Initial Study
and
Proposed Mitigated Negative Declaration

for the
Byron Bethany Irrigation District --
The West Side Irrigation District
Sphere of Influence Update

Lead Agency:

Byron Bethany Irrigation District

Responsible Agencies:

The West Side Irrigation District
and
San Joaquin Local Agency Formation Commission

Prepared By:
Baracco and Associates

State Clearinghouse No. _____

Draft Document
May 2019

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1. Introduction and Project Description

This Project Information, Description, and Environmental Checklist contained herein constitute the contents of an Initial Study in accordance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines:

Project Title: Byron Bethany Irrigation District -- The Westside Irrigation District Sphere of Influence Update

Lead Agency: Byron Bethany Irrigation District
7995 Bruns Road
Byron CA 94514

Contact Information: Rick Gilmore, General Manager
209-835-0375
r.gilmore@bbid.org

Responsible Agencies: The West Side Irrigation District
1320 Tracy Boulevard
Tracy CA 95376

San Joaquin Local Agency Formation Commission (San Joaquin LAFCo)
509 W Weber Avenue, Suite 420
Stockton CA 95203

Project Location: Byron Bethany Irrigation District (BBID) is located in southwest San Joaquin County, as well as portions of northeast Alameda County and portions of southeast Contra Costa County. The West Side Irrigation District (TWSID) is located in southwestern San Joaquin County. (Refer to Figure 3-2: Relation of Three Counties to District Boundaries)

Area Land Use

Located in the productive agricultural area of the Central Valley, both BBID and TWSID provide irrigation water for commercial agriculture including row crops, orchards, vineyards, and hay/alfalfa. In addition, BBID provides raw water to the Mountain House Community Services District for municipal purposes.

General Plan Designation

Within San Joaquin County, land within BBID is generally designated as General Agriculture (A/G) with minimum parcel sizes ranging from 20-acres to 160-acres. Land within TWSID includes both agricultural land designated A/G, as well as a range of urban uses for District land within the Tracy City Limits. Within Alameda County, lands within BBID are designated as Large Parcel Agriculture (320-acre minimum). Within Contra Costa County, lands within BBID are designated as Agriculture Core (AC) and Agricultural Lands (AL); primarily 40-acre and 80-acre minimum.

Zoning

Within San Joaquin County, land within BBID is generally zoned General Agriculture (AG Zone). Land within TWSID is zoned AG, as well as a range of zoning districts for District land within the Tracy City Limits. Within Alameda County, lands within BBID are zoned Agricultural (A District). Within Contra Costa County, lands within BBID are zone Agriculture (A-2 District) and Heavy Agriculture (A-3 District).

Surrounding Land Uses

Lands adjacent to both BBID and TWSID are primarily agricultural in nature. Adjacent to the BBID boundary in Contra Costa County is the Discovery Bay unincorporated community. For more details regarding area land uses refer to Section 4.2 of the Municipal Service Review beginning on page 4-6.

Project Description

Environmental Considerations

The subject of this Initial Study/Proposed Mitigated Negative Declaration (IS/MND) is an Update to the Sphere of Influence (SOI) for the consolidated Byron Bethany Irrigation District (which will include The West Side Irrigation District territory). An SOI Update is characterized as a 'project' and is subject to environmental review under the California Environmental Quality Act (CEQA).

The underlying project is the consolidation of the BBID and TWSID). This action is categorically exempt from environmental review under Class 20 (Section 15320) – Change in Organization, of the California Environmental Quality Act (CEQA) Guidelines. This categorical exemption allows changes of organization involving the consolidation of two or more districts having identical powers.

Much of the analysis developed for the SOI Update is contained within a Municipal Service Review (MSR) prepared for the San Joaquin Local Agency Formation Commission (San Joaquin LAFCo) by SWALE , Inc, dated March 22, 2019, and incorporated herein by reference. The MSR is categorically exempt from environmental review under Class 6 (Section 153306) – Information Collection, of the CEQA Guidelines. This categorical exemption allows for the preparation of studies leading to an action which a public agency has not yet approved, adopted, or funded (e.g., adoption of an SOI Update by San Joaquin LAFCo).

