

## CITY OF ISLETON

### Planning Commission Meeting Minutes

Tuesday, September 6, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

TELECONFERENCE MEETING OR IN PERSON

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This meeting will be held via teleconference or in person, pursuant to Executive Order N-29-20 issued by the State of California Executive Order by Governor Gavin Newsom on March 17, 2020. All members of the public interested in participating in this ZOOM meeting are invited to join by phone or online teleconference. To attend meeting by phone, dial 408-638-0968 (do not put a 1 before the number), Personal Meeting ID 337-903-7904# and Personal ID just hit # and then Passcode 123456#. For computer log in follow the link below.

<https://us02web.zoom.us/j/3379037904?pwd=MUM2cnZrdzJMVTBUQ0EyTUd4S2kzZz09>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

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#### 1. OPENING CEREMONIES

A. Welcome & Call to Order – Chair Jack Chima called to order at 6:30pm.

B. Pledge of Allegiance

C. Roll Call

PRESENT: Planning Commissioner's Mandy Elder, Michelle Burke, Ruby Fowler, Joe Kessner, Jack Chima, City Manager Charles Bergson, Planner Gary Price.

#### 2. AGENDA CHANGES OR DELETIONS

ACTION: Planning Commissioner Michelle Burke request to take #8 after.

#### 3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: Don Cain – Items placed on agenda.

#### 4. COMMUNICATION

A. Letter to Planning Commission.

ACTION: No comments.

**AMERICANS WITH DISABILITIES ACT NOTICE:** In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to [Yvonne.zepeda@cityofisleton.com](mailto:Yvonne.zepeda@cityofisleton.com) at least 48 hours prior to the meeting.

**GOV. CODE § 54957.5 NOTICE:** Public records related to an agenda item that are distributed less than 72 hours before this meeting are available for public inspection during normal business hours at Isleton City Hall located at 101 Second Street, Isleton, California 95641.

**5. CONSENT CALENDAR**

- A **SUBJECT:** Approval of Minutes of the Special Planning Commission Meeting of February 15, 2022 and April 13, 2022 and the Regular Planning Commission Meeting of April 5, 2022.

**RECOMMENDATION:** Planning Commission review and approve draft minutes of the Special Meeting of February 15, 2022 and April 13, 2022 and the Regular Planning Commission meeting of April 5, 2022.

**ACTION:** Planning Commissioner Michelle Burke motion to approve draft minutes of the Special Meeting of February 15, 2022. Chair Jack Chima second the motion. **AYES:** Planning Commissioner’s Michelle Burke, Joe Kessner. **NOES:** None. **ABSTAIN:** Planning Commissioner’s Mandy Elder, Joe Kessner and Ruby Fowler. **ABSENT:** None. Planning Commissioner Mandy Elder motion to approve draft minutes of the Special Planning Commission Meeting for April 13, 2022. Planning Commissioner Michelle Burke second the motion. **AYES:** Planning Commissioner’s Mandy Elder, Michelle Burke, Jack Chima. **NOES:** None. **ABSTAIN:** Planning Commissioner’s Joe Kessner and Ruby Fowler. **ABSENT:** None. Regular Meeting of April 5, 2022 Tabled.

**6. NEW BUSINESS**

- A. “Nuts and Bolts” of Planning and Environmental Review Workshop.  
**ACTION:** Gary Price gave the presentation.

**7. COMMISSION REPORTS AND COMMITTEE UPDATES**

- A. Commission Chair Jack Chima – Gave copy of League of California Cities to Planning Commissioner’s. Responsibilities and role.
- B. Commissioner Ruby Fowler – Building Permits and building inspector.
- C. Commissioner Joe Kessner – None.
- D. Commissioner Michelle Burke – Compassionate Comparable/compatible use. Conditional Use Permits – preferably cannabis for review. Basic address for zoning. State mandate we have a list. Chuck is compiling a list and map.
- E. Commissioner Mandy Elder – Listing of new permits. ABC for siding. CEO.

**8. STAFF GENERAL REPORTS AND DISCUSSION**

**9. ADJOURNMENT**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
**CHAIR, Jack Chima**

**ATTEST:**

\_\_\_\_\_  
**DEPUTY CITY CLERK, Yvonne Zepeda**

**Planning Commission  
Staff Report**

ITEM#:

CATEGORY: New Business

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**TENTATIVE SUBDIVISION MAP 2022-01  
ALEXANDER KUSHNER, APPLICANT**

**BACKGROUND AND PROJECT DESCRIPTION:**

This project consists of a subdivision of 1.13-acres of vacant land into seven lots for single-family residential development. The property is located on 6th Street at the corner of D Street and Gas Well Road. All lots will be accessed by existing public right of ways. Lots 1, 2, and 3 will be accessed via D Street. Lots 4 and 5 will be accessed via 6th Street, and Lots 6 and 7 will be accessed via Gas Well Road. City water and sewer are available to the property. The property is zoned Residential One Family, R-1-7, which allows for single-family housing at a minimum lot size of 7,000 square feet. The proposed Tentative Map will split the parcel into 7 lots: Lot 1 (7,143 SF), Lot 2 (7,000 SF), Lot 3 (7,000 SF), Lot 4 (7,000 SF), Lot 5 (7,000 SF), Lot 6 (7,000 SF), and Lot 7 (7,174 SF). All tentative map applications are subject to consideration and recommendation by the Planning Commission to the City Council. All details of the project, including the subdivision map, possible house design, are presented in Exhibit A.

**PROJECT SITE SETTING**

The property a 1.13 acre lot located at 501 6<sup>th</sup> Street, which is in the southern portion of Isleton. The property is currently vacant and generally flat. The project site is surrounded by vacant land to the north, a house to the west, a storage and commercial operations to the east, and some industrial activities on a vacant lot to the south. Photos of the project site and surroundings can be found in Exhibit D, the Project Initial Study.

**PROJECT EVALUATION**

*Subdivision Code Compliance:* In accordance with Section 11.08.030 of the Subdivision Ordinance all tentative maps are subject to consideration by the Planning Commission. This part of the municipal code includes standards and procedures for processing land subdivision applications including review for consistency with the General Plan and compliance with the Zoning Code. Design standards for lots development are referenced in the Zoning Code.

*General Plan Consistency and Zoning Code Compliance:* The tentative map would subdivide the property into Seven (7) single-family residential. The 1.13-acre property is designated low density residential (6-9 housing units per net acre) which results in 6.19 units per acre which is within this land use density range. The site is also zoned R-1-7 providing for a minimum of seven lots per acre. The project is within the required lot range of the Zoning Code. All proposed lot widths and depths are shown to be in compliance with the Zoning Code which states:

*Section 604 (C): Frontage, width and depth of site.*

1. *Each site in an R district shall have not less than 50 feet of frontage on a public street except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than 40 feet provided the width of the site, as measured along the front yard setback line, is at least 50 feet.*
2. *The minimum width of each site in an R District shall be 50 feet for an interior lot and 60 feet for a corner lot.*
3. *The minimum depth of each site shall be 90 feet for an interior lot and 80 feet for a corner lot.*

*Home Design:* Although single family home design is exempt from design or site plan review under the Zoning Code, a typical house design plan has been included in the project plans. This plan shows a two-story house with the ground floor occupied by a garage. Due to the flood elevation requirements of the site, the lower floor may not be habitable (see Exhibit D, Hydrology Section).

*Public Outreach/Staff/Agency/Public Review:* The project was reviewed by City staff, including the City Administrator/City Engineer and Fire Chief to provide technical evaluation and to consider these provisions of the code. The project was circulated for public agency comment between July 18, 2022 and August 16, 2022, and then this project was noticed for a public hearing at least ten days before the meeting in the newspaper and noticing sent by mail to all property owners within a 300 foot radius of the project site. The environmental document was also circulated to various public agencies for review. The project's environmental document was also circulated to staff and other public agencies for review. Comments were received and responded to (see Exhibits C and D). The only formal comments received were from the Central Valley Regional Water Quality Control Board. The letter provides a summary of State and Federal Permit requirements for the project. All identified permits and clearances will be obtained in accordance with those items cited in the letter as referenced in both the recommended conditions of approval for the project are related mitigation measures from the initial study.

**ENVIRONMENTAL DETERMINATION**

In accordance with CEQA requirements, an Environmental Assessment/Initial Study has been prepared for the proposed project with the conclusion that a Mitigated Negative Declaration (MND) is the appropriate document per CEQA regulations. The Final Initial Study/Proposed MND (Exhibit D) concludes that any potentially significant adverse environmental impacts from the project would be reduced to a level of non-significance subject to a number of mitigation measures. Specifically, mitigation measures are proposed for Air Quality, Cultural Resources and Tribal Cultural Resources, Geology and Soils. In accordance with CEQA, the Planning Commission will need to concur with the adequacy of the Final Initial Study/MND and proposed mitigated negative declaration before taking action to approve the project.

