

THE PRESERVE

FINDINGS, OVERRIDING CONSIDERATIONS, MITIGATION MONITORING
AND REPORTING PROGRAM

EIR FILE #11-05

SCH# 2006092063

LSA

October 2008

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Submitted to:

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TABLE OF CONTENTS

<u>EXHIBIT A</u> FINDINGS OF SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS REDUCED TO LESS THAN SIGNIFICANT LEVELS	1
<u>EXHIBIT B</u> FINDINGS OF SIGNIFICANT OR POTENTIALLY SIGNIFICANT AND UNAVOIDABLE IMPACTS	28
<u>EXHIBIT C</u> ALTERNATIVES TO THE PROPOSED PROJECT	48
<u>EXHIBIT D</u> STATEMENT OF OVERRIDING CONSIDERATIONS	49
<u>EXHIBIT E</u> MITIGATION MONITORING AND REPORTING PROGRAM	50

EXHIBIT A
**FINDINGS OF SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS REDUCED
TO LESS THAN SIGNIFICANT LEVELS**

(CEQA Guidelines Section 15091(a)(1))

GEOPHYSICAL RESOURCES

Impact: ***GEO-1: Expose people or structures to seismic related hazards.***

The adverse effects of seismically-induced ground shaking on the potential development and users can be reduced to generally accepted levels by completing the project design and construction in conformance with current best standards for earthquake resistant construction in accordance with the CBC and City Code.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

GEO-1: Prior to approval of the building plans for site development, a seismicity report will be completed by an engineering geologist or equivalent professional regarding possible damage from seismic shaking. Plans for all structures shall be reviewed by the Director of Community Development prior to the approval of the building plans and building permits. This report will include:

An analysis of seismic hazards anticipated at the project site from regional faults.

- A discussion and recommendations for seismic mitigation at the project site. Recommendations may include use of reinforced concrete foundations and avoidance of potentially unstable foundation materials.
- The project applicant shall incorporate the recommendations of the seismicity report into the design for all structures proposed at the project site. All structures will be designed to withstand the anticipated seismic hazards defined in the seismicity report.
- It is acknowledged that seismic hazards cannot be completely eliminated, even with site-specific geotechnical investigation and advanced building practices (as provided in the mitigation measure above). However, exposure to seismic hazards is a generally accepted part of living in the seismically active areas of California.

Level of Significance Conclusion: Implementation of the above listed mitigation measure would reduce impacts affecting seismically related hazards to less than significant levels.

Impact: *GEO-2: Result in substantial soil erosion or loss of topsoil.*

Implementation of the proposed project would require grading for proposed roadways, infrastructure and buildings pads. Within the site, increased erosion may occur on unprotected rough graded surfaces if they are exposed to rainfall and surface runoff.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

GEO-2a: Prior to the approval of the improvement plans for site development, the project applicant will submit an erosion control plan to the Director of the Municipal Utilities Department (MUD). Erosion control measures will include techniques such as physical and vegetative stabilization measures and runoff diversion measures, retention of vegetation, hydroseeding, geotextiles and mats, and straw bale or sandbag barriers and avoidance of grading activities near water channels to the maximum extent feasible. The proposed project must comply with applicable State and City codes, regulations and adopted standards.

GEO-2b: Prior to construction, the applicant shall provide evidence to the Director of MUD that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board (RWQCB) regarding compliance with National Pollutant Discharge Elimination System (NPDES) General Construction permit requirements.

Level of Significance Conclusion: Implementation of the above listed mitigation measures would reduce impacts affecting soil erosion to less than significant levels.

Impact: *GEO-3: Be located on a geologic unit or soil that is unstable.*

The project site is located on soils that exhibit characteristics associated with unstable soils. The geotechnical report prepared identified specific design features to address this impact.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

GEO-3: A 2005 Geotechnical Services Report prepared by Kleinfelder, Inc. for The Preserve project recommends specific guidelines for the following features;

- Concrete Floor Slabs
- Exterior Flatwork
- Spread Foundations

- Post-Tensioned Slabs
- Lateral Resistance
- Retaining Walls
- Asphalt Concrete Pavements
- Site Drainage and Landscaping
- Soil Corrosion
- General Earthwork

Adherence to these guidelines and design characteristics shall be implemented in the construction of the project, and evidence of implementation shall be made available to the City of Stockton.

Level of Significance Conclusion: Implementation of the above listed mitigation measure would reduce impacts affecting unstable soils to less than significant levels.

AIR QUALITY

Impact: *AIR-5: The project will generate short-term fugitive dust impacts.*

Construction activities such as grading, excavation and travel on unpaved surfaces can generate substantial amounts of dust, and can lead to elevated concentrations of PM₁₀. Fugitive dust control measures are required of all construction projects within SJVAPCD jurisdiction. However, if the amount of fugitive dust generated is substantial, enhanced and additional control measures may be required by SJVAPCD to reduce PM₁₀ emissions.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

AIR-1a: The SJVAPCD Regulation VIII, Control Measures for Construction emissions of PM₁₀, is required to be implemented at all construction sites.

AIR-1b: Architectural coatings and asphalt paving conducted on site shall adhere to rules and regulations stated in the SJVAPCD Rulebook, specifically the project will comply with Rule 4601, Architectural Coatings, and 4641, Asphalt Paving.

Level of Significance Conclusion: Implementation of Mitigation Measures AIR-1a and AIR-1b will lessen fugitive dust impacts to a less than significant level.

Impact: *AIR-6: The project is not expected to create short-term impact from architectural coatings and asphalt paving.*

Architectural coatings and asphalt paving conducted on the project site shall adhere to rules and regulations stated in the SJVAPCD Rulebook.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure: Implement Mitigation Measure AIR-1a.

Level of Significance Conclusion: Implementation of Mitigation Measure AIR-1b will lessen impacts regarding architectural coatings and asphalt paving to a less than significant level.

Impact: ***AIR-7: The project will create short-term construction equipment exhaust-related impacts.***

Air pollutant emissions associated with the project would occur over the short-term from construction activities, such as fugitive dust from site preparation and grading and emissions from equipment exhaust. The SJVAPCD's approach to CEQA analyses of PM₁₀ impacts is to require implementation of effective and comprehensive control measures rather than detailed quantification of emissions.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure: Implement Mitigation Measure AIR-1a.

Level of Significance Conclusion: Implementation of Mitigation Measure AIR-1a will lessen construction equipment exhaust impacts to a less than significant level.

WATER RESOURCES

Impact: ***WQ-1: Project implementation could result in the potential degradation of water quality during project construction and operation.***

The project has the potential to violate water quality standards and/or waste discharge requirements. The proposed project will change the existing agricultural land use to predominantly residential uses. While this land use change will eliminate a source of agricultural pesticides and fertilizers that may have impacted water quality adjacent to the site, the landscaping associated with the proposed project would also require the use of pesticides, herbicides, and fertilizers. Negative impacts to water quality from this pollution source could persist, although to a lesser extent.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

WQ-1: Prior to issuance of grading permits for the project site, the applicant shall submit evidence to the Director of the MUD indicating that a NOI and a copy of the developer's or contractor's SWPPP have been filed with the RWQCB.

Level of Significance Conclusion: Implementation of the natural wetland system and mitigation measures will reduce the potential impacts to surface and groundwater quality both during construction and long term conditions to a less than significant level.

BIOLOGICAL RESOURCES

Impact: BR-1: Implementation of the project will remove habitat for special status species.

The proposed project will convert the agricultural/fallow fields and drainage ditches on the project site to residential and mixed-use development. Despite the extensive habitat modifications, several special status species could occur in these habitats.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

BR-1: The project shall implement the SJMSCP conservation strategy, which includes payment of appropriate fees to SJCOG for conversion of undeveloped lands. Documentation of fee payment shall be provided to the USFWS and CDFG prior to the start of construction.

Level of Significance Conclusion: Implementation of Mitigation Measure BR-1 reduces this impact to less than significant.

Impact: BR-2: Implementation of the project may impact several special status bird species that may nest on the site or immediate vicinity.

Despite the extensive habitat modifications to the site, several special status bird species including burrowing owl, tricolored blackbird, white-tailed kite, northern harrier, and Swainson's hawk could be impacted by site development through direct impacts to nest sites (burrowing owl, northern harrier) or indirect effects to off-site nesting. Mitigation is required to offset potential impacts to nesting birds. Direct take of these species is covered provided the project implements Incidental Take Minimization Measures (ITMMs) and compensates for habitat losses through payment of appropriate fees to

SJCOG for conversion of undeveloped lands. ITMMs included in the SJMSCP have been designed to avoid take as defined under the MBTA.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

BR-2a: The burrowing owl is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for burrowing owls shall be adhered to where applicable.

1. During the non-breeding season (September 1 through January 31) any burrowing owls occupying the project site should be evicted from the project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (Oct., 1995).
2. During the breeding season (February 1 through August 31) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the TAC, with the concurrence of the Permitting Agencies' representatives on the TAC; or unless a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be destroyed.
3. These Incidental Take Minimization Measures are consistent with the provisions of the Migratory Bird Treaty Act.

BR-2b: The tricolored Blackbird is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for tricolored blackbirds shall be adhered to where applicable.

1. A setback of 500 feet from colonial nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave nests. This setback applies whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing.

These Incidental Take Minimization Measures are consistent with the provisions of the Migratory Bird Treaty Act as described in Section 4.4.1-Existing Settings.

BR-2c: The Swainson's hawk is covered under the SJMSCP. The following mitigation measures consistent with those listed in the SJMSCP for the Swainson's hawk shall be adhered to where applicable.

1. If a nest tree in the vicinity of the project becomes occupied during construction activities, then all construction activities shall remain a distance of two times the dripline diameter of the tree, measured from the nest.

