or Result in the Construction of Storm Water Drainage Facilities or Expansion of Existing Facilities

Potential 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. Section 4.12.3.3 provides information on storm drain facilities in the downtown Stockton area.

Since storm drain facilities exist in the project area, the proposed Washington Street alternative will not require the construction of new off-site storm water facilities. According to the City's Public Works Division, the project will not create an abundance of stormwater that will require a change control to the current system. 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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a stormwater plan that is in compliance with LEED requirements. Therefore, the alternative's impacts will be less than significant.

Mitigation Measures: None required.

5.3.12.2.4 Have Sufficient Water Supplies Available to Serve the Project from Existing Entitlements and Resources

Potential 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. As explained in Section 4.12.3.4, the California Water Service Company will provide water service to the site, and it stated that the proposed courthouse will not consume an overabundance of water from the current water supply. Based on the current consumption levels from November 2007 through October 2008, the average consumption of water, without LEED standards, for an approximately 100,000 square foot building is approximately 600 cubic feet per 100 cubic feet. The water consumption changes from summer to winter with consumption being three times the amount in the summer. By implementing the LEED Silver standards for water efficiency, the reduction in water and the increase in the size will counterbalance any excessive additional use (CWSC 2008). The AOC will implement LEED water conservation measures as part of its LEED Silver Rating certification effort.

The AOC concludes that the alternative's water supply impacts are less than significant.

Mitigation Measures: None required

5.3.12.2.5 Wastewater Treatment Capacity

Potential Impact: 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?—Less Than Significant Impact. The Washington Street alternative's proposed courthouse has essentially the same space and projected use as the Hunter Square courthouse. Section 4.12.3.5 concluded that the proposed Hunter Square project's wastewater treatment demand will be minor based on the calculations and information provided in Section 4.12.2.1 for the Stockton Regional Wastewater Facility. Therefore, the AOC concludes that the Washington Street alternative's impacts will also have wastewater treatment capacity impacts that are less than significant.

Mitigation Measures: None required.

5.3.12.2.6 Landfills

Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?—Less Than Significant. Section 4.12.3.6 concluded that the

Foothill Landfill has sufficient capacity to serve the AOC's proposed courthouse. Therefore, the AOC concludes that the alternative's landfill impacts will be less than significant.

Mitigation Measures: None required.

5.4 PRIVATE PARCELS ALTERNATIVE

The Hunter Square project and the Hunter Square Expanded alternative require the AOC's acquisition and use of the Hunter Square parcel for the proposed courthouse. At the AOC's July 2008 scoping meeting, stakeholders suggested that the AOC consider an alternative location for the proposed courthouse that will preserve Hunter Square and utilize privately owned parcels near the southeast corner of the intersection of Weber Avenue and El Dorado Avenue. To evaluate this stakeholder suggestion, the AOC added the Private Parcels alternative which will include acquisition of the Bank of America property, three private parcels west of the Hunter Square parcel, and the City alley between the Bank of America building and the three parcels. The proposed courthouse site will be approximately 300 feet long in the north-south direction and 210 feet wide in the east-west direction; its area will be approximately 1.4 acres. This alternative will include demolition of the Bank of America building and the buildings on the three parcels that are immediately west of Hunter Square.

The Private Parcels alternative's proposed courthouse will be generally similar to the courthouse described in the Hunter Square Alternative's Section 3.5; it will be approximately 220 feet tall, have approximately 325,000 square feet of space, and have 12 stories with a basement. It will face Weber Avenue; be set back approximately 50 feet from Weber Avenue and El Dorado Avenue; have a public entrance that will face Weber Avenue; have a courtyard/public area on the east side of the building; include landscaped areas on the north and west sides; and have fenced, secured vehicle access facilities on the south side with no public access to the south side of the building.

Secure parking for judicial officers and Court executives, a sallyport (a secured building entrance that connects to a secured building area), Sheriff's facilities, in-custody detainee holding facilities, and building service areas will be in the building's basement. The southern courthouse grounds will include a ramp that will connect El Dorado Street to the basement. The basement will also have an exit ramp and driveway connection to Weber Avenue.

The Private Parcels alternative's construction operations and plans will differ from the proposed project's construction operations and plans (see Section 3.5). For the Private Parcels alternative, the AOC will seek the City's approval to utilize the Hunter Square parking area and the Main Street mall for construction staging areas and closure of the sidewalks adjacent to the proposed courthouse site. The AOC will not include the Main Street fountain or the landscaped area southwest of the Main Street/Hunter Street intersection in the staging area.

Implementation of this alternative depends on acquisition of adjacent properties including acquisition of Bank of America, the three private parcels east of Bank of America, and a city alley. This alternative will include demolition of the Bank of America building and three buildings east of Bank of America.

5.4.01 Aesthetics and Visual Resources

5.4.01.1 Environmental Setting

The environmental setting of the Private Parcels alternative's site includes the following features:

- Three private parcels with their two-story buildings;
- Parker's Alley, owned by the City of Stockton, along the western side of the three private parcels;
- The Bank of America building; and
- The Bank of America's parking lot.

The eastern portion of this alternative site is a two-story commercial building consisting of three private parcels. The northwest portion of the site is a three-story Bank of America building. There is an alley that runs north to south between the private parcels and the Bank of America. The southern portion of the site is a parking lot associated with the Bank of America. The Hunter Square parking area, park, and pool are east of the Private Parcels alternative site. The Main Street pedestrian mall and a seven-story bank building are south of the alternative's site. El Dorado Avenue and the Stewart-Eberhardt building and parking garage are west of the site. Weber Avenue and the five-story Hotel Stockton are north of the proposed courthouse site. .

The wind and microclimate; scenic vistas; scenic resources; and light, shading, and glare features of the Hunter Square Expanded alternative's environmental setting are essentially the same as the Hunter Square alternative (see Wind and Microclimate; Scenic Resources; and Light, Shading, and Glare).

5.4.01.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.01.2 for a discussion of these issues.

5.4.01.2.1 Visual Character and Aesthetic Quality

Potential Impact (Construction): Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?—Less than Significant. As discussed in the proposed project's (Hunter Square) analysis, the AOC will install temporary fencing around the project site. Construction of the project will involve use of heavy equipment, stockpiling of construction materials, and accumulation of debris and waste materials. The construction will be visible from several downtown streets, public buildings, and adjacent commercial establishments and hotels. However, project construction scenes and features will be temporary. The AOC expects that demolition of the buildings and construction will require approximately 27 months; construction of the building's exterior structure will require approximately 12 months. Since the impacts will occur only during the short, temporary construction period, the AOC considers the potential visual and aesthetic effects associated with construction to be less than significant.

Potential Impact (Post-Construction, Operation, and Maintenance): Substantially degrade the existing visual character or aesthetic quality of the site and its surroundings? —Potentially Significant. The Private Parcel alternative's courthouse will convert the proposed parcel's buildings to a 12-story building with service drives and surrounding landscaped areas. The proposed site is in an urban setting, and surrounding buildings include a wide variety of styles and materials. The courthouse's design will be consistent with courthouse design standards, and the AOC expects the courthouse's features to be generally consistent with development standards of the City of Stockton Development Code. Since the high-rise building will not be unusual for the downtown Stockton setting and the visual character and aesthetic quality of the proposed courthouse will be consistent with the visual character and aesthetic quality of the downtown area, the AOC concludes that the physical appearance of the building will not substantially degrade the existing visual character or aesthetic quality of the site's surroundings.

Although the visual character of the proposed courthouse will be consistent with the surrounding buildings, the new courthouse may generate high-velocity ground borne winds. The building's interactions with westerly winds may generate high-velocity ground borne winds on the building's west side that will affect the Main Street pedestrian mall; the building's interactions with northerly winds may generate high-velocity ground borne winds on the building's north side that will affect pedestrians using of the Weber Avenue southern sidewalk, persons entering the new courthouse, and persons using the proposed plaza areas on the north side of the new courthouse. The AOC concludes that the wind effects may be a potentially significant impact.

Mitigation Measure: As noted the proposed project Hunter Square's analysis, the following mitigation measure will reduce the Private Parcel alternative's visual character and aesthetic quality impacts:

> **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.

After implementation of the mitigation measure, the AOC concludes that the Private Parcel alternative's visual character and aesthetic quality impacts will be less than significant.

5.4.01.2.2 Scenic Vistas

Potential Impact: Have a substantial adverse affect on a scenic vista?—Less than Significant. The Private Parcel alternative site is surrounding by trees and buildings that obstruct most of the views; therefore most of the views do not extend past the defined foreground distance of approximately 1/2 mile. The project will construct a new courthouse on the Private Parcels, but it will not obstruct views of the Bob Hope Theatre or the Hotel Stockton, two historic buildings in the vicinity, or the Main Street fountain.

The AOC concludes that the Private Parcel alternative's impacts to scenic vistas will be less than significant.

Mitigation Measures: None required.

5.4.01.2.3 Scenic Resources

Potential Impact: Substantially damage scenic resources?—No Impacts.. The alternative's site consists of is two buildings, and construction of the new courthouse will not damage or eliminate any scenic resources in the vicinity. The AOC concludes that the Private Parcel alternative will have no impacts to scenic resources

Mitigation Measures: None required.

