



Appendix H: Section 106 Consultation Efforts



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H.1 Section 106 Consultation Correspondence



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Project Stockton Diamon Grade Separation Project
Subject Communications with interested parties re: historic resources
Notes Prepared By Toni Webb, JRP Historical Consulting, LLC

Notes:

Interested Party	Communication Date	Notes
San Joaquin County Historical Society & Museum P. O. Box 30, Lodi, California 95241-0030 Phone: (209) 331-2055 Email: info@sanjoaquinhistory.org	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	Follow-up message sent via email. No response received.
Haggin Museum 1201 N. Pershing Ave. Stockton, CA 95203-1699 Phone: (209) 940-6300 Email: info@hagginmuseum.org	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	Follow-up message sent via email. No response received.
San Joaquin Genealogical Society P.O. Box 690243 Stockton, California 95269-0243 Email: AskUs@sjgensoc.org	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	Follow-up message sent via email. No response received.
City of Stockton Cultural Heritage Board c/o Community Development Department 345 North El Dorado Street Stockton, CA 95202-1997 Phone: (209) 937-8444	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	No follow-up message sent because interested party has no listed email.



October 29, 2020

RE: Stockton Diamond Project

To Whom It May Concern:

The San Joaquin Regional Rail Commission (SJRRC) and California High Speed Rail Authority (CHSRA) propose to replace an at-grade crossing of the Union Pacific Railroad (UPRR) and Burlington Northern & Santa Fe Railway Company (BNSF) rail lines with a railroad grade separation. Rail-over-rail grade separation is a method of aligning a junction of two or more at-grade rail lines at different heights (grades) so that they will not disrupt the traffic flow on each other’s transit routes when they converge at the junction point. Grade separations generally allow rail to move freely, with fewer interruptions, and at higher overall speeds. In addition, reducing the complexity of traffic movements at a junction between at-grade rail lines—coupled with vehicular, bicycle, and pedestrian traffic—reduces the potential for rail, vehicle, and bicycle/pedestrian conflicts. The “Stockton Diamond,” where the UPRR and BNSF tracks converge and cross one another at grade, is located in the City of Stockton. The general project limit extends southward from Weber Street to the UPRR Stockton Yard, and from Stanislaus Street eastward to Pilgrim Street. See the enclosed map.

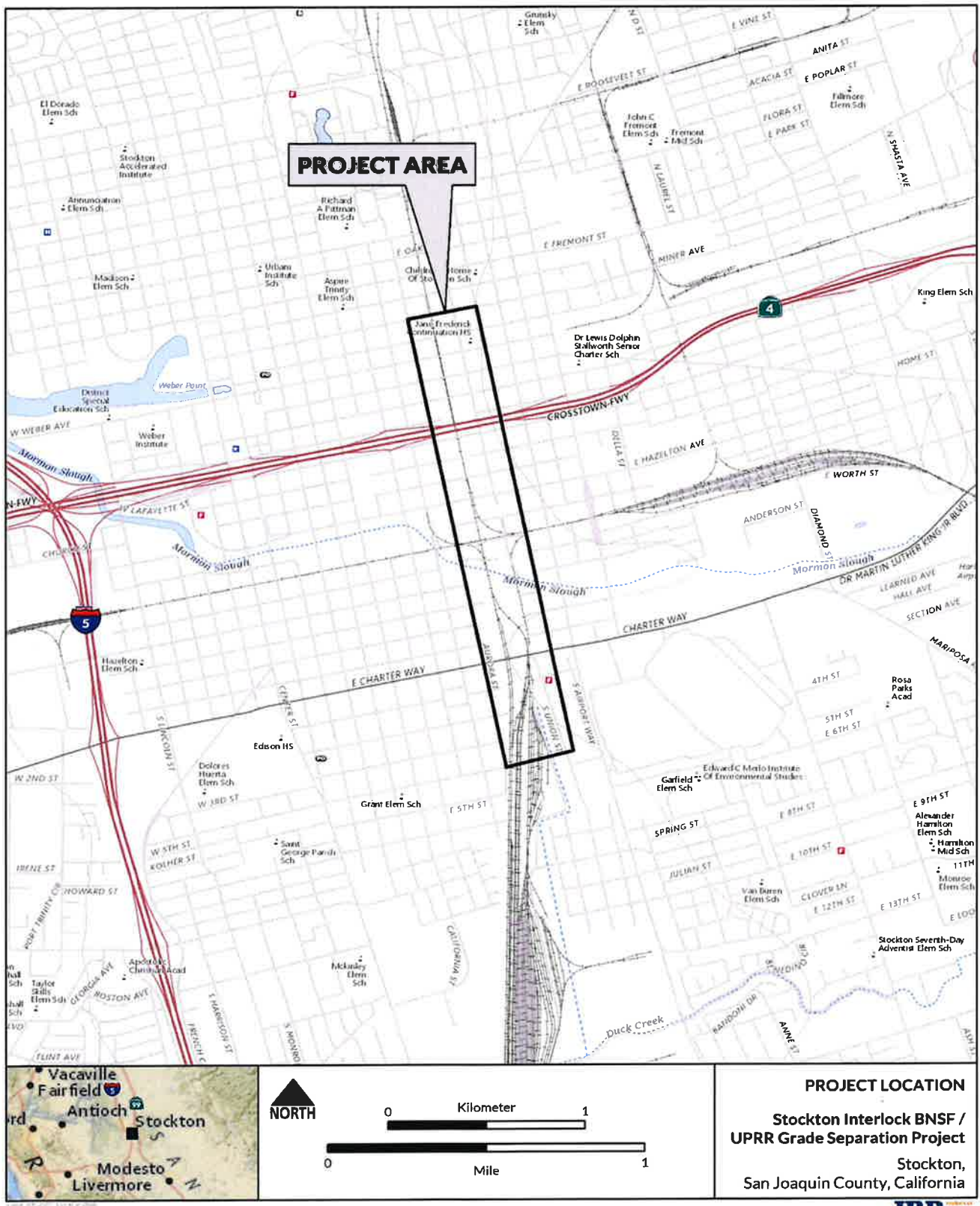
JRP Historical Consulting, LLC (JRP) has been retained to conduct a study to survey and evaluate historic-era buildings and structures that may be affected by the proposed project for their eligibility to be listed in the National Register of Historic Places and/or the California Register of Historical Resources. JRP’s study will be prepared to support the project’s environmental compliance under the National Environmental Policy Act (NEPA), along with its compliance under Section 106 of the National Historic Preservation Act and its implementing regulations in Title 36 Code of Federal Regulations Part 800 (36 CFR 800). JRP’s study will also be prepared for project compliance under the and California Environmental Quality Act (CEQA), as per CEQA Guidelines Section 15064.5. CHSRA is lead NEPA agency, and SJRRC is the lead CEQA agency.

If you or your organization has any information or concerns regarding historic resources in the area that could be affected by this project, please respond via email to JRP Architectural Historian, Toni Webb, at twebb@jrphistorical.com, or in writing to her at JRP Historical Consulting, LLC, 2850 Spafford Street, Davis, CA 95618, within the next thirty (30) days. Please note, this is not a request for research, just for information. Thank you for any assistance you can provide.

Sincerely,

Kevin Sheridan
Director of Capital Projects

Enclosures: Project Area Map



List of Recipients

San Joaquin County Historical Society and Museum
P. O. Box 30, Lodi, California 95241-0030
Phone: (209) 331-2055
Email: info@sanjoaquinhistory.org

City of Stockton Cultural Heritage Board
c/o Community Development Department
345 North El Dorado Street
Stockton, CA 95202-1997
Telephone: (209) 937-8444

Haggin Museum
1201 N. Pershing Ave.
Stockton, CA 95203-1699
Phone: (209) 940-6300
Email: info@hagginmuseum.org

San Joaquin Genealogical Society
P.O. Box 690243
Stockton, California 95269-0243
Email: AskUs@sjgensoc.org

Toni Webb

From: Toni Webb
Sent: Thursday, January 14, 2021 8:21 AM
To: info@hagginmuseum.org
Subject: Stockton Diamond Grade Separation Project
Attachments: Signed Letter to Interested Parties.pdf

This email serves as a follow-up to a letter (see attachment) sent via US Postal Service by the San Joaquin Regional Rail Commission to your organization on October 29, 2020 regarding historic resources that may be located within the vicinity of the Stockton Diamond Grade Separation Project. This communication is to confirm that your organization received that letter and to inquire if you have any information or concerns about historic resources in the project area. If you do have any questions or concerns, please reply to this email or contact me via phone or in writing (see contact information below) as soon as possible.

Thank you,

Toni Webb | Architectural Historian
530.757.2521 ext. 115



Our office is working remotely until further notice. The best way to reach me is by email or voicemail at the number and extension listed. I will get back to you as soon as I can.

Toni Webb

From: Toni Webb
Sent: Thursday, January 14, 2021 8:22 AM
To: AskUs@sjgensoc.org
Subject: Stockton Diamond Grade Separation Project
Attachments: Signed Letter to Interested Parties.pdf

This email serves as a follow-up to a letter (see attachment) sent via US Postal Service by the San Joaquin Regional Rail Commission to your organization on October 29, 2020 regarding historic resources that may be located within the vicinity of the Stockton Diamond Grade Separation Project. This communication is to confirm that your organization received that letter and to inquire if you have any information or concerns about historic resources in the project area. If you do have any questions or concerns, please reply to this email or contact me via phone or in writing (see contact information below) as soon as possible.

Thank you,

Toni Webb | Architectural Historian
530.757.2521 ext. 115



Our office is working remotely until further notice. The best way to reach me is by email or voicemail at the number and extension listed. I will get back to you as soon as I can.

Toni Webb

From: Toni Webb
Sent: Thursday, January 14, 2021 8:19 AM
To: info@sanjoaquinhistory.org
Subject: Stockton Diamond Grade Separation Project
Attachments: Signed Letter to Interested Parties.pdf

This email serves as a follow-up to a letter (see attachment) sent via US Postal Service by the San Joaquin Regional Rail Commission to your organization on October 29, 2020 regarding historic resources that may be located within the vicinity of the Stockton Diamond Grade Separation Project. This communication is to confirm that your organization received that letter and to inquire if you have any information or concerns about historic resources in the project area. If you do have any questions or concerns, please reply to this email or contact me via phone or in writing (see contact information below) as soon as possible.

Thank you,

Toni Webb | Architectural Historian
530.757.2521 ext. 115



Our office is working remotely until further notice. The best way to reach me is by email or voicemail at the number and extension listed. I will get back to you as soon as I can.



STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

May 12, 2020

Liz Denniston
Paleo Solutions, Inc.

Via Email to: liz@paleosolutions.com
Cc: canutes@verizon.net

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Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nhc@nhc.ca.gov
NAHC.ca.gov

Re: Stockton Diamond Grade Separation, San Joaquin County

Dear Ms. Denniston :

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were positive. Please contact the North Valley Yokuts Tribe on the attached list for more information. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nhc.ca.gov.

Sincerely,

Nancy Gonzalez-Lopez
Cultural Resources Analyst
Attachment

**Native American Heritage Commission
Native American Contact List
San Joaquin County
5/12/2020**

North Valley Yokuts Tribe

Katherine Perez, Chairperson
P.O. Box 717
Linden, CA, 95236
Phone: (209) 887 - 3415
canutes@verizon.net

Costanoan
Northern Valley
Yokut

The Confederated Villages of

Lisjan

Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, CA, 94603
Phone: (510) 575 - 8408
cvltribe@gmail.com

Bay Miwok
Ohlone
Delta Yokut

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Stockton Diamond Grade Separation, San Joaquin County.



December 21, 2020

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CHIEF EXECUTIVE OFFICER

GAVIN NEWSOM
GOVERNOR



Ms. Katherine Perez
Chairperson
North Valley Yokuts Tribe
P.O. Box 717
Linden, CA 95236

Re: Invitation to Consult under Section 106 for the Stockton Diamond Grade Separation Project, San Joaquin County, California

Dear Ms. Perez,

The San Joaquin Regional Rail Commission (SJRRRC), on behalf of the California High-Speed Rail Authority (Authority) under assignment by the Federal Railroad Administration (FRA), is proposing the Stockton Diamond Grade Separation Project (proposed Project) to improve operational efficiency at the at-grade crossing of the Union Pacific Railroad (UPRR) and BNSF Railway (BNSF) freight lines (Stockton Diamond or Diamond) in the city of Stockton, San Joaquin County, California.

Please consider this letter and preliminary Project information as Project notification and initiation of Section 106 consultation for the Project pursuant to the National Historic Preservation Act. Please respond within 30 days if you would like to consult on this Project and provide a designated lead contact person.

SJRRRC is the lead agency for consultation under AB 52 and you should have received letters initiating AB 52 consultation on November 9, 2020. The Authority, under assignment by the FRA, is the lead agency for consultation under Section 106.

Project Location and Setting

The proposed Project is located in the city of Stockton in San Joaquin County, California (see Attachment A: Project Overview Maps). The northern Project limit connects to the existing UPRR tracks between Main and Weber Streets. The southern Project limit is the UPRR Stockton Yard. Two BNSF main line tracks run east to west through the proposed Project area. The study limit generally reaches to Stanislaus Street in the west and to Pilgrim Street in the east.

Project Description

Substantial freight movements between the Port of Stockton and points east, north, and south must pass through the Stockton Diamond. The at-grade nature of the Diamond is an operational constraint that results in delays to the regional rail network where these two heavily traveled rail lines intersect. The proposed Project would construct a flyover structure to provide the vertical clearance required by both railroads to grade separate the existing crossing of the UPRR and BNSF tracks at the Diamond. It is anticipated that

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Commissioner, **Nancy Young**, City of Tracy
Commissioner, **Bob Elliott**, San Joaquin County
Commissioner, **Scott Haggerty**, Alameda County
Commissioner, **John Marchand**, City of Livermore

November 9, 2020

Ms. Katherine Perez
Chairperson
North Valley Yokuts Tribe
P.O. Box 717
Linden, CA 95236

Re: Invitation to Consult under Assembly Bill (AB) 52 for the Stockton Diamond Grade Separation Project, San Joaquin County, California

Dear Ms. Perez,

The San Joaquin Regional Rail Commission (SJRRRC), on behalf of the California High Speed Rail Authority (CHSRA) under assignment by the Federal Railroad Administration (FRA), is proposing the Stockton Diamond Grade Separation Project (proposed Project) to improve operational efficiency at the at-grade crossing of the Union Pacific Railroad (UPRR) and BNSF Railway (BNSF) freight lines (Stockton Diamond or Diamond) in the city of Stockton, San Joaquin County, California.

Please consider this letter and preliminary project information as formal notification of the proposed Project as required under the California Environmental Quality Act, specifically Public Resources Code (PRC) 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52). Please respond within 30 days, pursuant to PRC 21080.3.1(d) if you would like to consult on this project and provide a designated lead contact person.

Project Location and Setting

The proposed Project is located in the city of Stockton in San Joaquin County, California (see Attachment A: Project Overview Maps). The northern Project limit connects to the existing UPRR tracks between Main and Weber Streets. The southern Project limit is the UPRR Stockton Yard. Two BNSF main line tracks run east to west through the proposed Project area. The study limit generally reaches to Stanislaus Street in the west and to Pilgrim Street in the east.

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949 East Channel Street Stockton, CA 95202 (800) 411-RAIL (7245) www.acerail.com



December 21, 2020

Ms. Corrina Gould
Chairperson
The Confederated Villages of Lisjan
10926 Edes Avenue
Oakland, CA 94603

Re: Invitation to Consult under Section 106 for the Stockton Diamond Grade Separation Project, San Joaquin County, California

Dear Ms. Gould,

The San Joaquin Regional Rail Commission (SJRRRC), on behalf of the California High-Speed Rail Authority (Authority) under assignment by the Federal Railroad Administration (FRA), is proposing the Stockton Diamond Grade Separation Project (proposed Project) to improve operational efficiency at the at-grade crossing of the Union Pacific Railroad (UPRR) and BNSF Railway (BNSF) freight lines (Stockton Diamond or Diamond) in the city of Stockton, San Joaquin County, California.

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Commissioner, **Scott Haggerty**, Alameda County
Commissioner, **John Marchand**, City of Livermore

November 9, 2020

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Oakland, CA 94603

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H.2 State Historic Preservation Office (SHPO) Finding of Effect Concurrence



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DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000 FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

December 9, 2021

VIA ELECTRONIC MAIL

In reply refer to: FRA_2021_0226_001

Mr. Brett Rushing, Cultural Resources Program Manager
California High-Speed Rail Authority
707 L Street, Suite 620
Sacramento, CA 05814

Subject: Continuing Section 106 Consultation on the Finding of Effect for the Stockton Diamond Grade Separation Project, San Joaquin County, California.

Dear Mr. Rushing:

The Office of Historic Preservation (OHP) is in receipt a letter dated November 12, 2021 in which the San Joaquin Regional Rail Commission (SJRRRC), on behalf of the California High-Speed Rail Authority (Authority) as assigned by the Federal Railroad Administration (FRA), is continuing consultation on the above referenced undertaking. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this undertaking are being, or have been, carried out by the State of California pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 23, 2019, and executed by the FRA and the State of California. The November 2021 *Section 106 Addendum to the Finding of Effect Report: Stockton Diamond Grade Separation Project; Stockton, San Joaquin County, California* (Addendum FOE) is enclosed with the letter.

In previous consultation, a Finding of Effect (FOE) was transmitted to the SHPO for review and comment on August 4, 2021. However, this FOE was limited to the undertaking's effects to the built historic properties identified in the previously submitted *Historic Resources Inventory and Evaluation Report* (May 2021). For the current consultation, the Addendum FOE assesses the undertaking's potential to effect archaeological historic properties within the area of potential effects (APE). Based on the results of the identification efforts presented in the earlier submitted May 2021 *Archaeological Survey Report*, the Addendum FOE concludes that the undertaking will not result in adverse effects to archaeological historic properties. The Addendum FOE also provides conditions to the Authority's finding of no adverse effect, which involve archaeological and Native American monitoring of archaeological sensitive areas, and cultural resources awareness training to construction workers.

The Authority has concluded that the undertaking will have no adverse effect on historic properties. The Authority has requested my review and comment on their finding of effect for the proposed undertaking. After reviewing your letter and supporting documentation, **I agree**

Mr. Rushing
December 9, 2021
Page 2 of 2

FRA_2021_0226_001

that a finding of *no adverse effect* is appropriate given the conditions outlined in the Addendum FOE. If you require further information, please contact Associate State Archaeologist, Alicia Perez at Alicia.Perez@parks.ca.gov.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a horizontal line that tapers to the right.