BR-2d: The white-tailed kite is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for the white-tailed kite shall be adhered to where applicable.

1. Suitable nesting habitat shall be removed between September 1 and February 29, outside of the nesting season.
2. If project construction is to begin during the nesting season (March 1 to August 31), a qualified biologist shall survey suitable nesting habitat within the project area more than 10 days prior to the start of construction. If presence of occupied nests is conformed, a setback of 500 feet from the nest site, marked by brightly colored temporary fencing, shall be maintained until nestlings have fledged or it is confirmed that nesting has failed, as determined by a qualified biologist.

BR-2e: The northern harrier is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for the northern harrier shall be adhered to where applicable.

1. Suitable nesting habitat shall be removed between September 1 and February 29, outside of the nesting season.
2. If project construction is to begin during the nesting season (March 1 to August 31), a qualified biologist shall survey suitable nesting habitat within the project area more than 10 days prior to the start of construction. If presence of occupied nests is conformed, a setback of 500 feet from the nest site, marked by brightly colored temporary fencing, shall be maintained until nestlings have fledged or it is confirmed that nesting has failed, as determined by a qualified biologist.

Level of Significance Conclusion: Implementation of Mitigation Measures BR-2a through BR-2e reduces this impact to less than significant.

Impact: *BR-3: Construction of the project may impact the giant garter snake.*

While the sloughs surrounding the project site (Mosher Slough, Bear Creek) and adjacent levees constitute potential habitat for giant garter snake, the levees may impede movement into upland areas or wetlands on the interior of the site. The levee slopes are steep and the levees are regularly maintained and sparsely vegetated. Further, the toe drains associated with the levees, interior drainage ditches, and upland areas on the interior side of the levees provide only marginal habitat for this species; the drains are also regularly cleared and maintained and are not connected to the slough channels. These factors limit the suitability of the project site for giant garter snakes and reduce the likelihood of its presence. Nevertheless, giant garter snakes could occur in the area and be affected by the residential development project.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

BR-3: The following mitigation measures consistent with those listed in the SJMSCP for giant garter snake shall be adhered to where applicable.

1. The project shall implement the SJMSCP conservation strategy, which includes payment of appropriate fees to San Joaquin Council of Governments (SJCOG) for conversion of undeveloped lands and implementation of the Incidental Take Minimization Measures for giant garter snake, as described below. Documentation of fee payment shall be provided to the USFWS and CDFG prior to the start of construction.
2. Construction shall occur during the active period for the snake, between May 1 and October. Between October 2 and April 30 contact the Service's Sacramento Fish and Wildlife Office to determine if additional measures are necessary to minimize and avoid take.
3. Limit vegetation clearing within 200 feet of the banks of potential giant garter snake aquatic habitat to the minimal area necessary.
4. Confine the movement of heavy equipment within 200 feet of the banks of potential giant garter snake aquatic habitat to existing roadways to minimize habitat disturbance.
5. Prior to ground disturbance, all on-site construction personnel shall be given instruction regarding the presence of SJMSCP Covered Species and the importance of avoiding impacts to these species and their habitats.
6. In areas where wetlands, irrigation ditches, marsh areas or other potential giant garter snake habitats are being retained on the site:
 - a. Install temporary fencing at the edge of the construction area and the adjacent wetland, marsh, or ditch;
 - b. Restrict working areas, spoils and equipment storage and other project activities to areas outside of marshes, wetlands and ditches; and
 - c. Maintain water quality and limit construction runoff into wetland areas through the use of hay bales, filter fences, vegetative buffer strips, or other accepted equivalents.
7. If on-site wetlands, irrigation ditches, marshes, etc. are being relocated in the vicinity: the newly created aquatic habitat shall be created and filled with water prior to dewatering and destroying the pre-existing aquatic habitat. In addition, non-predatory fish species that exist in the aquatic habitat and which are to be relocated shall be seined and transported to the new aquatic habitat as the old site is dewatered.
8. If wetlands, irrigation ditches, marshes, etc. shall not be relocated in the vicinity, then the aquatic habitat shall be dewatered at least two weeks prior to commencing construction.
9. Pre-construction surveys for the giant garter snake (conducted after completion of environmental reviews and prior to ground disturbance) shall occur within 24 hours of ground disturbance.

10. Other provisions of the USFWS Standard Avoidance and Minimization Measures during Construction Activities in Giant Garter Snake Habitat shall be implemented (excluding programmatic mitigation ratios which are superseded by the SJMSCP's mitigation ratios).
11. Survey of the project area shall be repeated if a lapse in construction activity of two weeks or greater has occurred. If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the snake shall not be harmed. Report any sightings and any incidental take to the Service immediately by telephone at (916) 414-6600.
12. Following project completion, all areas temporarily disturbed during construction shall be restored following the "Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat" outlined below.
 - a. The disturbed area shall be regraded to its preexisting contour and ripped, if necessary, to decompact the soil.
 - b. The area shall be hydroseeded. Hydroseed mix shall contain at least 20-40 percent native grass seeds. Some acceptable native grasses include annual fescue (*Vulpia* spp.), California brome (*Bromus carinatus*), blue wildrye (*Elymus glaucus*), and needle grass (*Nassella* spp.). The seed mix shall also contain 2-10 percent native forb seeds, five percent rose clover (*Trifolium hirtum*), and five percent alfalfa (*Medicago sativa*). Approximately 40-68 percent of the mixture may be non-aggressive European annual grasses, such as wild oats (*Avena sativa*), wheat (*Triticum* sp.), and barley (*Hordeum vulgare*). Aggressive non-native grasses shall not be included in the seed mix. These grasses include perennial ryegrass (*Lolium perenne*), cheatgrass (*Bromus tectorum*), fescue (*Festuca* sp.), giant reed (*Arundo donax*), medusa-head (*Taeniatherum caput-medusae*), or Pampas grass (*Cortaderia selloana*). Endophyte-infected grasses shall not be included in the seed mix.
13. In addition to the above measures, the following avoidance and minimization measures shall also be implemented.
14. All construction shall be conducted during daylight hours.

Measures consistent with the current Caltrans' Construction Site Best Management Practices (BMPs) Manual (including the Storm Water Pollution Prevention Plan [SWPPP] and Water Pollution Control Program [WPCP] Manuals [http://www.dot.ca.gov/hq/construc/Construction_Site_BMPs.pdf]) shall be implemented to minimize effects to giant garter snake (e.g., siltation, etc.) during construction

Level of Significance Conclusion: Implementation of Mitigation Measure BR-3 reduces this impact to less than significant.

Impact: ***BR-4: The discharge of stormwater from the developed project site into Mosher Slough may impact the giant garter snake, anadromous fish, and Delta smelt.***

Residential development of The Preserve Tract may result in indirect effects to the giant garter snake, Central Valley steelhead, Central Valley fall-run chinook salmon, and/or Delta smelt. Residential development of the site will result in an increase in impervious surfaces and introduce new pollution sources. This will result in an increase in the volume of stormwater discharged to Mosher Slough and potential degradation of water quality.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

Implementation of previously described Mitigation Measure WQ-1.

Level of Significance Conclusion: Implementation of Mitigation Measure WQ-1 will reduce impacts to less than significant.

Impact: ***BR-5: The project may impact wetlands and/or other waters regulated by the ACOE, RWQCB, and/or CDFG.***

The proposed project will eliminate the interior drainage ditches on the property. These drainage ditches are subject to jurisdiction of the ACOE and/or RWQCB. Historically, the ACOE has not asserted jurisdiction over manmade drainage ditches that have questionable connectivity to navigable waters. However, recent court cases, and ACOE precedents, indicate that these waters may be regulated by the ACOE. The RWQCB typically uses ACOE methods to classify waters of the State and may regulate waters that are exempt from ACOE jurisdiction.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

BR-5: The project shall implement the SJMSCP conservation strategy, which includes payment of appropriate fees to SJCOG for conversion of undeveloped lands. Lands acquired and preserved under the conservation strategy will provide equivalent habitat to mitigate the loss of wetlands associated with the drainage ditches. If the wetland areas are regulated by the ACOE and/or RWQCB, additional wetlands mitigation may be required by those agencies for the loss of 0.46 acre of wetlands. This mitigation may be accomplished through purchase of appropriate wetlands mitigation credits from an approved mitigation bank that services the project area. In lieu of purchasing mitigation credits, the project may implement a wetlands mitigation plan that provides equivalent wetlands replacement in accordance with agency requirements.

Level of Significance Conclusion: Implementation of Mitigation Measure BR-5 reduces this impact to less than significant.

NOISE

Impact: ***NOI-2: Construction related activities may negatively impact surrounding receptors.***

Short-term noise impacts would be associated with the excavation, grading, and erection of buildings on site during construction of the proposed project. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area today but would no longer occur once project construction is completed.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

NOI-1:

- During all project site excavation and on-site grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site and;
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

Level of Significance Conclusion: Implementation of Mitigation Measures NOI-1 will reduce short-term construction related impacts to a less than significant level.