5.4.01.2.4 Lighting, Glare, Shading

Potential Impact: Create a new source of substantial light, or glare that will adversely affect day or nighttime views?—Less than Significant. The Private Parcel alternative project will create light sources for exterior and interior building lighting and security lighting on courthouse grounds. 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 lighting plan that complies with LEED requirements. The proposed project Hunter Square's Section 4.01.3.4 describes the U.S. Green Building Council 2003's lighting requirements.

The AOC concludes that light or glare impacts from the proposed project will be less than significant because:

- .Most of the building's interior lighting will be limited to the Court's typical weekday operational hours and the periods immediately before and after the court's operations;
- The AOC intends to shield all light sources to minimize light on surrounding properties, and landscaping also will block light from these properties;
- Light sources are already present on the project site from the existing parking lot and buildings such as commercial building and the Bank of America building;
- The building's security lighting will not be substantially different from nearby buildings, so the security lighting will not be a source of substantial light;
- Implementation of LEED guidelines will reduce both the generation of exterior light and the potential for light trespass to affect off-site areas; and
- The project will not add building features such as metallic finishes that generate substantial glare.

Potential Impact: Create a new source of substantial shading?—Less than Significant. The proposed 12-story courthouse will cast shade. Since the Private Parcel alternative will have almost the same building dimensions and placement as the proposed project Hunter Square's building, the Private Parcel alternative's shading impacts will be essentially the same as Section 4.01.3.4's impacts. Section

4.01.3.4's Figure 7 shows results of shading analyses for the proposed project, and the Private Parcels alternative shading analysis is essentially the same as the Hunter Square project's analysis.

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

Mitigation Measures: None required.

5.4.02 Air Quality

This section evaluates the Private Parcel alternative's potential impacts on air quality. This alternative is very similar to the proposed Hunter Square project, with the addition of some demolition work at the beginning of the construction phase of the project. The operational and maintenance phases remain unchanged from the proposed Hunter Square project.

5.4.02.1 Environmental Setting

Although the Private Parcel alternative includes the demolition of two buildings, this alternative's environmental setting for air quality is essentially the same as the proposed Hunter Square project described in Section 4.02.1.

5.4.02.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcel alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed Hunter Square project. See Section 4.02.2 for a discussion of these issues.

5.4.02.2.1 Applicable Air Quality Plan Conflicts

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

Mitigation Measures: None required.

5.4.02.2.2 Air Quality Standard Violations

Potential Impact (Construction): Violate any air quality standard or contribute substantially to an existing or projected air quality violation?—Less than Significant. Modeling was not conducted for the Private Parcel alternative. However, the emissions and conclusions will be approximately similar to the proposed Hunters Square Expanded project because the alternatives' courthouse features are similar and they include demolition of buildings. Expected emissions from construction do not exceed criteria air pollutant limits established by the State and Air Pollution Control District. During the construction

phase, it is assumed that the project complies with mitigation measures outlined in the Air Pollution Control District's requirements. In particular, Rule 8021 of Regulation VIII requires measures to reduce particulate matter emissions from construction activities. The URBEMIS modeling performed for this project assumes that the construction contractor waters the construction site three times per day to minimize fugitive particulate matter emissions. These emissions are all below the established Air Pollution Control District thresholds; therefore, the project's construction-related impacts will be less than significant.

Mitigation Measures: None required.

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. Post-construction, operational, and maintenance emissions for the project are expected to all be below the established Air Pollution Control District thresholds. Since the Private Parcel alternative's post-construction, operations, and maintenance impacts are identical to the project, the Private Parcel alternative's impacts will be less than significant.

Mitigation Measures: None required.

5.4.02.2.3 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, and $PM_{2.5}$ are 1500 and 107 tons per day, respectively. 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 Private Parcel alternative will not considerably increase the emission of ozone or $PM_{2.5}$ in the Air Pollution Control District. Therefore, the AOC concludes that the impacts will be less than significant.

Mitigation Measures: None required.

5.4.02.2.4 Sensitive Receptor Exposure to Substantial Pollutant Levels

Potential Impact (Construction): Expose sensitive receptors to substantial pollutant concentrations?— Less Than Significant. As noted above, the alternative's construction-related emissions do not exceed criteria air pollutant limits. During the construction phase, it is assumed that the project complies with mitigation measures outlined in the Air Pollution Control District's requirements. In particular, Rule 8021 of Regulation VIII requires that measures be to reduce particulate matter emissions from construction activities. These emissions are all below the established Air Pollution Control District thresholds. Since the emissions are below the Air Pollution Control District's thresholds and construction operations that generate substantial emissions will have a limited duration, the AOC concludes that the impacts are less than significant.

Mitigation Measures: None required.

Potential Impact (*Post-Construction, Operations, and Maintenance)*: Expose sensitive receptors to substantial pollutant concentrations?—Less than Significant. Operations and maintenance activities associated with this project are typical of other activities in the area. The predicted emissions for this site are all below the established Air Pollution Control District thresholds. Since the emissions are below the Air Pollution Control District's thresholds and operation and maintenance activities are typical for the project area, the AOC concludes that the impacts are less than significant.

Mitigation Measures: None required.

5.4.02.2.5 Objectionable Odors

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

Mitigation Measures: None required.

5.4.02.2.6 Greenhouse Gas Emission Reduction Plan

Potential Impact: Conflict with the State Goal of Reducing Greenhouse Gas Emissions in California to 1990 Levels by 2020—Less than Significant. As noted previously in Section 4.02.3.6, the AOC's courthouse project is consistent with plans to reduce greenhouse emissions. The AOC has concluded that impacts from the proposed new courthouse on greenhouse gas emissions will be less than significant.

Mitigation Measures: None required.

5.4.03 Cultural Resources

5.4.03.1 Environmental Setting

The environmental setting of the Hunter Square Expanded alternative is similar to the Hunter Square project's setting described in Section 4.03.1. The buildings west of Hunter Square are not historically significant (Architectural Resources Group. 2000)

5.4.03.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcel alternative's potential impacts use the same analytical methodology, regulatory background, and standards of significance as the proposed Hunter Square project. See Section 4.03.2 for a discussion of these issues.

5.4.03.2.1 Historic Resources

Potential Impact: Cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.05?—Less than Significant. As noted above, there are no known historic

resources located on the Private Parcel alternative site. Therefore, the AOC concludes that the Private Parcel alternative's impacts will be less than significant.

Mitigation Measures: None required.

5.4.03.2.2 Archaeological Resources

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

Therefore, there remains some potential for the two sites to contain previously undiscovered archaeological resources. Excavation and grading could damage or destroy any buried archaeological resources that may be present. Disturbance of buried cultural resources will be a potentially significant impact for the proposed site location and the alternative site in the area, which has not already been investigated for archaeological resources (the eastern one-third of the site). Operation of the proposed project will not result in additional impacts to the archaeological resources in the project area beyond the potential construction–related impacts identified above. Implementation of the following mitigation measure will reduce potential adverse effects to less–than–significant levels:

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

> **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.

5.4.03.2.3 Disturbance of Any Human Remains, Including those Interred Outside of Formal Cemeteries

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

Mitigation Measures: None required.

5.4.04 Geology, Soils, and Seismicity

5.4.04.1 Environmental Setting

The environmental setting for the Private Parcel alternative is the same as proposed Hunter Square project,

5.4.04.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed Hunter Square project. See Section 4.04.2 for a discussion of these issues.

5.4.04.2.1 Rupture of a Known Earthquake Fault

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

Mitigation Measures: None Required.

5.4.04.2.2 Strong Seismic Ground Shaking

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

Mitigation Measures: None Required.

5.4.04.2.3 Expansive Soils

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

Mitigation Measures: None Required

5.4.04.2.4 Unique Paleontological Resources

Potential Impact: Destroy a unique paleontological resource or site?—Potentially Significant. Construction of the proposed project at the Private Parcel alternative site could result in direct or indirect destruction of a unique paleontological resource or site. Construction operations will include excavation for the building.

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

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

> **Geology 1 –** 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

5.4.04.2.5 Ground Failure

Potential Impact: Expose People or Structures to Substantial Adverse Effects Involving Ground Failure (Including Subsidence or Liquefaction-Induced Lateral Spreading)—Less than Significant. According to the Phase I environmental site assessment report prepared by Earth Tech (Earth Tech 2008), no specific liquefaction hazard areas have been identified at this alternative site. Given the presence of both shallow to moderate groundwater (6 to 14 feet deep) and alluvial soils, potentially

significant impacts from liquefaction may occur in the event of a major (6.0 or above) earthquake; however, as noted above the Hayward and Calaveras Faults are approximately 48 miles to the west, and the distance to regional faults suggests a low to moderate potential for ground shaking. The AOC will complete a geotechnical investigation during its design process, and the building's designers will incorporate the investigation's results into design requirements that comply with the State Uniform Building Code. Therefore, the AOC concludes that the potential ground failure impact is less than significant.

Mitigation Measures: None Required.

5.4.04.2.6 Landslides, Erosion or Loss of Topsoil, Unique Geologic Feature

Potential Impact—No Impact. There are no unique geologic features located on or near this alternative site. There is little to no risk of landslides due to the flat topography of the region.

The site is predominately either paved or covered with landscaping. Water from the site drains into municipal drains. Since the project will cover exposed soil and will not produce substantial amounts of runoff sheet flow that could cause erosion, the AOC believes that the project will not cause substantial soil erosion or loss of topsoil.

Therefore, there will be no impact from landslides, erosion or to unique geological features.