Overall Project Description

At the present time, the Spheres of Influence for the two districts (as separate and distinct districts) are Spheres which are 'coterminous' with each district's boundary; that is, the SOI boundary and the District boundary are one in the same.

Chapter 8 addresses Sphere of Influence considerations for both BBID and TWSID.

As proposed in Chapter 8, five options for updating the SOI are described as follows:

1. Retain the existing boundaries and SOI for BBID and TWSID as separate entities;
2. Consolidate the two districts without expanding either boundaries or SOI for either district;
3. Modify the SOI for BBID to reflect the addition three study areas, and reduce the SOI to reflect the Discovery Bay detachments approved in 2016;
4. Expand the SOI for TWSID to include the addition of two study areas along with two parcels for drainage purposes;
5. Consolidate both districts into one BBID successor district, add five study areas and two drainage parcels to the consolidated SOI, plus reduce the consolidated SOI in the Discovery Bay area to reflect detachments from BBID that took place in 2016. This option combines Options 2, 3 and 4, above.

Refer to Figure8-5 for locational details regarding these options.

Option 1 would not change the current individual SOI for each district, and as such, would be characterized as a 'No Project' alternative under CEQA.

Option 2 is similar to Option 1 and would also likely be considered a 'No Project' alternative since the two districts currently have a common boundary along portions of their respective district boundaries.

Option 3 would treat BBID as a separate district, and would add three areas totaling 171 acres to the BBID SOI, as well as reduce the BBID by 480 acres to reflect detachment of territory from BBID in 2016 that overlapped with the Discovery Bay Community Services District.

Option 4 would treat TWSID as a separate district, and would add two areas totaling 488 acres to the TWSID SOI, along with two drainage parcels totaling 174 acres.

Option 5 is the most comprehensive of the five options and incorporates elements of Options 2, 3 and 4. For purposes of environmental review, this option will be analyzed under the Environmental Checklist items beginning on page 14.

Detailed Project Description – Option 5

As indicated in Options 3 and 4 above, 'study areas' located outside the existing boundaries and SOIs of BBID and TWSID have been identified for possible future annexation to the District(s). Each District has evaluated these study areas, and has determined that each District has the technical capacity to provide service (i.e., irrigation water) at some point in the future; or in the case of the drainage parcels, may require drainage management by the District.

Refer to Figure8-5 for locational details regarding these options.

Study Areas within BBID:

Study Area No. 1 is a 92.8 acre area in Contra Costa County, commonly referred to as the Lawrence Property. Annexation of this property has been initiated by the property owner who has an annexation agreement with the BBID Board of Directors which would allow the property to be entitled to water for agricultural, municipal and industrial purposes.

Study Area no. 2 is a 45.86 acre area in Contra Costa County consisting of two parcels and is being actively farmed.

Study Area No 3 is a 32-acre parcel located in San Joaquin County and is being actively farmed. This parcel is also within the Mountain House Planning Area with a General Plan Land Use designation of Open Space or Parks and Recreation (OS/PR).

Study Areas and Drainage Parcels within TWSID:

Study Area No. 4 is a 15.6 acre parcel located in San Joaquin County and is being actively farmed. The property is within the City of Tract Planning Area with a General Plan Land Use designation of General Agriculture (A/G), and is zoned AG-40 (General Agriculture, 40-acre minimum parcel size).

Study Area No. 5 consists of four parcels comprising 472-acres. These parcels currently receive irrigation water from the District and are being actively farmed.

Drainage Parcel No. 1 is a 40.24 acre parcel west of Tracy north of Interstate 205.

Drainage Parcel No. 2 is a 33.59 acre parcel on the east side of Tracy.

Overall, adding the Study Area Parcels and Drainage Parcels would add 732 acres to the consolidated BBID SOI, which is approximately 2.0 percent to the total SOI..