Impact: ***NOI-3: Implementation of the proposed project will increase noise levels on the project site and surrounding areas.***

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate traffic-related noise conditions in the vicinity of the project site. The resultant noise levels were weighted and summed over a 24-hour period in order to determine the CNEL values. The existing and future traffic volumes (Fehr & Peers Transportation Consultants, January 2006) for roadway segments in the project vicinity were used in the traffic noise impact analysis. These noise levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn. However, several locations currently have intervening structures (e.g., housing) or block walls and would reflect lower noise levels than illustrated in Table 4.5.D.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

NOI-2: The following mitigation measures shall be implemented for the proposed project:

Exterior Noise. The following mitigation measures are required for outdoor active use areas:

- A sound barrier with a minimum height of 10 feet shall be required to protect outdoor active use areas such as parks, backyards, patios, and balconies for the following areas:
 - Within 65 feet of the Trinity Parkway centerline
 - Within 80 feet of the Otto Drive centerline
- A sound barrier with a minimum height of eight feet shall be required to protect outdoor active use areas such as parks, backyards, patios, and balconies for the following areas:
 - Within 133 feet of the Trinity Parkway centerline
 - Within 165 feet of the Otto Drive centerline
- A sound barrier with a minimum height of six feet shall be required to protect outdoor active use areas such as parks, backyards, patios, and balconies for the following areas:
 - Within 282 feet of the Trinity Parkway centerline
 - Within 353 feet of the Otto Drive centerline

Interior Noise. To meet the City's 45 dBA CNEL interior noise standard, the following mitigation measures will be required:

- Building facade upgrades such as double-paned windows with a Sound Transmission Class higher than standard construction for the proposed residential structures that have no intervening structures for the following areas:
 - Within 76 feet of the Trinity Parkway centerline
 - Within 93 feet of the Otto Drive centerline
- Air-conditioning systems for the proposed residential structures that have no intervening structures for the following areas:
 - Within 447 feet of the Trinity Parkway centerline
 - Within 559 feet of the Otto Drive centerline

Level of Significance Conclusion: Implementation of Mitigation Measure NOI-2 will ensure that noise impacts related to long-term vehicular traffic will not be significant.

LAND USE

Impact: ***LU-6: Implementation of the proposed project could endanger residents due to potential natural disasters.***

Due to the naturally isolated character of the proposed project, the potential for residents to be injured due to natural disaster (e.g., fire, earthquake, levee failure, etc.) exists. To ensure an orderly evacuation in the event of natural disaster, an evacuation plan must be prepared and made available to residents.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

LU-1: The owner, developer, or successors in interest shall provide an evacuation plan as a condition of approval. The evacuation plan must identify the following:

- Emergency evacuation routes using levee features and bridge access
- Local street evacuation routes
- Local evacuation access locations
- Emergency contact information

Level of Significance Conclusion: Mitigation Measure LU-1 will reduce impacts regarding potential natural disasters to less than significant levels.

TRAFFIC AND CIRCULATION

Impact: ***TRAF-1a, b, c, d, e and f: The project would contribute to or result in unacceptable service levels at six signalized intersections under Existing plus Approved Projects plus Project conditions. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.***

Hammer Lane/Mariners Drive. Project traffic would worsen unacceptable conditions during both the AM and PM peak hours and increase average intersection delay by more than 5 seconds. Vehicle queue spillback is projected to be excessive at this intersection, particularly for the southbound movement.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

TRAF-1b: A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and the adjacent Hammer Lane/Mariners Drive intersection. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable near-term operations with the addition of project traffic and reduce queue spillback were identified. Modifying the southbound approach within the existing right-of-way to provide dual left-turn lanes and a through-right shared lane in addition to signal modifications, would result in acceptable intersection operations. These improvements shall be implemented by the project applicant. With implementation of this mitigation measure, the impact would be reduced to a less-than-significant level

Level of Significance Conclusion: Mitigation Measure TRAF-1b will reduce impacts to the Hammer Lane/Mariners Drive intersection to less than significant levels.

Impact: ***TRAF-2a, 2b, 2c, and 2d: The proposed project would contribute to or result in unacceptable service levels at four unsignalized intersections. This is considered a significant impact under Streets and Highways Goals 1.8 and 1.9.***

With the construction of the bridge over Bear Creek and the extension of Trinity Parkway to Otto Drive, traffic volumes on Mariners Drive are expected to increase due to this new north/south roadway connecting Hammer Lane and Eight Mile Road (Hammer Lane to Mariners Drive to Otto Drive to Trinity Parkway to Eight Mile Road). The addition of traffic from The Preserve would exacerbate already deficient conditions during the PM peak hour and result in deficient operations during the AM peak hour. Although the Mariners Drive/Whitewater Lane intersection would operate at an overall acceptable service level, as north-south through traffic does not have to stop, the side-street movement would experience excessive delay.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

TRAF-2a, 2b, 2c, and 2d. The project applicant shall construct Trinity Parkway from Otto Drive to Hammer Lane and construct the Otto Drive/Trinity Parkway intersection to include the following geometry:

- Signalization
- 1 northbound left-turn lane (300 feet of storage)
- 1 northbound through lane
- 1 northbound through-right shared lane
- 1 southbound left-turn lane (300 feet of storage)
- 1 southbound through lane
- 1 southbound through-right shared lane
- 1 eastbound left-turn lane (200 feet of storage)
- 1 eastbound through lane
- 1 eastbound right-turn only lane
- 1 westbound left-turn lane (100 feet of storage)
- 1 westbound through-right shared lane

Level of Significance Conclusion: Mitigation Measures TRAF-2a, 2b, 2c, and 2d will reduce this impact to less than significant levels.

Impact: ***TRAF-4a, b, c, d, e and f: The proposed project would increase traffic through 8 intersections projected to operate at an unacceptable service levels prior to the addition of project traffic. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.***

McAuliffe Drive/Trinity Parkway. This intersection is projected to operate at a deficient LOS F prior to the addition of project traffic. With the addition of project traffic, delay at this intersection would increase from 109 seconds to 115 seconds, a 6-second increase. This is a significant impact, as the addition of traffic from the proposed project would increase delay through this intersection by more than 5 seconds

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

TRAF-4c: The project applicant shall contribute their fair share to intersection improvements that would result in acceptable intersection operations: provide a shared left-turn-right-turn lane and a right-turn lane on the westbound approach. With implementation of this mitigation, the project impact would be to a less-than-significant level.

Level of Significance Conclusion: Mitigation Measure TRAF-4c will reduce impacts to McAuliffe Drive/Trinity Parkway to less than significant levels.

Impact: ***TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.***

Otto Drive/Trinity Parkway. The addition of project traffic would worsen LOS E conditions to LOS F during both the AM peak hour and PM peak hours. This is a ***significant*** impact, as the addition of traffic from the proposed project would increase delay through this intersection by more than 5 seconds.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

TRAF-6d. The project applicant shall contribute its fair share to provide a third eastbound and a third westbound lane through the intersection.

Level of Significance Conclusion: Mitigation Measure TRAF-6d will reduce this impact to less than significant levels.

PUBLIC SERVICES

Impact: ***PR-5: Fail to create a mechanism through which future maintenance of the park is guaranteed.***

The City of Stockton Municipal Code contains provisions regulating the dedication of parks and the provision of financing for the maintenance of dedicated parkland. The policy specifies that the City will not develop a park unless a maintenance funding mechanism is in place. The primary mechanism is the City Consolidated Landscape Management District. Parks will be developed only when property owners approve an assessment for park maintenance fees and sufficient funds have been accumulated within an area's development fee zone for such improvements. The policy is applicable to the parks, recreation areas, sports field and open space in the proposed project.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

PR-1a: Prior to recordation of any Final Map, the owner, developer, homeowners association or successor-in-interest shall form a new zone of the Stockton Consolidated Landscape Maintenance District, and approve an assessment providing for the subdivision's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision.

Formation of a new zone shall result in the establishment of an assessment that would include, but not be limited to, costs for: 1) annual maintenance of the park; and 2) administrative costs. The assessment levied shall contain a provision that will allow the maximum assessment to be increased in an amount equal to the greater of: 1) three percent or 2) the percentage increase of the percentage increase of the Consumer Price Index for the San Francisco - Oakland - San Jose County Area for All Urban Consumers, as developed by the U.S. Bureau of Labor and Statistics, for a similar period.

PR-1b: Prior to the recordation of any Final Map, the proposed project shall include provisions for the establishment of a maintenance entity acceptable to the Community Development Director, the Parks and Recreation Director, and the Public Works Director to provide funding for the maintenance of, and if necessary, replacement at the end of the useful life of improvements including but not limited to, common area landscaping, landscaping in the right of way, sound walls and/or backup walls, and all "improvements" serving or for the special benefit of the proposed project.

If the proposed project provides maintenance through a maintenance assessment district, the proposed project shall include the formation of a new zone of the Stockton Consolidated Landscape Maintenance District provided the type, intensity, and amount of the improvements to be maintained are similar to improvements in the zone to which annexation is proposed. Formation/annexation shall require the approval of an assessment that shall be levied on all properties in the subdivision to ensure that all property owners pay their proportionate share of the costs of maintaining, in perpetuity, the improvements serving or for the special benefit of the proposed project.

PR-2: Prior to issuance of building permits, the applicant shall pay in-lieu fees equivalent to the regional park acreage requirements (per City standards) that remain unfulfilled.

Level of Significance Conclusion: Implementation of the above listed mitigation measures would reduce impacts affecting park maintenance to less than significant levels.

Impact: ***FP-1: Project implementation will increase the demand for fire protection services which could affect the level of service protection and response times.***

The proposed project would add 4,366 individuals to the North Stockton area. According to City's FY 2006-2007 budget, the current is 0.94 firefighters per 1,000 residents. Five additional firefighters are required to service the Project assuming that the current level of services is satisfactory. This

would require the development of an additional fire station in the vicinity along with an increase in fire fighting personnel to provide adequate fire protection services. A fire station will be built as part of the Westlake Village development at a site to be determined. With the construction of the substation near The Preserve project, residents there can expect a high level of service and quick response times to their emergencies.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

FP-1a: prior to issuance of building permits, the project applicant shall pay development impact fees (as applicable) to reduce the burden on fire protection services. Evidence indicating payment of fees shall be provided to the Director of Community Development Department.

FP-1b: The applicant will consult with the City's Fire Department regarding adequacy of project plans relating to the safety of structure, safety devices, and emergency vehicle access.