Julianne Polanco
State Historic Preservation Officer



H.3 Finding of Effect Addendum



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DATE: December 9, 2021

TO: Office of Historic Preservation

FROM: California High-Speed Rail Authority

SUBJECT: Stockton Diamond Grade Separation Project, Stockton, San Joaquin County, California Finding of Effect Addendum for Archaeological Resources

This Finding of Effect (FOE) memorandum analyzes potential effects on archaeological resources from the Stockton Diamond Grade Separation Project (Project) in Stockton, San Joaquin County, California. The purpose of the FOE is to assist the San Joaquin Regional Rail Commission (SJRRRC), on behalf of the California High-Speed Rail Authority (Authority) as assigned by the Federal Railroad Administration (FRA), in complying with Section 106 of the National Historic Preservation Act and the implementing regulations of the Advisory Council on Historic Preservation—as these pertain to federally funded undertakings and their impacts on historic properties—and with Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. “Historic properties” are defined as any prehistoric or historic site, district, building, structure, or object that is listed in the National Register of Historic Places (NRHP) or is eligible for inclusion in the NRHP (36 Code of Federal Regulations [C.F.R.] § 800.16(l)). The environmental review, consultation, and other actions required by applicable Federal environmental laws for this Project are being, or have been, carried out by the State of California pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 23, 2019, and executed by the FRA and the State of California. The Authority is the federal environmental lead agency under the National Environmental Policy Act (NEPA) and SJRRRC is the state environmental lead agency under the California Environmental Quality Act (CEQA). All work was conducted in compliance with CEQA, NEPA, and applicable local regulations.

The Area of Potential Effect was transmitted to OHP for review and determined to be adequate on April 22, 2021. The findings from the pedestrian survey were documented in the *Stockton Diamond Grade Separation Project Archaeological Survey Report* (May 2021) prepared by Paleo Solutions (ASR). The ASR did not identify any archeological sites, features, or artifacts within the APE. SHPO concurred with the findings in the ASR in a formal comment letter dated July 29, 2021. The Authority determined that no archaeological resources were present in the APE; therefore, archaeological resources were not discussed in the original *Section 106 Finding of Effect Report for the Stockton Diamond Grade Separation Project* (June 2021) prepared by JRP.

Archival Research and Pedestrian Archaeological Field Survey Results

A records search for the proposed Project was conducted by staff at the Central California Information Center at California State University, Stanislaus in April 2020 (Record Search File No. 11370L). The records search identified one historic-age refuse deposit (P-39- 005114/CASJO-000338H) was previously recorded in the APE, and a plaque marking the historic-age burial place of John Brown (aka Juan Flaco) (P-39-000532, California Historical Landmark #513) is adjacent to the northeast portion of APE. However, no evidence of historic- age refuse deposit P39-005114/CA-SJO-000338H was observed during the field survey. No newly-identified archaeological resources were identified as a result of the survey.

Tribal Consultation

A Sacred Lands File search and AB 52 contact list was requested from the Native American Heritage Commission (NAHC) on May 8, 2020, to identify sensitive or sacred Native American resources that could be affected by the proposed Project. The NAHC responded on May 12, 2020 and reported that the search of the Sacred Lands File revealed positive results for the relevant area. No additional information on the location or nature of the positive finding was provided; however, the NAHC recommended that the North Valley Yokuts Tribe be contacted for more information.

The NAHC also provided a contact list of two Native American tribes who may have direct knowledge of tribal cultural resources in or near the APE:

- North Valley Yokuts Tribe – Katherine Perez
- The Confederated Villages of Lisjan – Corrina Gould

SJRRC initiated AB 52 consultation with tribal governments on November 9, 2020. Outreach letters were sent to the tribal government representatives on the NAHC contact list providing information about the proposed Project and seeking input from the tribal community. The Authority initiated government-to-government consultation under Section 106 with Native American tribal governments on December 21, 2020. Representatives of the Authority and SJRRC met with a representative of the North Valley Yokuts Tribe and the Confederated Villages of Lisjan in January and February 2021, respectively.

Measures to ensure proper treatment of any inadvertent discoveries of interest to tribal representatives during proposed Project construction activities were discussed. Specifically, Ms. Perez and Ms. Gould both stated concerns regarding the Project and requested that ground disturbing activities be monitored in the event that an inadvertent discovery occur during construction. Activities with a deeper footprint of disturbance, like the installation of footings for bridges or foundations, have greater potential for encountering intact, buried archaeological resources. Therefore, an archaeologist and Native American representative will provide a Worker Environmental Awareness Protection (WEAP) training to outline an overview of cultural (precontact and historic) and tribal cultural resources, the regulatory requirements for the protection of cultural resources, and the proper procedures in the event of an unanticipated cultural resource. The draft ASR was submitted for their review in May 2021 and both Ms. Perez and Ms. Gould re-iterated their concerns regarding subsurface precontact archaeological sensitivity and recommended monitoring.

Assessment of Effects

The Criteria of Adverse Effect (36 CFR 800.5) were applied to the Project actions that have the potential to affect historic properties within the APE. An “adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the NRHP in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.”¹

Application of the criteria of adverse effect is an assessment of an undertaking’s changes to the character or use of a historic property and of how the undertaking will affect those features of a historic property that contribute to its eligibility for listing in the NRHP. Effects can be direct, indirect, and cumulative. Direct effects include such actions as physical destruction or damage, as well as those that may not physically impact the historic property but introduce visual or audible impacts that alter its

¹ 36 CFR 800.5, “Assessment of adverse effects,” incorporating amendments effective August 5, 2004.

Stockton Diamond Grade Separation Addendum to FOE for Archaeological

character-defining features [36 CFR 800.5(a)(1)]. Indirect adverse effects include those that are later in time or farther removed in distance but are still reasonably foreseeable. Pursuant to 36 CFR § 800.5(b) the Authority, in consultation with SJRRC, has made a finding that the Project would have no adverse effect on archaeological historic properties within the APE when the following conditions are applied.

Archaeology and Tribal Monitoring

Prior to issuance of grading permits, SJRRC, in coordination with CHSRA, shall retain an archaeological monitor as well as Native American monitors from the North Valley Yokuts Tribe and The Confederated Villages of Lisjan. The archaeological monitor, working under the direct supervision of a qualified archeologist, shall be present for Project earth-moving activities that occur within undisturbed, original ground in the Project Area. Earth moving activities include, but are not necessarily limited to excavation, trenching, grading, and drilling. One Native American monitor from the North Valley Yokuts Tribe and one Native American monitor from The Confederated Villages of Lisjan shall also be requested to be on-site during Project earth-moving activities that occur within undisturbed, original ground in the Project Area. Attendance is ultimately at the discretion of the tribes.

Areas identified for archaeological and Native American monitoring will be further refined in consultation with interested Native American tribes.

All archaeological monitors shall be familiar with the types of historical and prehistoric resources that could be encountered within the Project Area.

The qualified archaeologist shall have the ability to recommend, with written and photographic justification, the termination of monitoring efforts to SJRRC and CHSRA, and should SJRRC and the Native American monitors concur with this assessment, then monitoring shall cease.

If an inadvertent discovery of archaeological materials is made during project-related construction activities, the qualified archaeologist shall immediately be notified regarding the discovery and shall follow the process laid out under 36 CFR 800.13. If prehistoric or potential tribal cultural resources are identified, the Native American monitors shall also immediately be notified. The archaeological monitor shall have the authority to halt ground disturbing activities within 50 feet of the resource(s) and an Environmentally Sensitive Area physical demarcation shall be established.

The qualified archaeologist, in consultation with SJRRC and Native American monitors, should the find be prehistoric or a potential tribal cultural resource, and in coordination with CHSRA, shall determine whether the resource is potentially significant under Section 106 of the NHPA. Next, CHSRA shall determine actions that SJRCC can take to resolve adverse effects, and notify the SHPO and interested tribes within 48 hours of the discovery. If avoidance is not feasible, the qualified archaeologist, in consultation with SJRRC and CHSRA, shall prepare and implement a detailed treatment plan. Treatment for most archaeological resources would consist of, but would not necessarily be limited to, in-field documentation, archival research, subsurface testing, and excavation.

No work will continue within the 50-foot buffer until the qualified archaeologist, SJRRC and CHSRA, along with the Native American monitors should the find be prehistoric or a tribal cultural resource, agree to appropriate treatment.

Worker Environmental Awareness Protection Training

Prior to initiating earth-moving construction activity, a qualified archaeologist, meeting the Secretary of the Interior's Standards for professional archaeology, shall ensure that a Worker Environmental Awareness Protection (WEAP) training, presented by a qualified archaeologist and with participation requested by

Stockton Diamond Grade Separation Addendum to FOE for Archaeological

Native American representative(s), is provided to all construction and managerial personnel involved with the proposed Project. The WEAP training shall provide an overview of cultural (prehistoric and historic) and tribal cultural resources and outline regulatory requirements for the protection of cultural resources. The WEAP will also cover the proper procedures in the event an unanticipated cultural resource is identified during construction. The WEAP training can be in the form of a video or PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the proposed Project.



H.4 Finding of Effect



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SECTION 106 FINDING OF EFFECT REPORT

Stockton Diamond Grade Separation Project Stockton, San Joaquin County, California



June 2021

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1. SUMMARY OF FINDINGS

This Finding of Effect (FOE) report has been prepared for the San Joaquin Regional Rail Commission’s (SJRRRC) Stockton Diamond Grade Separation Project (proposed Project). The purpose of the FOE is to assist the project’s lead federal agency, the California High-Speed Rail Authority (CHSRA), under assignment by the Federal Railroad Administration (FRA), in complying with Section 106 of the National Preservation Act (NHPA) and the implementing regulations of the Advisory Council on Historic Preservation in Title 36 Code of Federal Regulations Part 800 (36 CFR 800), as these pertain to federally funded undertakings and their impacts on historic properties. “Historic properties” are buildings, structures, objects, or districts that are listed in, or formally determined eligible for listing in, the National Register of Historic Places (NRHP).

This FOE presents the effects conclusions for historic properties identified in the *Historic Resources Inventory and Evaluation Report* prepared for the proposed Project in May 2021. The Area of Potential Effects (APE) is based on the project description dated October 1, 2020, as well as designs and mapping dated October 8, 2020. The APE encompasses the full extent of historic built resources, i.e. buildings, engineering structures, districts, or landscapes built or established during the historic era (in or before 1975). The APE map is in Appendix A.

The FOE analyzes potential effects on five built historic properties in the APE, as well as one historic district that intersects the APE. A summary of the five historic properties and historic district is included in Table 1. The proposed Project would not cause an adverse effect to built historic properties within the APE. Construction of the proposed Project would not require the demolition of any built historic properties and would not remove character-defining features from or alter historic setting characteristics of any built historic properties. As such, no mitigation measures for built historic properties will be developed with consulting parties.

Table 1: Summary of Section 106 Effects Findings for Built Historic Resources

MAP REFERENCE NUMBER	APN	RESOURCE NAME	ADDRESS	YEAR BUILT	EFFECT FINDINGS
n/a	n/a	Stockton Downtown Commercial Historic District	n/a	n/a	No Adverse Effect
3	151-190-001	Imperial Hotel	902 East Main Street	1896	No Adverse Effect
4	151-190-080	Imperial Garage n/a	20 South Aurora Street 30 South Aurora Street	ca. 1915 1918	No Adverse Effect
5	151-190-007	Hotel New York	34 South Aurora Street	1910	No Adverse Effect
6	151-190-060	n/a	915 East Market Street	ca. 1926	No Adverse Effect
7	151-220-020	Waldemar Apartments	920 East Market Street	1918	No Adverse Effect

2. DESCRIPTION OF UNDERTAKING

2.1 Introduction

The San Joaquin Regional Rail Commission (SJRRRC) proposes to construct a grade separation of two principal railroad lines at the Stockton Diamond in Stockton, California. A combined Environmental Impact Report (EIR) and Environmental Assessment (EA) is being prepared in conformance to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), respectively. The SJRRRC as the project sponsor is the CEQA Lead Agency, and the California High Speed Rail Authority (CHSRA), under assignment by the Federal Railroad Administration (FRA), is the NEPA Lead Agency. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being or have been carried out by the State of California pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 23, 2019, and executed by the FRA and the State of California.

The Stockton Diamond Grade Separation Project (proposed Project) is a critical freight and passenger mobility project. The current Altamont Corridor Express (ACE) and San Joaquin passenger rail service is constrained by the Stockton Diamond Interlock at-grade crossing which can cause reliability and on time performance schedule conflicts. The grade separation will provide a key element in SJRRRC and San Joaquin Joint Powers Authority (SJJPA) operational performance in providing service between the Central Valley, Sacramento, and San Francisco Bay Area. Figure 1 shows the general regional project location.

At the present time, the BNSF Railway (BNSF) Stockton Subdivision and the Union Pacific Railroad (UP) Fresno Subdivision consist of two main tracks each, and intersect each other at a level, at-grade crossing known as the Stockton Diamond. This rail intersection, located just south of Downtown Stockton near South Aurora Street and East Scotts Avenue, is the busiest at-grade railway junction in California. The at-grade crossing results in significant congestion and delays to service that moves people and freight throughout the Central Valley as well as freight out to the broader national network. The current, at-grade configuration of the track results in significant delays to passenger and freight trains in the area, including those serving the Port of Stockton, as well as other trains in the area. These delays limit the capacity of the Port of Stockton for growth and inhibit the Valley Rail Program ACE and San Joaquin “Extension” projects’ service reliability and on-time performance of the ACE and San Joaquin services throughout the region. Train congestion also causes local delays at roadway-rail grade crossings and potential motor vehicle, rail, bicycle, and pedestrian conflicts.

The proposed Project would construct a grade separation of the BNSF and UP rail lines to reduce rail congestion and allow for an uninterrupted flow of rail traffic through the crossing, improving freight mobility and leading to lower costs for freight shipping, reduced delays, and a decrease in fuel consumption for idling locomotives. By increasing train speeds and reducing the time that trains occupy public roadway-rail grade crossings in the City of Stockton, there would be a reduction in the time that motor vehicles, bicycles, and pedestrians will spend waiting for trains to pass. In turn, the reduction in train congestion and motor vehicle wait times at these roadway-rail grade crossings will reduce idling and air emissions.

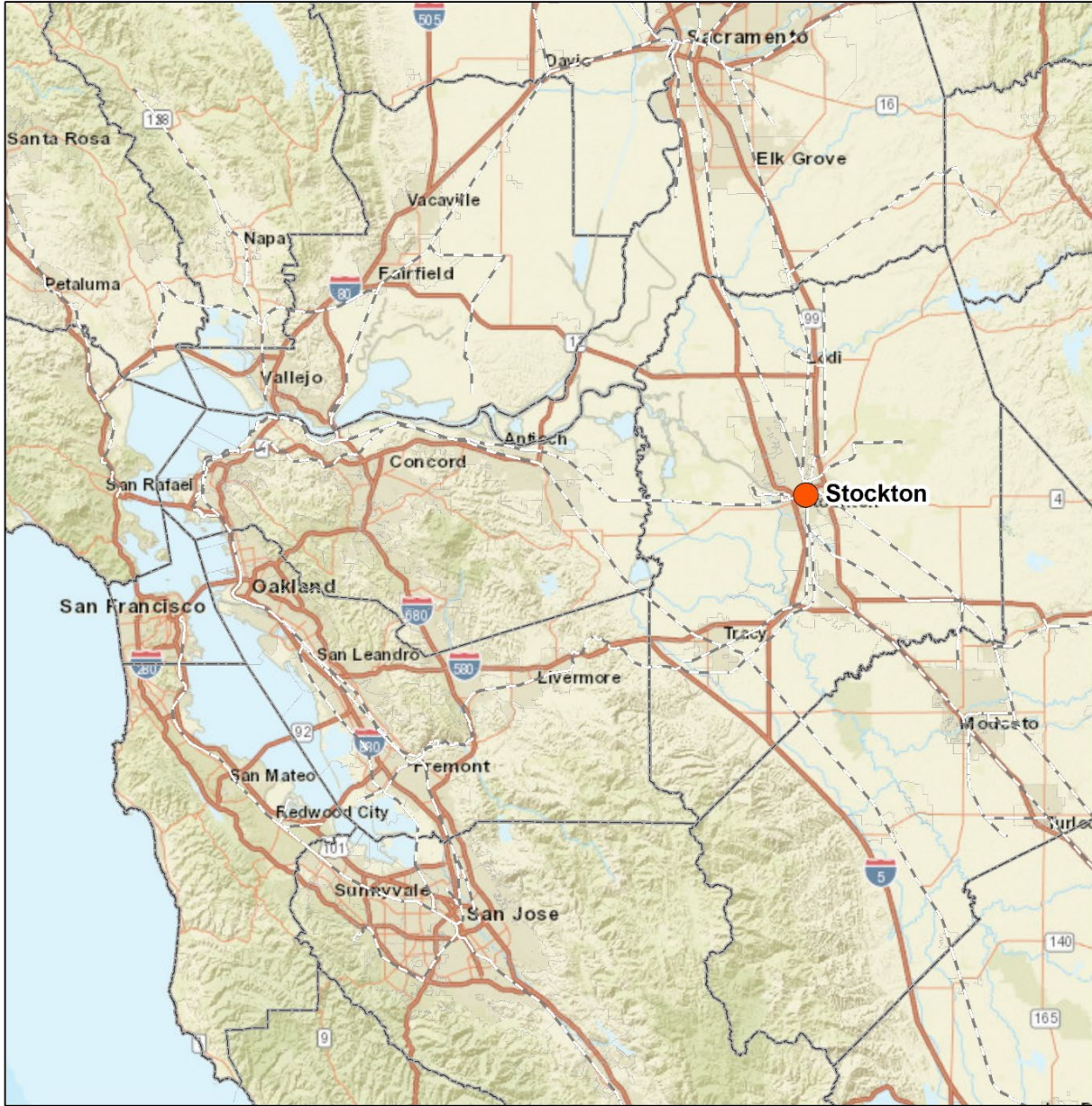


Figure 1: Regional Location

The public benefits of the proposed Project accrue to motorists, pedestrians, rail passengers, and residents throughout the region. The private benefits can be seen in the reduction of fuel consumption, lower costs to freight rail transportation, and decreases in delays. Passenger and commuter rail reliability is essential for those residing and working in the region, especially those in rural communities, who need improved access to essential services and economic centers. The proposed Project is aligned with San Joaquin County goals to enhance existing rail infrastructure in order to improve the rail network efficiency and capacity, including safe, reliable transportation choices, while also improving the local economy through economic growth, job retention, and job creation.

2.1.1 Project Background

The railroad main lines comprising the Stockton Diamond are geographically oriented east-west (BNSF Stockton Subdivision) and north-south (UP Fresno Subdivision), as shown in Figure 2, and both railroads are segments of important trade routes between Northern California (including ports in Stockton and the San Francisco Bay Area), the central United States, and the Pacific Northwest. BNSF has operating rights on the UP main line that it exercises for certain trains, and UP has operating rights on the BNSF main line that it exercises for certain trains. Connection tracks between the BNSF and UP main lines at Stockton, in the northeast, southeast, and southwest quadrants of the diamond crossing, enable through trains of one railroad to use the other railroad's tracks. BNSF and UP trains also use these connection tracks to transfer railcars between BNSF and UP yards and terminals in the vicinity of the Stockton Diamond.