Public Agencies Whose Approval is Required

Board of Directors, Byron Bethany Irrigation District

Board of Directors, The West Side Irrigation District

San Joaquin Local Agency Formation Commission

California Native American Tribal Consultation

Native American Tribes associated with Alameda, Contra Costa, and San Joaquin Counties have been invited to consult with BBID and TWSID under the provisions of AB 52. The following tribes have been notified:

Amah Mutsun Tribal Band

Muwekma Ohlone Indian Tribe of the San Francisco Bay Area

Amah Mutsun Tribal Band of Mission San Juan Bautista

North Valley Yokuts Tribe

Buena Vista Rancheria of MeWuk Indians

The Ohlone Indian Tribe

Indian Canyon Mutsun Band of Costanoan

United Auburn Indian Community of the Auburn Rancheria

Ione Band of Miwok Indians

Wilton Rancheria

To date, no requests for consultation have been received.

Referenced Documents

A number of General Plan and environmental documents have been consulted in the preparation of this Initial Study/Mitigated Negative Declaration, and are incorporated herein by reference, as follows:

County of San Joaquin

2035 General Plan Draft Environmental Impact Report
ESA Associates
October 2014

2035 General Plan Final Environmental Impact Report
ESA Associates
September 2016

City of Tracy

General Plan 2011 Final Supplemental Environmental Impact Report
Design Community & Environment
December 1, 2010

General Plan 2011 Recirculated Draft Supplemental Environmental Impact Report
Design Community & Environment
July 22, 2010, 2010

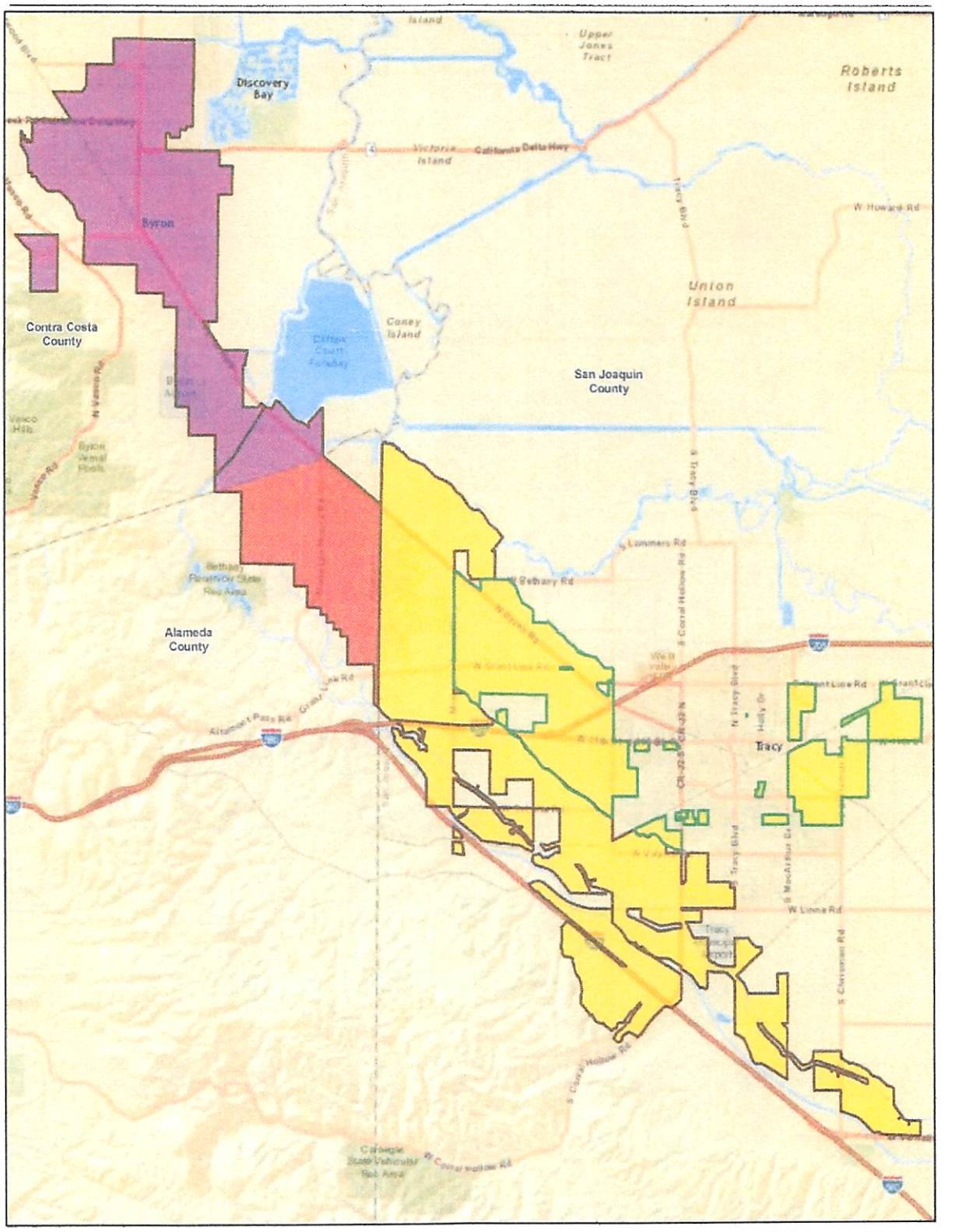
General Plan 2011 Draft Supplemental Environmental Impact Report
Design Community & Environment
April 22, 2009