Mitigation Measures: None required

5.4.05 Hazards and Hazardous Materials

This section evaluates the potential impacts of the Private Parcels alternative in terms of hazards and hazardous materials.

5.4.05.1 Environmental Setting

The Private Parcel alternative's environmental setting is generally the same as the Hunter Square project's environmental setting. See Section 4.05.1.

5.4.05.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.05.2 for a discussion of these issues.

5.4.05.2.1 Result in a Safety Hazard in the Vicinity of an Airport or Airstrip for People Visiting or Working in the Project Area

Potential Impact: Result in a safety hazard in the vicinity of an airport or airstrip for people visiting or working in the project area?—Less than significant. The Private Parcels alternative is not located in close proximity to any airport. The closest airport is 4 miles to the south, and the proposed site is not located within the Federal Aviation Administration's Area of Influence for that airport (San Joaquin County Council of Governments. 1993). Therefore, selection of the Private Parcels alternative will not

result in a safety hazard in the vicinity of an airport or airstrip for people visiting or working in this alternative project area, and the potential impact is less than significant.

Mitigation Measures: None required.

5.4.05.2.2 Public Exposure to Hazards

Potential Impact: 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?—Potentially Significant. These impacts were discussed in the Initial Study and above in Section 4.05.1. There are three off-site leaking underground storage tanks that are potential sources in close proximity to the Private Parcels alternative site that pose a potentially significant impact.

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

> **Hazards 1**—The AOC will conduct a Phase II Environmental Site Assessment to provide additional data for evaluating the potential for future exposure to hazardous materials that may be affecting the shallow groundwater beneath the Private Parcels alternative site. If hazardous materials are identified in the Phase II Environmental Site Assessment, 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.
>
> **Hazards 2**—If hazardous materials are found during excavation of the Private Parcels alternative 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.

5.4.05.2.3 Hazardous Materials on Location; Emergency Response Plan, and Wildland Fires

Potential Impact—No Impact. The AOC discussed these impacts in the Initial Study and determined that the site of the Private Parcels alternative will have no impact.

Mitigation Measures: None required.

5.4.06 Hydrology and Water Quality

5.4.06.1 Environmental Setting

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

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

5.4.06.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.06.2 for a discussion of these issues.

5.4.06.2.1 Water Quality Standards

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

Since the project will have only a limited area of disturbance (1.4 acres), distance to nearest waterway, and the temporary nature of construction, potential water quality and stormwater impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

5.4.06.2.2 Stormwater Runoff and Erosion

Potential Impact: Create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?—Less than Significant. The project alternative site is currently a parking area park, fountain, and two story commercial building. The site has flat topography and is adjacent to the City's storm drain system. The proposed building may slightly increase the amount of impervious area. Since the project will have only a limited area of disturbance (1.4 acres), and the temporary nature of construction, potential runoff and erosion impacts due to project construction will be less than significant. Since the project site is subject to the State's General Permit for Stormwater Discharges Associated with Construction Activities (Water Quality Order 99-08-DWQ), the construction contractor must secure approval of an SWPPP and implement the plan. In addition, the AOC intends to include project features that will secure a LEED Silver certification for the project; these features will include runoff control measures such as bioswales to control runoff. Due to implementation of the SWPPP and the LEED measures, the AOC concludes runoff during operation of the proposed project will be less than significant.

Mitigation Measures: None required.

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

Potential Impact—No Impact. The project site is already developed, and since the proposed courthouse will cover less than one acre of ground, the proposed new courthouse will not substantially interfere with groundwater recharge. The AOC believes that the project will not produce substantial population growth. Therefore, the project will not have impacts on groundwater supplies or groundwater surface levels.

Stream or river drainage courses are not present and would not otherwise be affected. The site is flat and is either paved or covered with landscaping. Water from the site flows into municipal storm water drains. Since the project will not affect site drainage and will repave or re-landscape the site, there will be no impacts that result in erosion or flooding.

The proposed project site is not located within the 100-year flood plain of the 2008 Federal Emergency Management Agency (FEMA) maps.

The project site is not adjacent to a stream, river, or lake that could inundate the site, and no levees or dams protect the site. The project site is on flat terrain, and the site is above sea level.

The project site is approximately 20 miles east of the extreme eastern end of the Sacramento-San Joaquin Delta; therefore, the project site is not subject to a seiche or tsunami. The project site is on flat terrain, therefore there is no risk of a mudflow.

Mitigation Measures: None required.

5.4.07 Land Use, Plans, and Policies

5.4.07.1 Environmental Setting

The proposed project site is an approximately 1.4-acre lot. The site is currently developed as commercial businesses and a parking lot. Zoning for the Private Parcel alternative is CD, Commercial Downtown.

5.4.07.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the Hunter Square alternative. See Section 4.07.2 for a discussion of these issues.

5.4.07.2.1 Conformance with Local Plans and Policies

Potential Impact: 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?—No impact. The proposed project is consistent with the General Plan designation and the redevelopment plan for the site. Therefore, the Privatre Parcels alternative will have no impact.

Mitigation Measures: None required.

5.4.07.2.2 Physically Divide a Community

Potential Impact: Physically Divide a Community?—No Impact. The proposed project covers only a small area (approximately 1.4 acres) and will not divide any communities. Therefore, there will be no impact.

Mitigation Measures: None required

5.4.08 Noise

5.4.08.1 Environmental Setting

The environmental setting for the Private Parcels alternative will generally be the same as for the proposed Hunter Square project. See Section 4.08.1 for specific details. However, the commercial buildings to the west of the project site will be demolished, resulting in the commercial buildings southwest, northwest and northeast of the intersection of Weber and El Dorado Avenues becoming the nearest buildings to this alternative.

5.4.08.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed Hunter Square project. See Section 4.08.2 for a discussion of these issues.

5.4.08.2.1 Noise Standards

Potential Impact (Post-Construction, Operations, and Maintenance): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. Section 4.08.3.1 describes noise standard impacts for the Hunter Square proposed project. The impacts for the Private Parcel alternative will be essentially the same as the Hunter Square proposed project. Therefore, impacts will be less than significant.

Mitigation Measures: None required.

Potential Impact (Traffic): Generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?—Less Than Significant. After construction is complete and the courthouse begins its operations, the additional vehicles traveling to the site will increase noise levels similar to the levels identified with the proposed project. Therefore, the increased noise from new traffic will be minimal, and impacts from vehicle noise to the nearby residents will be less than significant.

Mitigation Measures: None required.

5.4.08.2.2 Long-term, Permanent Ambient Noise Levels

Potential Impact: A substantial permanent increase in ambient noise levels in the vicinity above levels existing without the alternative?—Less than Significant. As explained in Section 4.08.3.1, the building's mechanical equipment will not be expected to generate substantial noise. Therefore, the alternative's mechanical sound will not produce a substantial increase in ambient noise levels. As also explained in Section 4.08.3.1, the alternative's traffic will not be expected to generate substantial traffic-related noise. Therefore, any increase from the alternatives's traffic-related noise will be less than significant.

Mitigation Measures: None required.

5.4.08.2.3 Short-term, Temporary Ambient Noise and Vibration Levels

Potential Impact: A substantial temporary or periodic increase in ambient noise levels in the vicinity above levels existing without the alternative or generation of excessive ground-borne vibration or ground-borne noise levels?—Significant and Unavoidable. Short-term ambient noise analysis will generally be the same as for the Hunter Square proposed project with the addition of demolition activities that will generate noise levels similar to those identified for construction activities. However, these vibrations will not result in cosmetic or structural damage to buildings because structural damage from pile driving and ground borne vibrations typically does not occur in buildings more than 50 feet from the location of the activity and the existing buildings are not within 50 feet of the alternative's courthouse site. Therefore, the alternative's ground borne vibration impacts will be less than significant.

During demolition and construction, operation of construction equipment will generate noise. The sensitive receptors are within 200 feet of the alternative's courthouse site. Section 4.08.3.3describes the Hunter Square project's noise impacts. The Private Parcels alternative's impacts will be essentially the same as the Hunter Square project's noise impacts. The AOC concludes that the alternative's impacts will be significant and unavoidable.

Construction related noise impacts at the existing courthouse will be less than with the project due to the increased distance of the alternative's courthouse.

Mitigation Measures: Mitigation measures **Noise 1**, **Noise 2**, **Noise 3**, **Noise 4**, **Noise 5**, **Noise 6**, **and Noise 7** (see Section 4.08.3.3) will reduce the potential construction-related noise impacts, but the construction noise could still be a significant and unavoidable short-term impact to sensitive receptors and commercial businesses near the Private Parcel alternative's site.

5.4.08.2.4 Airport Noise

Potential Impact—Less than Significant. The Private Parcels alternative is not located within the area of influence of the nearest airport, the Stockton Metropolitan Airport (San Joaquin County Council of Governments 1993), which is located approximately 4 miles from the proposed alternative. Based on the distance from the nearest airport, there will be no noise impact.

Mitigation Measures: None required.

5.4.08.2.2 Private Airstrip Noise

Potential Impact—Less than Significant. The alternative is not located in the vicinity of a private airstrip. There will be no impact.

Mitigation Measures: None required.

5.4.09 Public Services

This section evaluates the Private Parcel alternative's potential impacts on public services.

5.4.09.1 Environmental Setting

The Private Parcels alternative's environmental setting is essentially the same as information presented in Section 4.09.1.