Level of Significance Conclusion: Implementation of the above mitigation measures will reduce fire protection impacts to less than significant levels.

Impact: ***PP-1: The proposed Preserve project will increase the demand for law enforcement services.***

According to the City's FY 2006-2007 budget, the current service level is 1.49 sworn officers per 1,000 residents. The additional proposed population of 4,366 individuals to the North Stockton area would require an additional seven law enforcement officers to provide adequate police protection services. According to the police department, security during construction of the project is an ongoing issue within the City.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

PP-1a: Prior to issuance of building permits, the project applicant shall pay development impact fees (as applicable) to reduce the burden on police protection services. Evidence indicating payment of fees shall be provided to the Director of Community Development Department.

PP-1b: The applicant will consult with the City's Police Department regarding adequacy of project plans relating to the safety and defensible space issues.

PP-1c: Contractors are responsible for providing licensed uniformed security guards for after hours and weekends to prevent damage or theft of building materials, equipment, and/or appliances. Removal of doors to home appliances until after installation in new homes shall be considered.

PP-1d: Construction site perimeter fencing is also required to prevent criminal activity during construction.

PP-1e: The following conditions shall be required during the construction phase of the project.

- A licensed, uniformed security guard must be present during the evening hours on weekdays (Monday through Friday), and 24 hours per day on weekends and holidays, when the developer is not on site.
- The entire construction area should be fenced and inaccessible to the public after hours, and on weekends and holidays. The fence should be well maintained as needed during construction of the project.
- The entire construction area should be well lit throughout the night, every night, so as to clearly illuminate the construction site and street(s).
- Portable video security monitors/cameras should be used during the construction phase, along with signs advertising such monitoring, to further serve as a deterrent.
- Appliances such as stoves, microwaves, refrigerators, etc., should not be installed until the day a new owner completes the final walkthrough of the residence. If installed earlier, the residence must remain securely locked after hours and on weekends/holidays.
- Cabinetry and other valuable items should be kept off site prior to installation. Once installed, the residence must be securely locked.

PP-1f: The following conditions shall be required during the post-construction phase of the project.

- The ODS is required to implement a mandatory Crime Free Multi-Housing program.
- Enclose the complex with wrought-iron fencing as appropriate.
- After construction is completed, parking areas and walkways should be well lighted and equipped with security cameras and recording equipment.
- Low-growth vegetation should be employed around the buildings and parking areas to facilitate maximum visibility.
- Install automatic gates to control ingress and egress.
- All vehicle entrance/exit gates must be Knox-Box compatible.
- Provide private licensed and uniformed security guards to monitor the property.
- The ODS is required to establish and maintain a homeowner's association to address nuisance properties, maintain common area lighting and landscaping, and arrange for security patrols.

Level of Significance Conclusion: Implementation of the above mitigation measures will reduce police-related/security impacts to less than significant levels.

Impact: *SCH-1: Project implementation will generate additional students and could affect the capacity of existing schools.*

A new elementary school facility will be constructed at The Preserve to serve a majority of the new elementary aged children. Students generated by the proposed project for middle and high school levels will be accommodated by Crista McAuliffe Middle School and Bear Creek High School.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

SCH-1: Prior to issuance of building permits, the project applicant shall pay fees (as applicable) to comply with State-mandated impact fees. Evidence indicating payment of fees shall be provided to the Director of Community Development Department. The project applicant will provide an elementary school as identified in the project description.

Level of Significance Conclusion: Implementation of the above mitigation measures will reduce school-related impacts to less than significant levels.

Impact: ***LIB-1: Implementation of the proposed project will increase the demand for library services.***

The proposed project would result in a higher demand for library services. Currently, the City has four libraries that serve the residents. The libraries offer reading programs in addition to educational and recreational classes for families and children. The City's Library Master Plan does not provide provisions for a library in the northwestern section of the City. It is expected that the additional population generated as part of the proposed project may result in increased demand for library services.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

LIB-1: Prior to issuance of building permits, the project applicant shall pay development impact fees (as applicable) to reduce the burden on community library services. Evidence indicating payment of fees shall be provided to the Director of Community Development Department.

Level of Significance Conclusion: Implementation of the previous mitigation measure will create a less than significant impact on library services.

Impact: ***VC-1: Locating the project development adjacent to sources of mosquito populations could result in health risks to residents.***

The County Mosquito and Vector Control District monitors mosquito populations throughout the project area, and provides vector control services to reduce health risks to area residents. Based on their records, the mosquito populations may periodically be at levels that could present a public health problem. Even with aggressive mosquito control operations, mosquito populations may remain higher than considered appropriate or acceptable for the project uses.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

VC-1: Should the District's efforts to control mosquito populations within the project area fail to adequately control the potential health risk to the project population, The Preserve Owner's Association or similar organization shall provide additional resources or financial support to protect project residents from vector-related health risks.

Level of Significance Conclusion: Implementation of the above measure will reduce the potential vector-related health risks to less than significant levels.

PUBLIC WATER SUPPLY ASSESSMENT

Impact: ***WSA-2: Project implementation could require extensive modifications to the existing water system to meet the proposed project demand.***

Development of the proposed project would necessitate water system modifications in order to provide adequate distribution. Most of the water system modifications that would be necessary to support development of the proposed project can be extended from Otto Drive. The remaining infrastructure needed includes numerous smaller pipes to distribute water at appropriate pressures to all points within the system.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

WSA-1a: Prior to issuance of building permits, the applicant shall pay all applicable connection fees and/or capital improvement fees required by City ordinance to fund the necessary improvements to the domestic water supply.

WSA-1b: Prior to issuance of building permits, the applicant shall provide evidence to the Director of Municipal Utilities at the City of Stockton of compliance with plumbing, metering, and other water conservation measures in effect, including any provisions outlined included in the City's Urban Water Management Plan, 2005 Update.

WSA-1c: Prior to approval of improvement plans for each development unit, the applicant will perform a water system analysis, acceptable to the Director of Municipal Utilities, demonstrating that the water system improvements are sufficient to meet the City of Stockton service standards.

WSA-1d: The City-wide Water Master Plan may be required to be amended and approved by the Stockton City Council, if the subject project is approved prior to the adoption of utility master plans for the 2035 General Plan Project.

Level of Significance Conclusion: The available sources for water supply, together with existing and planned water infrastructure, are expected to provide long-term water availability to the project. In addition, implementation of Mitigation Measures WSA-1a - 1d will further reduce this impact to less than significant.

UTILITIES AND SERVICE SYSTEMS

Impact: ***WW-1: Existing and proposed wastewater conveyance facilities may not have adequate capacity to meet proposed project demand.***

A collection system modeling analysis of the City wastewater collection system was performed as part of the May 2003 Update and available pipe capacities were summarized. According to the results, the trunk line along Trinity Parkway has capacity to support major new development, although in certain cases development plans already exist that would utilize some or all of that capacity.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

WW-1a: Prior to issuance of building permits, the owners, developers, and/or successors in interest shall pay the applicable sewer connection fees required for improvements to the City's Regional Wastewater Collection Facilities. The Community Development Department will ensure that sewer connection fees are paid in conjunction with building permit issuance.

WW-1b: The City-wide Sanitary Sewer Master Plan may be required to be amended and approved by the Stockton City Council, if the subject project is approved prior to the adoption of utility master plans for the 2035 General Plan Project.

Level of Significance Conclusion: Implementation of the above mitigation measures would reduce the impacts to wastewater conveyance facilities to a less than significant level.

Impact: ***Sewage demand generated by the proposed project could exceed the capacity of the wastewater treatment plant.***

The wastewater treatment plant currently has limited excess capacity to serve new projects. With a current capacity of 42 mgd, and peak usage ranging from 32 to 40 mgd (depending on the canning season), approximately 2-10 mgd is available at present for new projects, until the plant reaches capacity. It is the City's policy to provide treatment capacity as it is required. The plant has been designed to accommodate treatment expansion on an incremental or modular basis. Additional capacity of approximately 6 mgd will be available with the next expansion, for a total of 48 mgd. Each project is served on a first-come, first-served basis.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

WW-2: Prior to issuance of building permits, the applicant shall pay the applicable Sewer Connection Fees required for Improvements to the City's Wastewater Collection Systems. The City of Stockton will include the mitigation measures as stated above as a condition of approval for the applicable tentative maps, subdivision improvement plans, and building permits. The Department of Community Development will ensure that connection fees are paid in conjunction with building permit issuance. The Departments of Community Development and Public Works shall verify that all conditions of approval appear on the actual building plans and that compliance with the conditions is checked in the field during construction and operation, as appropriate.

Level of Significance Conclusion: Implementation of the above mitigation measures will reduce the impact on wastewater treatment facilities to a less than significant impact.

Impact: *EG-2: The proposed project will use large amounts of energy.*

The proposed project will need approximately 51,948 therms of natural gas and 842,400 kilowatts of electricity. While this will significantly increase consumption of electricity and natural gas, utility providers have indicated that the existing system has the capacity to accommodate these increases.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

EG-1: As feasible, the applicant should install energy reducing fixtures and implement energy reducing measures to decrease the amount of energy used.

Level of Significance Conclusion: Implementation of the proposed mitigation measures outlined above would reduce the impact on electric service facilities to a less than significant level.

AESTHETICS/LIGHT AND GLARE

Impact: *VIS-3: Development of the project site will not have a substantial adverse effect on a scenic vista as viewed from a public vantage point.*

The proposed project would involve the urban development on existing open agricultural land. The most prominent public views of the project site are from Otto drive in the Twins Creeks Estates residential neighborhood, from the Bear Creek and Mosher Sloughs and the Trinity Parkway. Views from Otto Drive will change from an exposed dirt levee bank into the primary Preserve entrance where Otto Drive will extend over the new, reconstructed/landscaped levee.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

VIS-1: The City shall require the project applicant to submit a landscape plan for Trinity Parkway which will provide a visual screen and green buffers between the project and the adjacent existing residential development.