## **FINDINGS AND CONDITIONS**

Exhibit B of this staff report consists of Planning Commission Resolution PC 03-22 which includes a number of findings and conditions necessary for the Commission's recommendation of approval to the City Council.

## **RECOMMENDATION**

The Planning Commission should hold a public hearing, consider the applicant's, staffs and public comments and approve Planning Commission Resolution PC 03-22 (based on findings and subject to conditions) and recommend this item to the City Council. Or the Commission may continue this item with further direction to staff. Should the Commission choose to recommend denial of the project, the item should be continued with direction to staff to prepare findings for this action.

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Attachments    Exhibit A-Tentative Subdivision Map exhibit  
                  Exhibit B-Planning Commission Resolution of Approval  
                  Exhibit C- Table of Public Comments and Staff Responses  
                  Exhibit D-Initial Study/Mitigated Negative Declaration





**Exhibit B – Planning Commission Resolution**

**RESOLUTION PC03-22**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ISLETON RECOMMENDING APPROVAL TO THE CITY  
COUNCIL OF TENTATIVE SUBDIVISION MAP 2022-01**

The Planning Commission of the City of Isleton hereby finds as follows:

**WHEREAS**, on April 26, 2022, Alexander Kushner (“Applicant”) submitted a planning application to the City of Isleton for Tentative Subdivision Map 2022-01, for the subdivision of a 1.13 acre lot into seven (7) residential lots at 501 6<sup>th</sup> Street, Isleton, CA, APN# 157-0040-053 (“Project”); and

**WHEREAS**, the Project application was submitted in accordance with the Municipal Code 11.04 for Subdivisions, in the One Family Residential (R), Zoning District (R-1-7, APN# 157-0040-053; and

**WHEREAS**, A duly noticed public hearing to consider the project was advertised for October 4, 2022; and

**WHEREAS**, The Planning Department prepared an Initial Study and Mitigated Negative Declaration as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA). Mitigation Measures were incorporated into the project to fully mitigate all potentially significant impacts on the environment; and

**WHEREAS**, the City has independently reviewed, analyzed, and considered the Initial Study and Mitigated Negative Declaration prior to making its decision on the project. The Mitigated Negative Declaration reflects the independent judgement of the City of Isleton, as lead agency; and

**WHEREAS**, the proposed subdivision (incorporating mitigation measures for the project’s Mitigated Negative Declaration) and subject to certain Conditions of approval complies with all standards of the Zoning Code and is consistent with the General Plan; and

**WHEREAS**, at said hearing, the Planning Commission considered the staff report dated October 4, 2022, including the Mitigated Negative Declaration; and

**WHEREAS**, on October 4, 2022, the Planning Commission conducted a public hearing on this Tentative Map 2022-01.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Isleton Planning Commission that:

**Section 1.** The Planning Commission adopts the above Recitals as its findings with respect to the Project; and

**Section 2.** The Planning Commission recommends the City Council approve the Tentative Subdivision Map for the project based on the findings made below and subject to the Conditions of approval: Kushner Tentative Subdivision Map 2022-01, located at 501 6<sup>th</sup> Street, in the One Family (R) Residential Zoning District (R-1-7), APN# 157-0040-053, subject to the following Conditions of Approval:

**Planning Commission Recommended Conditions of Approval for Tentative Map 2022-01**

1. The final subdivision map shall conform to all the applicable requirements of the Subdivision Map Act and the Isleton Municipal Code.
2. The sub-divider shall enter into a contract agreement with the City to perform the installation and construction of all improvements as contained in the conditions of approval of the subdivision and those required by the subdivision sections of the City, and shall post bond, cash deposit, or instrument of credit, guaranteeing the installation and construction of all required improvements within the time period specified herein or approved time extension in accordance with the provisions of the City. If a Subdivision Improvement Agreement is approved by the City, all required improvements shall be completed within a period not to exceed 24 months from the date of the recording of the final map.
3. The improvement plans for this subdivision shall be prepared by a California Registered Civil Engineer and shall be approved by the City Engineer prior to the filing of the final map. These plans shall be submitted concurrently and shall include, but not be limited to, grading, street, drainage, sewer, water, dry utilities and appurtenant improvements. The plan submittal shall also include construction cost estimates, plan check fees, soils reports, and all pertinent engineering design calculations. The final map may not be filed unless the City Engineer has approved improvement plans.
4. The improvement plans shall conform to the City's Municipal Code and other standards as applicable, except as noted otherwise on the approved improvement plans.
5. All taxes to which the property is subject must be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Approximately two weeks prior to submitting the subdivision map to the City for recordation, please contact the Tax Collector's Office. The receipt from the Tax Collector's Office must be submitted with the subdivision map.
6. If the applicant desires to record the Final Map prior to completion of the grading and improvements as shown on the approved grading and improvement plans, the applicant shall enter into an agreement to complete the grading and public improvements; and shall post sufficient surety guaranteeing the construction of all of the improvements, in accordance with the City's Municipal Code and the California Subdivision Map Act. The applicant must supply the City with a cost



estimate, prepared by a licensed Civil Engineer, for all improvements shown on the grading/improvement plans. The cost estimate must be approved by the City Engineer. The City will then prepare an agreement which will require City Council approval and will be required to be recorded prior to Final Map approval.

7. No construction shall commence and no grading shall be performed prior to the approval of the improvement plans by the City Engineer. Preliminary grading may be permitted subject to the approval of a preliminary grading plan by the City Engineer.
8. The lot design on the Subdivision Map shall be designed in substantial conformance with the approved Tentative Map as filed with the City of Isleton. Minor modifications to final configuration may be approved by the City Engineer; however, the number of parcels shall not exceed that shown on the approved Tentative Map.
9. Prior to final map recordation, in-lieu fees for park and recreation facilities shall be paid in accordance with Chapter 11.12 of the Municipal Code.
10. The project is subject to 14 Mitigation Measures referenced in the Mitigated Negative Declaration as described in more detail Attachment A of these Conditions of Approval.
11. Prior to this Tentative Map becoming effective, the applicant shall complete filing of the Notice of Determination regarding the related CEQA Mitigated Negative Declaration, which shall include paying all recording fees and California Department of Fish and Wildlife Service (Fish & G. Code, § 711.4) when filed with the County Clerk's office within five days of the Planning Commission's action on the Tentative Map (or as prescribed by Governor's Executive Order N-54-20).
12. The developer shall provide all necessary easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the City standards. In the event such easements cannot be obtained from the property owner involved by negotiation; the City may acquire them at the expense of the developer by exercise of the power of eminent domain. The developer shall bear all of the costs of appraisal, acquisition, attorney fees, and court costs.
13. The developer shall procure easements or consents from all affected landowners (if needed) for any diversion of historical flows, changes in drainage conditions, or acceptance of any additional water flowing over their property.
14. The developer shall dedicate and improve all streets, including curbs, gutters and sidewalks to comply with the City's related standards. Street lighting may be required as part of these improvements as determined by the City Engineer.

15. All streets, sidewalks, curbs, and gutters adjacent to the subdivision shall be improved as necessary to provide safe vertical and horizontal transitions to connect improvements constructed within this subdivision to existing improvements, as directed by the City Engineer. Any street, alley, sidewalk, or curb damaged by the developer or its agents or employees shall be repaired at developer's expense.
16. All new water, gas, sewer, underground electrical power, Cable or telephone lines, or conduits or underground drain lines associated with this project shall be installed before any paving is placed. Utility stub connections to property boundaries of each lot may be omitted only with express and written permission of the City Engineer.
17. The developer shall set all monuments required by the Subdivision Map Act before his bond is released, and said bond shall be security.
18. All new utility facilities shall be placed underground and located within easements as required by the serving utility company. The easements shall be shown on the final map.

**PASSED AND ADOPTED** by the Planning Commission of the City of Isleton this 4th day of October, 2022, by the following vote:

**AYES:** \_\_\_\_\_

**NOES:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

## **Attachment A-Mitigation Measures for Tentative Map 2022-01**

AIR-1. Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Sacramento Metropolitan Air Quality Management District (SMAQMD). Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas for adequate dust control.

AIR-2. Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.

AIR-3. Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the City Fire Chief.

AIR-4. During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.

AIR-5. Grading permits shall be secured for any applicable activity from the City of Isleton Building Department. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.

AIR-6. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.

AIR-7. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from SMAQMD prior to beginning any construction activities. Contact SMAQMD for more details.

AIR-8. All engines must notify Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to beginning construction activities and prior to engine use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements.

CUL-1. In the event that human remains are inadvertently encountered during any project associated ground-disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County

Coroner's office upon any discovery of human remains.