County of Contra Costa

2005-2020 General Plan
January 18, 2005

County of Alameda

East County Area Plan, A Portion of the Alameda County General Plan
May 5, 1994



LEGEND

- Byron Bethany Irrigation District
- The West Side Irrigation District
- Alameda County
- Contra Costa County
- San Joaquin County

VICINITY MAP

Figure 3-2: Relation of Three Counties to District Boundaries

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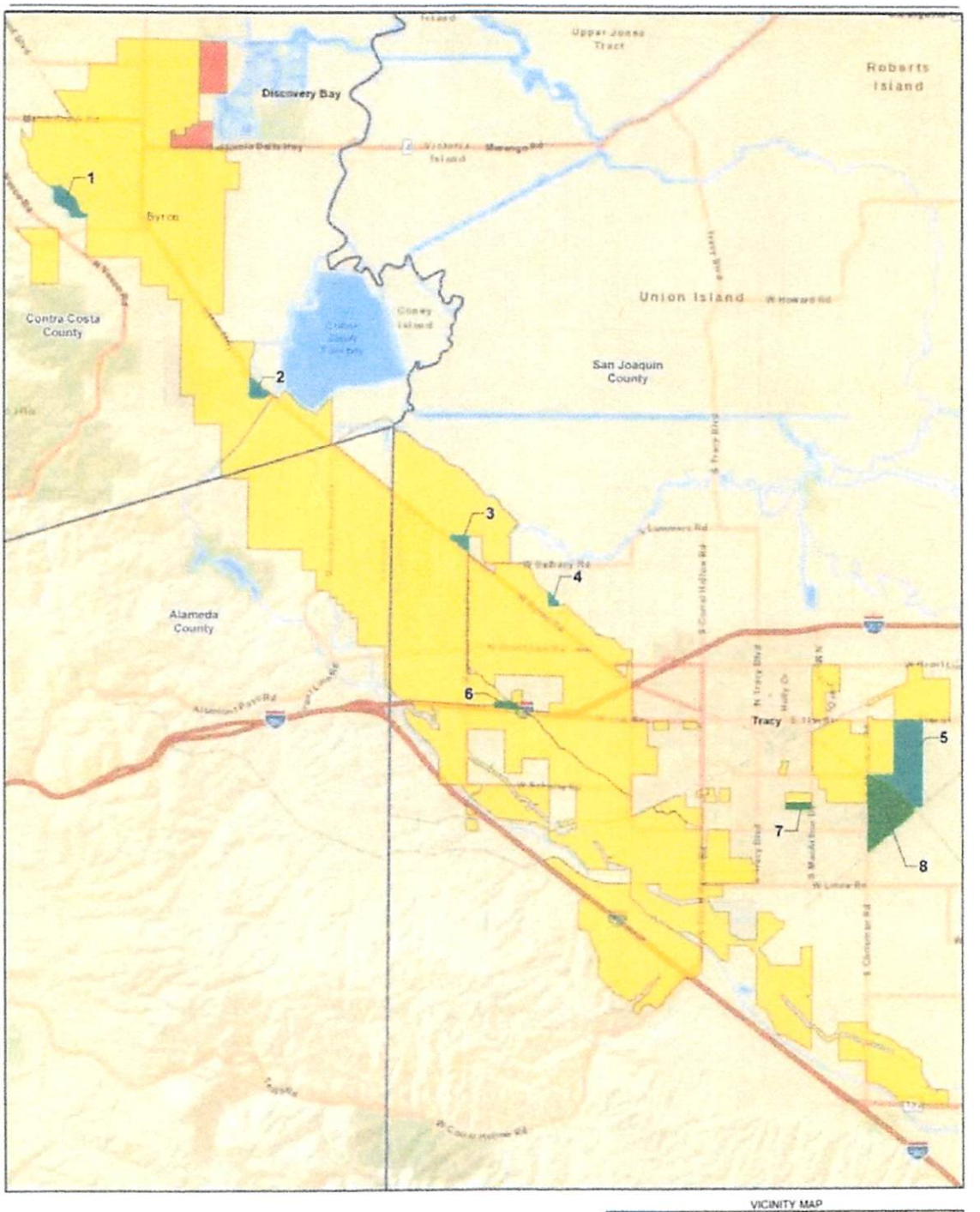
Miles