Trains operating on the BNSF and UP main lines at the Stockton Diamond consist of freight trains of BNSF and UP, ACE commuter passenger trains between Stockton and San Jose operated by SJRRC, and intercity Amtrak San Joaquins passenger trains between Oakland/Sacramento and Bakersfield operated by SJJPA. Freight trains that operate through Stockton typically consist of various types, such as: intermodal trains that carry containerized freight or highway semi-trailers; bulk trains that consist of a single commodity such as grain moving between a single origin and destination; manifest trains that carry individual carloads of freight for many shippers and moving between multiple origins and destinations; and local freights and transfers that move freight cars between switching yards, or between yards and the docks or shipping and receiving facilities of railroad customers. Based on the 2018 California State Rail Plan¹, between approximately 50 and 70 freight trains and between 12 and 20 passenger trains per day on average

Figure 2: Stockton Diamond



¹ California Department of Transportation, 2018 California State Rail Plan, Accessible at <https://dot.ca.gov/programs/rail-and-mass-transportation/california-state-rail-plan>.

currently travel through the Stockton Diamond footprint.

The proposed Project replaces the existing at-grade intersection of the BNSF Stockton Subdivision and UP Fresno Subdivision with a grade-separation structure that will elevate the UP main tracks above the BNSF main tracks, enabling through trains proceeding on the UP main tracks to advance through the intersection without conflict with through trains on the BNSF main tracks. The three existing connections between the two railroads will remain and function much as they did prior to completion of the Project, although their alignments will be modified to accommodate the development of the flyover structure and to reduce operating conflicts between trains on various routes within Stockton. No existing UP main tracks will remain in place across the BNSF main tracks after the Project is constructed. Traffic conflicts and train staging that currently occur, as trains wait on one railroad's main track for trains using the other railroad's main track to pass through the Stockton Diamond footprint, will be reduced once trains traveling on the UP main tracks begin using the grade-separation structure to cross above the BNSF main tracks. The at-grade crossing will be removed permanently, thereby removing the need for frequent maintenance and the resulting train delays created during shutdown of the crossing.

2.1.2 Project Setting

2.1.2.1 *Regional Setting*

The proposed Project is located in the City of Stockton in San Joaquin County, California. San Joaquin County, located between the counties of Alameda and Contra Costa to the west and Sacramento to the north, encompasses approximately 1,448 square miles. Approximately 773,632 residents occupy San Joaquin County. The region's incorporated cities include Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy, the largest of which is Stockton, with a population of 318,522.²

According to the San Joaquin Council of Governments (SJCOG), rail is a critical link to the full-service transportation network available in San Joaquin County. The network is comprised of approximately 200 miles owned by Class I railroads BNSF and UP. The county also features approximately 50 miles of short-line railroads, including the Stockton Terminal and Eastern Railroad and the Central California Traction Company (CCT).

Transit is also important to the region and includes a system of bus rapid transit; intercity and interregional bus transit services; and ACE commuter rail service. There are currently 10 stops along the 86-mile ACE route between San Jose and Stockton. ACE trains pass through the Stockton Diamond between the current northern terminal station in Stockton (Robert J. Cabral Station) and the Lathrop/Manteca Station approximately 11 miles south. The ACE transit service uses Bombardier Bi-level coaches with MPI F40PH-3C and Siemens Charger locomotives, which operate on lines owned by UP.

San Joaquin County's road network is made up of more than 3,600 maintained miles. Major north-south highways include State Route 99 (SR 99) and Interstate 5 (I-5). SR 99 is considered the "Main Street" of the San Joaquin Valley and I-5 is a corridor of statewide and national significance. Each of these routes also carries truck traffic that is much higher than the state average for the highway system, and is imperative to goods movement. SR 120, SR 4, and SR 12 are major east-west highways, connecting SR 99 and I-5. SR 4, referred to as the Crosstown Freeway within Stockton, is located less than 2,000 feet north of the Stockton Diamond and continues westward

² Department of Finance E-1 Population Estimate: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates//E-1/>

to the city of Hercules and eastward into the Sierra Nevada Mountains. Other important highways in the region include Interstates 580 (I-580) and 205 (I-205), located in the southwest region of the county. Each of these highways facilitates goods movement throughout the region. I-205 and I-580 serve as the gateway connection between the San Joaquin Valley and the San Francisco Bay Area. Each of these highways has experienced increased travel movement greatly beyond the statewide average.

2.1.2.2 Project Study Area and Construction Limits

The northern limit of the proposed Project construction limits includes Weber Avenue, a major east-west arterial in downtown Stockton. Just north of Weber Avenue is the Robert J. Cabral Station. The southern Project construction limit is the UP Stockton Yard, located approximately at East Fourth Street. The eastern and western limits of the Project construction limits are generally South Pilgrim Street and South Grant Street, respectively. Figures 3-6 provide maps of the Project construction limits. The Project study area varies depending on the resource analyzed; however, the general study area extents are included in Figure 3.

The Stockton Diamond is generally located in the middle of the study area. Substantial freight movements between the Port of Stockton and points east, north, and south must pass through the Diamond. The existing at-grade nature of the Diamond provides an operational constraint that results in delays to the regional rail network where these two principal rail lines intersect.

At several locations, the existing north-to-south UP Fresno Subdivision tracks at and near the Diamond are raised above grade by about 3 feet, requiring any vehicular or pedestrian traffic to go up and over the hump to cross the tracks at roadway-rail grade crossings. Additionally, the Mormon Slough is crossed by existing road and railway tracks within the proposed Project study area in several locations.

The Diamond currently features wye connection tracks in three of the four Diamond quadrants, and a new wye for the northwest quadrant, referred to as the Stockton Wye, is planned for construction in 2021. As shown in Figure 2, the wye connection tracks create a triangular joining arrangement of three rail lines, where individual trains can be routed between the BNSF Stockton Subdivision and UP Fresno Subdivision. In the southeast quadrant, the wye track provides connection to and from the UP Stockton Yard located south of the Diamond and allows connectivity to the BNSF Mormon Yard located east of the Diamond.

In the southwest quadrant, a wye track connects the UP Fresno Subdivision and UP Stockton Yard with the BNSF Stockton Subdivision heading westbound. In the northeast quadrant, a wye track provides connection between the BNSF Stockton Subdivision and the UP Fresno Subdivision, which is used by Amtrak for the San Joaquins service between Sacramento, Stockton, and Bakersfield. Completion of the Stockton Wye project would provide a connection track in the northwest quadrant of the diamond, and would improve access between the UP Fresno Subdivision and the Port of Stockton to the west of the Diamond.

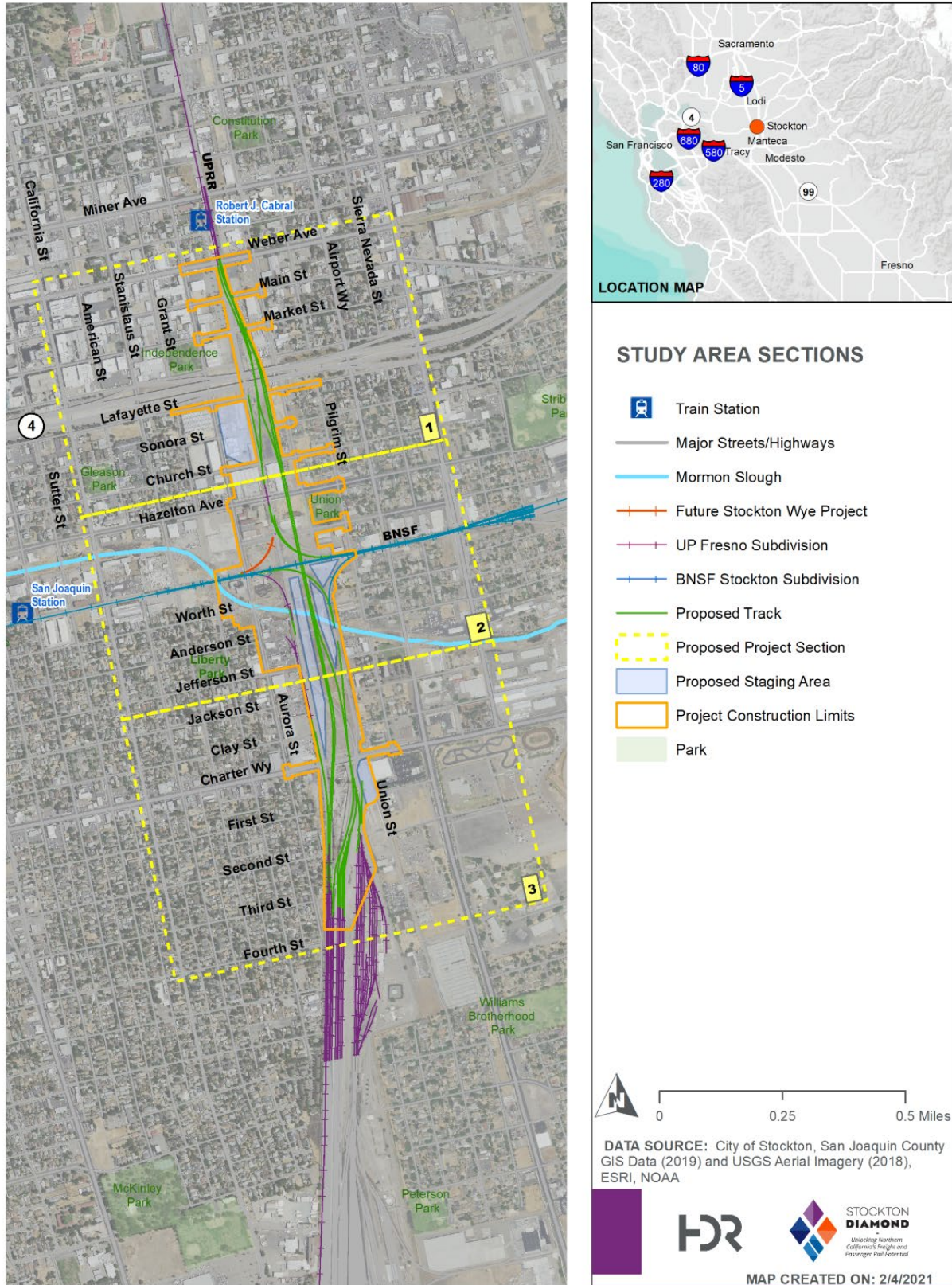


Figure 3: Project Study Area Sections

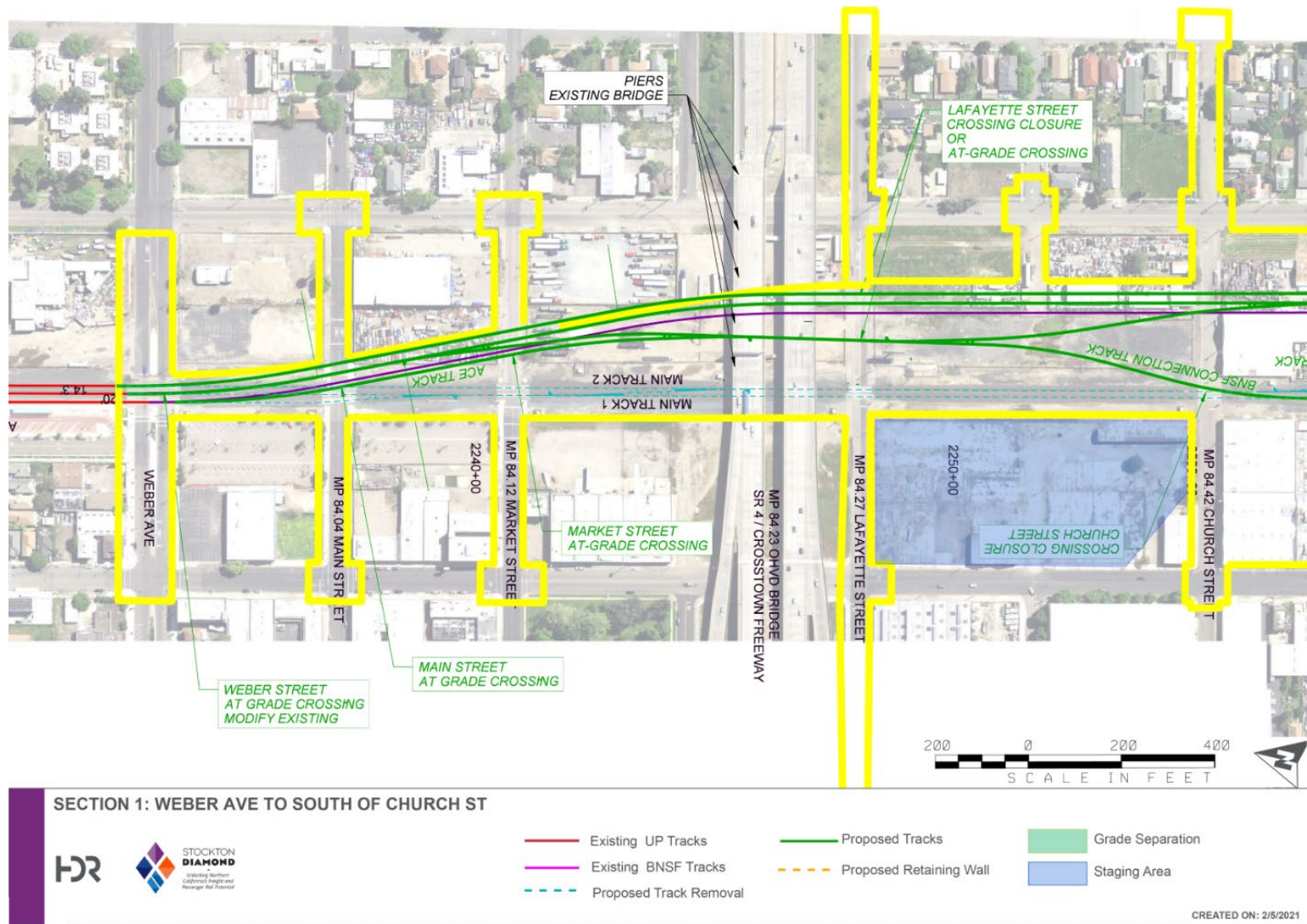


Figure 4: Project Design Features and Study Area (East Weber Avenue to South of East Church Street)

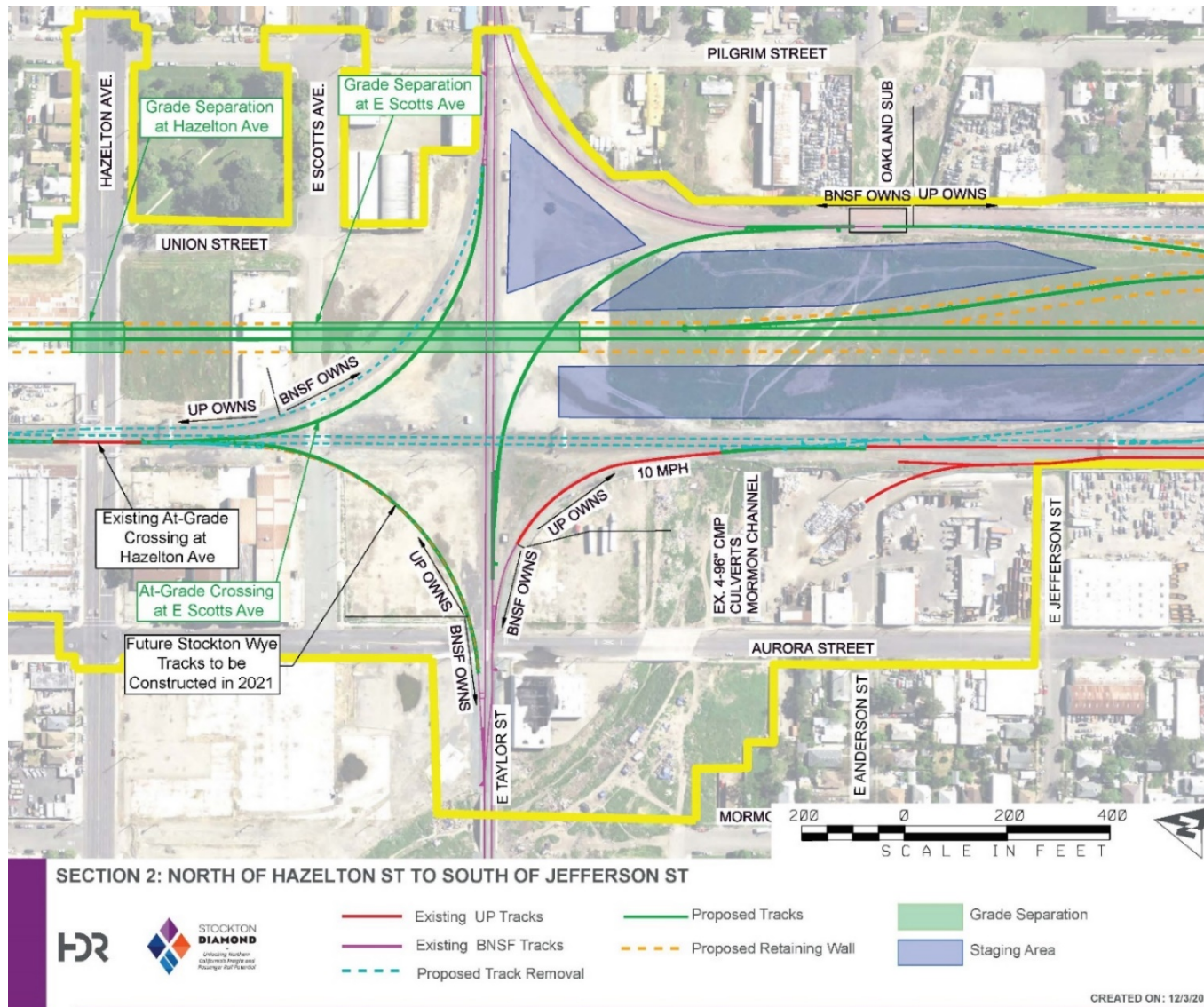


Figure 5: Project Design Features and Study Area (North of East Hazelton Avenue to South of East Jefferson Street)