5.4.09.2 Potential Impacts and Mitigation Measures

5.4.09.2.1 Fire Protection Services

Potential Impact: 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?—No Impact. The Private Parcel alternative is proposed adjacent to existing development and within close proximity to a fire station. Therefore, the project will not have a significant impact on fire response times and will not otherwise create a substantially greater need for fire protection than already exists.

Mitigation Measures: None required.

5.4.09.2.2 Police Protection Services

Potential Impact: 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?—Less than Significant. The Stockton Police Department does not provide security services for the Court, so the Private Parcel alternative will not affect the Police Department. The Private Parcel alternative will reduce security protection needs from existing conditions since the project will consolidate Court operations into fewer and more secure facilities. The new courthouse will have improved security features that enhance the efficiency of Court security operations, and the new courthouse will reduce the number of Court building entrances requiring security personnel. Therefore, this alternative will not have a significant impact on security services.

Mitigation Measures: None required.

5.4.09.2.3 School, parks, and other public facilities and servicess

Potential Impact— Result in substantial impacts associated with Schools, Parks, and other Public Facilities?—No Impact. The AOC discussed impacts to schools, parks, and other public facilities in the Initial Study and determined that there will be no impact. The AOC also concludes that the proposed project will produce no changes for other public services such as those provided by the California Highway Patrol, the San Joaquin District Attorney, County Child Support, County Public Defender, County Probation Department, County Sheriff-Coroner-Public Administrator's Office, County Public Health Division, County Mental Health Division/ Office of Substance Abuse, County Human Services Agency, and the City Attorney.

Mitigation Measures: None required

5.4.10 Recreation

5.4.10.1 Environmental Setting

The Private Parcel alternative's location is currently developed as commercial businesses and is not used for recreation. The project does not involve residential development or recreational facilities.

5.3.10.2 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed Hunter Square project. See Section 4.10.2 for a discussion of these issues.

5.3.10.2.1 Existing Recreational Facilities

Potential Impact—No Impact. The nature of the activity of the proposed project would not result in an increase in the use of neighborhood and regional parks or other recreational facilities. There will be no loss in recreational area.

Mitigation Measures: None required.

5.3.10.2.2 Construction or Expansion of Recreational Facilities

Potential Impact—No Impact. The proposed project at the Private Parcels alternative's location does not involve residential development or recreational facilities, and it will not require related construction or expansion or cause an increase in residential housing or an increase in the use of neighborhood and regional parks or other recreational facilities. Therefore, the project will have no impact.

Mitigation Measures: None required.

5.4.11 Traffic and Circulation

This section evaluates the potential impacts of the project in terms of traffic and circulation and is based on a transportation impact study prepared by PHA Transportation Consultants (see Appendix H). This

chapter provides information on potential traffic impacts of the proposed project, on local streets and regional freeway interchange. The analysis also evaluates potential impacts on public transit operations, bicycle facilities, site access, circulation, and parking. The site and building size of this Private Parcel alternative is essentially the same as the proposed project, as such, the environmental setting site access, street system, potential impact and mitigation measures remain unchanged.

5.4.11.1 Environmental Setting

The traffic and circulation environmental setting for the Private Parcels alternative is essentially the same as the Hunter Square project's setting described in Section 4.11.1

5.4.11.1 Potential Impacts and Mitigation Measures

The AOC's analysis of the Private Parcels alternative's potential impacts uses the same analytical methodology, regulatory background, and standards of significance as the proposed Hunter Square project. See Section 4.11.2 for a discussion of these issues.

5.4.11.2.1 Traffic Increase and Level of Service

Potential Impact: Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?— Significant and Unavoidable. The traffic impacts for the Private Parcels alternative and mitigation measures for the impacts are essentially the same as the Hunter Square project's impacts described in Section 4.11.3.1.

5.4.11.2.2 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.

5.4.11.2.3 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.

5.4.11.2.4 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 Stockton design standards. Therefore, the proposed project will not include any increased hazards related to a design feature. Therefore, there will be no significant impacts related to the building's design.

Due to the project's creation of 30 courtrooms at the Private Parcel alternative's site, 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/Main Street, El Dorado Street/Weber Avenue, Weber Avenue/San Joaquin Street, and San Joaquin Street/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/N. 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; and
3. For the Main Street/S. Hunter Street crosswalk, Section 4.11.1.4 noted that there are no traffic controls at this intersection and the AOC observed that pedestrians' and drivers' behaviors were irregular and unpredictable. Due to the project's increase in the number of persons traveling to the courthouse, more persons will be crossing through the Main Street/S. Hunter Street crosswalk. In addition, the project will add traffic to Main Street due to trips associated with Sheriff's busses, Court staff members' vehicles, and service vehicles. Due to the potential increase in the number of pedestrian/vehicle interactions, the Main Street/S. Hunter Street intersection's reduction of two traffic lanes to one lane and the intersection's left turn geometry, and the absence of traffic control at the intersection, hazards at this crosswalk are potentially significant.

Mitigation Measures: As noted above, there will be no significant impacts related to the building's design. Therefore, no mitigation measures are required for design-related impacts. The following mitigation measures will reduce the project's operational impacts to a level that is less than significant for the Weber Avenue/N. Hunter Street crosswalk and the Main Street/S. Hunter Street crosswalk. However, the project's Main Street mall impacts will remain significant and unavoidable despite mitigation measures:

Traffic 2: For the Weber Avenue/N. 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/N. Hunter Street crosswalk to a new location of Weber Avenue that is east of the Weber

Avenue/N. 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/N. Hunter Street crosswalk to a level that is less than significant;

Traffic 3: For the Main Street/S. Hunter Street crosswalk, the proposed project will provide five improvements.

- First, the project will revise the lane geometry of the western portion of E. Main Street near its intersection with S. Hunter Street to merge the current two lanes into one lane;
- Second, the project will repaint the crosswalk to enhance its visibility;
- Third, the project will eliminate Main Street parking spaces that are within 30 feet of the crosswalk;
- Fourth, the project will add structural improvements (such "bulbouts" or curb peninsulas that extend into the street) to the crosswalk that reduce the crosswalk's length across Main Street; and
- 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/N. Hunter Street crosswalk to a level that is less than significant.

5.4.11.2.5 Emergency Access

Potential Impact: Result in inadequate emergency access?—No Impact. Based on the preliminary site plan, the proposed project will have a main access from Weber Avenue and a sally port access at the back of the building. These features should provide adequate vehicle access (30 vehicles) and pedestrian access. The AOC's development of the project site will conform to recommendations of the Court, the San Joaquin County Sheriff's Department, and the Stockton Fire Department to ensure adequate emergency access considerations. The Stockton Fire Department will review plans to ensure emergency access. The proposed project does not include closure of any public through street that is currently used for emergency services and will not be expected to interfere with the adopted emergency response plan. Therefore, the AOC concludes that the project will have no impacts on emergency access.

Mitigation Measures: None required.

5.4.11.2.6 Parking Capacity

Potential Impact: Result in inadequate parking capacity?—Less Than Significant. Construction of the project will temporarily eliminate approximately 50 parking spaces in the Hunter Square parking lot. The AOC concludes that the temporary impact is less than significant.

The Private Parcel Alternative's parking impacts will be essentially the same as the Hunter Square project's impacts. See Section 4.11.1.5. The AOC concludes that the Private Parcel alternative's parking impacts will be less than significant.

Mitigation Measures: None required.

5.4.11.2.7 Existing Alternative Transportation Policies

Potential Impact: Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?—Less than Significant. Survey results of existing court trip generation indicated very few visitor or staff members use public transportation for work or to conduct business at the courthouse. Therefore, the proposed project is not expected to have a significant impact on the public transportation system.

Mitigation Measures: None require

5.4.12 Utilities and Service Systems

5.4.12.1 Environmental Setting

The Private Parcel alternative will be located on an approximately 1.4-acre parcel in downtown Stockton. The site is currently developed as a banking building and other unknown use buildings on three other parcels. Currently, the parcel is developed and has wastewater service, water supply service, and trash collection service.

5.4.12.2 Potential Impacts and Mitigation Measures

These impacts will be generally the same as the proposed project. Some utilities may require upgrading, such as sewer and stormwater pipelines and catch basins that serve the site. The Private Parcel alternative will also be expected to generate a greater water demand for outside landscaping because of the larger project area. However, excessive water use could be mitigated through green design and conservation measures.

5.4.12.2.1 Wastewater Treatment

Potential Impact: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?—Less Than Significant. Buildings in Stockton are located within the Central Regional Water Quality Control Board are subject to control under the Stockton Regional Wastewater Control Facility. Based on the design of the courthouse facility, the wastewater effluent from the new building will meet the requirements for discharge that are applicable to the Regional Water Quality Control Board.

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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a wastewater plan that is in compliance with LEED requirements. These requirements (U.S. Green Building Council 2003) relevant to wastewater include:

- Innovative wastewater technologies

In addition, the building will be subject to the Waste Discharge Requirements Order No. R5-2002-0083 (WDRs). (CRWQCB, 2003)

Since the analysis is based on the proposed courthouse and not the location, the building will meet requirements of the California Building Code and will be a LEED silver building, the AOC concludes that the project's impacts on wastewater treatment requirements will be less than significant.

Mitigation Measures: None required.

5.4.12.2.2 New Water or Wastewater Treatment Facilities

Potential 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. Section 4.12.3.2 provides estimates of the Hunter's Square's wastewater demand; since the Private Parcel alternative's courthouse will have the same square footage as the proposed action, wastewater demand will of the alternatives is identical.