Level of Significance Conclusion: Implementation of the above listed mitigation measure would reduce impacts affecting scenic vistas to less than significant levels.

Impact: *VIS-4: Development of the project site may create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

The proposed project would involve new sources of lighting which will affect day and nighttime views in the area. The majority of the project site is adjacent to agricultural lands and wetland areas, and therefore increased lighting will have minimal adverse impacts on these areas. Implementation of Mitigation Measure VIS-1 will create a screen of trees to reduce light spillover from the project site. In addition, traffic entering and leaving the project area via Otto Drive may result in impacts from headlights due to the roadway rising over the existing dryland levee. However, landscaping required by mitigation measure VIS-1 will reduce headlight impacts as well as new light source impacts.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

VIS-2: The City shall require the project applicant to submit a lighting plan which includes specifications for lighting along the Trinity Parkway Extension to be focused downwards and away from nearby residences in the Twin Creeks Estates. The City shall ensure that the landscape plan includes landscaped medians on the Trinity Parkway Extension to reduce light spillover from the residential developments and new road.

Level of Significance Conclusion: Implementation of the above listed mitigation measure would reduce impacts affecting lighting and glare to less than significant levels.

CULTURAL RESOURCES

Impact: ***CR-1: Project site development could potentially affect known and unknown resources with cultural significance.***

Although no cultural resources were found onsite or within the extension corridor of Trinity Parkway/ Hammer Lane in the Shima Tract, Paleontological resources are within five miles of the project area. Consultation with the Native American Heritage Commission representatives and the San Joaquin County Historical Society did not indicate the presence of archeologically sensitive resources. If any cultural resources are found with the commencement of construction activities, the following mitigation measures will ensure that no significant impacts will occur.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measures:

CR-1a: Project personnel shall not collect or move any archaeological material. Fill soils that may be used for construction purposes shall not contain archaeological materials.

CR-1b: If deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 25 feet of the discovery should be redirected and a qualified archaeologist

contacted to evaluate the finds and make recommendations. It is recommended that adverse effects to such deposits be avoided by project activities. If such deposits cannot be avoided, they should be evaluated for their eligibility for listing in the California Register of Historical Resources. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, they will need to be avoided by adverse effects or such effects must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting methods and results, and recommendations. The report should be submitted to the project proponent, appropriate City of Stockton agencies, and the Central California Information Center.

Prehistoric materials can include flaked-stone tools (e.g. projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and bone tools and stone milling equipment (e.g., mortars, pestles, handstones). Prehistoric sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse.

CR-1c: If human remains are encountered, work within 25 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Upon completion of the assessment, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the project proponent, appropriate City of Stockton agencies, and the Central California Information Center.

CR-1d: If paleontological resources are encountered within five feet of the ground surface, however, they should be handled according to the accidental discovery section below.

There is a possibility of encountering significant paleontological resources in the Modesto Formation sediments of the project area that directly underlie the soils. Paleontological monitoring is recommended if the proposed project plans involve ground disturbance at a depth greater than five feet. Prior to ground disturbing activities, a qualified paleontologist should develop a monitoring plan that takes into account the specific details of construction plans as well as information from any available paleontological, geological, and geotechnical studies, as well as limited subsurface investigations.

Level of Significance Conclusion: Implementation of the above listed mitigation measures would reduce impacts affecting cultural resources to less than significant levels.

HAZARDOUS MATERIALS & WASTES

Impact: ***HAZ-1: Due to the existing conditions of the site, the environment and construction workers could be exposed to hazardous wastes and materials.***

The government records search did not identify any major spills or accidents on the site or project vicinity. Nor were any hazardous materials or wastes discovered as a result of the visual site survey. It is not expected that the proposed land uses (residential and recreation) will introduce hazardous materials to the environment or the general public. Hazardous substances may be used in conjunction with construction activities.

Findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Mitigation Measure:

HAZ-1: A Spill Prevention and Containment Plan (SPCP) will be prepared prior to the commencement of any construction activities. The SPCP will identify any and all hazardous materials that will be used or stored on site, and will also identify any hazardous wastes that might be generated by the proposed project. The SPCP will detail proper measures to handle and/or transport hazardous materials. The plan will also present procedures to contain or initiate cleanup of any spills. The phone number of the appropriate government agency will be contained on the plan in the event of any release of hazardous substances.

Level of Significance Conclusion: Implementation of the above mitigation measure will reduce this impact to a less than significant level.

EXHIBIT B
**FINDINGS OF SIGNIFICANT OR POTENTIALLY SIGNIFICANT
AND UNAVOIDABLE IMPACTS**

Despite substantial mitigation, economic, social, or other considerations make mitigation to less than significance infeasible (CEQA Guidelines, Section 15091 (a)(3): These impacts will require Statements of Overriding Considerations as described by Section 15093 of the CEQA Guidelines.

AIR QUALITY

Impact: ***AIR-8: The project would create long-term air quality impacts.***

The land uses associated with the proposed project consists of approximately 933 single family residential units, 129 cluster residential units, 96 condominium units, and a school. Stationary source emissions from these land uses would be generated from consumption of natural gas, landscaping, and consumer products.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

AIR-2 - Project Operations Related Impacts

The project applicant shall incorporate the following in building plans:

- a. Solar or low-emission water heaters shall be used with combined space/water heater units.
- b. Double-paned glass or window treatment for energy conservation shall be used in all exterior windows.
- c. Buildings shall be oriented north/south where feasible.

Level of Significance Conclusion: Implementation of Mitigation Measures AIR-1a, AIR-1b, and AIR-2, as well as GCC-1 through GCC-9 will help to reduce the project's air quality impacts. Even with the implementation of these mitigation measures, this impact will remain significant and unavoidable.

TRAFFIC AND CIRCULATION

Impact: ***TRAF-1a, b, c, d, e and f: The project would contribute to or result in unacceptable service levels at six signalized intersections under Existing plus Approved Projects plus Project conditions. If the addition of project traffic increases delay by more***

than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.

Eight Mile Road/I-5 Northbound Ramps. Project traffic would worsen unacceptable LOS F conditions and increase intersection delay by more than five seconds during the PM peak hour.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-1a. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Eight Mile Road interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, the provision of a northbound loop off-ramp would result in acceptable service levels at this interchange. A loop off-ramp would also minimize the potential for vehicle queue spillback from this off-ramp to the freeway mainline.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: ***TRAF-1a, b, c, d, e and f: The project would contribute to or result in unacceptable service levels at six signalized intersections under Existing plus Approved Projects plus Project conditions. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.***

Hammer Lane/Kelley Drive. Project traffic would result in LOS E conditions during both the AM and PM peak hours.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-1c. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and the adjacent Hammer Lane/Kelley Drive intersection. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable near-term operations with the project were identified. These improvements include restriping the northbound through/right-turn shared lane to a left-turn/through/right-turn shared lane and signal modifications to provide north-south split phasing and a southbound right-turn overlap phase. This improvement would also alleviate vehicle queue spillback at this intersection.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: ***TRAF-1a, b, c, d, e and f: The project would contribute to or result in unacceptable service levels at six signalized intersections under Existing plus Approved Projects plus Project conditions. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.***

Hammer Lane/Pershing Avenue. Project traffic would worsen unacceptable LOS E by more than five seconds during the PM peak hour. The project would also increase the 95th percentile vehicle queue for the northbound left-turn movement by 125 feet.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-1d. The project applicant shall construct a second northbound left-turn lane. This improvement would result in acceptable service levels at this intersection and would reduce the effects of vehicle queue spillback from the northbound left-turn lane, reducing the project's impact to a less-than-significant level. Each left-turn pocket should provide 300 feet of vehicle storage. However, as this intersection is located in San Joaquin County Jurisdiction and implementation of this measure cannot be assured by City of Stockton, this impact would remain significant-and-unavoidable.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-3: The proposed project would worsen the operation of two freeway segments projected to operate at unacceptable service levels without the proposed project, I-5 south of Hammer Lane, northbound and southbound. This is considered a significant impact under Streets and Highways Goal 1.8 and 1.9.*

The addition of project traffic would worsen LOS E conditions to LOS F on the northbound segment of I-5 south of Hammer Lane during the PM peak hour and increase traffic volumes by more than 5 percent on a roadway projected to operate at a deficient service level. Vehicle queue spillback from the northbound off-ramp at Hammer Lane could also spillback to the main line impeding through travel on I-5.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-3: Widening of I-5 to provide four mixed-flow travel lanes per direction, in conjunction with interchange improvements and the provision of auxiliary lanes would reduce this impact to a less-than-significant level, as shown in Table 4.7.M. The widening of I-5 from the Monte Diablo undercrossing to Eight Mile Road is included in the San Joaquin Council of Governments 2025 Regional Transportation Plan as a Tier 1 project sponsored by Caltrans. However, the Plan notes that full project funding has not yet been identified.