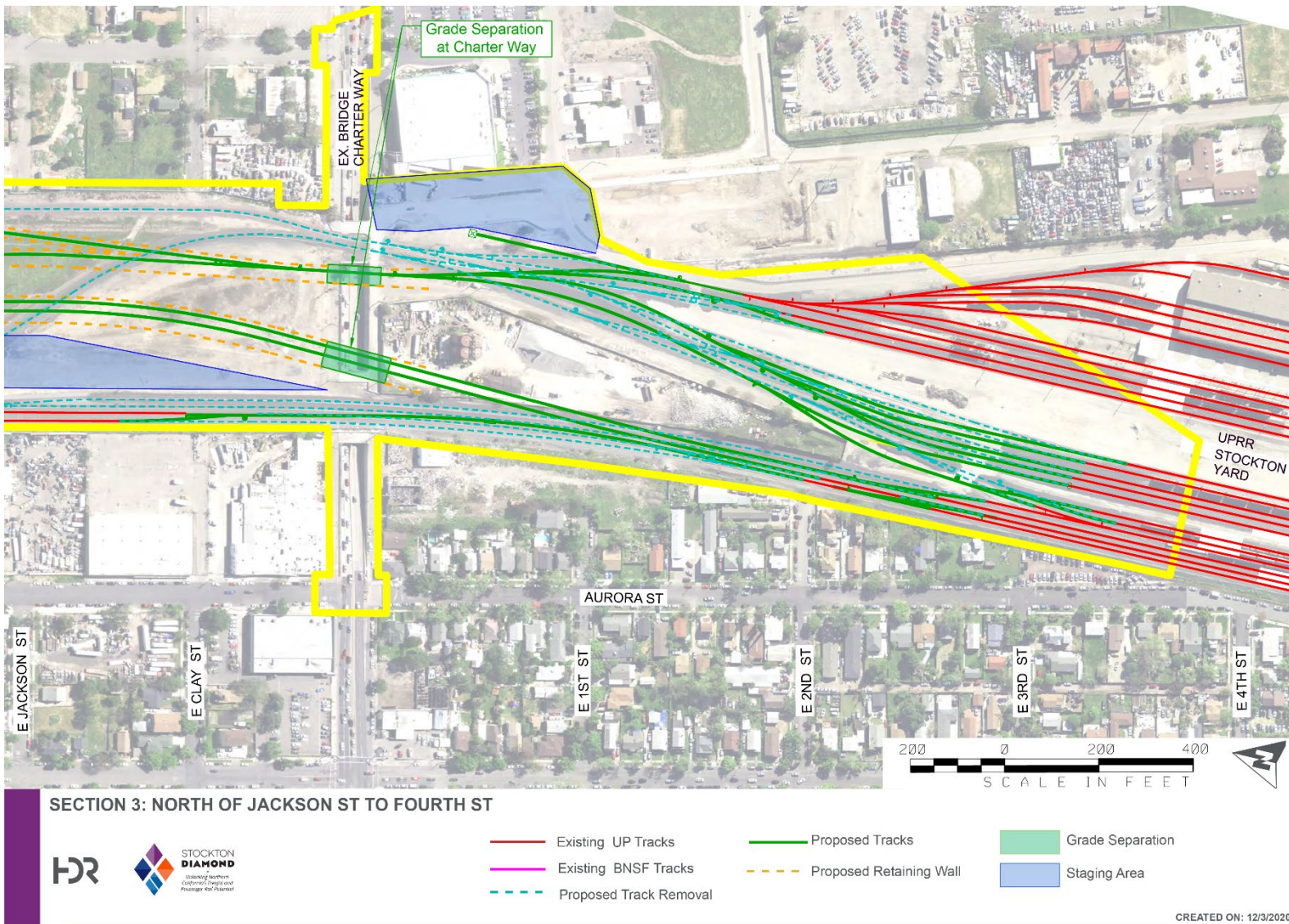


Figure 6: Project Design Features and Study Area (South of East Jefferson Street to UP Stockton Yard)

2.2 Need for and Purpose of Proposed Project

The need for the improvements proposed with the Stockton Diamond Grade Separation Project and the resulting purpose of the proposed Project are discussed in the sections that follow.

2.2.1 Need for the Proposed Project

2.2.1.1 Freight and Passenger Rail Activity at the Stockton Diamond

Several passenger and freight rail services converge at the Stockton Diamond, as noted above; consequently, there is a substantial amount of rail activity at this location. Publicly available FRA Highway-Rail Grade Crossing Inventory Reports were consulted to obtain a conceptual estimate of the typical number of freight trains per day operated through each roadway-rail grade crossing in the study area.³ Available data for the UP Fresno Subdivision is for the year 2016; available data for the BNSF Stockton Subdivision is for the year 2019. Train count data for the UP Fresno Subdivision from the year 2016 was escalated to the year 2019 using a 2% compound annual growth rate, which is a factor acceptable to the FRA to account for freight growth for planning purposes.

According to the data, in 2019, an estimated average of 44 freight trains a day typically operated on the UP Fresno Subdivision north of the Diamond, 36 of which continued south through the Stockton Diamond and eight of which used the northeast connecting tracks to access the BNSF Stockton Subdivision, or vice versa. In addition, an estimated average of 20 freight trains a day operated on the BNSF Stockton Subdivision east of the Diamond, with 12 using the Stockton Diamond and eight using the northeast connecting tracks to access the UP Fresno Subdivision.⁴ An additional four trains a day, on average, used the southwest connecting tracks between the BNSF Stockton Subdivision west of the Diamond and the UP Fresno Subdivision south of the Diamond. Figure 7 illustrates the relative freight rail activity in 2019 through and near the Stockton Diamond.

In addition to the freight trains, in 2019 SJRRC operated eight total daily (peak-period service) ACE commuter trains each weekday day between the Stockton Cabral Station and San Jose, through the Stockton Diamond on the UP Fresno Subdivision, all of which pass through the Stockton Diamond. In 2019, the SJJPA had four daily San Joaquins intercity trains (operated by Amtrak) between Bakersfield and Sacramento through the Stockton Diamond along the BNSF Stockton Subdivision and UP Fresno Subdivision (using the northeast connecting tracks), as well as 10 daily San Joaquins trains between Bakersfield and Oakland through Stockton Diamond on the BNSF Stockton Subdivision both east and west of the Diamond. These passenger train volumes are also illustrated in Figure 7.

In the 2045 horizon year, with the conceptual 2019 freight train activity escalated using the same 2% compounded annual growth rate noted above, there could potentially be as many as 52 daily freight trains passing through the Stockton Diamond on the UP Fresno Subdivision and 17 daily freight trains passing through the Diamond on the BNSF Stockton Subdivision. An additional 18 daily trains could potentially utilize the connecting tracks in the Project study area.⁵

³ U.S. Department of Transportation, FRA – Safety Map, accessed at <https://fragis.fra.dot.gov/gisfrasafety/>.

⁴ Actual typical number of freight trains is subject to future analysis and railroad coordination.

⁵ Actual typical number of freight trains for all planning horizons is subject to future analysis and railroad coordination.

Passenger service through the Stockton Diamond would not increase as a result of the proposed Project. The separate SJRRC / SJJPA Valley Rail Sacramento Extension Project proposes seven new round trips of passenger rail service (two new San Joaquins trains and five new ACE trains) that would pass through the Stockton Diamond.⁶

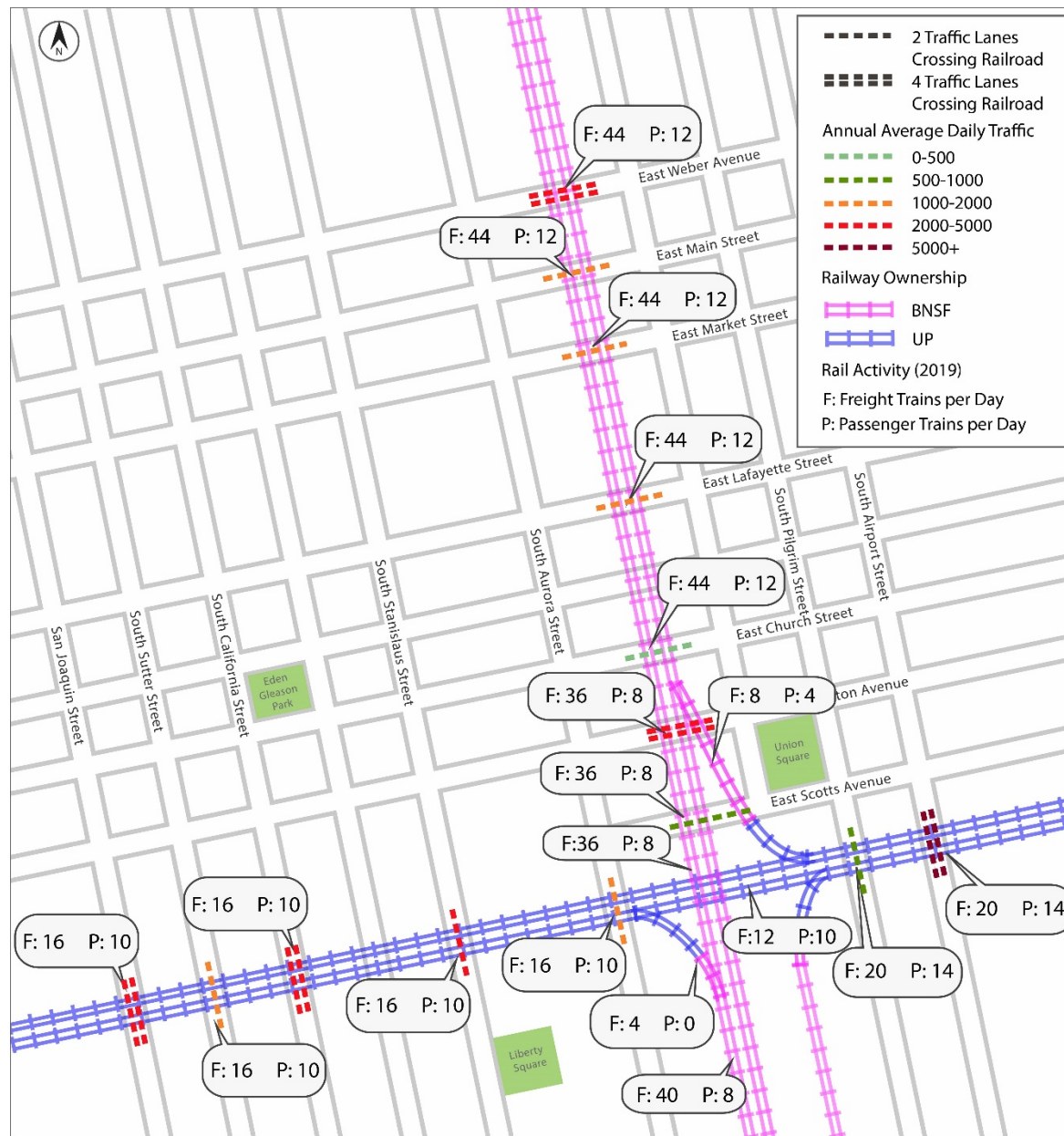


Figure 7: Existing Freight Rail Activity and Crossing Vehicular Traffic near the Stockton Diamond

⁶ SJRRC / SJJPA Valley Rail Sacramento Extension Final Environmental Impact Report, accessed online at <https://acerail.com/deir-chapters-and-appendices/>.

2.2.1.2 Railroad and Roadway Delays in the Study Area

Roadway-rail grade crossing occupancy time for a given train (i.e., gate down time for vehicles waiting for a train to pass) is based on train length, train speed, the width of the roadway, as well as railroad industry best practices for minimum activation time, prior warning time, and the time it takes for the grade crossing warning devices to recover after the passing of a train. Each of these factors affecting gate down time and resulting roadway delays is discussed below.

Average Train Length: A 2019 report from the United States Government Accountability Office (GAO) titled *Rail Safety: Freight Trains Are Getting Longer, and Additional Information Is Needed to Assess Their Impact* listed average freight train lengths provided by four different U.S. Class I railroads.⁷ To support analysis developed for this study, the average of these four values was taken as a baseline for a typical freight train length in the years 2016-2019. A growth in average freight train length from 6,500 feet (with three locomotives) in the years 2016-2019 to an average freight train length of 7,500 feet (with four locomotives) in the year 2045 is assumed, based on observation of rail industry trends.⁸ Passenger train length of 700 feet (one locomotive and seven passenger cars) in the 2019 baseline year growing to a length of 1,000 feet (two locomotives and ten passenger cars) in the year 2045 is assumed.

Average Train Speed: Based on information in the FRA Highway-Rail Grade Crossing Inventory Reports, trains can operate generally at speeds up to 40 mph on the UP Fresno Subdivision, up to 60 mph on BNSF Stockton Subdivision, and up to 15 mph on the connecting tracks within the vicinity of the Stockton Diamond, although typical speeds are lower.⁹ As observed using Google Earth Pro imagery, the Stockton Diamond itself has a posted speed limit of 30 mph for all approaching trains until the entire train is clear of the Diamond. Based on observation of train operations, train speeds are often reduced substantially as a result of rail congestion within the Stockton Diamond footprint and on the immediate rail network.

Roadway Width: The roadway widths are generally determined by the number of travel lanes multiplied by an average width of 12 feet per lane. Most roadways that cross either the UP Fresno Subdivision or the BNSF Stockton Subdivision near the Stockton Diamond are two-lane roads (therefore, 24-foot crossing length); however, East Hazelton Avenue, South San Joaquin Street, South California Street, and South Airport Way each currently have four travel lanes (therefore, 48-foot crossing length). Note that with a separate City of Stockton project, South California Street will be reduced to three lanes with Class IV Separated Bikeways.

Warning Device Activation Time: The general assumptions for warning device activation include 20-second prior warning time, 5-second gate down time before train enters crossing, 5-second reaction delay, and 12-second gate rise time. Note that the time for the train to pass through the crossing is based on the other factors and not included in these times.

Considering average train lengths and train speeds, roadway widths, and warning device activation time, the 2019 total occupancy (or gate down time) per freight train crossing typically varies from a minimum of 3 minutes and 11 seconds to a maximum of over 8 minutes. The shorter passenger

⁷ U.S. Governmental Accountability Office, Report to Congressional Requesters, Rail Safety, GAO 19-443, May 2019, accessed online at <https://www.gao.gov/assets/700/699396.pdf>

⁸ Actual average freight train lengths for existing and potential future freight trains are subject to future analysis and railroad coordination.

⁹ Actual train speeds are subject to future study and railroad coordination.

trains generally have gate down times of between 55 seconds and 1.5 minutes. By 2045, these times *per freight train* are expected to increase between 23 seconds and 1 minute each.

The total daily occupancy of any given roadway-rail grade crossing over the course of a day, based on the 2019 combined train activity ranges from approximately 22 minutes for a small subset of the trains using the BNSF Fresno Subdivision and southwest connecting track to nearly two hours for the majority of the trains (36 a day) using the UP Fresno Subdivision and passing through the Stockton Diamond. By the year 2045, the total daily occupancy of the UP Fresno roadway-rail grade crossings would be as high as three hours a day for the estimated 52 trains that would continue through the Stockton Diamond.

Due to the close proximity to downtown Stockton, the roadways that cross the UP and BNSF tracks also experience a great deal of activity, with traffic volumes ranging from under 1,000 vehicles a day at two-lane crossings such as East Church Street, East Scotts Avenue, and South Pilgrim Street, to nearly 5,000 vehicles a day at East Hazelton Avenue and over 16,000 vehicles a day at South Airport Way, both of which are four-lane roadways. Figure 7 illustrates the vehicular traffic volumes at each roadway-rail grade crossing in the study area. The current and future gate down times result in delays to these vehicles that need to cross the tracks.

2.2.1.3 Passenger Train Reliability

The 2018 California State Rail Plan¹⁰ focuses on a sustainable and connected megaregional rail network, with competitive rail travel times and a high degree of reliability. Therefore, passenger rail services not only need to be integrated and part of a larger network, but the service and transfer opportunities should be reliable.

The large number of freight trains that operate along the UP Fresno and BNSF Stockton Subdivisions impacts the passenger rail operations through the Stockton Diamond and affects passengers' ability to reach destinations on time or to make critical connections to other transit services. Passenger rail users expect a reliable service; they plan for the scheduled arrival and departure of their train and delayed trains can result in being late for work, missed transfer connections, and/or choosing to drive as an alternative.

Train movements through the Diamond are controlled by BNSF, who has priority at the Diamond crossing. As a result, when BNSF allows one of its trains to pass the Diamond, ACE, San Joaquins, and UP trains experience delays when they need to slow down or stop and wait for the BNSF trains to pass. The delays are also caused by maintenance of the Diamond. The at-grade crossing is significantly impacted by continuous heavy freight movements, and must be maintained on a regular basis. Train movements through the Diamond must be shut down during maintenance, creating delays and reducing on-time performance and reliability for both freight and passenger trains.

The delays caused as a result of the at-grade Stockton Diamond adversely affect passenger confidence in rail travel. In addition, delayed passenger and freight trains can affect economic vitality if employees and goods do not arrive at their destinations on time, could affect air quality with increased emissions, and would not meet the goals of the California State Rail Plan.

¹⁰ AECOM, *California State Rail Plan*, September 2018, accessed online at <https://dot.ca.gov/programs/rail-and-mass-transportation/california-state-rail-plan>.

2.2.1.4 *Safety at Roadway-Rail Grade Crossings*

As a result of the number of trains that pass through the study area, crossing local and arterial roadways in residential neighborhoods, safety is a major concern among local residents. Over the past 5 years, there have been 6 trespasser fatalities and an additional 5 injuries within a 1-mile radius of the project¹¹. Immediately near the Stockton Diamond, there have been 6 bicycle or pedestrian injuries at at-grade crossings, one of which resulted in a fatality.

2.2.1.5 *Need for the Proposed Project*

Based on the existing and estimated future rail activity through the Stockton Diamond, the amount of time roadway-rail grade crossings are occupied to allow the passing of trains, the resulting vehicular traffic delays, and safety concerns at roadway-rail grade crossings, improvements to enhance railroad operating efficiency are critical for the efficient movement of people and goods and to help the economic conditions in Stockton and the region. The Stockton Diamond Grade Separation is needed because:

- High levels of freight and passenger rail activity cause train congestion. Stockton Diamond is the busiest, most congested at-grade railway junction in California;
- Congestion and freight maintenance activities cause delays and poor reliability. The current, at-grade configuration of the Stockton Diamond results in significant delays and poor reliability for BNSF and UP freight trains and for ACE and Amtrak San Joaquins passenger trains. Local road traffic also experiences delays and poor reliability because of the amount of time the road crossings are occupied by trains.
- Multiple roadway-rail grade crossings and the BNSF-UP main line track at-grade crossing create conflict points, resulting in increased safety risks.

2.2.2 Purpose of the Proposed Project

To address the needs identified herein, the purpose of the Stockton Diamond Grade Separation Project is to:

- Provide operational benefits that enhance existing passenger rail service and new service planned in the Valley Rail program;
- Provide for an uninterrupted flow of rail through the crossing, which will improve freight movement; and
- Reduce delays for pedestrians and motorists at key local roadway-rail grade crossings.

2.2.3 Project Goals and Objectives

The Project Goals and Objectives are to:

- Reduce passenger and freight rail delays and associated congestion;
- Maintain key community connections;
- Improve multimodal access;
- Provide local and regional environmental and economic benefits; and
- Address safety by closure and enhancements at key roadway-rail grade crossings.

¹¹ Federal Railroad Administration (FRA), Trespassers Casualty Map, accessed online at <https://fragis.fra.dot.gov/Trespassers/>.