CUL-2. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately in accordance with the

provisions of the Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022.

GEO-1. Prior to final map recordation, a preliminary soils report, prepared by a registered civil engineer and based upon adequate test borings, shall be submitted for the subdivision. Additional subdivision measures may be added to mitigate potential geologic/soil conditions on the site to accommodate residential development. If the indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the City Engineer. Such soils investigation shall be done by a registered civil engineer, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.

GEO-2: Prior to any ground disturbance and/or operation, the applicant shall submit Erosion Control and Sediment Plans to the City for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.

GEO-3: Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the City in accordance with the City of Isleton Municipal code(s). Plans for grading shall include disclosure of location and method of treatment/storage of exported materials.

GEO-4: The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

**Exhibit C – Public Comments and Staff Responses**

**SUMMARY LIST OF RESPONSES: Summary of Public Comments and City Responses  
(refer to all written correspondence following this Table)**

<b>Commenting Agency or Entity</b>	<b>Date</b>	<b>Summary of Comments</b>	<b>City Response</b>
Letter from Peter G. Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board	August 16, 2022	Summary of State and Federal Permit requirements for the project.	All identified permits and clearances will be obtained in accordance with those items cited in the letter.

**The following are the formal comments received by the City during the draft initial study circulation between July 18, 2022, and August 16, 2022.**

*Letter of August 16, 2022 from Peter Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board:*



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Central Valley Regional Water Quality Control Board

16 August 2022

Yvonne Zepeda  
City of Isleton  
101 2nd Street  
Isleton, CA 95641  
[Yvonne.Zepeda@cityofisleton.com](mailto:Yvonne.Zepeda@cityofisleton.com)

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, KUSHNER TENTATIVE SUBDIVISION MAP PROJECT, SCH#2022070311, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 18 July 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Kushner Tentative Subdivision Map Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

**I. Regulatory Setting**

**Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

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MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:



[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel* here

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

**Exhibit D– Initial Study/Mitigated Negative Declaration**

**Final  
Initial Study/Proposed  
Mitigated Negative Declaration**

**for the  
Kushner Tentative Subdivision Map**

**August 18, 2022**



**City of Isleton Planning Department  
101 2<sup>nd</sup> Street, Isleton, CA 95641  
916-777-7770**

# FINAL ENVIRONMENTAL INITIAL STUDY PUBLIC REVIEW

The draft Initial Study for this project was circulated for public review between July 18, 2022 and August 16, 2022. This circulation included distribution to the California Clearinghouse and local agencies. Below are all the written comments received during this circulation.

**SUMMARY LIST OF RESPONSES: Summary of Public Comments and City Responses  
(refer to all written correspondence following this Table)**

Commenting Agency or Entity	Date	Summary of Comments	City Response
Letter from Peter G. Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board	August 16, 2022	Summary of State and Federal Permit requirements for the project.	All identified permits and clearances will be obtained in accordance with those items cited in the letter.

**The following are the formal comments received by the City during the draft initial study circulation between July 18, 2022, and August 16, 2022.**

**Letter of August 16, 2022 from Peter Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board:**



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**Central Valley Regional Water Quality Control Board**

16 August 2022

Yvonne Zepeda  
City of Isleton  
101 2nd Street  
Isleton, CA 95641  
[Yvonne.Zepeda@cityofisleton.com](mailto:Yvonne.Zepeda@cityofisleton.com)

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, KUSHNER TENTATIVE SUBDIVISION MAP PROJECT, SCH#2022070311, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 18 July 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Kushner Tentative Subdivision Map Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

**I. Regulatory Setting**

**Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

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MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95870 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsir\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsir_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.



Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste to surface water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

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For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

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If you have questions regarding these comments, please contact me at (916) 464-4684 or [Peter.Minkel2@waterboards.ca.gov](mailto:Peter.Minkel2@waterboards.ca.gov).

*Peter Minkel* here

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

**Mitigation Monitoring Program:  
Background:**

State Assembly Bill AB 3180 was enacted by the California State Legislature in 1988 to provide a mechanism to ensure that mitigation measures adopted through the CEQA process is implemented in a timely manner and in accordance with the terms of project approval. Under AB 3180, which added Section 21081.6 to CEQA, public agencies are required to adopt a monitoring or reporting program designed to ensure compliance during project implementation. This program is required to be adopted when the public agency is making required findings after consideration of the Final EIR (Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091). This mitigation monitoring and reporting program has been prepared in compliance with Public Resources Code Section 21081.6. In accordance with state law, a mitigation monitoring program should identify the action being monitored, responsibility for implementation, the schedule for implementation, and the mechanism that verifies that monitoring is complete.

The attached table provides a proposed Mitigation Monitoring and Reporting Program (MMRP) for the Kushner Tentative Subdivision Map. This MMRP outlines procedures for the implementation of mitigation measures identified in this Final Initial Study/Mitigated Negative Declaration (IS/MND).

These mitigation measures would reduce the level of impact of potential environmental effects of the proposed action. In all cases, these mitigation measures would reduce the impact of effects determined to be significant prior to mitigation to less-than-significant levels.

**Content** The MMRP for the project (Attached Table) is organized in table format and is keyed to each mitigation measure identified in the Final IS/MND. The MMRP is organized by environmental issue area, and discusses only those impacts for which mitigation has been identified. The intent of formatting the MMRP as a table is to provide the reader with a concise and quick summary of the measure(s) to be implemented, agencies involved, timing of implementation, and frequency of monitoring. The purpose of each column heading is as follows:

1. Impact Number refers to the environmental initial study checklist as to reference of the impact.
2. Mitigation Measure describes the mitigation measure and related requirements.
3. Responsible Agency describes who is responsible to implementing and or monitoring the mitigation measure.

4. Verification provides the check off of when the mitigation measure is implemented as a record for making sure the measures are complied with.

<b>Kushner Tentative Subdivision Map Mitigation Monitoring and Reporting Plan 14 Mitigation Measures</b>			
<b>Impact No.</b>	<b>Mitigation Measure</b>	<b>Responsible Entity</b>	<b>Verification / Remarks</b>
<b>III. Air Quality</b>			
AIR-1	Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Sacramento Metropolitan Air Quality Management District (SMAQMD). Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas for adequate dust control.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD)	
AIR-2	Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD)	
AIR-3	Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the City Fire Chief.	City Engineer	
AIR-4	During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.	City Engineer	

AIR-5	Grading permits shall be secured for any applicable activity from the City of Isleton Building Department. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.	City Engineer	
AIR-6	Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD	
AIR-7	If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from SMAQMD prior to beginning any construction activities. Contact SMAQMD for more details	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD	
AIR-8	All engines must notify Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to beginning construction activities and prior to engine use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements.	City Engineer / Sacramento Metropolitan Air Quality Management District (SMAQMD	
<b>V. Cultural &amp; Tribal Resources</b>			
CUL-1	In the event that human remains are inadvertently encountered during any project associated ground-disturbing activity or at any time subsequently, State law shall be	City Planner	

	followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.		
CUL-2	In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately in accordance with the provisions of the Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022.	City Planner	
<b>VII. Geology and Soils</b>			
GEO-1	Prior to final map recordation, a preliminary soils report, prepared by a registered civil engineer and based upon adequate test borings, shall be submitted for the subdivision. Additional subdivision measures may be added to mitigate potential geologic/soil conditions on the site to accommodate residential development. If the indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the City Engineer. Such soils investigation shall be done by a registered civil engineer, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.	City Engineer	
GEO-2	Prior to any ground disturbance and/or operation, the applicant shall submit Erosion Control and Sediment Plans to the City for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all	City Engineer	

	construction or post-construction pollutants into the local storm drainage system.		
GEO-3	Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the City in accordance with the City of Isleton Municipal code(s). Plans for grading shall include disclosure of location and method of treatment/storage of exported materials.	City Engineer	
GEO-4	The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.	City Engineer	

**CEQA Environmental Checklist**

**PROJECT DESCRIPTION AND BACKGROUND**

**Project Title:** Kushner Tentative Subdivision Map

**Lead agency name:** City of Isleton

**Address:** 101 2<sup>nd</sup> Street, Isleton, CA 95641

**Contact person:** Yvonne Zepeda, City Clerk

**Phone number:** 916-777-7770

**Project sponsor's name:** Robert Wood

**Phone Number:** 530-446-6765

**Project Owner:** Alexander Kushner

**Project Location:** 501 6<sup>th</sup> Street, Isleton, CA 95641

**General plan description:** LD (Low Density)

**Zoning:** R-1-7 (Single Family Residential)

**Description of project:**

The applicant proposes to subdivide the 1.13-acre property into seven lots for single-family residential development. The subject property is located on 6th Street at the corner of D Street and Gas Well Road. The parcel currently is undeveloped. All lots will be accessed by existing public right of ways. Lots 1, 2, and 3 will be accessed via D Street. Lots 4 and 5 will be accessed via 6th Street, and Lots 6 and 7 will be accessed via Gas Well Road. City water and sewer are available to the property.