LEGEND

- Byron Bethany Irrigation District and The West Side Irrigation District
- Proposed Sphere of Influence for Consolidated District
- Discovery Bay Area to be removed from SOI
- Drainage Parcels – Additions to SOI

VICINITY MAP

Figure 8-5: Proposed SOI for Consolidated District

Note: Proposed consolidated District of BBID and TWSID shown in yellow

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, iPC, TomTom
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Mapmyindia, NGCC, © OpenStreetMap contributors, and the GIS User Community

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Byron Bethany Irrigation District, California

ch2m:

Regulatory Guidance

This document is an initial study, which provides justification for a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA). This Mitigated Negative Declaration has been prepared in accordance with the CEQA, Public Resources Code Section 21000 et seq., and the State CEQA Guidelines 14 California Code Regulations Section 15000 et seq.

An initial study is conducted by the Lead Agency to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines Section 15063, an EIR must be prepared if an initial study indicates that the proposed project under review may have a potentially significant impact on the environment. A Negative Declaration may be prepared instead, if the Lead Agency prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment, and therefore, why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a proposed Negative Declaration or Mitigated Negative Declaration shall be prepared for a project subject to CEQA when either:

a) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*

b) *The initial study identifies potentially significant effects, but:*

   (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur and;*

   (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If revisions are adopted in the proposed project in accordance with the CEQA Guidelines Section 15070(b), a Mitigated Negative Declaration is prepared.

2. Determination

Environmental Factors Potentially Affected

The environmental factors checked below are analyzed in this Initial Study

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

Determination:

On the basis of this initial evaluation:

❑ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

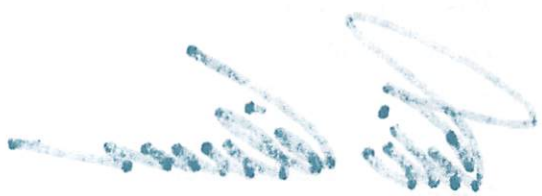
X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

❑ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

❑ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

❑ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	May 1, 2019 Date
Rick Gilmore, General Manager	Byron Bethany Irrigation District



3. Proposed Mitigation Measures

The following Mitigation Measures are proposed to qualify the BBID-TWSID SOI Update for a Mitigated Negative Declaration. Refer also to each topical section discussion for details.

Mitigation for Agricultural and Forestry Resources

MM 1-1 If annexation of Study Area No. 3 to BBID is considered, the property shall be excluded from the Mountain House Planning Area and shall be rezoned to General Agriculture (AG Zone).

Mitigation for Cultural Resources

MM 2-1 Should any prehistoric or historic sites, features or artifacts be identified by any ground-disturbing activities, all work shall stop and the find(s) shall immediately be evaluated by a qualified archaeologist. If the find is determined to be a historical or unique archaeological resource, appropriate mitigation or avoidance measures shall be made available as provided for in the CEQA Guidelines.

MM2-2: In the event of any accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains as required by law. The County Coroner shall be notified immediately of the find. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, which in turn will notify the most likely descendant, who in turn, will recommend or provide disposition of the remains.