With the successful execution of the Project goals and objectives, it is anticipated that the proposed Project would result in the following benefits:

1. ***Stimulate Mobility***: Improve regional passenger and freight rail efficiency and travel reliability by reducing conflicting train movements.
2. ***Enhance Safety***: Improve Stockton residents' access, safety, and mobility across rail lines through enhancements or closures at roadway-rail grade crossings.
3. ***Economic Vitality***: Reducing delays will result in increased throughput, goods movement, and train velocity. This decreases fuel consumption and leads to cost savings.
4. ***Inspire Connections***: Support faster, more reliable passenger rail service linking residents to family, jobs, and recreational destinations throughout Northern California.
5. ***Improve Sustainability***: Improve air quality through reduction of greenhouse gas from trains and vehicles that idle due to congestion and delays.

2.3 Relationship to Other Plans in the Study Area

This section identifies planned and current rail and roadway operations plans at the state and local level that are related to the proposed Project that have provided input into the development and evaluation of potential Project alternatives. It is important to note that all of these plans, studies, and projects are separate efforts apart from the proposed Project and that the improvements proposed as part of these efforts are not elements of the Stockton Diamond Grade Separation Project.

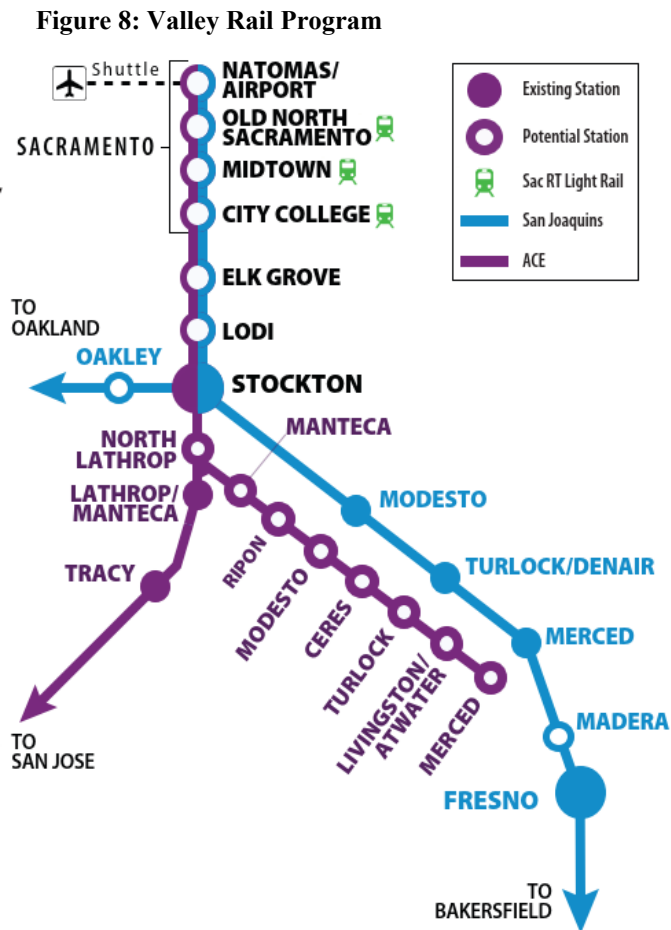
2.3.1 San Joaquin Regional Rail Commission Plans

The SJRRC *ACEforward* is a phased improvement plan proposed by the SJRRC to increase service reliability and frequency (two additional roundtrips in near-term and four additional roundtrips in long-term), enhance passenger facilities, reduce travel times along the existing ACE service corridor from San Jose to Stockton and extend ACE service to Manteca, Modesto, Ceres, Turlock and Merced. While the Draft EIR for *ACEforward* was issued in 2017, the SJRRC rescinded the document to focus on the funded extensions to Sacramento and Ceres / Merced as part of the Valley Rail program.

In addition to the relevance of SJRRC's *ACEforward* to the proposed Project because of its proposed improvements in Stockton and use of the UP Fresno line and Stockton Diamond, Valley Rail implements two new daily round-trips for the Amtrak San Joaquins service to better connect San Joaquin Valley travelers with the Sacramento Area, and an extension of ACE between Sacramento and Ceres/Merced (see Figure 8). In addition, Valley Rail includes plans for vehicle

air quality improvements. SJRRC issued a Final EIR for the ACE Extension Lathrop to Ceres/Merced (ACE Extension) project in July 2018. SJRRC issued a Final EIR for the Valley Rail Sacramento Extension project in October 2020.

In addition to the Valley Rail program, SJRRC and the Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRRA) have established a *Universal Infrastructure* vision for the Altamont Corridor between Stockton and the San Francisco Bay Area. The Investment in “Universal Infrastructure” throughout the San Joaquin Valley and the San Francisco Bay Area would enable one-seat rides via the Altamont Corridor to San Jose, the Peninsula via a new Dumbarton Bridge, Oakland, and San Francisco via a new Transbay Crossing. Universal infrastructure would be compatible with high-speed rail and would enable a one-seat ride from the California High-Speed Rail initial operating segment at Merced. The improvements that comprise the Altamont Corridor Vision can be phased as follows:



Near-Term / Phase 1 Priority Improvements

- Additional ACE round trips between the San Joaquin Valley and San Jose via Altamont Pass and weekend service (six daily round trips weekdays)
- New Valley Link service implementation: Dublin/Pleasanton to North Lathrop (25 daily round trips)
- Altamont Pass Tunnel/Alignment Improvements

Mid-Term Improvements

- Four additional ACE round trips between the San Joaquin Valley and San Jose via Altamont Pass (10 daily round trips weekdays)
- Newark to Alviso improvements
- Valley Link extended from North Lathrop to Stockton (30 daily round trips)

Longer-Term / Vision Improvements

- 15-minute to 30-minute frequency during peak periods
- Dedicated Track – “Universal Corridor”

- One seat ride San Joaquin Valley – San Jose/Oakland/San Francisco/Peninsula

The proposed Project is an important component of the SJRRC's *ACEforward* and subsequent Valley Rail programs to address existing travel delays and unreliability and as an initial step in the implementation of the longer-term plans for an integrated and efficient ACE passenger rail network. As a component of this program, the proposed Project is covered under a 2014 Memorandum of Understanding between the SJRRC and CHSRA that created a partnership between the agencies to advance the program, and subsequent NEPA assignment by the FRA as noted herein.

2.3.2 California State Rail Plan

The objectives of the proposed Project align with the vision of the 2018 California State Rail Plan. The 2018 Rail Plan is a strategic plan with operating and capital investment strategies identified that would lead to a coordinated, statewide travel system. The 2040 Vision laid out in the 2018 Rail Plan includes several key passenger rail elements, as described below:

- Statewide System – Passenger rail service will tie together urban, suburban, and rural areas of the state;
- Integrated Services – Multimodal hubs will connect all levels of service with a common fare system, which allows trips to be made on a single ticket;
- Coordinated Schedules – Services will be coordinated in a "Pulsed" schedule across the network to reduce wait times and allow direct transfers;
- Frequent Service – Service frequency will make rail a timely option for travelers, meeting trip demands throughout the day; and
- Customer Focus – Enhanced ticketing, scheduling, and passenger information will be supported by coordinated services.

The proposed Project advances many of these goals by eliminating the Interlock at the Stockton Diamond and allowing for uninterrupted flow of passenger rail trains through the Diamond. The proposed Project would result in improved reliability of travel time and transfers and passenger confidence.

2.3.3 City of Stockton Plans

The City of Stockton's *Bicycle Master Plan* is part of the overall General Plan 2035 update. The City is currently made up of 100 miles of off-street bicycle trails and paths and on-street bicycle facilities. The vision of the Stockton *Bicycle Master Plan* is to:

“Implement a vibrant, safe, and supportive bicycle network that connects residents in every neighborhood with desirable places to ride for any trip purpose. The Bicycle Master Plan should be the catalyst for starting a cultural shift toward cycling in Stockton by effectively marketing cycling as a healthy, active transportation option and through funding supportive educational programs to reach people of all ages and abilities.”

To implement the vision, the *Bicycle Master Plan* proposes a network of facilities that creates a citywide “Backbone Network” that only consists of low-stress ratings (LTS 1 or LTS 2). New corridor and intersection tools are incorporated into the Backbone network to create low-stress facilities.

The City of Stockton also received grant funding to develop a *Greater Downtown Active Transportation Plan* in 2017. The Plan was developed in order to address the City's need for transportation options other than driving as downtown continues to grow. The *Greater Downtown Active Transportation Plan* builds on the bicycle network in the 2017 Bicycle Network Master Plan, described above, and will identify and recommend future bicycle and pedestrian facility projects in the City's Greater Downtown. The Plan is intended to enhance safety for pedestrians, cyclists, and transit riders with improved access to transit, schools, work, and regional trails; create connections to and from other areas in the City; and support the revitalization of Stockton's core.

As per City of Stockton's Bicycle Master Plan (2017) and the General Plan 2040 (2018) several bicycle facilities are proposed in the project study area. Class IV separated bikeways are proposed on Charter Way and Weber Avenue within the study area and on Airport Way and California Street near the study area. Class II bicycle lanes are proposed on Hazelton Avenue within the study area and on Main and Market Streets just east of the study area.

The Stockton Diamond Grade Separation Project considers these plans for improved bicycle facilities, in particular along Hazelton Avenue which would be grade-separated from the UP Fresno Subdivision tracks as part of the proposed Project. The proposed Project's Hazelton Avenue underpass would accommodate the bicycle lanes planned by the City of Stockton.

2.3.4 Other Local and Regional Plans

2.3.4.1 *San Joaquin Area Flood Control Agency Strategic Plan*

The San Joaquin Area Flood Control Agency (SJAFCA) was formed for the purpose of addressing flood protection, with a mission to manage the region's flood risk. SJAFCA developed a Strategic Plan in 2019 to present its mission statement, goals, objectives, and priority actions.¹² The plan also provides policy guidelines to inform the agency's approach, decisions, investments, and actions as flood risk management programs develop within the region (SJAFCA 2019).

As part of meeting the expectations of the strategic plan, the SJAFCA identified the need to improve the Mormon Channel Bypass. In order to divert 1,200 cubic feet per second (cfs) from the upstream end of the Stockton Diverting Canal to the Mormon Channel, the agency intends to improve the channel and construct a control structure. It is expected that the project would result in a medium reduction of stage at Stockton Diverting Canal and Calaveras River:

- Up to 0.5 foot for a 200-year event, and
- Up to 1.2 feet at the Stockton Diverting Canal for a 200-year event with climate change assumptions.

With project implementation, there are opportunities to provide multi-benefits to recreation/open space. However, no benefits have been identified to ecosystem functions. A feasibility study is expected to be initiated in 2025 and be completed by the end of 2025. The initial scope of the feasibility study includes continuing the conceptual work to a feasibility level to determine the overall system impacts and extend of protection afforded. Construction of the project would not occur in the near-term. It is expected that it would be more than 5 years until the construction is initiated.

¹² San Joaquin Area Flood Control Agency (SJAFCA), *Draft Strategic Plan*, 2019, accessed online at: <https://sjafca.com/pdf/StrategicPlan.pdf>, November 2020.

2.3.4.2 *San Joaquin Council of Governments Congested Corridors Plan*

The Congested Corridors Plan was developed by SJCOG, Caltrans and other local agencies and was finalized in March 2020. The Congested Corridors Plan focuses on the highly congested corridors along I-205, I-5, SR 120 and SR 99, and was established to improve local, regional, and interregional circulation in San Joaquin County to serve both existing and projected (Year 2040) travel between California’s Central Valley and San Francisco Bay Area. The Plan accounts for all modes of travel, including cars, trucks, transit, rail, pedestrians and bicyclists. The goal of the Congested Corridor Plan is to, “reduce traffic congestion and increase travel choices through a balanced set of transportation, environmental, and community access improvements.” The proposed Project is consistent with the Congested Corridors Plan as it would improve circulation, congestion and delay at a highly trafficked location in San Joaquin County (the Stockton Diamond), and improve regional and interregional transportation efficiency.

2.3.4.3 *San Joaquin Council of Governments Regional Transportation Plan and Sustainable Communities Strategy*

SJCOG and the Metropolitan Planning Organization for San Joaquin County, issued its *Regional Transportation Plan /Sustainable Communities Strategy* (RTP/SCS) in 2018. The RTP/SCS is a transportation investment strategy through 2042, which identifies transportation needs to keep pace with anticipated growth and development. The following are the overarching goals that guide the Plan:

- Enhance the Environment for Existing and Future Generations and Conserve Energy
- Maximize Mobility and Accessibility
- Increase Safety and Security
- Preserve the Efficiency of the Existing Transportation System
- Support Economic Vitality
- Promote Interagency Coordination and Public Participation for Transportation Decision-Making and Planning Efforts
- Maximize Cost-Effectiveness
- Improve the Quality of Life for Residents

2.3.4.4 *SJCOG Regional Congestion Management Program*

The Regional Congestion Management Program is a mechanism to fulfill the SJCOG’s requirements as a metropolitan area exceeding a population size of 200,000 people, under the Federal Congestion Management Process (CMP). Federal regulation defines the CMP as a systematic process that provides for safe and effective integrated management and operation of the multimodal transportation system. The process includes the following elements:

- Development of congestion management objectives;
- Establishment of measures of multimodal transportation system performance;
- Collection of data and system performance monitoring to define the extent and duration of congestion and determine the causes of congestion;
- Identification of congestion management strategies;
- Implementation activities, including identification of an implementation schedule and possible funding sources for each strategy; and
- Evaluation of the effectiveness of implemented strategies.

2.3.4.5 *SJCOG Regional Transit Systems Plan*

The *SJCOG Regional Transit Systems Plan* includes strategies to reduce congestion through a variety of mechanisms including, increased density, multimodal and commercial joint developments, transit expansions, and support for alternative modes of travel throughout San Joaquin County. The following are the goals of the Plan:

- Implement effective ridership programs countywide such as continuing work toward the implementation of San Joaquin County 511; incorporation of San Joaquin County transit routes into Google transit; and the addition of global positioning units on buses to enable real time transit information to be collected.
- Develop a transit system which addresses, to the greatest extent possible, the needs for air quality and congestion management.
- Provide a transit system serving county residents which is efficient and cost-effective.
- Provide an emphasis on the multimodal nature and intermodal opportunities in San Joaquin County.
- Explore the opportunities for extending services into additional travel markets.
- Provide a mechanism whereby service is responsive to local needs to enhance the opportunities for all county riders.

2.3.4.6 *San Joaquin County Coordinated Transportation Plan*

The *San Joaquin County Coordinated Transportation Plan* (SJCCTP) is a locally developed coordinated human service transportation plan, which identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes. The SJCCTP provides strategies for local needs and prioritizes transportation services for funding and implementation. The SJCCTP was prepared by a work group comprised of representatives from various stakeholder groups from social service agencies, public agencies, and local jurisdictions.

2.3.4.7 *San Joaquin Valley Regional Blueprint*

Through executive orders issued by two presidents, the Federal Interagency Task Force was created to help coordinate federal efforts within the San Joaquin Valley region. The San Joaquin Valley Regional Blueprint provides an opportunity for San Joaquin Valley residents, businesses, government agencies, and organizations to collectively plan for the future of transportation and land use in the San Joaquin Valley in the midst of rapid population growth.

2.4 **Notice of Preparation**

On August 19, 2020, SJRRC, CEQA Lead Agency, in cooperation with the CHSRA, NEPA Lead Agency under assignment by the FRA, officially launched the environmental process for the proposed Stockton Diamond Grade Separation Project with a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) / Environmental Assessment (EA). The NOP was posted at the State Clearinghouse (SCH#2020080321) and circulated to public agencies and other interested parties in compliance with Section 15082(a) of the CEQA Guidelines and §771.111 of the Federal Highway Administration (FHWA) NEPA Guidelines. The NOP notified the public of the EIR/EA being prepared along with public scoping meeting information and how to provide comments on the project during the formal 45-day public comment period from August 19 to October 3, 2020.

3. CONSULTATION AND PUBLIC OUTREACH

A letter regarding the proposed Project was sent to parties potentially interested in historic architectural resources on November 2, 2020. The recipients include such interested parties as local government planning departments, and/or historic preservation programs, historical societies, and museums, in compliance with consultation requirements of NHPA and its implementing regulations in 36 CFR 800. The letters were sent to: San Joaquin County Historical Society and Museum; City of Stockton Cultural Heritage Board; Haggin Museum; and the San Joaquin Genealogical Society. Follow-up communications were conducted on January 14, 2021. No responses were received. A copy of the correspondence is provided in Appendix B.

4. DESCRIPTION OF HISTORIC PROPERTIES, APPLICATION OF CRITERIA OF ADVERSE EFFECT, AND CONDITIONS PROPOSED

4.1 Methodology

This section assesses the effects of the proposed Project on the built historic properties within the APE. The assessment below identifies the effects as defined in 36 CFR 800.5(a)(2).

4.1.1 Criteria of Adverse Effect

The Criteria of Adverse Effect (36 CFR 800.5) were applied to the project actions that have the potential to affect historic properties within the APE. An “adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the NRHP in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.”¹³

Application of the criteria of adverse effect is an assessment of an undertaking’s changes to the character or use of a historic property and of how the undertaking will affect those features of a historic property that contribute to its eligibility for listing in the NRHP. Effects can be direct, indirect, and cumulative. Direct effects include such actions as physical destruction or damage, as well as those that may not physically impact the historic property but introduce visual or audible impacts that alter its character-defining features [36 CFR 800.5(a)(1)]. Indirect adverse effects include those that are later in time or farther removed in distance but are still reasonably foreseeable.

Table 2 lists examples of adverse effects, as provided in 36 CFR 800.5(a)(2). Of the seven typical effects, 36 CFR 800.5(a)(2)(vi) and (vii) are not applicable to this Project because this project would not result in the neglect of a historic property (vi); or in the transfer, lease, or sale of property out of federal ownership or control (vii).

Table 2: Adverse Effects in 36 CFR 800.5(a)(2)

ADVERSE EFFECTS ON HISTORIC PROPERTIES DESCRIBED IN 36 CFR 800.5 INCLUDE, BUT ARE NOT LIMITED TO:	
(i)	Physical destruction of or damage to all or part of the property;
(ii)	Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary’s standards for the treatment of historic properties (36 CFR part 68) and applicable guidelines;
(iii)	Removal of the property from its historic location;
(iv)	Change of the character of the property’s use or of physical features within the property’s setting that contributes to its historic significance;
(v)	Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property’s significant historic features;
(vi)	Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

¹³ 36 CFR 800.5, “Assessment of adverse effects,” incorporating amendments effective August 5, 2004.

ADVERSE EFFECTS ON HISTORIC PROPERTIES DESCRIBED IN 36 CFR 800.5 INCLUDE, BUT ARE NOT LIMITED TO:

- | | |
|-------|---|
| (vii) | Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance. ^a |
|-------|---|

^a 36 CFR 800.5, "Assessment of adverse effects," incorporating amendments effective August 5, 2004.