The zoning designation for this parcel is R-1-7, which is characterized as low-density, single-family housing and allows lot areas of 7,000 square feet minimum. The proposed Tentative Map will split the parcel into 7 lots: Lot 1 (7,143 SF), Lot 2 (7,000 SF), Lot 3 (7,000 SF), Lot 4 (7,000 SF), Lot 5 (7,000 SF), Lot 6 (7,000 SF), and Lot 7 (7,174 SF).

**Surrounding land uses and setting:** The project site is surrounded by vacant land to the north, a house to the west, a storage and commercial operations to the east, and some industrial activities on a vacant lot to the south.

**Other public agencies whose approval is required (e.g., permits, financial approval, participation agreements):**

Final Subdivision Map, if this Tentative Map is approved, encroachment permits for street, sidewalk and drainage improvements, building permits for any future houses on the lots; all subject to approval by the City of Isleton.



NATIVE AMERICAN CONSULTATION

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) section 21080.3.1?  Yes  No

If yes, ensure that consultation and heritage resource confidentiality follow PRC sections 21080.3.1 and 21080.3.2 and California Government Code 65352.4

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

Note: Cultural Study concludes that the project has not potentially significant impacts on tribal resources. No tribes have contacted the City to request consultation under State law.

**Initial Study Attachments**

- A. Biological Resources Assessment, Greg Matuzak Environmental Consulting, June 2022
- B. Cultural Resources Inventory Survey, Sean Michael Jenson, M.A. May 17, 2022

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 4 for additional information.

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

**DETERMINATION**

**On the basis of this initial evaluation (choose one):**

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Charles Bergson,  
City Manager

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Print Name

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Signature

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Date

# Tentative Subdivision Map



Photos of Project Site:





**Example of House within Subdivision:  
(Site Plan)**



Example of House within Subdivision:  
(Photo Example)



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Architecture & development

project S-2-2x36 (2) - 3Bed - 3bath - 1 347,16 sq.ft V.

## CEQA Environmental Checklist

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

### I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

Question	CEQA Determination
a) Have a substantial adverse effect on a scenic vista?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less Than Significant Impact

### Environmental Setting or Reference

The project is located in the City of Isleton, a small community on the Sacramento – San Joaquin River Delta. Isleton is located on State Route 160 (SR 160) and near State Highway 12 (SH 12) and not on a scenic highway. A photo example of one of the houses that could be constructed in the proposed subdivision show an attractive two-story house.

Evaluation of Potential Aesthetic Impacts:

a-b) No Impact. There are no designated scenic vistas or any significant scenic resources in the project area that may be impacted by the project. Therefore, no impacts are expected.

c-d) Less than Significant Impact. The project would not degrade the existing visual character or quality of the site or the surroundings, nor would it create a new source of substantial light or glare. The project does not propose any development on the site. However, future development of the site would include new single-family residences, which would be subject to City standards for light and glare, and would be visually consistent with the rural character of the area (see photo design of typical house). This type of development is consistent with the Zoning and General Plan for the project site. Therefore, impacts would be less than significant because the new (future) development will remain residential in nature.

### II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment



Model (1997) prepared by the California 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 the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Question	CEQA Determination
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?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
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?	No Impact

**Environmental Setting or Reference**

The Department of Conservation's map entitled "Sacramento County Important Farmland 2018" designates the site as "Other Land" on the project site. "Other Land" is defined as land which does not meet the criteria of any other category. Common examples include low density rural development, wetlands, dense brush and timberlands, gravel pits, and small water bodies.

California Government Code Section 51104(g) defines "Timber," "Timberland," and "Timberland Production Zone" for the purposes of CEQA as either trees of any species maintained for eventual harvest for forest production purposes ("Timber"); privately owned land, or land acquired for State Forest purposes, used for growing and harvesting timber ("Timberland"); or "Timberland Production Zone" which means an area zoned and used for growing and harvesting timber. The project site is not considered "Timber" or "Timberland".

## Evaluation of Potential Agriculture and Forestry Impacts

a - e) No Impact. The site is not designated as Prime, Unique, or Farmland of Statewide Importance. Furthermore, the site is not under a Williamson Act contract and is not currently zoned for agricultural uses. Therefore, the proposed project will not result in adverse impacts to agricultural resources.

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

Question	CEQA Determination
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less Than Significant with Mitigation Incorporated
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less Than Significant with Mitigation Incorporated
c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant with Mitigation Incorporated
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant with Mitigation Incorporated

### Environmental Setting or Reference

The project site is located within the Sacramento Metropolitan Air Quality Management District (SMAQMD), which is part of the Sacramento Valley Air Basin. The Sacramento Valley Air Basin has been further divided into Planning Areas called the Northern Sacramento Valley Air Basin (NSVAB) and the Greater Sacramento Air region, designated by the U.S. Environmental Protection Agency (EPA) as the Sacramento Federal Ozone Non-attainment Area. The Nonattainment area consists of all of Sacramento and Yolo counties, and parts of El Dorado, Solano, Placer, and Sutter counties.

SMAQMD is responsible for limiting the number of emissions that can be generated throughout the County by various stationary and mobile sources. Specific rules and regulations have been adopted by the SMAQMD Board of Directors that limit the emissions that can be generated by various uses and/or activities, and identify specific pollution reduction measures that must be implemented in association with various uses and activities. These rules not only regulate the emissions of the six criteria pollutants, but also toxic emissions and acutely hazardous materials. Emissions sources subject to these rules are regulated through the SMAQMD's permitting process. Through this permitting process, the SMAQMD also monitors the number of stationary emissions being generated and uses this information in developing new clean air plans. The proposed project would be subject to SMAQMD rules and regulations to reduce specific emissions and to mitigate potential air quality impacts. Sacramento County is a known area of non-attainment for state and federal standards for ozone and particulate matter less than 10 microns in diameter (PM10). Implementation of the project would result in increases in both construction emissions and increases in reactive organic gases (ROG) and NOx, which are precursor components of ozone, and PM10.

### Evaluation of Potential Air Quality Impacts:

**a) Less than Significant Impact with Mitigation Incorporated.** The project would not substantially conflict with or obstruct implementation of the Sacramento Metropolitan Air Quality Attainment Plan, or the goals and objectives of the City's General Plan. Although the project does not propose any development on the site at this time, future development of residential properties as shown on the tentative subdivision map would involve short-term construction activities that could result in minor increases in air pollutant emissions. The activities, such as grading, can generate temporary or short-term increase in dust and particulate matter, but would be expected to be minor due to the small size of the proposed project. Any future construction activities on the site would be subject to SMAQMD and City regulations designed to reduce impacts to air quality. Therefore, a less than significant impact is expected.

**b - d) Less than Significant Impact with Mitigation Incorporated.** The Sacramento Metropolitan Air Quality Management District (SMAQMD) has adopted guidelines for determining potential adverse impacts to air quality in the region. The SMAQMD guidelines state that construction of 27 Single Family Residential units or more is considered a potentially significant adverse impact. Although no development is proposed as part of this project, future development of the site will include seven single-family residences. Given that the proposed project is well below the SMAQMD threshold, impacts to air quality are considered less than significant. In addition, effects on air quality can be divided into short term construction-related effects and those associated with long term operation of the project. Construction activities, such as grading and vehicular traffic, may generate temporary or short-term increase in dust and particulate matter, and are expected to be minor due to the small size of the proposed project. The air pollutants generated by the proposed project would be primarily dust and particulate matter during construction of single-family residences. No sensitive receptors would be exposed to minor amounts of construction dust and equipment emissions for short or long-term exposure nor would there be objectionable odors created by this proposed project. This proposed project is a tentative subdivision map, and does not involve any activity that would generate odors. Uses on the new parcels would be residential and as such, would not create objectionable odors affecting a substantial number of people.

Implementation and adherence to Mitigation Measures AIR 1 through AIR 8 will reduce potential impacts to less than significant.

**Mitigation measures:**

AIR-1. Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Sacramento Metropolitan Air Quality Management District (SMAQMD). Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas for adequate dust control.

AIR-2. Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.

AIR-3. Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the City Fire Chief.

AIR-4. During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.