Although the new courthouse will add water demand for the City's water supply, the Court's move from the existing courthouse will partially compensate for the demand of the new building. In addition, although the new courthouse will provide approximately twice the space of the existing courthouse and courthouse annex, the AOC and Court expect the project to include only a minor increase in the number of staff persons and only an approximately 30 percent increase in the number of jurors and courthouse visitors. Since the increase in courthouse population will be small and the AOC expects only minor and temporary future use of the current Court's space, the AOC concludes that the impacts on water treatment facilities will be less than significant.

Mitigation Measures: None required.

5.4.12.2.3 Require or Result in the Construction of Storm Water Drainage Facilities or Expansion of Existing Facilities

Potential 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. Section 4.12.3.3 provides information on storm drain facilities in the Private Parcels alternative's vicinity.

Since storm drain facilities exist in the project area, the proposed Private Parcel alternative will not require the construction of new off-site storm water facilities. According to the City's Public Works Division, the project will not create an abundance of stormwater that will require a change control to the current system. 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, with the stated goal of achieving a Silver rating, and the AOC intends to implement a stormwater plan that is in compliance with LEED requirements. Therefore, the alternative's impacts will be less than significant.

Mitigation Measures: None required.

5.4.12.2.4 Have Sufficient Water Supplies Available to Serve the Project from Existing Entitlements and Resources

Potential 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. As explained in Section 4.12.3.4, the California Water Service Company will provide water service to the site, and it stated that the proposed courthouse will not consume an overabundance of water from the current water supply. Based on the current consumption levels from November 2007 through October 2008, the average consumption of water, without LEED standards, for an approximately 100,000 square foot building is approximately 600 cubic feet per 100 cubic feet. The water consumption changes from summer to winter with consumption being three times the amount in the summer. By implementing the LEED Silver standards for water efficiency, the reduction in water and the increase in the size will counterbalance any excessive additional use (CWSC 2008). The AOC will implement LEED water conservation measures as part of its LEED Silver Rating certification effort.

The AOC concludes that the alternative's water supply impacts are less than significant.

Mitigation Measures: None required

5.4.12.2.5 Wastewater Treatment Capacity

Potential Impact: 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?—Less Than Significant Impact. The Private Parcel alternative's proposed courthouse has essentially the same square footage and similar acreage and projected use as the Hunter Square courthouse. Section 4.12.3.5 concluded that the proposed Hunter Square project's wastewater treatment demand will be minor based on the calculations and information provided in Section 4.12.2.1 for the Stockton Regional Wastewater Facility. Therefore, the AOC concludes that the Private Parcel alternative's impacts to wastewater treatment capacity will be less than significant.

Mitigation Measures: None required.

5.4.12.2.6 Landfills

Potential Impact: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?—Less Than Significant. Section 4.12.3.6 concluded that the Foothill Landfill has sufficient capacity to serve the AOC's proposed courthouse. Therefore, the AOC concludes that the alternative's landfill impacts will be less than significant.

Mitigation Measures: None required.

5.5 COMPARISON OF ALTERNATIVES

5.5.1 Project Purpose and Objectives

One of the key factors in considering alternatives is whether they can feasibly attain most of the basic objectives of the project. Section 3.2 of this EIR describes the project purpose as providing the Court with a new courthouse, and project's objectives are to provide:

The purpose of the proposed project is to provide the Court with a new courthouse. The project's objectives are to provide:

- A new courthouse with improved security features, public access and public service features, and working and operational features for the Court's staff;
- Courthouse facilities that increase the efficiency of the Court's staff and operations and increase the Court's ability to serve residents of San Joaquin County;
- Courthouse facilities that promote efficient interaction and communication between 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.

Chapters 4 and 5 evaluate the proposed project's impacts and alternatives's impacts. The AOC has not rejected any alternatives. Table 5-10 lists the environmental issues evaluated by this EIR and indicates whether the AOC concludes that the alternative will produce a significant impact before mitigation and whether mitigation measures can reduce a potentially significant impact to a level that is less than significant.

Table 5-10. 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	6
	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	0	0	0	0	0	0	0	0
	Pot. Sig.	2	0	2	0	1	0	1	0
	Not Sig.	1	3	1	3	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	4	0	4	0	4	0
Hazards & Hazardous	Sig. & Unav	0	0	0	0	0	0	0	0
	Pot. Sig.	1	0	1	0	0	0	1	0

Materials	Not Sig.	1	2	1	2	2	2	1	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	1	0
	Not Sig.	1	2	1	2	2	2	1	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	0	0	0	0
	Pot. Sig.	1	0	1	0	1	0	1	0
	Not Sig.	5	6	5	6	6	6	6	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
Sig. & Unav= Significant and unavoidable impact; Pot. Sig.= Potentially Significant, Not Sig.= Less that significant or no impact									

5.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA Guidelines Section 15126.6(e) requires a lead agency to identify an environmentally superior alternative and states that "if the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives."

From the alternatives evaluated for the proposed project, the environmentally superior alternative will be the No Project Alternative. This alternative will avoid all significant impacts from the proposed project. However, in accordance with the CEQA Guidelines, an environmentally superior alternative must also be selected from the remaining project alternatives. The environmentally superior alternative among the remaining alternatives will be the Washington Street Alternative. This alternative will result in only one significant and unavoidable impact.

6.0 CEQA CONSIDERATIONS

Section 15126 of the CEQA Guidelines requires that all aspects of a project must be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify: (1) significant environmental effects of the proposed project, (2) significant environmental effects that cannot be avoided if the proposed project is implemented, (3) significant irreversible environmental changes that will result from implementation of the proposed project, and (4) growth-inducing impacts of the proposed project.

6.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 15126.2 (b) of the CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided, even with implementation of feasible mitigation measures. Chapter 4 discusses the environmental effects of the proposed project. Significant impacts that cannot be avoided even with adoption of mitigation measures include:

- Noise (Construction),
- Traffic Load, and
- Traffic Hazards.

The AOC has adopted mitigation measures for construction noise, traffic load, and traffic hazards effects, but the measures are insufficient to reduce impacts to a level that is less than significant. Noise impacts cannot be avoided or sufficiently reduced because of the proximity of sensitive receptors to the potential courthouse sites. Traffic load impacts cannot be reduced due to the limited connections between Stockton's street grid with State Route 4's ramps. The AOC cannot reduce traffic hazards impacts because the proposed parcel has limited connections to City streets.

6.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that will be caused by the proposed project. Section 15126.2(c) states:

> Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Development of the proposed project will not produce an irreversible significant environmental change. loss of Hunter Square Plaza as a historic resource, degradation of Hunter Square and the Main Street

mall's aesthetic and visual resource resources, loss of the park's recreational resource, and increase in traffic hazards on the Main Street mall. The loss of these resources will be considered a significant irreversible environmental change.

CEQA Guidelines also require a discussion of the potential for irreversible environmental damage caused by an accident associated with the project. The proposed project does not involve production or transport of hazardous materials. Therefore, activities resulting from operation of the proposed project will not appear to pose significant risks or health hazards.

6.3 GROWTH-INDUCING IMPACTS

As required by CEQA Guidelines Section 15126.2(d), an EIR must discuss ways a proposed project could foster economic or population growth or construction of additional housing, either directly or indirectly, in the surrounding environment. In addition, the EIR must discuss the characteristics of the project that could encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Growth can be induced in a number of ways, such as through elimination of obstacles to growth, through stimulation of economic activity within the region, or through establishment of policies or other precedents that directly or indirectly encourage additional growth.

In general, a project may foster spatial, economic, or population growth in a geographic area if the project removes an impediment to growth (for example, it establishes an essential public service, provides new access to an area; or changes zoning or requires approval of an amendment to the general plan); or economic expansion or growth occurs in an area in response to the project (changes in revenue base or creates employment expansion). These circumstances are further described below:

- **Elimination of Obstacles to Growth:** This circumstance refers to the extent to which a proposed project removes infrastructure limitations or provides infrastructure capacity, or removes regulatory constraints that could result in growth unforeseen at the time the project is approved.

- **Economic Effects:** This term refers to the extent to which a proposed project could cause increased activity in the local or regional economy. Economic effects can include such effects as the multiplier effect. A "multiplier" is an economic term used to describe inter-relationships among various sectors of the economy. The multiplier effect provides a quantitative description of the direct employment effect of a project, as well as indirect and induced employment growth.

- **Growth Inducing Impacts:** The multiplier effect acknowledges that the on-site employment and population growth of each project is not the complete picture of growth caused by the project. Moreover, certain projects have the potential to induce population and housing growth through provision or expansion of public services and facilities into areas not currently served.

6.3.1 Elimination of Obstacles to Growth

The project will not provide expanded utilities or other infrastructure that could, in turn, stimulate growth beyond the urban core. Rather, the project may aid in revitalizing the downtown area.

6.3.2 Economic Effects

The project will result in an increase in courthouse staff via consolidation and expansion of facilities and services. The resulting employment opportunities will be either filled by local or imported workers and result in both direct and indirect economic effects. In addition, the construction workforce, although temporary, will contribute to the demand for goods and services, including temporary housing.

6.3.3 Impacts of Induced Growth

The project does not involve changes to the general plan that could have the potential to induce growth. Likewise, the project is proposed in the developed downtown, and thus will not induce growth in open space, recreational, or agricultural areas.