The assessment of adverse effects to historic properties conducted for the Stockton Diamond Grade Separation Project included review and incorporation of findings from the assessments of visual, noise, and vibration impacts as reported in the noise and vibration study conducted for this proposed Project. The adverse effects analysis for historic properties also took into account the FTA guidance manual regarding assessment of train noise and vibration effects.¹⁴

Construction and operational noise have the potential to cause adverse effects *only* for historic properties that have an inherent quiet quality that is part of their historic character and significance (e.g., churches, parks, or National Historic Landmarks with significant outdoor use). None of the historic properties addressed in this report is considered to have an inherent quiet quality. All of the historic properties are commercial and/or residential in nature and were constructed in an urban area adjacent to the nineteenth-century former Southern Pacific Railroad (now UP) corridor. Further, construction-period noise is considered temporary and as such is not considered an adverse effect to historic properties. Therefore, the proposed Project would result in no adverse effects on any historic property from any anticipated construction or operational noise (36 CFR 800.5[a][2][iv] and [v]). No further analysis is provided with respect to these types of adverse effects for the historic properties in the following section.

According to the FTA guidance manual, operational ground-borne vibration primarily causes human annoyance or interference with use of equipment sensitive to vibration. Damage to fragile historic buildings from vibration resulting from train operation is "unlikely except when the track is located very close to the structure."¹⁵ All historic buildings analyzed herein are located a considerable distance (more than 165 feet) away from all tracks. Therefore, no further analysis is provided with respect to operational ground-borne vibration effects for the historic properties.

It is also rare for construction vibration to cause physical damage to buildings or structures, except in the case of fragile historic properties in close proximity to construction sources causing high levels of ground-borne vibration. Table 3 and Table 4 provide comparative vibration levels for construction equipment and potential damage to various types of buildings. Table 3 provides generalized information for "various types of construction equipment [that were] measured under a wide variety of construction activities" with an average of source levels reported. The FTA guidance goes on to state that although there is one vibration level shown "for each piece of equipment, there is considerable variation in reported ground vibration levels from construction activities. The data . . . provides a reasonable estimate for a wide range of soil conditions."¹⁶

¹⁴ Cross-Spectrum Acoustics, Inc, *Technical Memorandum, Noise and Vibration*, prepared for Stockton Diamond Grade Separation Project, November 9, 2020; Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, FTA Report No. 0123 (Washington, DC: US Department of Transportation, FTA, Office of Planning and Environment, September 2018)

¹⁵ Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 126.

¹⁶ Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 184.

Table 3: Vibration Source Levels for Construction Equipment

EQUIPMENT		PPV* AT 25 FEET (IN/SEC)	APPROXIMATE LV† AT 25 FEET
Pile driver (impact)	Upper range	1.518	112
	Typical	0.644	104
Pile driver (vibratory)	Upper range	0.734	105
	Typical	0.170	93
Clam shovel drop (slurry wall)		0.202	94
Hydromill (slurry wall)	In soil	0.008	66
	In rock	0.017	75
Vibratory roller		0.210	94
Hoe ram		0.089	87
Large bulldozer		0.089	87
Caisson drilling		0.089	87
Loaded trucks		0.076	86
Jackhammer		0.035	79
Small bulldozer		0.003	58

Table 4: Construction Vibration Damage Criteria

BUILDING CATEGORY	PPV (IN/SEC)	APPROXIMATE LV†
I. Reinforced-concrete, steel or timber (no plaster)	0.5	102
II. Engineered concrete and masonry (no plaster)	0.3	98
III. Nonengineered timber and masonry buildings	0.2	94
IV. Buildings extremely susceptible to vibration damage	0.12	90

Source: Federal Transit Administration, 2018

* PPV in/sec = peak signal value of an oscillating vibration velocity waveform, expressed in inches per second.

† Lv = RMS velocity in decibels (VdB) re 1 in/sec.

in/sec = inch(es) per second RMS = root-mean-square

PPV = peak particle velocity VdB = vibration velocity decibels

Comparing the typical source vibration levels shown in Table 3 with the construction vibration damage criteria in Table 4 demonstrates that the only typical construction methods that would exceed the damage criteria threshold for all building categories are impact pile driving and upper-range vibratory pile driving at a distance of 25 feet. All other typical equipment listed in Table 3 would produce, at a distance of 25 feet, vibration at levels below the damage criteria thresholds for all building categories, with a few exceptions—vibratory rollers and material dropped from a clam shovel (slurry wall) could exceed Category III and IV criteria, and the typical range of a vibratory pile driver at 25 feet could exceed Category IV criteria. Otherwise, most construction

methods, even at 25 feet, would not exceed the damage criteria for even the most sensitive or fragile historic building.

The noise and vibration analysis prepared for this proposed Project concludes that impacts caused from project construction vibration may exceed the FTA recommended vibration thresholds for historic buildings and structures. This could occur through the use of impact pile driving within 75 feet of a fragile historic structure (Category IV) and/or other heavy construction, such as compactor, bulldozer, and vibratory roller, within 25 feet of a nonengineered timber or masonry historic structure (Category III). The built environment historic properties in the APE are all Category III or higher; there are no Category IV historic buildings or structures in the APE. Thus, while some project activities may exceed the FTA recommended vibration thresholds for historic buildings and structures, which could cause an adverse effect under 36 CFR 800.5(a)(2)(i), (ii) and (iii), impact pile driving for the project would occur 75 feet or more from historic properties, and the use of compactors, bulldozers, and vibratory rollers during construction would be at a distance of more than 25 feet from all historic buildings analyzed herein.¹⁷ Therefore, no further analysis is provided with respect to construction ground-borne vibration effects for the historic properties in the APE.

4.2 Built Historic Properties

The following section summarizes the finding of the evaluation efforts for the proposed Project. The APE includes 32 historic built resources that were evaluated for listing in the NRHP as part of this proposed Project. Five resources and one historic district are eligible for listing in the NRHP and are historic properties under Section 106. All properties were built for, and continued to be used for, commercial purposes. As summarized in Table 5, the Project would have no adverse effect on built historic properties within the APE.

The remainder of this section provides descriptions of each built historic property, including character-defining features, boundary, and summaries of their significance. The description is followed by an analysis of potential adverse effects that may be caused by construction and operation of the proposed Project. Representative photographs of the historic properties are also included for visual reference.

¹⁷ Personal communication with Mike Higgins, Senior Project Manager, and Angie Kung, Environmental Sciences Highway Section Manager, both of HDR, June 14, 2021.

Table 5: Summary of Historic Properties and Effects Finding

MAP REFERENCE NUMBER	APN	RESOURCE NAME	ADDRESS	YEAR BUILT	EFFECT FINDINGS
n/a	n/a	Stockton Downtown Commercial Historic District	n/a	n/a	No Adverse Effect
3	151-190-001	Imperial Hotel	902 East Main Street	1896	No Adverse Effect
4	151-190-080	Imperial Garage n/a	20 South Aurora Street 30 South Aurora Street	ca. 1915 1918	No Adverse Effect
5	151-190-007	Hotel New York	34 South Aurora Street	1910	No Adverse Effect
6	151-190-060	n/a	915 East Market Street	ca. 1926	No Adverse Effect
7	151-220-020	Waldemar Apartments	920 East Market Street	1918	No Adverse Effect

4.2.1 Stockton Downtown Commercial Historic District

4.2.1.1 *Property Description*

The APE intersects the Stockton Downtown Commercial Historic District. Comprised of 84 contributing buildings within its approximate 21 city-block boundary, only four legal parcels at the district's easternmost boundary are within the APE. A previous evaluation of the district concluded that it was eligible for listing in the NRHP. The present study updated previous evaluations of four of the district's contributing buildings located along South Aurora and East Market streets in the APE. According to the previous evaluation, the district is significant at the local level under NRHP Criterion A within the context of commercial development of Stockton during a period of significance 1880-1940. The boundary of the district was previously identified as generally extending east-west along Weber, Main, and Market streets between El Dorado and the Union Pacific Railroad. Although no specific character-defining features were identified in previous evaluation of the historic district, they would include the integrity of its contributing buildings and structures, including the four buildings in the APE, as well as the historic transportation grid. The historic district and the four contributors within the APE, described below, are historic properties under Section 106.

4.2.1.2 *Application of Criteria of Adverse Effect:*

Project components proposed within or near the Stockton Downtown Commercial Historic District include construction of new tracks; at-grade rail crossings; removal of some existing tracks; the protection-in-place, relocation, and/or removal of various utilities; and temporary construction areas. The new and removed tracks and the crossings would be located outside the historic district boundary, and therefore, would not result in the removal, physical destruction, or damage to the historic district or any of its contributors (36 CFR 800.5[a][2][i], [ii], and [iii]).

Protection-in-place, relocation and/or removal of utilities, such as storm drains, underground water, sewer, and gas lines and overhead electrical lines and fiber optic cable, are proposed within the boundary of the historic district, but would not cause the removal, physical destruction, or damage to any of buildings or the historic transportation grid that contribute to the significance of

this district (36 CFR 800.5[a][2][i], [ii], and [iii]). All modifications to utilities would be conducted within the public right-of-way. Set in a dense urban setting, the streets within and adjacent to this historic district have already been altered by the construction and demolition of buildings, as well as construction of contemporary infrastructure such as light standards, mailboxes, signage, traffic and pedestrian light, parking meters, and sidewalk improvements (including sidewalk extensions, curb replacements, etc.). While portions of the street would be physically impacted by the relocation and/or removal of utilities, the historic street grid would be unchanged. Therefore, this relatively minor construction activity would not diminish the integrity of the district's or any of its contributor's significant historic features nor would they result in any adverse visual effects on any part of this historic district (36 CFR 800.5[a][2][iv] and [v]).

Temporary construction areas are proposed north and south of East Main and East Market streets, intersecting some of the district's contributing building. These areas would be used for staging or encroachment permits and temporary construction easements required to allow construction crews to enter public and private rights-of-way. No construction activity would be conducted within any historic property boundary of district contributors. Thus, these areas would not cause any adverse effect under 36 CFR 800.5[a][2][i], [ii], [iii], [iv] and [v]).

The proposed Project would not result in adverse effects to the historic district from the introduction of new visual elements. The new at-grade tracks and rail crossings at East Main and East Market streets would each be located east of and more than 130 feet away from the historic district boundary. The crossings would include the upgrading of railroad equipment, flashing light signals, gate arms, signing and pavement markings, as well as potential pedestrian upgrades such as ADA-compliant tactile walking surface indicators and streetlights. These types of railroad, roadway, and pedestrian features, and tracks would be located within, or immediately east of, the railroad right-of-way. While the new tracks and crossings would be visible from the eastern end of the district boundary, none of these project components, including the removal of extant tracks, would adversely alter the view or setting of the historic district or any of its contributors because they are consistent with historic-period and existing railroad infrastructure and would blend in with the setting, thus not diminishing the integrity of the district's or any of its contributor's significant historic features (36 CFR 800.5[a][2][iv] and [v]).

The proposed Project would not cause adverse effects from vibration and noise under 36 CFR 800.5(a)(2)(v). Technical analysis of potential vibration impacts indicates that the proposed Project would not generate sufficient construction or operational ground-borne vibration to modify any of the characteristics that qualify this historic property for inclusion in the NRHP. Furthermore, the proposed Project would not result in adverse effects to this historic property from any anticipated construction or operational noise (36 CFR 800.5[a][2][iv] and [v]) because the historic district is not considered noise sensitive.

The construction and operation of the proposed Project results in a finding of *No Adverse Effect* on the Stockton Downtown Commercial Historic District. See the APE map in Appendix A for the location of this historic property.

4.2.2 Imperial Hotel (Map Reference No. 3)

4.2.2.1 Property Description

The Imperial Hotel at 902 East Main Street is a one-story, Victorian Eclectic-style building constructed of brick. The building was formerly evaluated in 2000 and found to be eligible to the NRHP at the local level under NRHP Criterion A as a contributor to the Stockton Downtown Commercial Historic District. No character-defining features, period of significance, or boundary of this historic property were noted in the previous evaluation. The character-defining features identified for this property include, but are not limited to, its arched window and door openings, Corinthian columns, terra cotta window and door surrounds, brick work detailing, and corner quoining. The period of significance for this historic property is 1896, the year it was constructed, through 1940, the end of the historic district's period of significance. The historic property boundary of this building is its current legal parcel.



(Source: JRP Historical Consulting, LLC)

Figure 9: Imperial Hotel, Map Reference No. 3.

4.2.2.2 Application of Criteria of Adverse Effect:

The Project proposes to construct new tracks and an at-grade rail crossing, remove some existing tracks, and protect-in-place, relocate, and/or remove various utilities, near the Imperial Hotel. All of these project components would be located outside of the boundary of this historic property, and therefore, would not result in the removal, physical destruction, or damage to this historic building (36 CFR 800.5[a][2][i], [ii], and [iii]).

The proposed Project would not result in an adverse effect to this historic property from the introduction of new visual elements. The removal of tracks, new at-grade tracks, and rail crossing at East Main Street each would be more than 270 feet east of this building. The crossings would include the upgrading of railroad equipment, flashing light signals, gate arms, signing and pavement markings, as well as potential pedestrian upgrades such as ADA-compliant tactile walking surface indicators and streetlights. These types of railroad, roadway, and pedestrian features, and tracks would be located within, or immediately east of, the railroad right-of-way.

While the new tracks and crossing would be visible when looking west and northwest from this property, they would not adversely alter the view or setting of this historic property. This building was originally constructed adjacent to this nineteenth-century, at-grade railroad, and the introduction of additional at-grade tracks and crossing in the vicinity of this historic building would be consistent with historic-period and existing railroad infrastructure and would blend in with the setting, thus not diminishing the integrity of this historic building (36 CFR 800.5[a][2][iv] and [v]).

Protection-in-place, relocation and/or removal of utilities, such as storm drains, underground water, sewer, and gas lines and overhead electrical lines and fiber optic cable, may be required near this historic property. All modifications to utilities would be conducted within the public right-of-way, more than 90 feet northeast of the Imperial Hotel. This type of project construction activity would be relatively minor and would not adversely alter the view or setting of the historic building, which has already been altered by the construction and demolition of adjacent buildings, as well as construction of contemporary infrastructure. The integrity of the historic property would not be diminished in an adverse manner, thus, there would be no adverse effect from this type of construction activity on the Imperial Hotel (36 CFR 800.5[a][2][iv] and [v]).

The proposed Project would not cause adverse effects from vibration and noise under 36 CFR 800.5(a)(2)(v). Technical analysis of potential vibration impacts indicates that the proposed Project would not generate sufficient construction or operational ground-borne vibration to modify any of the characteristics that qualify this historic property for inclusion in the NRHP. Furthermore, the proposed Project would not result in adverse effects to this historic property from any anticipated construction or operational noise (36 CFR 800.5[a][2][iv] and [v]) because the historic building is not considered noise sensitive.

Lastly, a temporary construction area intersects the southernmost portion of this historic property's boundary. These areas would be used for staging or encroachment permits and temporary construction easements required to allow construction crews to enter public and private rights-of-way. No construction activity would be conducted within this temporary construction area. Thus, this project component would not cause any adverse effect under 36 CFR 800.5[a][2][i], [ii], [iii], [iv] and [v]).

The proposed Project results in a finding of *No Adverse Effect* on the Imperial Hotel. See the APE map in Appendix A for the location of this historic property.

4.2.3 Imperial Garage and 30 South Aurora Street (Map Reference No. 4)

4.2.3.1 *Property Description*

The Imperial Garage at 20 South Aurora Street and the similar, adjacent structure at 30 South Aurora Street are one-story Early Commercial buildings. Both rectangular buildings are of brick construction and have symmetrical facades with stepped parapets. The buildings were formerly evaluated in 2001 and found to be eligible to the NRHP at the local level under NRHP Criterion A as a contributor to the Stockton Downtown Commercial Historic District. No character-defining features, period of significance, or boundary of this historic property were noted in the previous evaluation. Character-defining features identified for this report include, but are not limited to, their symmetrical facades, stepped parapets, three bays, and decorative brickwork. The period of significance for these buildings is ca. 1915 and 1918, respectively, the years they were constructed,

through 1940, the end of the historic district's period of significance. Located on a single parcel, the historic property boundary for these buildings is their current legal parcel.



(Source: JRP Historical Consulting, LLC)

Figure 10: Imperial Garage and 30 South Aurora Street, Map Reference No. 4.

4.2.3.2 Application of Criteria of Adverse Effect:

The Project proposes to construct new tracks and an at-grade rail crossing, remove some existing tracks, and protect-in-place, relocate, and/or remove various utilities, near the Imperial Garage and the building at 30 South Aurora Street. All of these project components would be located outside of the boundary of this historic property. Therefore, the proposed Project would not result in the removal, physical destruction, or damage to this historic building (36 CFR 800.5[a][2][i], [ii], and [iii]).

The proposed Project would not result in an adverse effect to this historic property from the introduction of new visual elements. The track removal, construction of new at-grade tracks and new rail crossings at East Main and East Market streets would be more than 180 feet east of these buildings. The crossings would include the upgrading of railroad equipment, flashing light signals, gate arms, signing and pavement markings, as well as potential pedestrian upgrades such as ADA-compliant tactile walking surface indicators and streetlights. These types of railroad, roadway, and pedestrian features, and tracks would be located within, or immediately east of, the railroad right-of-way. The new tracks and crossings would only be visible when looking west from these buildings' rear (west) sides, however, they would not adversely alter the view or setting of this historic property. These buildings were originally constructed adjacent to this nineteenth-century, at-grade railroad. The introduction of additional at-grade tracks and crossings in the vicinity of these historic buildings would not adversely alter the view or setting of these historic buildings because they are consistent with historic-period and existing railroad infrastructure and would blend in with the setting. The integrity of the historic property would not be diminished in an adverse manner. Therefore, there would be no adverse effect from these project components on this historic property (36 CFR 800.5[a][2][iv] and [v]).

The protection-in-place, relocation and/or removal of utilities, such as storm drains, underground water, sewer, and gas lines and overhead electrical lines and fiber optic cable, may be required near this historic property. All modifications to utilities would be conducted within the public right-of-way, more than 115 feet north and southeast of these historic buildings. This type of project construction activity would be relatively minor and would not adversely alter the view or setting of the historic buildings, which have already been altered by the construction and demolition of adjacent buildings, as well as construction of contemporary infrastructure. The integrity of the historic property would not be diminished in an adverse manner, thus, there would be no adverse effect from this project component on the Imperial Garage and the building at 30 South Aurora Street (36 CFR 800.5[a][2][iv] and [v]).

The proposed Project would not cause adverse effects from vibration and noise under 36 CFR 800.5(a)(2)(v). Technical analysis of potential vibration impacts indicates that the proposed Project would not generate sufficient construction or operational ground-borne vibration to modify any of the characteristics that qualify this historic property for inclusion in the NRHP. Furthermore, the proposed Project would not result in adverse effects to this historic property from any anticipated construction or operational noise (36 CFR 800.5[a][2][iv] and [v]) because the historic building is not considered noise sensitive.