**AIR-5. Grading permits shall be secured for any applicable activity from the City of Isleton Building Department. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.**

**AIR-6. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.**

**AIR-7. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from SMAQMD prior to beginning any construction activities. Contact SMAQMD for more details.**

**AIR-8. All engines must notify Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to beginning construction activities and prior to engine use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements.**

IV. BIOLOGICAL RESOURCES

Would the project:

Question	CEQA Determination
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less Than Significant Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

Environmental Setting

A Biological Assessment was conducted by Greg Matuzak Environmental Consulting in June, 2022 (Attachment A). The subject parcel is located within a rural developed setting just south of the Sacramento River within the City of Isleton in Sacramento County, CA. The subject parcel is adjacent to/nested within a largely developed area given the proximity to 6<sup>th</sup> Street, D Street, Gas Well Road, downtown City of Isleton, and the rural residential properties that are located adjacent to the subject parcel/Project area. Therefore, any development within the subject parcel/Project area would have an overall low potential to impact sensitive wildlife and plant resources given the low likelihood of such sensitive biological resources to occur within or immediately adjacent to the subject parcel. Furthermore, the Sacramento River is located approximately 1,000 feet to the north of the subject parcel/Project area and the Georgiana Slough and Ox Bow Marina are located approximately 4,000 feet to the south of the subject parcel/Project area. A majority of sensitive biological resources within the greater Project area associate with the aquatic and riverine systems, including riparian habitats, that are located within the delta region of northern California. Therefore, this Biological Resources Assessment concludes that the subject parcel does not contain any sensitive biological resources or any sensitive habitats for special-status species and the development of the Project would not have an impact on such sensitive biological resources.

**Evaluation of Potential Biological Impacts**

**a) No Impact** - None of the special-status wildlife species identified within 3 miles of the proposed Project area have a potential to occur with the subject parcel/Project area. Therefore, any site disturbance and noise would have no potential to impact these or any other special-status wildlife species, including nesting migratory birds and raptors so pre-construction nesting bird surveys are not required as part of the Tentative Map project within the subject parcel.

**b) Less than significant impact.** According to the Biological Assessment prepared by Greg Matuzak Environmental Consulting LLC in June 2022, the project will not have a substantial adverse effect on any riparian habitat and/or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

**c) Less than significant impact.** According to the Biological Assessment prepared by Greg Matuzak Environmental Consulting LLC in June 2022, the project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

**d) Less than significant impact.** According to the Biological Assessment prepared by Greg Matuzak Environmental Consulting LLC in June 2022, the project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

**e) No Impact.** The Project is consistent with local policies or ordinances protecting biological resources. No impact will occur and no mitigation is needed.

**f) No Impact.** The project is not located in an area covered under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact will occur and no mitigation is needed.

## V. CULTURAL RESOURCES

Would the project:

Question	CEQA Determination
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	Less Than Significant Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Less Than Significant with Mitigation Incorporated
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	Choose an item.

### Environmental Setting

This section evaluates the proposed Project's potential impacts on archaeological, historical, and paleontological resources. Resources of concern include, but are not limited to, prehistoric and historic artifacts, burials, sites of religious or cultural significance to Native American groups, and historic structures. This section provides a detailed discussion of impacts potentially attributable to the proposed project, and criteria used to determine impact significance to cultural resources. A report, Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022, was prepared for this project site (Attachment B).

Existing records at the North Central Information Center document that none of the present APE had been subjected to previous archaeological investigation, and that one traditional cultural

landscape (P-34-5225) had been documented within the APE. As well, the present effort included an intensive-level pedestrian survey. No prehistoric or historic-era cultural resources were identified during the pedestrian survey. The traditional cultural landscape (P-34-5225) was subjected to a formal evaluation, and recommended not eligible for the CRHR due to a substantial lack of integrity.

**Evaluation of Potential Cultural Resource Impacts**

**a) Less Than Significant Impact.** Intensive pedestrian surveys and records searches were conducted in June 2021, no historic resources were discovered in the Project area. As a result, no eligible built environment resources occur in the Project area.

**b) Less Than Significant Impact with Mitigation Incorporated.** See discussion under item a) above.

**c) Less Than Significant Impact with Mitigation Incorporated.** See discussion under item a) above.

**Less Than Significant with Mitigation.** As indicated in the Historic Resource Investigation report prepared for the project, no human remains were identified within the project area (Sub-Terra Heritage Resource Investigations, 2021). There is the possibility of accidental discoveries of human remains during construction-related ground-disturbing activities. The procedures identified in State Health and Safety Code Section 7050.5 will reduce potential impact. State Health and Safety Code Section 7050.5 requires that if human remains are found no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. Implementation and adherence to CUL-1 and CUL-2 will reduce potential impacts to less than significant. Based on the absence of significant historical resources/unique archaeological resources within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed, although the following Mitigation Measures are considered appropriate:

**Mitigation Measures**

CUL-1. In the event that human remains are inadvertently encountered during any project associated ground-disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.

CUL-2. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately in accordance with the provisions of the Cultural Resource Investigation Survey, Kushner Residential Development Project was prepared by Sean Michael Jensen, M.A. in May 2022.

VI. ENERGY

Would the project:

Question	CEQA Determination
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less Than Significant Impact

Question	CEQA Determination
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less Than Significant Impact

**Environmental Setting or Reference**

Buildings in California are required to comply with California’s Energy Efficiency Standards for Residential and Nonresidential Buildings established by CEC regarding energy conservation standards and found in Title 24, Part 6 of the California Code of Regulations. Energy efficient buildings require less electricity.

**Evaluation of Potential Energy Impacts**

**a) Less Than Significant Impact.** The project proposes a seven-lot single-family residential tentative subdivision map on a currently undeveloped site. During construction there would be a temporary consumption of energy resources for the movement of equipment and materials. The construction and operation of the project would be required by State law to comply with the California Green Building Standards Code (commonly known as “CALGreen”). Compliance with local, state, and federal regulations, which limit engine idling times and require recycling construction debris, would reduce short-term energy demand during the project’s construction to the extent feasible and project construction would not result in a wasteful or inefficient use of energy. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities or use of equipment that would not conform to current emissions standards and related fuel efficiencies. Furthermore, individual project elements are required to be consistent with City policies and emissions reductions strategies, and would not consume energy resources in a wasteful or inefficient manner.

**b) Less Than Significant Impact.** The proposed residential subdivision map would not conflict with or obstruct an energy plan. The proposed project would adhere to all Federal, State and local agency requirements.

**VII. GEOLOGY AND SOILS**

Would the project:

Question	CEQA Determination
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 most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less Than Significant Impact
ii) Strong seismic ground shaking?	Less Than Significant Impact
iii) Seismic-related ground failure, including liquefaction?	Less Than Significant Impact
iv) Landslides?	Less Than Significant Impact
b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant Impact



Question	CEQA Determination
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant with Mitigation Incorporated
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant with Mitigation Incorporated
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Less Than Significant Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant with Mitigation Incorporated

Environmental Setting

Soils of the Isleton planning area are Delta peat, ranging from 101 to as much as 40' in depth; These soils have undergone varying degrees of subsidence over the years and subsidence continues as the result of exposure (oxidation) of peat soils to the drying factors of air and subsequent shrinkage and wind erosion. Such subsidence is typical throughout the Delta. These naturally occurring conditions require special engineering evaluation for determining appropriate foundation design for structures.

**Evaluation of Potential Geology and Soils Impacts**

- a) i. **Less than Significant Impact.** There are no known faults crossing through the project site. The site is not located within an Alquist-Priolo earthquake hazard zone. Therefore, less than significant impacts would occur with respect to fault rupture.
  - ii. **Less than Significant Impact.** The project would be designed and constructed in accordance with the requirements of the Uniform Building Code. As a result, the risk of ground shaking would be reduced to a minimum and is considered to be less than significant.
  - iii. **Less than Significant Impact.** Liquefaction is most likely to occur in deposits of water-saturated alluvium or similar deposits of artificial fill. The potential for liquefaction must account for soil types and density, the groundwater table, and the intensity of ground shaking. Within Sacramento County, the downtown area and the Delta are areas that have been suggested as posing potential liquefaction problems. Based upon the known soil, groundwater, and ground shaking conditions within the City of Isleton (as identified in the General Plan), the potential for liquefaction is considered low. Therefore, adverse impacts from liquefaction are expected to be less than significant.
  - iv. **Less than Significant Impact.** The area of the project site proposed for construction is relatively flat; therefore, the likelihood of landslides is minimal. Adverse impacts from landslides are expected to be less than significant.
- b) **Less Than Significant Impact with Mitigation Incorporated.** Grading of the site during future development may create minor contour changes necessary to direct surface runoff. Construction of improvements to accommodate the subdivision would also result in the placement of paving and concrete. Erosion control will be required to mitigate impacts. As a condition of approval of any grading or building permit, the contractor is required to control dust and wind erosion through a combination of watering and erosion control practices. The project would not result in substantial soil

erosion, siltation, or loss of topsoil. Therefore, a less than significant impact is expected.