6.4 CUMULATIVE IMPACTS

Cumulative impacts refer to "two or more individual effects which, when considered together, are considerable or which compound to increase other environmental effects" (CEQA Guidelines Section 15355). An EIR is required to analyze cumulative impacts and propose feasible options for mitigating or avoiding the project's contribution to any significant cumulative impacts, if the project's contribution is "cumulatively considerable" (CEQA Section 21083; CEQA Guidelines Section 15130). "Cumulatively considerable" means that "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065(a)). The discussion of cumulative impacts should reflect the severity of the impacts and their likelihood of occurrence.

CEQA Guidelines Section 15130(b) states that an EIR's analysis of cumulative impacts should be based on either a list of past, present, and probable future projects that will produce related impacts or a summary of projections contained in an adopted general plan or related planning document. This EIR relies on the list method of cumulative impact analysis. A list of probable (or reasonably foreseeable) projects is provided in Table 6-1. The list includes projects in the greater West End Redevelopment Area, which includes the site of the proposed project. The West End Redevelopment Area is divided into six sub-areas: Central, East, South, Northwest, Northeast, and Southwest.

Table 6-1: West End Redevelopment Project Area: Status of Redevelopment Projects and Activities

Project	Project Type	Description	Status/Timing
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
New County Administration Building (Sutter and Weber Streets)	Office	Eight-story, 200,000 square foot office building	Currently under construction 2008-2010
Historic Henery Building Rehabilitation Project (Sutter and Main Streets)	Residential	Rehabilitation of the Historic Henery Building as residential condominiums or apartments	Early planning phase
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
State Office Building (31 Channel Street)	Office	Construction of new 150,000 square foot office building	Early planning phase; Construction 2012-2015
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 ion, & new neighborhood retail	Early planning phase; Construction 2007-2017
Weber Avenue Streetscape Phase II Project	Public Infrastructure	Complete Phase II of streetscape project from California to Aurora streets	Construction 2010-2012
South Sub-Area			
Gleason Park (Sonora and California Streets)	Park	Reconstruction of Gleason Park	Approved project; Construction 2006-2008
Mercy Housing Project (Sonora and Stanislaus Streets)	Residential	Construction of affordable ownership single-family and multi-family apartment units	Approved project; Construction 2007-2008
Alex G. Spanos School (Sonora and California Streets)	Elementary School	Construction of a new elementary school for Stockton Unified School District	Approved project; Construction 2006-2007
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; Construction 2008-2012
Colbert Project (Fremont and Edison Streets)	Mixed Use Residential	Residential condominiums; Residential apartments; Retail development	Early planning phase; Construction 2008-2012
Extension of waterfront promenade	Public Infrastructure	Continue waterfront pedestrian promenade from Van Buren west to Yosemite Street	Early planning phase; Construction 2008-2012
EDD Office Building block redevelopment	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; Construction 2010-2013
Waterfront Retail (Stockton Arena and Ring Road)	Retail	Construct three restaurants at Stockton Events Center	Approved project; Construction 2007-2008
Northeast Sub-Area			
Fremont Park Housing	Residential	Construction of infill housing units on vacant parcels surrounding Fremont Park	Early planning phase; Construction 2008-2012
Southwest Sub-Area			
Southpointe Residential Project	Residential	Construction of 152 residential condominiums	Entitlement Phase; Construction 2007-2009
Marina and Visitor Boating Docks (Stockton Channel)	Public Infrastructure	Construction of a new 56-slip marina and visitor boating docks	Approved project; Construction 2007-2008; Completion expected summer 2009
Waterfront Promenade (Stockton Channel)	Public Infrastructure	Reconstruction of existing waterfront promenade from Center Street to Interstate 5	Approved project; Construction 2007-2008; Completion expected summer 2009
Morelli Park Boat Launch (Weber Street/Interstate 5)	Public infrastructure	Reconstruction of Morelli Park and boat launch	Project completed 2008
Parcel 2A "Mormon Slough" Office Project	Office	Construction of low-rise, 60,000 square foot office building	Early planning phase; Construction 2008-2010
South Shore Executive Center	Mixed Use Office/Retail	3-story 55,000 square foot office park with ground-level retail including gym/health club	Completion expected 2009
Waterfront Office Towers (Weber and Lincoln Streets)	Office	Construction of towers no. 3 and 4 at the Waterfront Office Towers complex	Early planning phase; Construction 2009-2011
Madison Street Condominiums (Madison and Weber Streets)	Residential	Construction of 100 waterfront condominiums in high rise structure	Early planning phase; Construction 2009-2011

The information presented in Table 6-1 was obtained from the City of Stockton website, the Downtown Stockton Central Parking District Expansion Project EIR (herein incorporated by reference), and personal communication with Kitty Walker of the Stockton Redevelopment agency on September 10, 2008.

The proposed new Stockton Courthouse is located within the West End redevelopment Project Area, largely encompassing downtown Stockton. Table 6-1 presents past, present, and probable future projects in the West End Redevelopment Area. The projects contained in Table 6.1 reflect a combination of office, commercial, and residential uses. Projects were analyzed to evaluate whether their impacts will have a cumulative impact when combined with the impacts of the proposed project identified in this EIR

The proposed project has been identified to have a significant and unavoidable cumulative impact on air quality (construction related, post-construction, operation, and maintenance related, and green house gases) cultural resources (historic resources of regional significance), and Transportation (traffic related). Mitigation measures are provided for both of these cumulative significant impacts; however the cumulative impacts will remain significant and unavoidable. Cumulative impacts will be less than significant in the areas of Aesthetic/Visual Resources, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use and Planning, Noise, Public Services, Recreation, and Utilities and Service Systems.

The analysis of cumulative impacts for each of the three alternative project locations provided a similar analysis. However, for the Washington Street alternative and the Private Parcels alternative, there will be no significant cumulative impacts to cultural resources. For the Washington Street alternative, there will be no significant cumulative impacts to traffic.

Cumulative project and alternative project impacts are further discussed below:

6.4.1 Hunter Square Proposed Project

6.4.1.01 Aesthetic/Visual Resources

Section 4.01.3.1 concludes that the project's construction effects on the existing visual character or aesthetic quality of the site and its surroundings will have a less than significant effect on Visual Character and Aesthetic Quality. There are no indications that other agencies will be constructing projects near the proposed courthouse construction site and that there will be cumulative construction impacts on visual character or aesthetic quality. Therefore, the AOC concludes that cumulative construction impacts on visual character or aesthetic quality are less than significant.

For post-construction, operation, and maintenance issues, Section 4.01.3.1 concludes that the project's effects on the existing visual character or aesthetic quality of the site and its surroundings will be potentially significant. The direct impacts are due to the project's potential generation of high-velocity ground borne winds; its removal of the Main Street fountain, which degrades a scenic view and removes a scenic feature; and potential removal of trees from the Main Street mall. The project also removes approximately 0.1 acres of park space that provides aesthetic and visual resources. There are no

indications that other agencies will be eliminating park space or open space near the proposed courthouse site or degrading the Main Street mall. Therefore, the AOC concludes that cumulative construction impacts on visual character or aesthetic quality are less than significant.

6.4.1.02 Air Quality

Section 4.2.03.2 concludes that the project's construction will have a less than significant effect on air quality near the site and its surroundings. Construction activities result in much greater daily and yearly emissions than operations and maintenance activities. There are indications that other agencies will be constructing projects within the West End Redevelopment Area and that there will be cumulative construction impacts on air quality. Therefore, the AOC concludes that cumulative construction impacts on air quality are significant and unavoidable.

For post-construction, operation, and maintenance issues, Section 4.2.03.2 concludes that the project will have a less than significant effect on air quality near the site and its surroundings. There are indications that other agencies will be constructing projects within the West End Redevelopment Area. However, it is unclear if the proposed courthouse project and other projects will occur at the same time or if there will be a net cumulative increase or decrease in emissions that affect air quality. Therefore, the AOC concludes that cumulative post-construction, operation, and maintenance impacts on air quality are potentially significant and unavoidable.

Section 4.2.03.2 concludes that the greenhouse gas emissions from this project will have a less than significant effect on the State's plans for reducing greenhouse gas emissions. There are indications that other agencies will be constructing projects within the West End Redevelopment Area, but the AOC presumes that the City's implementation of its settlement agreement with the State's Attorney General (City of Stockton 2008e) will produce equivalent compliance by other developments and that the mutual adherence by the AOC and other development parties to the State's plans will make cumulative effects on the State's plan less than significant.

6.4.1.03 Cultural Resources

The project's acquisition of the proposed courthouse parcel eliminates the possibility that another party may affect the parcel's cultural resources. Discussion of potential vibrational impacts are in Section 6.4.1.08. The project will not be causing other physical changes that may potentially affect nearby cultural resources or interacting with other parties physical effects to affect nearby cultural resouces.

6.4.1.04 Geology and Soils

There will be no cumulative impacts associated with geology and soils.

6.4.1.05 Hazards and Hazardous Materials

The project does not involve hazardous materials except for small amounts of commonly used and commercially available construction and maintenance materials such as paint and cleaning supplies. Since the project has a very low potential for exposing anyone to hazardous materials, the impacts are less than significant.

6.4.1.06 Hydrology and Water Quality

There will be no cumulative impacts associated with hydrology and water quality.

6.4.1.07 Land Use and Planning

The proposed project will not appear to conflict with existing policies or land uses. Therefore, there is no indication of cumulative land use impacts.