Additionally, a PA/ED is currently being prepared for the I-5/Hammer Lane interchange. An improved interchange configuration that would minimize the potential for vehicle queue spill from the off-ramp to the freeway mainline will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels on I-5 south of the Hammer Lane interchange, reducing the project's impact to a less-than-significant level. . However, because these improvements are not fully funded, implementation cannot be assured and this impact would remain significant and unavoidable.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-4a, b, c, d, e and f: The proposed project would increase traffic through 8 intersections projected to operate at an unacceptable service levels prior to the addition of project traffic. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.*

Otto Drive/I-5 Southbound Ramps. This intersection is projected to operate at a deficient LOS E prior to the addition of project traffic. With the addition of project traffic, delay at this intersection would

increase from 68 seconds to 218 seconds. This is a significant impact, as the addition of traffic from the proposed project would increase delay through this intersection by more than 5 seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-4d: A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Otto Drive interchange. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to the intersection design that would provide acceptable operations in 2025 with the project were identified. These improvements include dual westbound left-turn lanes, and an eastbound through lane, through-right shared lane and right-turn only lane in addition to two receiving lanes on the on-ramp. With implementation of this measure, the impact would be reduced to a less than significant level.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: ***TRAF-4a, b, c, d, e and f: The proposed project would increase traffic through 8 intersections projected to operate at an unacceptable service levels prior to the addition of project traffic. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.***

Hammer Lane/Kelley Drive. This intersection is projected to operate at a deficient LOS F prior to the addition of project traffic. With the addition of project traffic, delay at this intersection would increase from 117 seconds to 123 seconds, a 6-second increase. This is a significant impact, as the addition of traffic from the proposed project would increase delay through this intersection by more than 5 seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-4e: A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and the adjacent Hammer Lane/Kelley Drive intersection. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable 2025 operations with the project were identified. These improvements include restriping the northbound through/right-turn shared lane to a left-turn/through/right-turn shared lane and signal modifications to provide north-south split phasing and a southbound right-turn overlap phase. These improvements shall be implemented by the project applicant. Although the intersection would continue to operate as LOS F, overall intersection delay with the project, with mitigation, would be less than without the project, without mitigation. With implementation of this mitigation measure, the impact would be reduced to a less than significant level.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: ***TRAF-4a, b, c, d, e and f: The proposed project would increase traffic through 8 intersections projected to operate at an unacceptable service levels prior to the addition of project traffic. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.***

Hammer Lane/Pershing Avenue. This intersection is projected to operate at a deficient LOS F prior to the addition of project traffic. With the addition of project traffic, delay at this intersection would increase from 105 seconds to 111 seconds, a 6-second increase. This is a significant impact, as the addition of traffic from the proposed project would increase delay through this intersection by more than 5 seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-4f: Mitigation of this impact would require two left-turn lanes (300 feet each), two through lanes, and a right-turn lane (200 feet) on the northbound approach, two left-turn lanes (300 feet each), three through lanes, and a right-turn lane on the eastbound approach, and two left-turn lanes (300 feet each), three through lanes, and a shared through/right-turn lane on the westbound approach. The

project applicant shall contribute their fair share towards this improvement, reducing the project impact to a less-than-significant level. However, as this intersection is located within San Joaquin County and its implementation cannot be assured by the City of Stockton, this impact is significant-and-unavoidable.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-5: The proposed project would degrade operations on two freeway segments, I-5 south of Hammer Lane, northbound and southbound. This is considered a significant impact under Streets and Highways Goal 1.8 and 1.9.*

The analysis results indicate that with addition of project traffic, freeway operations would degrade from LOS E to LOS F for southbound I-5 south of Hammer Lane (AM peak hour) and northbound I-5 south of Hammer Lane (PM peak hour). I-5 southbound, south of Hammer Lane would also degrade from LOS D to LOS E during the PM peak hour with the addition of project traffic. As project traffic would either increase traffic volumes by more than 5 percent or result in deficient operations, this is considered a significant impact for these two freeway segments.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-5: Mitigation of this project impact would require four lanes per direction on I-5 between Otto Drive and Hammer Lane and south of Hammer Lane (see Table 4.7.S). The widening of I-5 from the Monte Diablo undercrossing to Eight Mile Road is included in the San Joaquin Council of Governments 2025 Regional Transportation Plan as a Tier 1 project sponsored by Caltrans. However, the Plan notes that full project funding has not yet been identified. Therefore, because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.*

Eight Mile Road/I-5 Southbound Ramps. This intersection is projected to operate at a deficient LOS F prior to the addition of project traffic during the AM and PM peak hours. The addition of project

traffic would increase the average delay by 3 seconds during the AM peak hour. Therefore, the project impact at this location is less than significant during the AM peak hour. During the PM peak hour, the addition of project traffic would increase delay by 7 seconds. This is a significant impact, as the addition of traffic from the proposed project would increase delay through this intersection by more than 5 seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6b. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Eight Mile Road interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include on the westbound approach: dual left-turn lanes, four through lanes; on the southbound approach: a left-turn lane, a shared left-through lane, and dual right-turn only lanes; and on the eastbound approach: two through lanes, a shared through-right lane, and dual right-turn lanes in addition to the construction of three receiving lanes on the on-ramp.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: ***TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.***

Eight Mile Road/I-5 Northbound Ramps. The addition of project traffic would increase delay at this intersection by 6 seconds during the PM peak hour. This is a significant impact, as the addition of traffic from the proposed project would increase delay through this intersection by more than 5 seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6c. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Eight Mile Road interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include provision of a northbound loop off-ramp.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: ***TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.***

Otto Drive/I-5 Southbound Ramps. The addition of project traffic would worsen LOS F conditions and increase average delay by more than 5-seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6e. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Otto Drive interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include construction of a second westbound left-turn lane, and provision of two through lanes, a through-right shared lane, and a right-turn only lane on the eastbound approach in addition to construction of two receiving lanes on the on-ramp.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.*

Otto Drive/I-5 Northbound Ramps. The addition of project traffic would worsen LOS F conditions during the PM peak hour and increase delay by more than 5 seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6f. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Otto Drive interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include provision of a northbound loop off-ramp.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.*

Hammer Lane/Mariners Drive. The addition of project traffic would worsen LOS E conditions and increase delay by more than 5-seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6g. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and adjacent Hammer Lane/Mariners Drive intersection. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this intersection, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable operations with the project were identified. These improvements include provision of dual left-turn lanes and a shared through-right-turn lane on the southbound approach, in addition to signal modifications.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: ***TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.***

Hammer Lane/I-5 Southbound Ramps. The addition of project traffic would worsen LOS F conditions and increase delay by more than 5 seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6h. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-

than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include provision of a southbound loop on-ramp.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.*

Hammer Lane/I-5 Northbound Ramps. The addition of project traffic would worsen LOS F conditions during the PM peak hour and increase delay by more than 5-seconds.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6i. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include construction of an additional eastbound through lane and an additional northbound left-turn lane.

Level of Significance Conclusion: This impact would remain significant and unavoidable.

Impact: *TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.*

Hammer Lane/Kelley Drive. This intersection is projected to operate at a deficient LOS F prior to the addition of project traffic during the AM and PM peak hours. The addition of project traffic would increase the average delay by 2 seconds during the AM peak hour, which is less than the greater than 5-second threshold. Therefore, the project impact at his location is less than significant during the AM peak hour. However, during the PM peak hour, the addition of project traffic would increase delay by 9 seconds, as the intersection is projected to operate at a deficient LOS F during the PM peak hour.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF-6j. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and adjacent Hammer Lane/Kelley Drive intersection. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this intersection, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable near-term operations with the project were identified. These improvements include restriping the northbound through/right-turn shared lane to a left-turn/through/right-turn shared lane, restriping the southbound approach to provide a left-turn lane, a shared through-right lane and a right-turn only lane, and signal modifications to provide north-south split phasing.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

Impact: *TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.*

Hammer Lane/Pershing Avenue. This intersection is projected to operate at LOS F during the AM and PM peak hours. The addition of project traffic would increase delay by more than 5 seconds during both peak hours.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measure:

TRAF 6I. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this intersection, reducing the project's impact to a less-than-significant level. Improvement that would result in acceptable service levels include: two left-turn lanes (300 feet each), two through lanes, and a right-turn lane (200 feet) on the northbound approach, two left-turn lanes (300 feet each), four through lanes, and a right-turn lane both the eastbound and westbound approaches. However, as this intersection is located within San Joaquin County and its implementation cannot be assured by the City of Stockton, this impact is significant-and-unavoidable.

Level of Significance Conclusion: Feasible mitigation measures do not exist that would reduce this impact to a less than significant level. This impact would remain significant and unavoidable.

GLOBAL CLIMATE CHANGE

Impact: ***GCC-1: GHG emissions associated with the implementation of the project could result in direct, indirect, and other project-related GHG emission that could substantially increase the total contribution of GHG emissions above current levels.***

Implementation of the proposed Preserve Development Plan would generate greenhouse gases through the construction and operation of new residential and recreational uses. GHG emissions from the project would specifically arise from project construction and from sources associated with project operation, including direct sources such as motor vehicles, natural gas consumption, solid waste handling/treatment, and indirect sources such as electricity generation.

Findings:

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Mitigation Measures:

GCC-1. The owners, developers and/or successors-in-interest (ODS) shall be subject to and comply with the City's adopted "Build It Green" Program, or green point rated guidelines in effect at the time of construction. Any housing or other development projects that are subject to Specific Plan, Master Development Plan, or projects of significance shall comply with all amendments and modifications to the 2035 General Plan required under the City, the California Attorney General and the Sierra Club Settlement Agreement, as approved by the Stockton City Council on September 9, 2008. Accordingly, the ODS shall adhere to the following standards:

- a. Utilize building insulation that exceeds Title 24 standards. Utilize high-performance windows that employ advanced technologies, such as protective coatings and improved frames, to retain heat during winter and prevent heat during summer.
- b. Incorporate building techniques that ensure tight building construction and efficient duct systems. Require the use of efficient heating and cooling equipment for all residential buildings.
- c. Utilize efficient building products with standards that meet *EnergyStar*TM criteria. *EnergyStar*TM qualified homes may also be equipped with *EnergyStar*TM qualified products—lighting fixtures, compact fluorescent bulbs, ventilation fans, and appliances, such as refrigerators, dishwashers, and washing machines.
- d. Require the use of reflective, *EnergyStar*TM cool roofs on all building structures in the project.
- e. The owners, developers, and/or successors-in-interest (ODS) shall obtain Build It Green certification, based on then-current Build It Green standards, or to comply with a green building program that the City, after consultation with the Attorney General determines is of comparable effectiveness for all new housing units.
- f. If housing units or non-residential buildings certify to standards other than, but of comparable effectiveness to, Build It Green or LEED Silver, respectively, such housing units or buildings shall demonstrate using an outside inspector or verifier certified under the California Energy Commission Home Energy Rating System (HERS), or comparably certified verifier that comply with the applicable standards.
- g. All new non-residential buildings that exceed 5000 square feet and all new municipal buildings that exceed 5000 square feet to be certified to LEED Silver standards at a minimum, based on then-current LEED standards, or to comply with a green building program that the City, after consultation with the Attorney General determines is of comparable effectiveness.