- c) **Less than Significant Impact with Mitigation Incorporated.** The project site is essentially level with little topographic variation. There is lack of information on the site's geological characteristics to determine the level of risk to exposing people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the geologic characteristics of the site. However, there are examples of similar and more intense development around the project site, that such potential impacts can be avoided through appropriate treatment. A preliminary soils study will be required to mitigate impacts to a level of non-significance.
- d) **Less than Significant Impact with Mitigation Incorporated.** The project site may have the potential for expansive soils. There is lack of information on the site's geological characteristics to determine if there are expansive soils on the site. However, there are examples of similar and more intense development around the project site, that such potential impacts can be avoided through appropriate treatment. A preliminary soils study will be required to mitigate impacts to a level of non-significance.
- e) **Less than Significant Impact.** The proposed project is within an area that is identified to utilize septic tank systems and not connect to a public municipal wastewater disposal system. Any septic system installed on the proposed lot must be installed pursuant to Sacramento County Environmental Health improvement standards. Therefore, no significant impacts from sewage disposal are expected.
- g) **Less than Significant Impact.** As referenced in the Cultural Report, there is no evidence of any unique paleontological resources on the site. Also, there is no evidence of any unique geologic feature on the site.

Implementation and adherence to Mitigation Measures GEO-1 will reduce potential impacts to less than significant.

#### **Mitigation Measure**

GEO-1. Prior to final map recordation, a preliminary soils report, prepared by a registered civil engineer and based upon adequate test borings, shall be submitted for the subdivision. Additional subdivision measures may be added to mitigate potential geologic/soil conditions on the site to accommodate residential development. If the indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the City Engineer. Such soils investigation shall be done by a registered civil engineer, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.

GEO-2: Prior to any ground disturbance and/or operation, the applicant shall submit Erosion Control and Sediment Plans to the City for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.

GEO-3: Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the City in accordance with the City of Isleton Municipal code(s). Plans for

grading shall include disclosure of location and method of treatment/storage of exported materials.

GEO-4: The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

Question	CEQA Determination
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant with Mitigation Incorporated
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant with Mitigation Incorporated

Environmental Setting

The project site is located within the Sacramento Metropolitan Air Quality Management District (SMAQMD), which is part of the Sacramento Valley Air Basin. The Sacramento Valley Air Basin has been further divided into Planning Areas called the Northern Sacramento Valley Air Basin (NSVAB) and the Greater Sacramento Air region, designated by the U.S. Environmental Protection Agency (EPA) as the Sacramento Federal Ozone Non-attainment Area. The Nonattainment area consists of all of Sacramento and Yolo counties, and parts of El Dorado, Solano, Placer, and Sutter counties.

SMAQMD is responsible for limiting the emissions that can be generated throughout the County by various stationary and mobile sources. Specific rules and regulations have been adopted by the SMAQMD Board of Directors that limit the emissions (including greenhouse gas) that can be generated by various uses and/or activities, and identify specific greenhouse gas reduction measures that must be implemented in association with various uses and activities. The proposed project would be subject to SMAQMD rules and regulations.

**Evaluation of Potential Greenhouse Gas Emissions Impacts**

- a) **Less Than Significant Impact with Mitigation Incorporated.** Air quality impacts, including Carbon Dioxide emissions from the project, which contribute to global warming, need to be analyzed using the current guidelines or procedures specified by the local air district or the Air Resources Board. Calculations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O emissions are provided to identify the magnitude of potential project effects. This analysis focuses on CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O since these comprise 98.9 percent of all GHG emissions by volume (IPCC 2007) and are the GHG emissions that the project would emit in the greatest quantities. Fluorinated gases, such as HFC, PFCs, and SF<sub>6</sub> were not used in this analysis, as they are primarily associated with industrial processes and the proposed project involves retail development and does not include an industrial component. Emissions of all GHGs are converted into metric tons of carbon dioxide equivalent (MT of CO<sub>2</sub>e), which presents the volume of GHGs equivalent to the global warming effect of CO<sub>2</sub>. While minimal amounts of other GHGs, such as chlorofluorocarbons (CFC), would be emitted, they would not substantially add to the calculated CO<sub>2</sub>e quantities. Calculations are based on the California Air Pollution Control Officers Association (CAPCOA) CEQA & Climate

Change white paper (CAPCOA 2008).

To assist lead agencies in determining significance, in October 2014 SMAQMD adopted the current GHG thresholds of significance which include a CO<sub>2</sub> construction threshold (1,100 metric tons GHG/year), a land use operational threshold (1,100 metric tons GHG/year), and a stationary source operational threshold (10,000 metric tons GHG/year). Projects whose emissions are expected to meet or exceed the significance criteria will have a potentially significant adverse impact on global climate change. Based on this GHG threshold a project that generates less than 110 Vehicles Miles Traveled (VMT) per day would be considered to have a negligible impact.

This project results in a net increase in six dwelling units which will increase greenhouse gas emissions from both house construction and residential occupancy and use. Greenhouse gas contributions from this project would potentially result in a significant GHG impact since this would result in an increase of approximately 200 VMT (based on SMAQMD Threshold Standards). However, the greenhouse gas emissions generated by the project is expected to be reduced with residential construction requirements under the California Green Building Code which requires that all new houses be EV capable. Each dwelling unit must have a listed raceway to accommodate a dedicated 208/40-volt branch circuit. This is anticipated to reduce emissions to less than significant.

- b. **Less Than Significant Impact.** See discussion above (a).

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

Question	CEQA Determination
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less Than Significant Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less Than Significant Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less Than Significant Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact

Question	CEQA Determination
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

Environmental Setting

The project is on vacant property intended for residential development per the City of Isleton General Plan. There is nothing unique to this property that would indicate that future residential development would result in adverse hazardous outcomes.

**Evaluation of Potential Hazards and Hazardous Materials Impacts**

**a, b) Less Than Significant Impact.** The use of hazardous substances during normal construction activities is expected to be limited in nature, and would be subject to standard handling and storage requirements. Accordingly, impacts related to the release of hazardous substances are considered less than significant.

**c) Less than Significant Impact.** There are no existing or proposed school sites within one-quarter mile of the project site. Further, operation of the proposed project does not propose a use that involves activities that would emit hazardous substances or waste that would affect a substantial number of people and is therefore considered to have a less than significant impact. No mitigation measures are required.

**d) No Impact.** The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. Therefore, there is no impact.

**e) No Impact.** Isleton is not located within the boundaries of an airport land use plan or within two miles of a public airport. No impact will occur and no mitigation in needed.

**f, g) No Impact.** Isleton is surrounded by cultivated farmland, and the Sacramento River. The threat of wildland fires is considered to be minimal.

X. HYDROLOGY AND WATER QUALITY

Would the project:

Question	CEQA Determination
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	Less Than Significant Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	Less Than Significant Impact
(i) result in substantial erosion or siltation on- or off-site;	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	Less Than Significant Impact

Question	CEQA Determination
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less Than Significant Impact
(iv) impede or redirect flood flows?	Less Than Significant Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less Than Significant Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant Impact

### Environmental Setting

Isleton is located along the south bank of the Sacramento River, approximately 3.12 miles upstream of its confluence with Steamboat Slough. Isleton's elevation is approximately 5 feet above sea level. The city is confronted with persistent flood hazards due to its iconic location within the California Delta and the surrounding water features such as the Sacramento River, Georgiana Slough, San Joaquin River, and Mokelumne River. Virtually the entire city lies within the 100-year flood zone designated by the Federal Emergency Management Agency (FEMA), as displayed in Flood Hazard Map Exhibit below.

Isleton has been flooded by the Sacramento/San Joaquin River systems at least five times since its inception as a City. The most recent 1972 flood, caused by a failed levee on the south side of Brannan-Andrus Levee Maintenance District (BALMD) along the right bank levee of the San Joaquin River, left Isleton under as much as eight feet of water.

#### **Evaluation of Potential Hydrology and Water Quality Impacts**

- a) **Less Than Significant Impact.** Construction activities disturbing one acre or more of land are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity. Since the project site involves more than one acre in size the applicant is required to submit a NOI to the RWQCB that covers the General Construction Permit (GCP) prior to the beginning of construction. The GCP requires the preparation and implementation of a Water Quality Management Plan (WQMP) and a Storm Water Pollution Prevention Plan (SWPPP) both of which must be prepared before construction can begin. The SWPPP outlines all activities to prevent stormwater contamination, control sedimentation and erosion, and compliance with Clean Water Act (CWA) requirements during construction. Implementation of the SWPPP starts with the commencement of construction and continues through to the completion of the project. The WQMP outlines the project site design, source control and treatment control of BMPs utilized throughout the life of the project. Upon completion of project construction, the City, as the applicant must submit a Notice of Termination (NOT) to the RWQCB to indicate that construction is completed. Therefore, with implementation of NPDES and the SWPPP in compliance with the RWQCB, impacts to water quality and discharge requirements.
- b) **Less Than Significant Impact.** The development of a net increase in six dwellings would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. All houses within the subdivision would be served public water. There will be no groundwater extraction from wells on the site. Public water

supply is from California America Water Company which maintains the system consisting of three wells, pumps, water treatment equipment, water storage, distribution piping, fire hydrants, valves and other equipment. The system draws from groundwater with a storage capacity of over 100,000. The project is estimated to result in an increase of about 500 gallons per day water demand from the public system (about 85 gallons per day per dwelling) which is considered negligible.