6.4.1.08 Noise

Courthouse construction activities might produce cumulative noise impacts and vibration impacts if construction was occurring on adjacent properties, but the AOC is not award that other parties intend to proceed with nearby construction projects at the same time as the AOC; therefore, impacts are less than significant.. The AOC understands that the County intends to demolish the existing Courthouse/Administration Building, but the County will implement this intention sometime after the AOC's completion of the proposed courthouse.

6.4.1.09 Public Services

Public services such as police and fire protection have adequate long-term service capability. Therefore, the AOC does not anticipate cumulative impacts to these public services. The City has acquired a building for a new City Hall, and the County is nearing completion of its new Administration Building. The AOC understands that the County and City are planning re-locations of various offices in downtown Stockton. The AOC's courthouse project will not affect the City's plans or the County's current plans or the availability of resources for the local government offices.

6.4.1.10 Recreation

For post-construction, operation, and maintenance issues, Section 4.10.3.1 concludes that the project's effects on existing recreational facilities will be potentially significant. The direct impacts are due to the courthouse building's elimination of park space and the Main Street fountain. There are no indications that other agencies will be eliminating park space or open space near the proposed courthouse site or degrading the Main Street mall. Therefore, the AOC concludes that cumulative construction impacts on recreation are less than significant.

6.4.1.11 Traffic and Circulation

The AOC's traffic analysis included consideration of the City's and County's re-location of government offices into the downtown area. Therefore, the cumulative impacts are included in the analysis presented in Section 4.11.3.1. The AOC is not aware of other developments in the nearby area that will proceed on a schedule that is similar to the proposed courthouse, so the AOC cannot speculate on possible cumulative traffic load impacts.

6.4.1.12 Utilities and Service Systems

The proposed courthouse project will create a new courthouse, but the Court will vacate its current facilities after completion of the new courthouse and the AOC understands that the County will not be using the vacated space except for minor temporary relocations. Therefore the project will not contribute to a cumulative demand on utilities and service systems, and the cumulative effects will be less than significant.

6.4.2 Hunter Square Expanded Alternative

6.4.2.01 Aesthetic/Visual Resources

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative construction impacts on visual character or aesthetic quality are less than significant.

6.4.2.02 Air Quality

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts on air quality are less than significant.

6.4.2.03 Cultural Resources

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects.

6.4.2.04 Geology and Soils

There will be no cumulative impacts associated with geology and soils.

6.4.2.05 Hazards and Hazardous Materials

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.2.06 Hydrology and Water Quality

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.2.07 Land Use and Planning

The proposed project will not appear to conflict with existing policies or land uses and, thus, no cumulative land use impacts are indicated.

6.4.2.08 Noise

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.2.09 Public Services

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.2.10 Recreation

The Hunter Square Expanded alternative is creating new recreational and open space.. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.2.11 Traffic and Circulation

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.2.12 Utilities and Service Systems

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.3 Washington Street Alternative

6.4.3.01 Aesthetic/Visual Resources

The Washington Street alternative's construction-related cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. The Redevelopment Agency intends to develop the area near the potential courthouse site, but the AOC does not have information that other construction projects will occur at the same time as the AOC's potential schedule for a Washington Street courthouse.Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.3.02 Air Quality

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Other agencies and parties may be planning construction projects within the West End Redevelopment Area, but the AOC concludes that potential concurrent construction operations are too uncertain for the AOC to conclude that the courthouse may have cumulative construction-related air quality impacts.
Section 4.2.03.2 concludes that the greenhouse gas emissions from this project will have a less than significant effect on the State's plans for reducing greenhouse gas emissions. There are indications that other agencies will be constructing projects within the West End Redevelopment Area, but the AOC presumes that the City's implementation of its settlement agreement with the State's Attorney General (City of Stockton 2008e) will produce equivalent compliance by other developments and that the mutual adherence by the AOC and other development parties to the State's plans will make cumulative effects on the State's plan less than significant.

6.4.3.03 Cultural Resources

There will be no significant impacts to cultural resources as a result of the development of this alternative site. Therefore, no cumulative impacts to cultural resources are anticipated.

6.4.3.04 Geology and Soils

There will be no cumulative impacts associated with geology and soils.

6.4.3.05 Hazards and Hazardous Materials

Cumulative impacts could arise in the future, for example, should a petrochemical plume be detected running through multiple properties. However, no hazardous materials are indicated at the project site.

6.4.3.06 Hydrology and Water Quality

The Washington Street alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Other agencies and parties may be planning construction projects within the West End Redevelopment Area, but the AOC concludes that potential concurrent construction operations are too uncertain for the AOC to conclude that the courthouse may have cumulative construction-related hydrology and water quality impacts.

6.4.3.07 Land Use and Planning

The proposed project will not appear to conflict with existing policies or land uses and, thus, no cumulative land use impacts are indicated.

6.4.3.08 Noise

Cumulative noise impacts could result during construction in the event construction was occurring on adjacent properties, but the AOC is not award that other parties intend to proceed with nearby construction projects at the same time as the AOC; therefore, impacts are less than significant.

6.4.3.09 Public Services

Public services such as police and fire protection have adequate long-term service capability. Therefore, the AOC does not anticipate cumulative impacts to these public services. The AOC's potential Washington Street alternative's courthouse will not affect the City's plans or the County's current plans or the availability of resources for the local government offices.

6.4.3.10 Recreation

There will be no impacts to recreation as a result of the development of this alternative site. Therefore, no cumulative impacts to recreation facilities are anticipated.

6.4.3.11 Traffic and Circulation

The AOC's traffic analysis included consideration of the City's and County's re-location of government offices into the downtown area. Therefore, the cumulative impacts are included in the analysis presented in Section 4.11.3.1. The AOC is not aware of other developments in the nearby area that will proceed on a schedule that is similar to the proposed courthouse, so the AOC cannot speculate on possible cumulative traffic load impacts.

6.4.3.12 Utilities and Service Systems

The Washington Street alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.4 Private Parcels Alternative

6.4.4.01 Aesthetic/Visual Resources

Since the potential Private Parcel's alternative will create some new open space and convert parking areas and buildings to landscaped space, the alternative will have no cumulative impacts..

6.4.4.02 Air Quality

The Private Parcel alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects.

6.4.4.03 Cultural Resources

There will be no significant impacts to cultural resources as a result of the development of this alternative site. Therefore, no cumulative impacts to cultural resources are anticipated.

6.4.4.04 Geology and Soils

There will be no cumulative impacts associated with geology and soils.

6.4.4.05 Hazards and Hazardous Materials

Cumulative impacts could arise in the future, for example, should a petrochemical plume be detected running through multiple properties. However, no hazardous materials are indicated at the project site.

6.4.4.06 Hydrology and Water Quality

There will be no cumulative impacts associated with hydrology and water quality.

6.4.4.07 Land Use and Planning

The proposed project will not appear to conflict with existing policies or land uses and, thus, no cumulative land use impacts are indicated.

6.4.4.08 Noise

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.4.09 Public Services

The Hunter Square Expanded alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

6.4.4.10 Recreation

Since the potential Private Parcel's alternative will create some new open space and convert parking areas and buildings to landscaped space, the alternative will have no cumulative impacts.

6.4.4.11 Traffic and Circulation

The AOC's traffic analysis included consideration of the City's and County's re-location of government offices into the downtown area. Therefore, the cumulative impacts are included in the analysis presented in Section 4.11.3.1. The AOC is not aware of other developments in the nearby area that will proceed on a schedule that is similar to the proposed courthouse, so the AOC cannot speculate on possible cumulative traffic load impacts.

6.4.4.12 Utilities and Service Systems

The Private Parcel alternative's cumulative effects will be essentially identical to the Hunter Square project's cumulative effects. Therefore, the AOC concludes that cumulative impacts are less than significant.

7.0 REPORT PREPARATION

7.1 LEAD AGENCY

Administrative Office of the Courts
Office of Court Construction and Management
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833-3509

Jerry Ripperda, Environmental Analyst
Steve Sundman, Senior Project Manager
Pradip Desai, Environmental Analyst/Contract Oversight

7.2 CONSULTANT

Tetra Tech EM Inc
135 Main Street, Suite 1800
San Francisco, California 94105

AOC Program Manager:	Dennis Kelly, REA
Director Environmental Services:	Morty Prisament, AICP
Project Manager:	Sandra Carroll, Ph.D.
Resource Sections:	Lara Niell
	Dayna Yocum
	John Warmerdam
	Keith Baker
	Tommie-Jean Damrel
	Jill Dale
Administrative Support:	Crystal Dobson
	Regina Foster
	Butch Fries
Subconsultants:	
Transportation:	Pang Ho, Principal
	PH Associates
	2711 Stuart Street
	Berkeley, CA 94795
Cultural Resources:	Leann Taagepera, Principal
	270 West H Street
	Benicia, CA 94510
Noise:	Paul Miller, Principal
	Lois Clarke
	Miller Environmental Consultants
	7022 Pescado Circle
	Rancho Murietta, CA 95683

8.0 LITERATURE CITED

Anthropological Studies Center, Sonoma State University. 2004. Historic Archaeological Investigations of the City Center Cinemas Block Bounded by Minor Avenue and Hunter, El Dorado, and Channel Streets, Stockton, California. Prepared for the City of Stockton, Redevelopment Agency. December.