The proposed Project results in a finding of *No Adverse Effect* on the Imperial Garage and the building located at 30 South Aurora Street. See the APE map in Appendix A for the location of this historic property.

4.2.4 Hotel New York (Map Reference No. 5)

4.2.4.1 *Property Description*

The Hotel New York at 34 South Aurora Street is a four-story brick building with stepped parapets and corbeled cornice. It has a modified first floor with stucco siding. Fenestration is generally symmetrical, with double-hung, wood-frame windows on the upper portion of each facade. The building was formerly evaluated in 2001 and found to be eligible to the NRHP at the local level under NRHP Criterion A as a contributor to the Stockton Downtown Commercial Historic District. No character-defining features, period of significance, or boundary of this historic property were noted in the previous evaluation. Character-defining features identified for this report include, but are not limited to, its brick construction, symmetrical fenestration on upper floors, parapeted roof with corbeled cornice, belt courses, window lintels and sills, and construction date plaque. The period of significance for this historic property is 1910, the year it was constructed, through 1940, the end of the historic district's period of significance. The historic property boundary is its current legal parcel.



(Source: JRP Historical Consulting, LLC)

Figure 11: New York Hotel, Map Reference No. 5.

4.2.4.2 Application of Criteria of Adverse Effect:

The Project proposes to construct new tracks and an at-grade rail crossing, remove some existing tracks, and protect-in-place, relocate, and/or remove various utilities, near the Hotel New York. All of these project components would be located outside of the boundary of this property, and thus would not result in the removal, physical destruction, or damage to this historic building (36 CFR 800.5[a][2][i], [ii], and [iii]).

The proposed Project would not result in adverse effects to this historic property from the introduction of new visual elements. The track removal, construction of new at-grade tracks and new rail crossing at East Market Street would be more than 275 feet east of this building. The crossing would include the upgrading of railroad equipment, flashing light signals, gate arms, signing and pavement markings, as well as potential pedestrian upgrades such as ADA-compliant tactile walking surface indicators and streetlights. These types of railroad, roadway, and pedestrian features, and tracks would be located within, or immediately east of, the railroad right-of-way. The new tracks and crossing would only be visible when looking east from the upper floors of this building's secondary (west) side and southeast from its main (south) façade; however, they would not adversely alter the view or setting of this historic property. This building was originally constructed adjacent to this nineteenth-century, at-grade railroad, and the introduction of additional at-grade tracks and crossing in the vicinity of this historic building would not adversely alter the view or setting of the historic property because they are consistent with historic-period and existing railroad infrastructure and would blend in with the setting, thus not diminishing the integrity of the

historic property. Therefore, there would be no adverse effect from these project components on the Hotel New York (36 CFR 800.5[a][2][iv] and [v]).

The protection-in-place, relocation and/or removal of utilities, such as storm drains, underground water, sewer, and gas lines and overhead electrical lines and fiber optic cable, may be required near this historic property. All modifications to utilities would be conducted within the public right-of-way, more than 75 feet southeast of this historic building. This type of project construction activity would be relatively minor and would not adversely alter the view or setting of the historic building, which has already been modified by the construction and demolition of adjacent buildings, as well as construction of contemporary infrastructure. The integrity of the historic property would not be diminished, thus, there would be no adverse effect from this project component on the Hotel New York (36 CFR 800.5[a][2][iv] and [v]).

The proposed Project would not cause adverse effects from vibration and noise under 36 CFR 800.5(a)(2)(v). Technical analysis of potential vibration impacts indicates that the proposed Project would not generate sufficient construction or operational ground-borne vibration to modify any of the characteristics that qualify this historic property for inclusion in the NRHP. Furthermore, the proposed Project would not result in adverse effects to this historic property from any anticipated construction or operational noise (36 CFR 800.5[a][2][iv] and [v]) because the historic building is not considered noise sensitive.

Lastly, a temporary construction area intersects the southernmost portion of this historic property's boundary. These areas would be used for staging or encroachment permits and temporary construction easements required to allow construction crews to enter public and private rights-of-way. No construction activity would be conducted within this temporary construction area. Thus, this project component would not cause any adverse effect under 36 CFR 800.5[a][2][i], [ii], [iii], [iv] and [v]).

The proposed Project results in a finding of *No Adverse Effect* on the Hotel New York. See the APE map in Appendix A for the location of this historic property.

4.2.5 915 East Market Street (Map Reference No. 6)

4.2.5.1 *Property Description*

The building at 915 East Market Street is a two-story brick structure with a hipped roof and parapets with corbeled cornice. The building was formerly evaluated in 2001 and found to be eligible to the NRHP at the local level under NRHP Criterion A as a contributor to the Stockton Downtown Commercial Historic District. No character-defining features, period of significance, or boundary of this historic property were noted in the previous evaluation. Character-defining features identified for this report include, but are not limited to, Flemish bond brick construction, brick parapet, and brick window surrounds that incorporate soldier and header courses. The period of significance for this historic property is ca. 1926, the year it was constructed, through 1940, the end of the historic district's period of significance. The historic property boundary is its current legal parcel.



(Source: JRP Historical Consulting, LLC)

Figure 12: 915 East Market Street, Map Reference No. 6.

4.2.5.2 Application of Criteria of Adverse Effect:

The Project proposes to construct new tracks and an at-grade rail crossing, remove some existing tracks, and protect-in-place, relocate, and/or remove various utilities, near the historic building at 915 East Market Street. All of these project components would be located outside of the boundary of this property, and thus would not result in the removal, physical destruction, or damage to this historic building (36 CFR 800.5[a][2][i], [ii], and [iii]).

The proposed Project would not result in adverse effects to this historic property from the introduction of new visual elements. The track removal, construction of new at-grade tracks and new rail crossing at East Market Street would be more than 200 feet east of this building. The crossing would include the upgrading of railroad equipment, flashing light signals, gate arms, signing and pavement markings, as well as potential pedestrian upgrades such as ADA-compliant tactile walking surface indicators and streetlights. These types of railroad, roadway, and pedestrian features, and tracks would be located within, or immediately east of, the railroad right-of-way. The new tracks and crossing would only be visible when looking east from the building's secondary (west) side and southeast from its main (south) façade; however, they would not adversely alter the view or setting of this historic property. This building was originally constructed adjacent to this nineteenth-century, at-grade railroad, and the introduction of additional at-grade tracks and crossing in the vicinity of this historic building would not adversely alter the view or setting of the historic property because they are consistent with historic-period and existing railroad infrastructure and would blend in with the setting. The integrity of the historic property would not be diminished, therefore, there would be no adverse effect from these project components on this historic property (36 CFR 800.5[a][2][iv] and [v]).

The protection-in-place, relocation and/or removal of utilities, such as storm drains, underground water, sewer, and gas lines and overhead electrical lines and fiber optic cable, may be required near this historic property. All modifications to utilities would be conducted within the public right-of-way, more than 40 feet southeast of this historic building. This type of project construction activity would be relatively minor and would not adversely alter the view or setting of the historic building, which has already been modified by the construction and demolition of adjacent buildings, as well as construction of contemporary infrastructure. The integrity of the historic property would not be diminished, thus, there would be no adverse effect from this project component on this historic property (36 CFR 800.5[a][2][iv] and [v])

The proposed Project would not cause adverse effects from vibration and noise under 36 CFR 800.5(a)(2)(v). Technical analysis of potential vibration impacts indicates that the proposed Project would not generate sufficient construction or operational ground-borne vibration to modify any of the characteristics that qualify this historic property for inclusion in the NRHP. Furthermore, the proposed Project would not result in adverse effects to this historic property from any anticipated construction or operational noise (36 CFR 800.5[a][2][iv] and [v]) because the historic building is not considered noise sensitive.

Lastly, a temporary construction area intersects the southernmost portion of this historic property's boundary. These areas would be used for staging or encroachment permits and temporary construction easements required to allow construction crews to enter public and private rights-of-way. No construction activity would be conducted within this temporary construction area. Thus, this project component would not cause any adverse effect under 36 CFR 800.5[a][2][i], [ii], [iii], [iv] and [v]).

The proposed Project results in a finding of *No Adverse Effect* on the historic building at 915 East Market Street. See the APE map in Appendix A for the location of this historic property.

4.2.6 Waldemar Apartments (Map Reference No. 7)

4.2.6.1 *Property Description*

The Waldemar Apartments at 920 East Main Street is an early twentieth century, three-story, brick building with Classical details. It has a flat roof, symmetrical façade, corbeled parapet, diamond-patterned belt course; and double-hung wood windows. The building is eligible for the NRHR at the local level under NRHP Criterion C as a representative example of a multi-storied, masonry apartment building constructed in the early twentieth century. Its period of significance is 1918, the year it was constructed, and character-defining features consist of its scale and massing; corbeled parapet; diamond-patterned belt course; flat roof; symmetrical fenestration that appears to still contain one-over-one, double-hung wood sash windows with brick lentils and sills; belt course between first and second floors; Flemish-bond, multi-colored brick; and primary and secondary entrances. The boundary of the property is its current legal parcel.¹⁸

¹⁸ Architectural Resources Group, *Revised Draft Downtown Stockton Historic Resources Survey*, prepared for the City of Stockton, September 1, 2000, Appendix One.



(Source: JRP Historical Consulting, LLC)

Figure 13: Waldemar Apartments, Map Reference No. 7.

4.2.6.2 Application of Criteria of Adverse Effect:

The Project proposes to construct new tracks and an at-grade rail crossing, remove some existing tracks, and protect-in-place, relocate, and/or remove various utilities, near the Waldemar Apartments at 920 East Market Street. All of these project components would be located outside of the boundary of this property, and thus would not result in the removal, physical destruction, or damage to this historic building (36 CFR 800.5[a][2][i], [ii], and [iii]).

The proposed Project would not result in adverse effects to this historic property from the introduction of new visual elements. The track removal, construction of new at-grade tracks and new rail crossing at East Market Street would be more than 180 feet east of this building. The crossing would include the upgrading of railroad equipment, flashing light signals, gate arms, signing and pavement markings, as well as potential pedestrian upgrades such as ADA-compliant tactile walking surface indicators and streetlights. These types of railroad, roadway, and pedestrian features, and tracks would be located within, or immediately east of, the railroad right-of-way. The new tracks and crossing would only be visible when looking east from the building's secondary (west) side and northeast from its main (north) façade; however, they would not adversely alter the view or setting of this historic property. This building was originally constructed adjacent to this nineteenth-century, at-grade railroad, and the introduction of additional at-grade tracks and crossing in the vicinity of this historic building would not adversely alter the view or setting of the historic property because they are consistent with historic-period and existing railroad infrastructure and would blend in with the setting. The integrity of the historic property would not be diminished, therefore, there would be no adverse effect from these project components on this historic property (36 CFR 800.5[a][2][iv] and [v]).

The protection-in-place, relocation and/or removal of utilities, such as storm drains, underground water, sewer, and gas lines and overhead electrical lines and fiber optic cable, may be required near this historic property. All modifications to utilities would be conducted within the public right-of-way, approximately 20 feet or more northeast of this historic building. This type of project construction activity would be relatively minor and would not adversely alter the view or setting of the historic building, which has already been modified by the construction and demolition of adjacent buildings, as well as construction of contemporary infrastructure. The integrity of the historic property would not be diminished, thus, there would be no adverse effect from this project component on this historic property (36 CFR 800.5[a][2][iv] and [v])

The proposed Project would not cause adverse effects from vibration and noise under 36 CFR 800.5(a)(2)(v). Technical analysis of potential vibration impacts indicates that the proposed Project would not generate sufficient construction or operational ground-borne vibration to modify any of the characteristics that qualify this historic property for inclusion in the NRHP. Furthermore, the proposed Project would not result in adverse effects to this historic property from any anticipated construction or operational noise (36 CFR 800.5[a][2][iv] and [v]) because this historic building is not considered noise sensitive.

Lastly, a temporary construction area intersects the southernmost portion of this historic property's boundary. These areas would be used for staging or encroachment permits and temporary construction easements required to allow construction crews to enter public and private rights-of-way. No construction activity would be conducted within this temporary construction area. Thus, this project component would not cause any adverse effect under 36 CFR 800.5[a][2][i], [ii], [iii], [iv] and [v]).

The proposed Project results in a finding of *No Adverse Effect* on the Waldemar Apartments. See the APE map in Appendix A for the location of this historic property.

5. PREPARERS' QUALIFICATIONS

This study was conducted under the general direction of JRP Principal, Christopher McMorris (M.S., Historic Preservation, Columbia University). Mr. McMorris has more than 22 years of experience working as a consulting architectural historian on a wide variety of historical research and cultural resource management projects as a researcher, author, and project manager. Mr. McMorris meets and exceeds the Secretary of the Interior's Professional Qualification Standards under History and Architectural History (as defined in 36 CFR Part 61).

JRP Architectural Historian Toni Webb was the project manager/lead architectural historian for the project. Ms. Webb served as lead architectural historian and primary author of the FOE. Ms. Webb received a B.F.A. in Historic Preservation from the Savannah College of Art & Design and has over 21 years of experience in historic preservation and public history. Based on her level of experience and education, Ms. Webb meets and exceeds the Secretary of the Interior's Professional Qualification Standards under History and Architectural History.

6. REFERENCES

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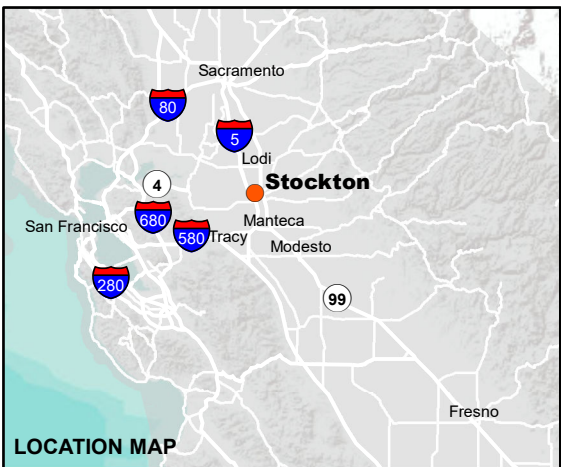
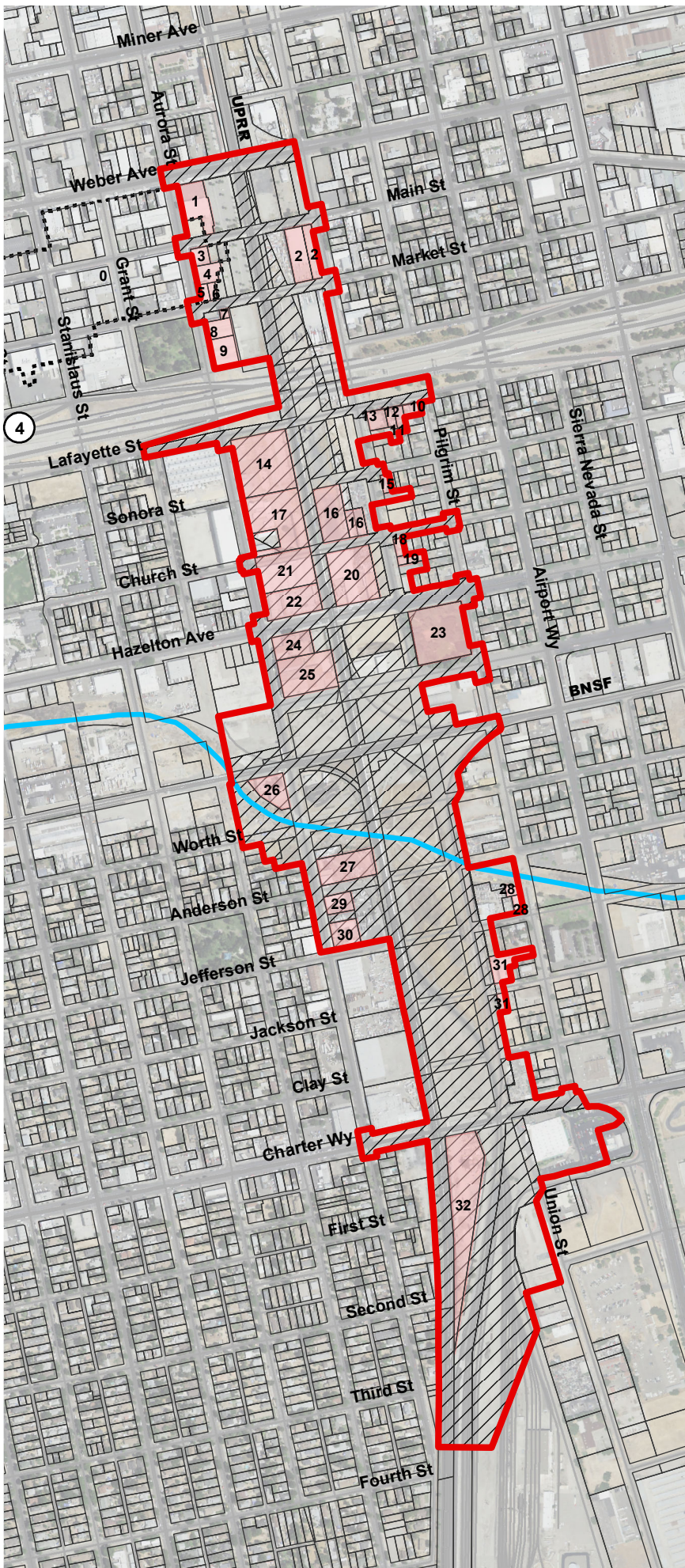


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Appendix A
Area of Potential Effects Map

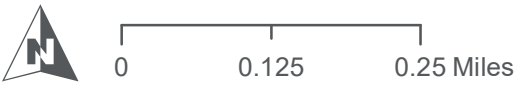


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AREA OF POTENTIAL EFFECTS (APE)

-  Mormon Slough
-  Project Footprint
-  APE
-  Map Reference Number
-  Parcel Boundaries
-  Stockton Downtown Commercial Historic District