- c) **Less Than Significant Impact.** The project site is located in an AE-9 Flood Hazard Zone based on Federal Emergency Management Agency (FEMA) mapping (see Flood Hazard Map next page). Each dwelling unit within the subdivision will need to be constructed so the living portion of the unit is located above the flood elevation. As shown in the project description, the typical house will have non-occupied space, such as the garage located on the bottom floor and the living area located above the flood elevation. All construction on the subdivision lots will be required to comply with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection. This Code outlines standards for construction within flood hazard zones. In addition, as part of the final map recordation clearances may be required obtain a Conditional Letter of Map Revision (CLOMR) to address how the project would affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway or effective Base Flood Elevations.
- d) **Less Than Significant Impact.** As noted in c above, proposed improvements from the project are within the floodplain. All improvements shall be conducted in accordance with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection, which includes avoidance of pollutants into the flood area.
- e) **Less Than Significant Impact.** Addressed in c and d above.





XI. LAND USE AND PLANNING

Would the project:

Question	CEQA Determination
a) Physically divide an established community?	No Impact
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?	No Impact

Environmental Setting

The 1.13-acre property is designated low density residential (6-9 housing units per net acre) in the City's current General Plan and is located in the R-1-7 residential Zoning District. Subdivision of the property into 7 residential lots for single family development would be consistent with both general plan and zoning of the project site.

**Evaluation of Potential Land Use and Planning Impacts**

**a) No Impact.** The proposed Project would not physically divide an established community. The proposed project involves the development of a 7-lot single-family residential subdivision and associated infrastructure improvements, including roadways. The proposed improvements will not physically divide an established community.

**b) No Impact.** The applicable local land use plan is the City General Plan. The proposed Project is consistent with the City's General Plan policies.

XII. MINERAL RESOURCES

Would the project:

Question	CEQA Determination
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact

**Environmental Setting or Reference**

The State Mining and Geology Board (SMGB) prioritizes areas to be classified as containing significant mineral resources and areas to be designated as containing mineral deposits of regional or statewide significance. Mineral Resource Zone (MRZ) categories are used to identify areas of identified, undetermined, and unknown mineral resource significance.

**Evaluation of Potential Mineral Resource Impacts**

**a) No Impact.** The State Mining and Geology Board (SMGB) prioritizes areas to be classified as containing significant mineral resources and areas to be designated as containing mineral deposits of regional or statewide significance. Mineral Resource Zone (MRZ) categories are used to identify areas of identified, undetermined, and unknown mineral resource significance. No MRZ designations have been applied to the City of Isleton.

b) **No Impact.** See response to item a) above.

**XIII. NOISE**

Would the project result in:

Question	CEQA Determination
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less Than Significant Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

**Environmental Setting**

This section evaluates short-term and long-term potential noise impacts of the proposed Project on sensitive uses adjacent to the proposed Project site.

The need to mitigate noise impacts under State of California requirements is triggered by one of the following:

- New development proposed adjacent to a roadway that will be negatively impacted by the existing or future traffic noise.
- A new roadway proposed to cross through or along an existing development, where future traffic noise will negatively impact the development.
- Expansion of an existing roadway where projected traffic noise will negatively impact adjoining land uses.
- Establishment of a new land use that will negatively impact on existing use; or
- Establishment of a new land use the will be negatively impacted by the proximity of an existing noise producing use.

**Evaluation of Potential Noise and Vibration Impacts**

a) **Less than Significant with Mitigation Incorporated.** Short-term noise impacts would occur during construction of the proposed Project. Construction-related, short-term noise levels would be higher than existing ambient noise levels in the vicinity of the Project site, but would cease once Project construction is completed.

*Construction and Noise Generation from Project:* Two types of short-term noise impacts could occur during Project construction. First, construction crew commutes and the transport of construction equipment and materials to the Project site would incrementally increase noise levels on roads accessing the Project site. The second type of short-term noise impact is related to noise generated during Project construction. Construction is conducted in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics that change the character of the noise

generated on site. Therefore, the noise levels will vary as construction progresses. Despite the variety in the types and sizes of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Typical maximum noise levels range up to 85 dBA Lmax at 50 feet during the noisiest construction phases. Site preparation, which includes excavation and grading, tends to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavators, bulldozers, backhoes and front loaders. Earthmoving and compacting equipment includes graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

**b) Less than Significant Impact.** Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors where the motion may be discernible; without the effects associated with the shaking of a building, there is less adverse reaction. Typical sources of groundborne vibration are heavier construction activities (e.g., blasting and pile driving), steel-wheeled trains, and occasional traffic on rough roads. Construction for the proposed Project does not require the use of blasting or pile driving and would not result in substantial vibration.

c) No Impact. The project site is not located within the vicinity of a private airstrip or 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.

XIV. POPULATION AND HOUSING

Would the project:

Question	CEQA Determination
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less Than Significant Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

Environmental Setting

The proposed project would result in the creation of 7 single family lots. According to the City of Isleton Housing Element, the average household size is 2.01 persons per household. Based on this figure, and the proposed number of housing units that could be constructed on the parcel, the proposed project could add 14 new residents to the local population.

**Evaluation of Potential Population and Housing Impacts**

**a) Less Than Significant Impact.** Since the project includes the development of 7 single-family residential lots into the community, it will result in a minor increase in

population. However, the development is consistent with the development anticipated for the project area by the Isleton General Plan. Therefore, this impact is less than significant.

**b) No Impact.** The Project site is currently vacant land that would be subdivided into 7 lots. As such, the proposed Project would not displace existing housing. Development of the proposed Project would increase the housing inventory of the City of Isleton by 7 single-family residential units which would be consistent with the General Plan land use designation of the site and buildout of the City.

**XV. PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

Question	CEQA Determination
a) Fire protection?	Less Than Significant Impact
b) Police protection?	Less Than Significant Impact
c) Schools?	Less Than Significant Impact
d) Parks?	Less Than Significant Impact
e) Other public facilities?	Less Than Significant Impact

**Environmental Setting**

The City of Isleton cooperates with Sacramento County Sherriff for police services and has its own Fire Department. The City Public Works Department manages the parks system.

**Evaluation of Potential Public Service Impacts**

**a - e) Less than significant impact.** The proposed project does not propose any new fire protection facilities. The proposed project will result in incremental demand for these services. In accordance with Chapter 3.56 of the Municipal Code, payment of development impact fees for house development will off-set the impacts the project would have on these City services.

School impact fees collected at the time building permits are issued for houses within the subdivision will off-set the impacts from this project on school services and facilities.

There would be a minimal increase in the use of existing park facilities as a result of the net increase in 6 single-family residences once built out. This would result in an additional demand of recreational facilities from six new families occupying all dwellings in the subdivision. This would be considered a negligible impact.

Police protection services within the City of Isleton are provided through a contract with the Sacramento County Sherriff Department. Development of the proposed Project may incrementally increase the demand for police protection services due to the increased

population of residents on the site. This would be considered a negligible impact.

XVI. RECREATION

Question	CEQA Determination
a) Would 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?	Less Than Significant Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less Than Significant Impact

Environmental Setting

The City Public Works Department oversees park maintenance. City facilities accommodate a wide range of activities, including softball, soccer, volleyball, and basketball. The proposed Project is not adjacent any parks or other recreational facilities.

**Evaluation of Potential Recreation Impacts**

**a, b) Less Than Significant Impact.** There would be a minimal increase in the use of existing recreational facilities as a result of the net increase in 6 single-family residences once built out. This would result in an additional demand of recreational facilities from six new families occupying all dwellings in the subdivision. This would be considered a negligible impact.

XVII. TRANSPORTATION

Would the project:

Question	CEQA Determination
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less Than Significant Impact
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Less Than Significant Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less Than Significant Impact
d) Result in inadequate emergency access?	Less Than Significant Impact

Environmental Setting

All lots will be accessed by existing public right of ways. Lots 1, 2, and 3 will be accessed via D Street. Lots 4 and 5 will be accessed via 6th Street, and lots 6 and 7 via Gas Well Road. The site is relatively flat. The proposed subdivision provides adequate access.