AOC. 2008b. Jerome Ripperda, AOC, Environmental Analyst, September 9, 2008. Personal observation.

AOC. 2008c. Communication with Steve Sundman, AOC, Senior Project Manager.

AOC. 2008d. Personal communication, Jerome Ripperda, AOC, Environmental Analyst and Dennis Smallie, Executive Director, Downtown Alliance. November 2008.

Architectural Resources Group. 2000. Revised Draft Downtown Stockton Historic Resources Survey, Volume 1. Prepared for the City of Stockton. September.

AT&T. 2008. Interview with Don Galvin, Manager, regarding current telecom configuration for Hunter's Square. Aug 14.

California Air Resources Board. 2000. Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel Fueled Engines and Vehicles. October.

California Air Resources Board. 2006a. Almanac of Emissions and Air Quality.

California Air Resources Board. 2006b. Air Monitoring Site Information. http://www.arb.ca.gov/qaweb/site.php.

California Air Resources Board. 2006c. Annual Toxics Summaries. http://www.arb.ca.gov/adam/toxics/toxics.html.

California Air Resources Board. 2007a. California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit. November.

California Air Resources Board. 2007b. Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California Recommended for Board Consideration. October.

California Air Resources Board. 2008a. AAQS and Attainment Status. http://www.arb.ca.gov/aqd/almanac/almanac08/excel/table1_5.xls; http://www.valleyair.org/aqinfo/attainment.htm

California Air Resources Board. 2008b. California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit. November.

California Air Resources Board. 2008c. http://www.arb.ca.gov/app/emsinv/emseic1_query.php?F_DIV=-4&F_YR=2006&F_SEASON=A&SP=2007&F_AREA=AB&F_AB=SJV&F_DD=Y

California Air Resources Board. 2008d. Climate Change: Draft Scoping Plan. Available at: http://www.arb.ca.gov/cc/scopingplan/document/draftscopingplan.htm. Accessed on July 7, 2008.

California Air Resources Board. 2008e. Climate Change: Proposed Scoping Plan, a Framework for Change. November.2008. Available at http://www.arb.ca.gov/cc/scopingplan/document/psp.pdf. Accessed November 22, 2008.

California Climate Action Registry (CCAR). 2007a. Climate Action Registry Reporting Online Tool (CARROT). March.

California Department of Parks and Recreation. 2008a. California Register. Available at http://ohp.parks.ca.gov/?page_id=21238 . Accessed on December 1, 2008.

California Department of Parks and Recreation. 2008b. What is the California Register and What Does It Have to Do with CEQA? Available at http://ohp.parks.ca.gov/?page_id=21724 . Accessed on December 1, 2008.

California Department of Water Resources (CDWR). 2003. Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001. October 8.

California Energy Commission. 2006. California Energy Commission: Inventory Of California Greenhouse Gas Emissions And Sinks: 1990 To 2004 Staff Final Report. Available at http://www.energy.ca.gov/2006publications/CEC-600-2006-013/CEC-600-2006-013-SF.PDF. Accessed on November 22, 2008.

California Environmental Protection Agency (CalEPA). 2006. Climate Action Team Report to Governor Schwarzenegger and the Legislature. March.

California Storm Water Quality Association. 2006. "Storm Water Pollution Prevention Plan Template. Revised July 7. Available on-line at: <http://www.cabmphandbooks.com/Documents/Construction/Appendix_B.pdf>. Accessed February 2008.

California Water Service Company. 2008. Interview with Ross Moilan, District Manager, regarding need for water supply assessments for new courthouse in Stockton. August 12.

City of Stockton Municipal Utilities District. 1997. (MUD 1997) Model Storm Water Pollution Prevention Plan for Construction Activities. May 15. Municipal Utilities Department, Stormwater Management Division.

City of Stockton. 1979. Nomination for Designation as A Historic Landmark, Cultural Heritage Board, City of Stockton: Hunter Square Plaza. 2p.

City of Stockton. 1984. Memorandum from Barbara Elliott to Cultural Heritage Board, Subject: Landmark Nominations – Denied. 1 p.

City of Stockton. 2004. City Of Stockton Historic Landmarks. Available at: http://www.stocktongov.com/pages/historiclandmarks.pdf. Accessed on October 17, 2008.

City of Stockton. 2007a. Stockton General Plan 2035. December. Available on-line at: http://www.stocktongov.com/CD/2035GeneralPlan/index.cfm. Accessed June 2008.

City of Stockton. 2007b. Stockton Municipal Code. August. Available on-line at: http://www.stocktongov.com/SMC/index.cfm. Accessed June 2008.

City of Stockton. 2008a. Cultural Heritage Board. Available on-line at: http://www.stocktongov.com/commissions/CulturalHeritageBoard.cfm. Accessed May 2008.

City of Stockton. 2008b. History Sketch. Available one-line at: http://www.stocktongov.com/history/sketch.cfm. Accessed May 2008.

City of Stockton. 2008c. Interview with Steve Gittings, Director, regarding the capacity of wastewater treatment facilities in Stockton. September 10.

City of Stockton. 2008d. Interview with Joe Mulligan, Real Property Division, regarding the telecommunications configurations for Hunter's Square site. August 13.

City of Stockton. 2008e. Memorandum of Agreement Between the City of Stockton and the Attorney General of California and the Sierra Club. Available at: http://ag.ca.gov/cms_attachments/press/pdfs/n1608_stockton_agreement.pdf#xml=http://search.doj.ca.gov:8004/AGSearch/isysquery/96d494c1-0a3b-4e65-9af6-cfbbec9fa67f/1/hilite/. Accessed on November 20, 2008.

City of Stockton. 2008f. .Summary of Comments on Responsible Agency Draft_DEIR_10_02_08_rev10 from Kitty Walker, City of Stockton Redevelopment Department. October 13.

County of San Joaquin. 2008. Approval of the San Joaquin County Master Plan Update. 9 p.

Destination Development, Inc. 2008. Branding, Development, & Marketing Action Plan. Prepared for the City of Stockton. 184 p.

Downtown Stockton Management District. 2008. Website. Available on-line at: http://www.downtownstockton.org/then_now/ postcard_articles/hunter_square.html. Accessed June 2008.

Earth Tech. 2008. "Preliminary Draft, Phase I Environmental Site Assessment of Facility Proposed for Transfer Located within San Joaquin County, California." January.

Intergovernmental Panel on Climate Change (IPCC). 2007. Working Group III Contribution to the Intergovernmental Panel on Climate Change Fourth Assessment Report, Climate Change 2007: Mitigation of Climate Change. May.

Jennings, Charles. 1975. Fault Map of California, California Division of Mines and Geology.

Jones & Stokes. 2007. Data Recovery Report for the Worknet Office Project. Stockton, California.

Judicial Council of California, Administrative Office of the Courts (AOC). 2008. San Bernardino Courthouse for the Superior Court of California, County of San Bernardino Final Initial Study and Mitigated Negative Declaration. April 30.

Miller Environmental Associates. 2008. Personal communication, James Flohrschultz, Business Services Manager, Court to Paul Miller, Miller Environmental Associates, and Jerome Ripperda, AOC. August, 2008.

San Joaquin County Council of Governments. 1993. Airport Land Use Plan. August. Available on-line at: http://www.sjcog.org/docs/pdf/Regional%20Planning/ALUC_plan.pdf. Accessed July 2008.

San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). 2008. Significance Thresholds. http://www.valleyair.org/transportation/ceqaanalysislevels.htm

State of California Department of Parks and Recreation, Office of Historic Preservation. 1988. Five Views: An Ethnic Historic Site Survey for California, December. Available on-line at http://www.nps.gov/history/history/online_books/5views/5views3.htm. Accessed May 2008.

Stockton Community Development Department. 2007. Greater Downtown Stockton Housing Strategy. August. Available on-line at: http://www.stocktongov.com/Redevelopment/documents/InfillHousing/HousingStrategy_2007-08-23.pdf. Access July 2008.

Stockton Central Parking District. 2007. Survey of Open Spaces at Downtown Parking Garages and Surface Parking Lots Owned and Managed by Central Parking District. Appendix F.

Stockton Downtown Action Team. 2006. Downtown Strategic Action Plan. August. Available on-line at: http://www.stocktongov.com/ActionTeams/DAT/DAT.cfm. Access July 2008.

Stockton Municipal Utilities District (MUD). 2008a. Interview with Tony Tovar, Environmental Review, regarding water supply assessments. August 12.

Stockton Municipal Utilities District. 2008b. Interview with Susan Lloyco, Solid Waste, regarding landfill capacity in Stockton. September 10.

U.S. Environmental Protection Agency (EPA). 2002. Health Assessment Document for Diesel Engine Exhaust. May.

EPA. 2007. SF6 Emission Reduction Partnership for Electric Power Systems. Available on-line at: http://www.epa.gov/electricpower-sf6/overview.html. Accessed April.

APPENDIX A
NOTICE OF PREPARATION AND INITIAL STUDY

APPENDIX B
PUBLIC COMMENTS FROM NOTICE OF PREPARATION AND SCOPING MEETING

APPENDIX C
LEED CHECKLIST

APPENDIX D
VISUAL RESOURCES PHOTOLOG

APPENDIX E
URBEMIS MODELING INPUT AND OUTPUT

APPENDIX F

CULTURAL RESOURCES TECHNICAL STUDY

APPENDIX G

additional cultural resources materials

APPENDIX H
Traffic Technical Report