Mitigation for Geology and Soils

MM 3-1 Adhere to Rule 8081 of the San Joaquin Valley Air Pollution Control District in order to limit fugitive dust from agricultural sources.

Mitigation for Land Use and Planning

MM 4-1 Refer to Mitigation Measure 1-1.

Evaluation of Environmental Impacts:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards, (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis.)

2) All answers must take account of the whole action involved including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used: Identify and state where they are available for review.
   b) Impacts Adequately Addressed: Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures: For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

4. Environmental Checklist

1. Agricultural and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.	**Potentially Significant**	**Less Than Significant with Mitigation**	**Less Than Significant**	**No Impact**
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?		X		
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forestland or conversion of forestland to non-forest use?				X
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

References

California Resource Agency, Department of Conservation. *Important Farmland Mapping Program – Alameda, Contra Costa and San Joaquin Counties.* 2016.

United States Department of Agriculture, Soil Conservation Service. *Soil Survey of Alameda County*, March 1966; *Soil Survey of Contra Costa County*, September 1977; *Soil Survey of San Joaquin County*, October 1992.

Conservation Biology Institute, San Joaquin Valley Gateway. *San Joaquin County Williamson Act Parcels.* August 2015.

Contra Costa County, Department of Conservation and Development. *Agriculture Preserves Map.* 2016.

California Resource Agency, Department of Conservation. *Alameda County Williamson Act Lands.* Fiscal Year 2014-2015.

Discussion

a) Conversion of Farmland

In Alameda County, land within BBID includes Prime Farmland and Unique Farmland. The predominate soil types are Rincon clay loam, which has a Storie Index (measure of productivity) of 65 to 80 (on a scale from 0 to 100); and San Ysidro loam with a Storie Index of 45.

In Contra Costa County, land within BBID includes Prime Farmland, Farmland of State Importance, Unique Farmland, and Grazing Land. The predominate soil type is Delhi sand, which has a Storie Index of 49.

In San Joaquin County both BBID and TWSID have Prime Farmland and Farmland of Local Importance. Also, within TWSID in the immediate City of Tracy area, are non-agricultural lands with urban uses. The predominate soil types are Capay clay, with a Storie Index of 69, and Stomar clay loam, with a Storie Index of 68.

Under this Sphere of Influence (SOI) Update, no lands currently within either BBID or TWSID are proposed to be converted to non-agricultural uses. Of the five 'Study Areas,' all are in agricultural production and/or are proposed to continue in agricultural use upon annexation to either BBID or TWSID.

Determination:

No Impact.

Mitigation:

None Required.

Discussion

b) Zoning and Williamson Act

As described under 'Zoning' on page 4, lands within BBID and TWSID are primarily zoned for commercial agriculture. The same is true for the five 'Study Areas' except for Study Area No. 3, which is within the Mountain House Planning Area and is designated as Open Space or Parks and Recreation (OS/PR).

The Williamson Act (also known as the California Land Conservation Act of 1965), enables local governments to enter into contracts with landowners for the purpose of restricting specific parcels of land to agricultural or related open space uses. Within the boundaries of both Districts, there is very little land under Williamson Act Contract (estimated to be 5% of the total acreage in the combined districts). Of the five 'Study Areas,' Study Areas No. 1 and No. 2 in Contra Costa County are currently under Williamson Act Contracts., while Study Areas No. 3, No. 4, and No. 5 in San Joaquin County are not under Williamson Act contracts.

Determination:

Less than significant with mitigation.

Because Study Area No. 3 is within the Mountain House Planning Area and is designated OS/PR, it may not be appropriate to annex this land to BBID. If the property owner decides to develop the property as commercial agriculture, then annexation to BBID along with rezoning to General Agriculture would be appropriate.

Mitigation:

MM 1-1 If annexation of Study Area No. 3 to BBID is considered, the property shall be excluded from the Mountain House Planning Area and shall be rezoned to General Agriculture (AG Zone).

Discussion

c and d) Timberland Zoning and Conversion of Forestland

There are no forestlands or lands with timberland zoning within the proposed SOI.