**Evaluation of Potential Transportation Impacts**

**a) Less than Significant Impact.** The subject property is surrounded and accessed on the south, east and west sides of 6<sup>th</sup>, D Street and Gas Well Road, via residential streets. All lots will have adequate access. Street improvements to the project will

be completed prior to any new dwelling unit construction or occupancy. The project will comply with all City regulations and policies addressing the circulation system

- b) **Less than Significant Impact.** Based on the International Traffic Engineers manual the project will result in some increased traffic of about 57 average trips daily for six more single family dwellings over the existing development scenario of about 10 trips if the site was built out with a single dwelling unit. This would be considered negligible to current traffic levels in the neighborhood and would not result in significant increases in Vehicle Miles Traveled (VMT) as provided under Section 15064.3 of the CEQA Guidelines.
- c) **Less than Significant Impact.** All lots proposed in the subdivision would have adequate access to residential streets and driveway access to each lot should not result in any dangerous vehicular conflicts.
- d) **Less than Significant Impact.** As proposed, the project is not expected to result in any impact related to adequate emergency access

**XVIII. TRIBAL CULTURAL RESOURCES**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Question	CEQA Determination
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	Less Than Significant Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less Than Significant Impact

**Environmental Setting**

Chapter 532, Statutes of 2014 (i.e., AB 52), requires Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include “[s] sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources.” AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a “tribal cultural resource.”

CEQA defines a “historical resource” as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC §5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (4) is determined to be a historical resource by a project’s Lead Agency (PRC §21084.1 and *State CEQA Guidelines* §15064.5[a]). A resource may be listed

as a historical resource in the California Register if it meets any of the following National Register of Historic Places criteria as defined in PRC §5024.1(C):

A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

B. Is associated with the lives of persons important in our past.

C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

D. Has yielded, or may be likely to yield, information important in prehistory or history.

A "substantial adverse change" to a historical resource, according to PRC §5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired." As detailed in response to Checklist Question 3.5a, a Project-specific cultural resources assessment was conducted for the Project site and included archaeological and historical records search, communication with Native American tribal representatives, and an intensive pedestrian survey of the Project site (Appendix C). The records search revealed 458 cultural resources were previously recorded within one mile of the Project site. The Project site has not been subject to a previous cultural resources assessment and no cultural resources have been previously identified within its boundaries. The intensive pedestrian survey of the Project site failed to identify any prehistoric archaeological remains and the results of the survey indicate that the surface of entire Project site has been disturbed by existing uses occupying the site.

#### **Evaluation of Potential Tribal and Cultural Impacts**

**a) Less than significant with mitigation incorporated.** Chapter 532, Statutes of 2014 (i.e., AB 52), requires Lead Agencies evaluate a project's potential to impact "tribal cultural resources." Such resources include "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource."

**b) Less than Significant with Mitigation Incorporated.** CEQA defines a "historical resource" as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC §5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (4) is determined to be a historical resource by a project's Lead Agency (PRC §21084.1 and *State CEQA Guidelines* §15064.5[a]).

A resource may be listed as a historical resource in the California Register if it meets any of the following National Register of Historic Places criteria as defined in PRC §5024.1(C):

A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

B. Is associated with the lives of persons important in our past.

C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

D. Has yielded, or may be likely to yield, information important in prehistory or history.

A "substantial adverse change" to a historical resource, according to PRC §5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired." As detailed in response to Checklist Question 3.5a, a Project-specific

cultural resources assessment was conducted for the Project site and included archaeological and historical records search, communication with Native American tribal representatives, and an intensive pedestrian survey of the Project site (Appendix C). The records search revealed 458 cultural resources were previously recorded within one mile of the Project site. The Project site has not been subject to a previous cultural resources assessment and no cultural resources have been previously identified within its boundaries. The intensive pedestrian survey of the Project site failed to identify any prehistoric archaeological remains and the results of the survey indicate that the surface of entire Project site has been disturbed by existing uses occupying the site. In accordance with California Government Code Section 65092, on or after March 1, 2005, local governments must consult with tribes before designating open space, if the affected land contains a cultural place and if the affected tribe has requested public notice. In this case, no tribe has requested consultation from the City of Isleton under this Code, so the City is not obligated to request further consultation from tribes.

Based on the absence of significant historical resources/unique archaeological resources within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed, although the following Mitigation Measures are considered appropriate:

**Mitigation Measures:**

See Cultural Resource section of this ISMND. CUL 1 and CUL 2 mitigation measure apply to this Tribal Cultural Resource section.

**XIX. UTILITIES AND SERVICE SYSTEMS**

Would the project:

Question	CEQA Determination
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less Than Significant Impact
c) Result in a determination by the wastewater treatment provider which 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
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant Impact

**Environmental Setting**

The Project will connect to existing gas, electric, and sanitary sewer stub outs in the adjacent street rights-of-way. Runoff from the lots would be collected in a series of at-grade concrete swales, catch basins, and pipe conveyance system (including water quality BMPs). The collected site runoff would be conveyed and discharged to the existing via a new drainage ditch or pipe.



**Evaluation of Potential Utility and Service Systems Impacts**

**a) Less Than Significant Impact.** The project will not impact existing and/or proposed utility/service infrastructure systems, including but not limited to water/wastewater treatment systems, storm water drainage systems, electric power, natural gas, or telecommunications facilities. The project parcels will be served with sanitary sewer and have power through PG&E.

**b) Less Than Significant Impact.** The development of a net increase in six dwellings would not substantially increase water service demands. All houses within the subdivision would be served public water. There will be no groundwater extraction from wells on the site. Public water supply is from California America Water Company which maintains the system consisting of three wells, Pumps, water treatment equipment, water storage, distribution piping, fire hydrants, valves and other equipment. The system draws from groundwater with a storage capacity of over 100,000. The project is estimated to result in an increase of about 500 gallons per day water demand from the public system (about 85 gallons per day per dwelling) which is considered negligible.

**c) Less than Significant Impact.** Sewage collection, treatment and disposal is provided by the City of Isleton. The City’s sewage treatment plant was replaced in 1976 following the flood which damaged the old plant in 1972. Consisting of engineered evaporation/percolation ponds located along Georgiana Slough southeast of the City, the facility provides only a primary level of treatment. The plant currently has sufficient capacity to service a net six additional dwellings as proposed by this subdivision.

**d) Less than Significant Impact.** The project would be required to coordinate with the waste hauler, Cal Waste Recovery, to develop collection of recyclable materials from the project site on a common schedule as set forth in applicable local, regional, and state programs. Solid waste is transported to the Delta transfer station near Isleton from where it is trucked to the County’s 656-acre sanitary landfill at Kiefer Blvd. and Grantline Road southeast of Sacramento. The County’s landfill site has an expected useful life to the year 2040. Materials that would be recycled by the project include paper products, glass, aluminum, and plastic. Additionally, the project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, state, and federal solid wastedisposal standards.

**XX. WILDFIRE**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Question	CEQA Determination
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less Than Significant Impact

Question	CEQA Determination
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

**Evaluation of Potential Wildfire Impacts**

- a) **No Impact.** The project as designed will provide sufficient emergency access.
- b) **Less than Significant Impact.** The site is virtually flat and with minimal slope and therefore will not exacerbate wildfire risks exposing project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire
- c) **No Impact.** The Project is located in a non-rural urbanized area served by existing water and roadway infrastructure and does not require the installation or maintenance of wildland protection features such as fire roads, fuel breaks, or emergency water sources. In the absence of any need for such features, no impact (temporary or ongoing) would result from development of the proposed uses.
- d) **No Impact.** Similar to adjacent properties, the Project site is flat. No hillside areas or natural areas prone to wildfire fire are located in the immediate Project vicinity. As the Project would not expose persons or structures to post-fire slope instability or post-fire drainage, no impact would occur.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

Question	CEQA Determination
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?	Less Than Significant Impact
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)?	Less Than Significant Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Less Than Significant Impact





City of Isleton

DATE: October 4, 2022

Planning Commission  
Staff Report

ITEM#: 7.A

CATEGORY: New Business

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**ISLETON HISTORIC REVIEW BOARD, SECOND PLANNING COMMISSION  
REPRESENTATIVE, NOMINATION**

**BACKGROUND:**

The Isleton Historic Review Board, established by Ordinance 05-2011 is comprised of five members, two of which are members of the Planning Commission. The balance of the Board is made of two members from the public and a member from the Isleton Historical Society.

Mr Chris Jones, previously a member of the Planning Commission, has recently resigned. Chair Jack Chima is the single representative on this Board at present. The Planning Commission is being asked to nominate a second representative to serve on this Board. This nomination goes to City Council for actual appointment to the Isleton Historic Review Board.

There is no fiscal impact associated with this action.

**RECOMMENDATION:**

It is recommended that the Planning Commission nominate a second member for City Council appointment to the Isleton Historic Review Board.

Prepared by Charles Bergson, P.E.