GCC-2. The owner, developer, and/or successor-in-interest (ODS) shall address the impacts from project-related emissions through the implementation of the following measures:

- a. File an application for each proposed tentative subdivision map or other final entitlements to the San Joaquin Valley Air Pollution Control District (APCD) for a permit pursuant to Rule 9510 indirect Source Rule (ISR), if applicable. The ODS shall incorporate emission reduction measures into the project and pay ISR fees as required by the APCD.
- b. Prohibit wood-burning fireplaces and wood stoves within the project.

GCC-3. The owner, developer and/or successors-in-interest are required to implement the following measures regarding land use to reduce greenhouse gas emission impacts for the proposed project.

- a. Provide sidewalks and pedestrian paths throughout as much of the project as possible and connect to open space areas, parks, and schools to encourage walking and bicycling.
- b. Mid-block paths shall be installed to facilitate pedestrian movement through long blocks and cul-de-sacs.
- c. To the extent practicable, the comprehensive bicycle circulation system shall provide access to all neighborhoods and amenities within the proposed project and enhances comfort

and safety for pedestrians by offering ample lighting, planted medians, tree lined streets, crosswalks and wide sidewalks.

GCC-4. The owner, developer, and/or successors-in-interest are required to implement the following measures regarding public services to reduce greenhouse gas emission impacts for the proposed project.

- a. A non-potable source of water (e.g., reclaimed) shall be utilized for landscape irrigation in public spaces.
- b. Provide transit-enhancing infrastructure that includes bus shelters, benches, street lighting, route signs and displays and bus turn-outs.

GCC-5. The following measures shall be used to accomplish an overall reduction in residential energy consumption relative to the requirements of State of California Title 24:

- a. Energy-efficient design shall be provided for homes and buildings, including automated control systems for heating and air conditioning, lighting controls and energy-efficient lighting in buildings, increased insulation, and light-colored roof materials to reflect heat.
- b. Residences shall be constructed with energy efficient appliances and home systems such as Energy Star appliances, energy efficient (i.e., Low E2) windows, tightly sealed ducts, florescent or energy efficient light bulbs with motion sensors where practicable, backyard outlets for electrical mower and other yard equipment operations, R-6 duct insulation, radiant roof barrier sheathing, 14 Seasonal Energy Efficiency Ratio air conditioning and ventilation systems, air conditioning with Thermostatic Expansion Valve metering devices that help regulate flow of liquid refrigerant, 0.95 Annual Fuel Utilization Efficiency furnaces, and gas dryer stubs.
- c. Buildings and outdoor structures shall include green-building materials, such as low-emission concrete, recycled aggregate, recycled reinforcing, or waffle pods to be used in foundations; recycled plastics to be used in community structures such as fencing or playground equipment; wood flooring materials treated with low emission varnishes and floor board substrates to be made from low emission particleboard; compact fluorescent light bulbs in all buildings; and use of recycled building materials such as recycled aluminum for window frames or post-consumer plastic for piping.
- d. Contractors shall minimize the production of waste and shall recycle construction-related waste where possible.
- e. Use locally made building materials for construction of the project and associated infrastructure to reduce truck trips.
- f. Large canopy trees shall be carefully selected and located to protect buildings from energy-consuming environmental conditions and shade-paved areas. Trees shall be selected to shade 50% of paved areas within 15 years.
- g. Optimize building's thermal distribution by separating ventilation and thermal conditioning systems.
- h. For pool and spa heating and maintenance, use solar heating and automatic covers.

- i. Design buildings to accommodate solar power systems; solar panels on homes, carports over parking areas; solar and tankless hot water heaters; and energy-efficient heating ventilation and air conditioning.
- j. Incorporate the principles of passive solar design shall be incorporated into building structures, including basic design principles are large south-facing windows with proper overhangs, as well as tile, brick, or other thermal mass material used in flooring or walls to store the sun's heat during the day and release it back into the building at night or when the temperature drops.
- k. Include energy-conserving features as options for home buyer. These include:
 - o increased energy efficiency;
 - o high-albedo (reflecting) roofing materials;
 - o cool paving;
 - o radiant heat barriers;
 - o installation of solar water-heating systems;
 - o low NOx-emitting or high-efficiency, energy-efficient water heaters;
 - o installation of clean-energy features that promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems);
 - o installation of programmable thermostats for all heating and cooling systems;
 - o awnings or other shading mechanisms for windows;
 - o porch, patio, and walkway overhangs;
 - o ceiling fans or whole-house fans;
 - o passive solar cooling and heating designs (e.g., natural convection, thermal flywheels);
 - o daylighting (natural lighting) systems such as skylights, light shelves, and interior transom windows;
 - o electrical outlets around the exterior of units to encourage the use of electric landscape maintenance equipment;
 - o use of low and no-VOC coatings and paints;
 - o natural gas fireplaces (instead of wood burning fireplaces or heaters) and natural gas lines (if available to the project area) in backyard or patio areas to encourage the use of gas barbecues;
 - o pre-wire units with high-speed modem connections/DSL and extra phone lines; and
 - o use of low or nonpolluting landscape maintenance equipment (e.g., electric lawn mowers, reel mowers, leaf vacuums, electric trimmers and edgers).

GCC-6: The owner, developer and/or successors-in-interest are required to prepare a water conservation plan for the proposed project to the satisfaction of the Director of Municipal Utilities. The plan shall address of the following, as appropriate:

- a. Water-efficient landscapes shall be provided for all publicly landscaped areas, including parks, roadway medians and roadside landscaping.
- b. Water-efficient irrigation systems and devices shall be required in all landscaped areas.
- c. All buildings shall include water-efficient fixtures and appliances.

GCC-7: The owner, developer and/or successors-in-interest are required to implement the following to reduce the solid waste impacts from the proposed project.

- a. Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- b. Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.

GCC-8: The owner, developer and/or successors-in-interest of the commercial and industrial land uses are required to form a Transportation Management Association or join an existing association to address the following:

- a. Provide bicycle enhancing infrastructure that includes bikeways/paths connecting to a bikeway system.
- b. Promote ride sharing programs by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

GCC-9. The owner, developer, and/or successor-in-interest (ODS) shall address the following measures during the preparation of improvement plans to address an overall reduction in project-related vehicle miles traveled (VMT), including:

Traffic Calming

- a. Traffic calming measures shall be included as part of the proposed project design with the objective of improving the overall quality of life for neighborhood residents by reducing safety hazards and nuisance impacts resulting from speeding vehicles, careless drivers and cut-through traffic.
- b. Vehicle speeds within the project should be maintained at a level that provides maximum safety for residents. Consistent with the City's adopted Traffic Calming Guidelines, the

project shall incorporate roundabouts, short block lengths, traffic circles, and high visibility crosswalks to reduce traffic speeds and enhance pedestrian safety.

Pedestrian Sidewalks & Pathways

- a. Sidewalks and bikeways shall be designed to separate pedestrian and bicycle pathways from vehicle paths.
- b. Sidewalks and pedestrian pathways shall be easy to navigate and designed to facilitate pedestrian movement through the project and create a safe environment for all potential users from obstacles and automobiles.
- c. Sidewalks shall be designed for high visibility (e.g., brightly painted, different color of concrete, etc.) when crossing parking lots, streets, and similar vehicle paths.

Bicycle

- a. The bicycle circulation system should be planned to act as a regional circulation system connecting the proposed project to Stockton's roadway/bikeway system.
- b. Incorporate bicycle lanes and routes into the street system.
- c. Incorporate bicycle-friendly intersections into street design.
- d. Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.
- e. The bicycle circulation system should be planned to act as a regional circulation system connecting the proposed project to Stockton's roadway/bikeway system.

Transit

- a. A through roadway should connect adjacent developments so as to permit transit circulation between developments.
- b. Shielded openings in subdivisions sound walls should be provided to facilitate more direct pedestrian access to transit stops.
- c. The project would encourage public transportation by incorporating bus turnouts, shelters, and walkways into the design. As detailed in the *City of Stockton's Traffic Calming Guidelines*, the San Joaquin Regional Transit District (SJRTD) will review project site plans and identify potential bus stop locations.
- d. Locate the highest density land use at or within ¼ mile of a transit stop.
- e. Contact San Joaquin Regional Transit District (SJRTD) to identify appropriate location(s) for bus stops within the community
- f. Provide transit-enhancing infrastructure that includes bus shelters, benches, street lighting, route signs and displays and bus turn-outs.
- g. Prior to approval of the Vesting Tentative Map, contact San Joaquin Regional Transit District (SJRTD) to identify appropriate location(s) for bus stops within the community.

Level of Significance Conclusion: As a result of the uncertainties and professional/scientific disagreements, the ability to forecast project conclusions with absolute certainty remains elusive, irrespective of the implementation of mitigation measures. It is therefore concluded that the project will have a significant and adverse effect absent conclusive findings and measurable thresholds. For this reason, even with the implementation of mitigation measures, including state-of-the-art programs such as Build It Green, the project will have a significant and unavoidable impact on global climate change.