Determination:

No Impact.

Mitigation:

None Required.

Discussion

e) Conversion of Farmland Due to Location

The 'Study Area' parcel are not planned to receive municipal services. Therefore, conversion of such lands to non-agricultural uses is unlikely. One potential exception is Study Area No. 3 as discussed above.

Determination:

No Impact.

Mitigation:

None Required.

2. Cultural Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to California Code of Regulations, Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, §15064.5?				X
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

References

Mintier Harnish. *San Joaquin County General Plan Background Report, Public Review Draft.* July, 2, 2009.

Discussion

a, b, and c) Cause a Substantial Change in Historic or Cultural Resources

Most of San Joaquin County was part of the former territory of the Penutian-speaking Northern Valley Yokuts. Their territory extended from the foothills of the Coast Range east into the foothills of the Sierra Nevada, north to the Calaveras River and south to the San Joaquin River.

During the 1850's, the more productive parts of the Central Valley were taken up by farmers and stockmen, By 1885, most of San Joaquin County was under cultivation, wheat being the major crop. As agriculture increased in the Central Valley, most of the former land grants were broken up into numerous small farms, and the Valley began to take on its present densely settled, highly productive aspect.

The five Study Areas and two drainage areas proposed to be added to the SOI may contain cultural or historic resources; although the likelihood is quite low since these areas are, or have been under cultivation for many years.

Determination:

Less than significant with mitigation.

Many archaeological sites in the Central Valley region have been destroyed by construction, agriculture, and river erosion. Significant, and/or important cultural resources may exist in the subsurfaces of farmland. Historic remnants and artifacts may also exist, either as surface features or buried under the surface.

Mitigation:

MM 2-1 Should any prehistoric or historic sites, features or artifacts be identified by any ground-disturbing activities, all work shall stop and the find(s) shall immediately be evaluated by a qualified archaeologist. If the find is determined to be a historical or unique archaeological resource, appropriate mitigation or avoidance measures shall be made available as provided for in the CEQA Guidelines.

MM2-2: In the event of any accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains as required by law. The County Coroner shall be notified immediately of the find. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, which in turn will notify the most likely descendant, who in turn, will recommend or provide disposition of the remains.

3. Geology and Soils

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i.) Rupture of a known earthquake fault, as delineated on the Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii.) Strong seismic ground shaking?			X	
iii.) Seismic-related ground failure including liquefaction?			X	
iv.) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in on- or off-site landslide, laterial spreading, subsidence, liquefaction or collapse?			X	

References

City of Tracy. *Final Environmental Impact Report for the City of Tracy Urban Management Plan/General Plan.* 1999.

United States Department of Agriculture, Soil Conservation Service. *Soil Survey of Alameda County*, March 1966; *Soil Survey of Contra Costa County*, September 1977; *Soil Survey of San Joaquin County*, October 1992.

Discussion

a and c) Earthquakes, Seismic Ground Shaking, Liquefaction, and Landslides

The Tracy area has a low-to-moderate seismic history, with the largest recorded earthquake in Tracy measured at 3.9 on the Richter scale. Dense soils of the type present within BBID and TWSID have low susceptibility to liquefaction. The landslide risk in the Tracy area is low in most areas, especially in soils with minimal slope.

Determination:
No Impact.

Mitigation:
None Required.

Discussion
b) Soil Erosion

The five soil types described in Section 1 – Agricultural and Forestry Resources (Rincon clay loam, San Ysidro loam, Delhi sand, Capay clay, and Stomar clay loan) are characterized as having a slow runoff factor, with a water erosion hazard as 'slight.'

Determination:
Less than significant with mitigation.
During normal farming practices, erosion should not be an issue. On high wind days, care needs to be taken to prevent fugitive dust from traveling off-site.

Mitigation:
MM 3-1 Adhere to Rule 8081 of the San Joaquin Valley Air Pollution Control District in order to limit fugitive dust from agricultural sources.

4. Land Use and Planning

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion

a) Physically Divide an Established Community

The five Study Areas and two drainage parcels proposed to be added to the SOI are located on the fringes of developed areas or within established commercial agricultural areas. These Sphere changes will not divide any existing communities.