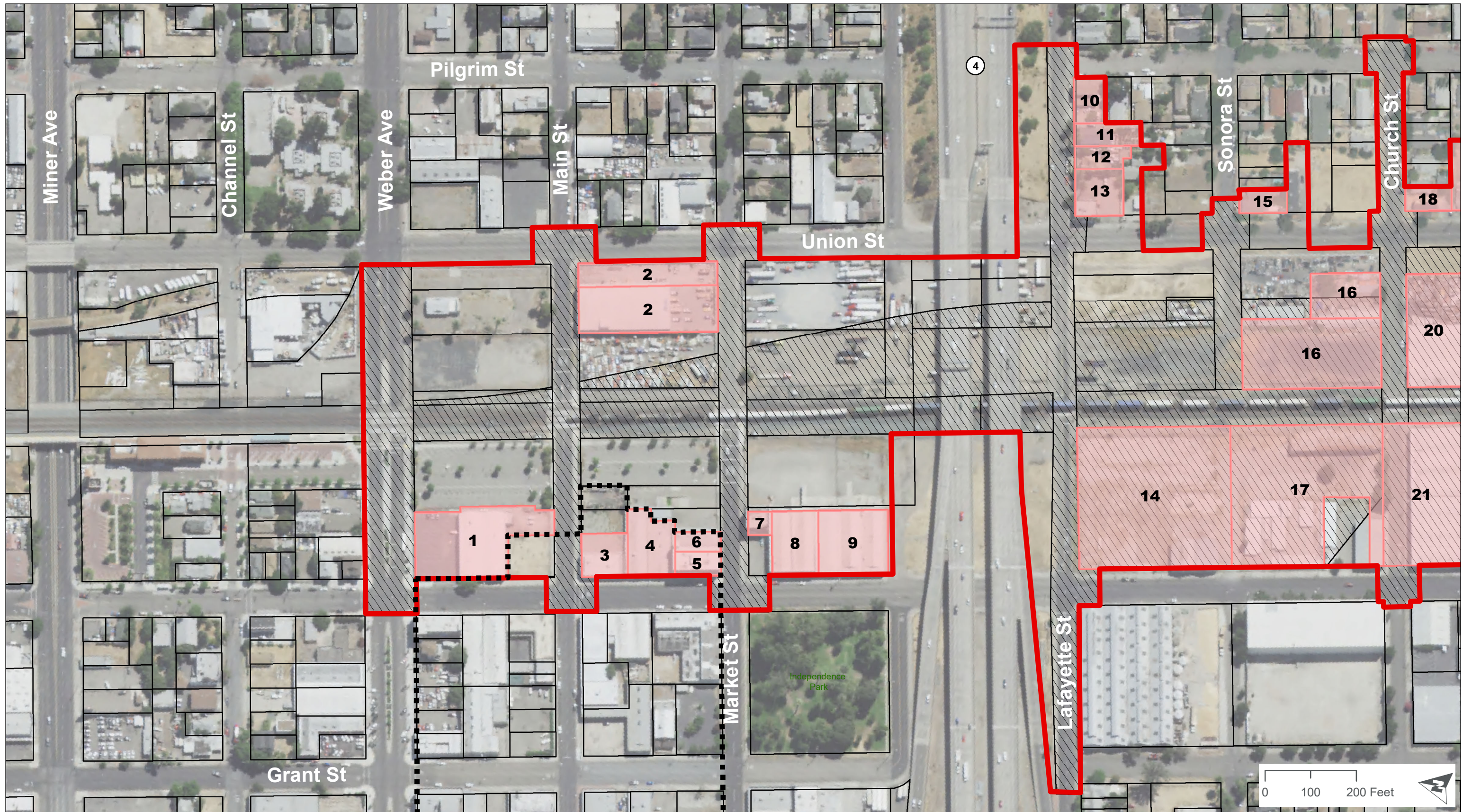


DATA SOURCE: City of Stockton, San Joaquin County GIS Data (2019) and USGS Aerial Imagery (2018), ESRI, NOAA

MAP CREATED ON: 2/12/2021



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DATA SOURCE: City of Stockton, San Joaquin County GIS Data (2019) and USGS Aerial Imagery (2018), ESRI, NOAA



Project Footprint



Area of Potential Effects (APE)



Map Reference Number

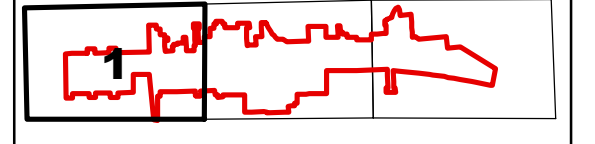


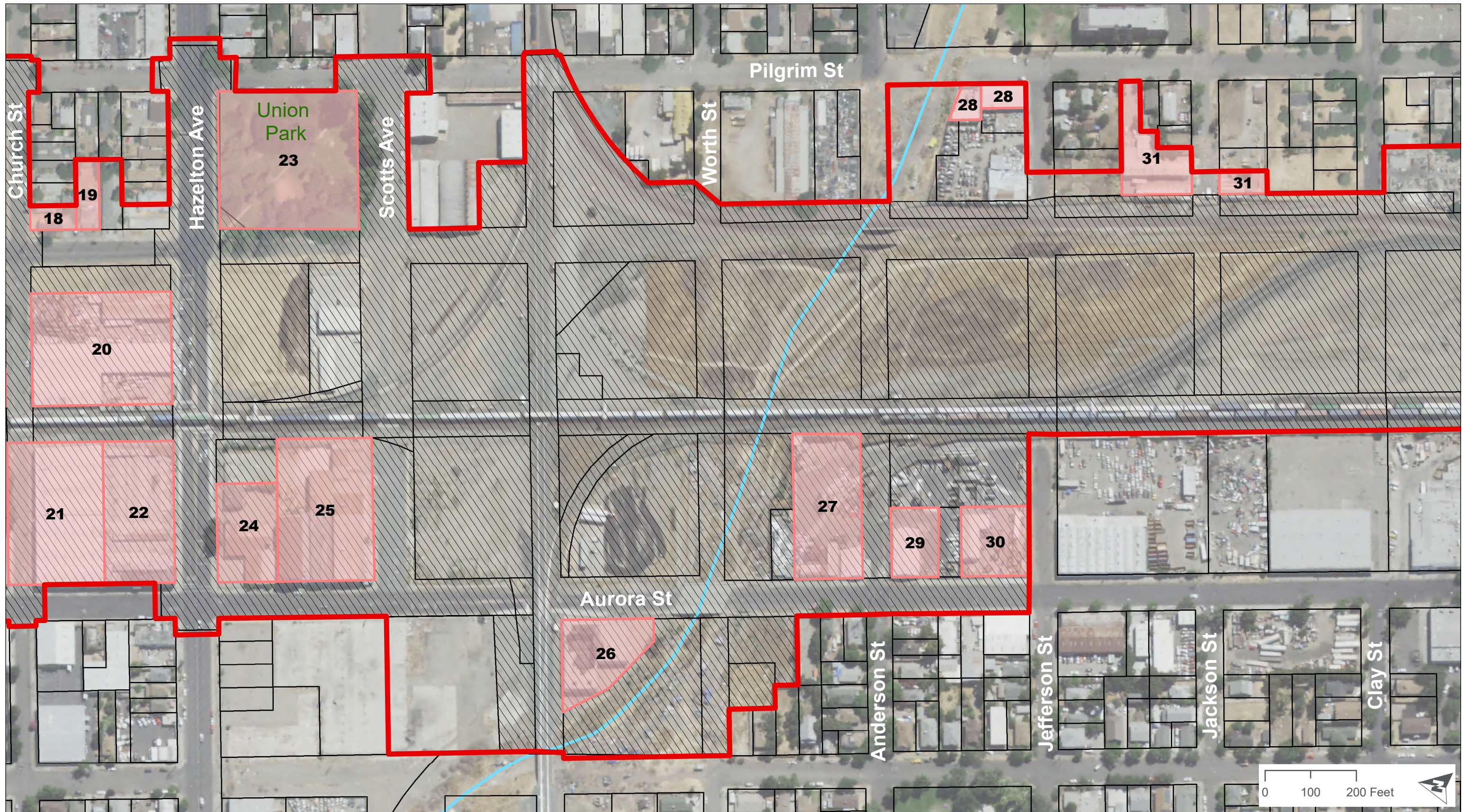
Parcel Boundaries



Stockton Downtown Commercial Historic District


KEY MAP





DATA SOURCE: City of Stockton, San Joaquin County GIS Data (2019) and USGS Aerial Imagery (2018), ESRI, NOAA



 Mormon Slough

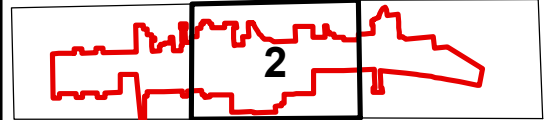
 Project Footprint

 Area of Potential Effects (APE)

 Map Reference Number

 Parcel Boundaries

KEY MAP

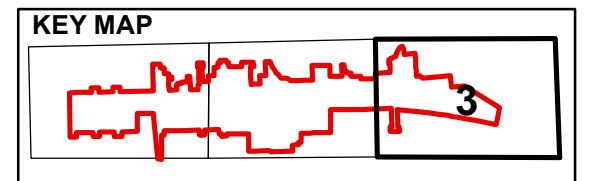




DATA SOURCE: City of Stockton, San Joaquin County GIS Data (2019) and USGS Aerial Imagery (2018), ESRI, NOAA



- Project Footprint
- Area of Potential Effects (APE)
- Map Reference Number
- Parcel Boundaries



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Appendix B
Correspondence

Project Stockton Diamon Grade Separation Project
Subject Communications with interested parties re: historic resources
Notes Prepared By Toni Webb, JRP Historical Consulting, LLC

Notes:

Interested Party	Communication Date	Notes
San Joaquin County Historical Society & Museum P. O. Box 30, Lodi, California 95241-0030 Phone: (209) 331-2055 Email: info@sanjoaquinhistory.org	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	Follow-up message sent via email. No response received.
Haggin Museum 1201 N. Pershing Ave. Stockton, CA 95203-1699 Phone: (209) 940-6300 Email: info@hagginmuseum.org	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	Follow-up message sent via email. No response received.
San Joaquin Genealogical Society P.O. Box 690243 Stockton, California 95269-0243 Email: AskUs@sjgensoc.org	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	Follow-up message sent via email. No response received.
City of Stockton Cultural Heritage Board c/o Community Development Department 345 North El Dorado Street Stockton, CA 95202-1997 Phone: (209) 937-8444	October 29, 2020	Letter sent via US Mail. No response received.
	January 14, 2021	No follow-up message sent because interested party has no listed email.



October 29, 2020

RE: Stockton Diamond Project

To Whom It May Concern:

The San Joaquin Regional Rail Commission (SJRRRC) and California High Speed Rail Authority (CHSRA) propose to replace an at-grade crossing of the Union Pacific Railroad (UPRR) and Burlington Northern & Santa Fe Railway Company (BNSF) rail lines with a railroad grade separation. Rail-over-rail grade separation is a method of aligning a junction of two or more at-grade rail lines at different heights (grades) so that they will not disrupt the traffic flow on each other’s transit routes when they converge at the junction point. Grade separations generally allow rail to move freely, with fewer interruptions, and at higher overall speeds. In addition, reducing the complexity of traffic movements at a junction between at-grade rail lines—coupled with vehicular, bicycle, and pedestrian traffic—reduces the potential for rail, vehicle, and bicycle/pedestrian conflicts. The “Stockton Diamond,” where the UPRR and BNSF tracks converge and cross one another at grade, is located in the City of Stockton. The general project limit extends southward from Weber Street to the UPRR Stockton Yard, and from Stanislaus Street eastward to Pilgrim Street. See the enclosed map.

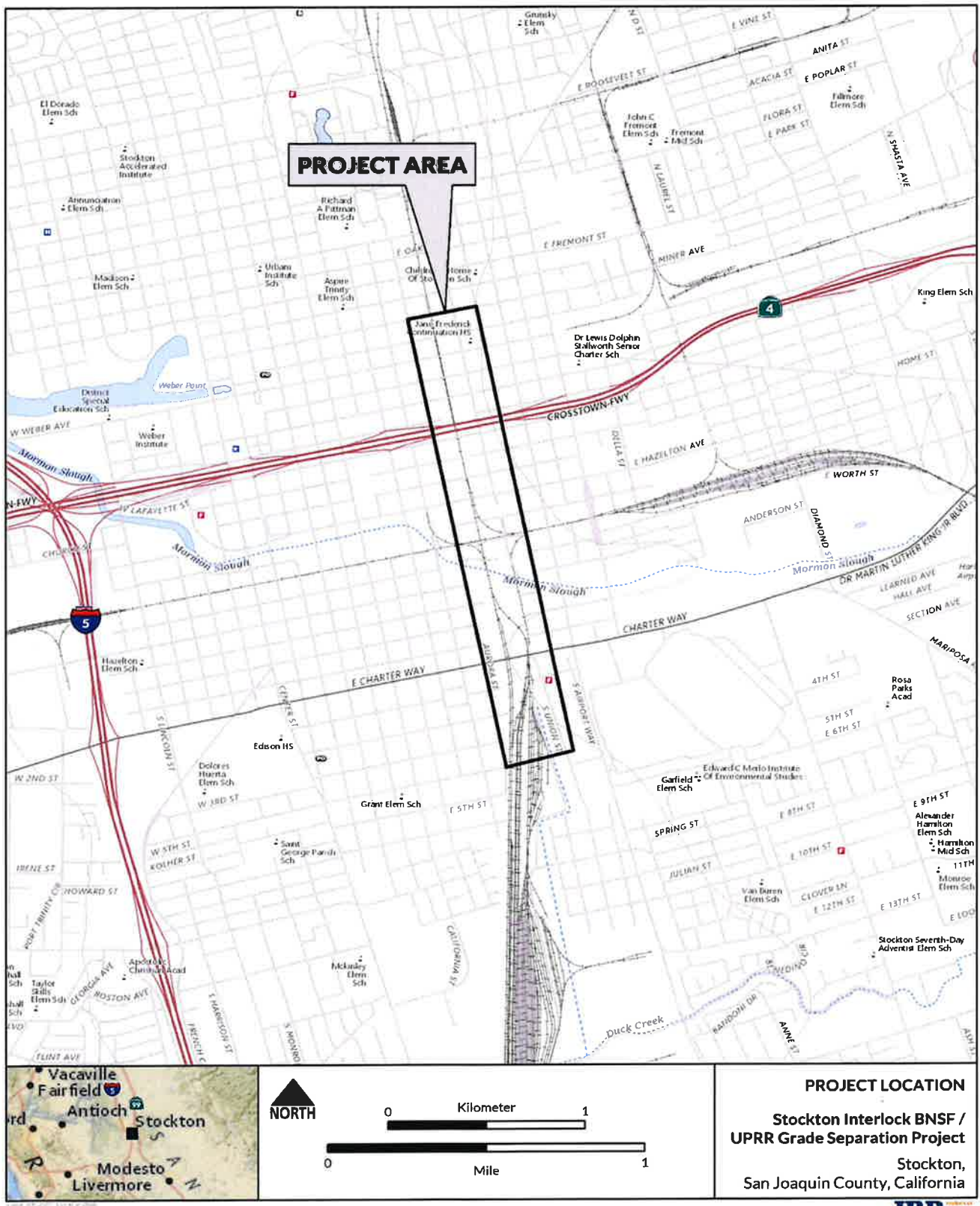
JRP Historical Consulting, LLC (JRP) has been retained to conduct a study to survey and evaluate historic-era buildings and structures that may be affected by the proposed project for their eligibility to be listed in the National Register of Historic Places and/or the California Register of Historical Resources. JRP’s study will be prepared to support the project’s environmental compliance under the National Environmental Policy Act (NEPA), along with its compliance under Section 106 of the National Historic Preservation Act and its implementing regulations in Title 36 Code of Federal Regulations Part 800 (36 CFR 800). JRP’s study will also be prepared for project compliance under the and California Environmental Quality Act (CEQA), as per CEQA Guidelines Section 15064.5. CHSRA is lead NEPA agency, and SJRRRC is the lead CEQA agency.

If you or your organization has any information or concerns regarding historic resources in the area that could be affected by this project, please respond via email to JRP Architectural Historian, Toni Webb, at twebb@jrphistorical.com, or in writing to her at JRP Historical Consulting, LLC, 2850 Spafford Street, Davis, CA 95618, within the next thirty (30) days. Please note, this is not a request for research, just for information. Thank you for any assistance you can provide.

Sincerely,

Kevin Sheridan
Director of Capital Projects

Enclosures: Project Area Map



List of Recipients

San Joaquin County Historical Society and Museum
P. O. Box 30, Lodi, California 95241-0030
Phone: (209) 331-2055
Email: info@sanjoaquinhistory.org

City of Stockton Cultural Heritage Board
c/o Community Development Department
345 North El Dorado Street
Stockton, CA 95202-1997
Telephone: (209) 937-8444

Haggin Museum
1201 N. Pershing Ave.
Stockton, CA 95203-1699
Phone: (209) 940-6300
Email: info@hagginmuseum.org

San Joaquin Genealogical Society
P.O. Box 690243
Stockton, California 95269-0243
Email: AskUs@sjgensoc.org

Toni Webb

From: Toni Webb
Sent: Thursday, January 14, 2021 8:21 AM
To: info@hagginmuseum.org
Subject: Stockton Diamond Grade Separation Project
Attachments: Signed Letter to Interested Parties.pdf

This email serves as a follow-up to a letter (see attachment) sent via US Postal Service by the San Joaquin Regional Rail Commission to your organization on October 29, 2020 regarding historic resources that may be located within the vicinity of the Stockton Diamond Grade Separation Project. This communication is to confirm that your organization received that letter and to inquire if you have any information or concerns about historic resources in the project area. If you do have any questions or concerns, please reply to this email or contact me via phone or in writing (see contact information below) as soon as possible.

Thank you,

Toni Webb | Architectural Historian
530.757.2521 ext. 115



Our office is working remotely until further notice. The best way to reach me is by email or voicemail at the number and extension listed. I will get back to you as soon as I can.

Toni Webb

From: Toni Webb
Sent: Thursday, January 14, 2021 8:22 AM
To: AskUs@sjgensoc.org
Subject: Stockton Diamond Grade Separation Project
Attachments: Signed Letter to Interested Parties.pdf

This email serves as a follow-up to a letter (see attachment) sent via US Postal Service by the San Joaquin Regional Rail Commission to your organization on October 29, 2020 regarding historic resources that may be located within the vicinity of the Stockton Diamond Grade Separation Project. This communication is to confirm that your organization received that letter and to inquire if you have any information or concerns about historic resources in the project area. If you do have any questions or concerns, please reply to this email or contact me via phone or in writing (see contact information below) as soon as possible.

Thank you,

Toni Webb | Architectural Historian
530.757.2521 ext. 115



Our office is working remotely until further notice. The best way to reach me is by email or voicemail at the number and extension listed. I will get back to you as soon as I can.

Toni Webb

From: Toni Webb
Sent: Thursday, January 14, 2021 8:19 AM
To: info@sanjoaquinhistory.org
Subject: Stockton Diamond Grade Separation Project
Attachments: Signed Letter to Interested Parties.pdf

This email serves as a follow-up to a letter (see attachment) sent via US Postal Service by the San Joaquin Regional Rail Commission to your organization on October 29, 2020 regarding historic resources that may be located within the vicinity of the Stockton Diamond Grade Separation Project. This communication is to confirm that your organization received that letter and to inquire if you have any information or concerns about historic resources in the project area. If you do have any questions or concerns, please reply to this email or contact me via phone or in writing (see contact information below) as soon as possible.

Thank you,

Toni Webb | Architectural Historian
530.757.2521 ext. 115



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