Determination:

No Impact.

Mitigation:

None Required.

Discussion

b) Conflict with any Land Use Plan

As described in Section 1.b. on page 16, Study Area No. 3, is within the Mountain House Planning Area and is designated as Open Space or Parks and Recreation (OS/PR).

Determination:

Less than significant with mitigation.

In order to be consistent with agricultural land uses in the area, Study Area No. 3 would need to be designated as Agriculture. If development plans for this parcel will be non-agricultural (i.e., Open Space, Parks, or Recreation), then annexation to an irrigation district is probably not warranted.

Mitigation:

MM 4-1 Refer to Mitigation Measure 1-1.

5. Mandatory Findings of Significance

Mandatory Findings of Significance	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion

a–c) Substantial or Cumulative Effects to the Environment or to Humans

The proposed SOI Update would add 732 acres to the consolidated District. This is a small, but incremental increase in the number of acres within District boundaries. The Districts have determined that these seven areas can be served without causing any adverse affects on the environment.

Determination:

Less than significant.

Mitigation

None Required.

6. Preparers and References

Report Preparation:

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  209-304-0028

References:

Regulations, Code of (CA) (as amended). Title 14 – Natural Resources, Division 6 – Natural Resources Agency, Chapter 3 -- *Guidelines for Implementation of the California Environmental Quality Act, Appendix G – Environmental Checklist Form* . Sacramento, CA.

San Joaquin Local Agency Formation Commission. *Municipal Service Review & Sphere of Influence, Byron Bethany Irrigation District and The West Side Irrigation District, Public Review Draft*. SWALE, inc. March 22, 2019

See also references pertaining to specific checklist topics.

7. Acronyms and Abbreviations

AG ..... Agriculture
CEQA ..... California Environmental Quality Act
FL ..... Forestland
LAFCo ..... Local Agency Formation Commission
MM ..... Mitigation Measure
MND ..... Mitigated Negative Declaration
MSR ..... Municipal Service Review
ND ..... Negative Declaration
OS ..... Open Space
SOI ..... Sphere of Influence
TP ..... Timber Production

8. Glossary

Annexation	The inclusion of territory in a city or special district.
Contiguous	In the case of a boundary, territory adjacent to an agency to which the boundary is proposed. Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide.
District	An agency of the state, formed in accordance with general law or a special act, for the local performance of governmental functions within limited boundaries. Synonymous with "special district."
General Plan	A document containing a statement of development policies including a diagram and text setting forth the objectives of the plan. The general plan must include certain state mandated elements related to land use, circulation, housing, conservation, open-space, noise, and safety.
Initiating Petition	A document signed either by registered voters or landowners that requests LAFCo to consider a change of organization or reorganization.
Lead Agency	The public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency decides whether an EIR or Negative Declaration is required for a project, and causes the appropriate document to be prepared.
Negative Declaration	A written statement prepared by a Lead Agency that briefly describes the reasons that a project, not exempt from CEQA, will not have a significant effect on the environment and therefore does not require the preparation of an EIR (See CEQA Guidelines Section 15371).
Open Space	Any parcel or area of land or water, which is substantially unimproved and devoted to an open-space use.
Prime Agricultural Land	An area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than agriculture and meets certain criteria related to soil classification or crop and livestock carrying capacity. Class I and II soils as mapped by the Soil Conservation Service, U.S. Department of Agriculture.
Project	Under CEQA, a project is the whole of an action which has the potential to result in significant environmental change in the environment, directly, or ultimately (see CEQA Guidelines Section 15378).

Responsible Agencies	Under CEQA, responsible agencies are all public agencies other than the Lead Agency that have discretionary approval power over the project.
Service Review	A study and evaluation of municipal services(s) by specific area, sub-region or region culminating in written determinations regarding six specific evaluation categories.
Sphere of Influence	A plan for the probably physical boundaries and service areas of a city or district.
Stakeholder	Refers to LAFCos, members of the public, affected and interested agencies, and other entities interested in, and affected by, service(s) being reviewed.
Zoning	The primary instrument for implementing the General Plan. Zoning divides a community or county into districts or "zones" that specify the permitted/prohibited land uses