EXHIBIT C **ALTERNATIVES TO THE PROPOSED PROJECT**

Pursuant to Section 15091 (a)(3), the EIR examined potential alternatives to the anticipated use of the Project site. These Alternatives included:

- Alternative 1 - No Project Alternative
- Alternative 2 - Low Density Residential
- Alternative 3 - Neighborhood Commercial Alternative

These Alternatives are summarized below:

Alternative 1: No Project Alternative

The CEQA-required No Project Alternative would retain the site in its current condition, and would allow on-going agricultural productivity. With this alternative, no further site improvement activity would occur. No development would occur on-site and current General Plan land use and zoning designations would remain in place. The proposed project has significant impacts with respect to air quality, and traffic. These impacts are avoided with the No Project Alternative because of the absence of development. With the proposed project, impacts for most other environmental issue areas are either less than significant or can be adequately mitigated. For these areas, the No Project Alternative often presents reduced levels of impact. Development of the proposed project will improve conditions relating to use of agricultural chemicals. The No Project Alternative is considered an environmentally superior alternative.

Alternative 2: Low Density Residential

The Low Density Residential Alternative would consist of 300 single family dwelling units, or 1,354 fewer homes than the proposed project. The alternative would develop one-acre parcels comprising all low density residential estates. All other project uses would remain the same. The Low Density Alternative would have fewer significant impacts than the proposed project. Impacts to public services and water supply would be reduced because of fewer individuals. The severity of impacts to air quality, and traffic will likely be reduced to less than significant. Overall the Low Density Alternative is an environmentally superior alternative because of decreased impacts to air quality and traffic.

Alternative 3: Neighborhood Commercial Alternative

The Neighborhood Commercial Alternative would replace a portion of the housing with a 5 acre commercial development (approximately 50,000 square feet), and increase high density housing to achieve a greater yield. This alternative would construct 1,306 single-family dwelling units and 762 high-density dwelling units. All other project uses would remain the same. The Neighborhood Commercial Alternative would have more significant impacts than the proposed project. Impacts to air quality, traffic, public services/utilities, and water supply would be increased because of more individuals and vehicles generated under this alternative. Overall, the Neighborhood Commercial Alternative is not an environmentally superior alternative because of increased impacts when compared to the proposed project.

EXHIBIT D **STATEMENT OF OVERRIDING CONSIDERATIONS**

Pursuant to section 15093 of the CEQA guidelines, the City Council makes the following Statement of Overriding Considerations: The City Council has balanced the benefits of The Preserve project as a whole against the risks of environmental damage disclosed in the Final EIR. To the extent that significant impacts, despite substantial mitigation, may not have been mitigated to a less significant level, the City Council finds the following specific economic, social, and other consideration support approval of The Preserve project.

Strengthening the City's Economy. The City Council finds that the benefits of approving this project include generating employment opportunities on a short-term basis during construction. In addition, persons residing in The Preserve will stimulate the local economy by using local commercial services and purchasing goods from local retail establishments and industries. Sales taxes generated by project residents and employees in the project will strengthen the local economy and government, and assist in offsetting the cost of governmental services. Implementation of the proposed project will also significantly increase the appraised value of the land with new single family residential structures and project improvements and amenities. The increase in property taxes will assist in funding the City's provision of general services, including the increase in services necessary to serve the project.

Broadening of Housing Choices. The proposed project offers a range of housing for project consumers. The proposed community will make available housing near numerous recreational resources, including the adjacent delta environment.

Recreational Opportunities. The proposed project includes a total of 40.28 acres of parkland and 73.77 acres of open space/levees that will be dedicated as part of the proposed project. Park facilities will include picnic facilities, play ground apparatus, playing fields and courts.

Infill Development within Established City Limits. In this northwestern portion of the City of Stockton, no other parcels exist within the City limits that offer residential development opportunities. All City services are currently available, and extensive governmental reorganization is not required to implement this project. The Atlas Tract parcel is the last remaining undeveloped residential parcel within the current City limits that provides both diversity of residential uses, as well as proximity to delta resources.

EXHIBIT E
MITIGATION MONITORING AND REPORTING PROGRAM

THE PRESERVE

Mitigation Monitoring and Reporting Program

Stockton, California

City of Stockton EIR File No.: 11-05

SCH 2006092063

■ ■ ■

Prepared for:

LEAD AGENCY
CITY OF STOCKTON
Community Development Department
345 North El Dorado Street
Stockton, CA 95202

Prepared by:

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LSA Project No. AGS434

October 2008

**CITY OF STOCKTON CEQA FINDINGS AND MITIGATION MONITORING/REPORTING PROGRAM
FOR THE PRESERVE PROJECT
(PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTIONS 21081 AND 21081.6)**

PROJECT DATA

EIR FILE NO.: 11-05
FINAL ENVIRONMENTAL IMPACT REPORT
State Clearinghouse No. 2006092063

Lead Agency: City of Stockton
Community Development Department
345 North El Dorado Street
Stockton, CA 95202
(209) 937-8266

Project Title: The Preserve

Project Description/Location: The project proposes a General Plan Amendment, Rezoning, Vesting Tentative Subdivision Tract Map, Development Agreement, and Development Plan. Development of The Preserve will include the planning for the development of 1,404 residential units on ±360 acres, consisting of single family residential lots (933± units), alley-loaded residential lots (246 units), cluster residential (129± units) and condominiums (96± units). In addition, 73.77 acres will be devoted to open space, 40.28 acres will be devoted to parkland, and 13.86 acres will be developed as a school site. A wetland feature is also planned that will serve to improve the water quality of project runoff and to provide flood control storage. A separate levee improvement project, administered by Reclamation District 21-26, surrounds the site on three sides providing 300-year flood protection. The project will develop a trails system on top of the levees. In addition, the existing dry land levee (along the west side of Trinity Parkway) will be relocated to accommodate the construction of Trinity Parkway. As a separate project and/or in conjunction with approval of The Sanctuary project, extension of Trinity Parkway south of Mosher Slough to the extension of Hammer Lane is also required to accommodate the project's traffic and circulation needs.

The project is located to the west of I-5 and south of Bear Creek within the City of Stockton jurisdictional boundaries. The project site is bounded on the north by Bear Creek, on the west and south by Mosher Slough, and on the east, by the existing Twin Creeks Estates subdivision, about 1,200 feet west of I-5. Local roadways from the project site will connect with Twin Creeks Estates via Otto Drive, and Spanos Park West via Trinity Parkway.

KEY

Abbreviations: SCDD (Stockton Community Development Department), SJVAPCD (San Joaquin Valley Unified Air Pollution Control District), SPWD (Stockton Public Works Dept), MUD (Stockton Municipal Utilities Dept); SPRD (Stockton Parks and Recreation Department); LUSD (Lodi Unified School District)

FINDINGS AND LEVEL OF SIGNIFICANCE AFTER MITIGATION

On the basis of the whole record, prior to approving a project, the decision making body of the lead agency shall consider the proposed Environmental Impact Report together with any comments received during the public review process.

The level of significance of each impact after mitigation is listed as: SU = Significant and Unavoidable, PS = Potentially Significant, LS = Less than Significant, or NS = Not Significant.

The Preserve – Mitigation Monitoring and Reporting Program

The following discussion is intended to present information on the project that is relevant to impact significance and mitigation measures required to reduce project impacts. Several environmental issue areas have been included that have potentially significant impacts as a result of project implementation, and include mitigation measures accordingly. All other environmental issue areas are either not impacted by the project, or have less than significant impacts and do not require mitigation.

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
GEOPHYSICAL RESOURCES						
<i>GEO-1: Expose people or structures to seismic related hazards.</i>						
SCDD	Director	Prior to approval of building plans	GEO-1: Prior to approval of the building plans for site development, a seismicity report will be completed by an engineering geologist or equivalent professional regarding possible damage from seismic shaking. Plans for all structures shall be reviewed by the Director of Community Development prior to the approval of the building plans and building permits. This report will include: <ul style="list-style-type: none"> An analysis of seismic hazards anticipated at the project site from regional faults. A discussion and recommendations for seismic 	Seismicity Report	LS	Pg. 4-7

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>mitigation at the project site. Recommendations may include use of reinforced concrete foundations and avoidance of potentially unstable foundation materials.</p> <ul style="list-style-type: none"> The project applicant shall incorporate the recommendations of the seismicity report into the design for all structures proposed at the project site. All structures will be designed to withstand the anticipated seismic hazards defined in the seismicity report. It is acknowledged that seismic hazards cannot be completely eliminated, even with site-specific geotechnical investigation and advanced building practices (as provided in the mitigation measure above). However, exposure to seismic hazards is a generally accepted part of living in the seismically active areas of California. 			
GEO-2: Result in substantial soil erosion or loss of topsoil.						
MUD	Director	Prior to the approval of improvement plans	GEO-2a: Prior to the approval of the improvement plans for site development, the project applicant will submit an erosion control plan to the Director of the Municipal Utilities Department (MUD). Erosion control measures will include techniques such as physical and vegetative stabilization measures and runoff diversion measures, retention of vegetation, hydroseeding, geotextiles and mats, and straw bale or sandbag barriers and avoidance of grading activities near water channels to the maximum extent feasible. The proposed project must comply with applicable State and City codes, regulations and adopted standards.	Erosion Control Plan	LS	Pg. 4-8

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
MUD	Director	Prior to construction	GEO-2b: Prior to construction, the applicant shall provide evidence to the Director of MUD that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board (RWQCB) regarding compliance with National Pollutant Discharge Elimination System (NPDES) General Construction permit requirements.	Notice of Intent	LS	Pg. 4-8
GEO-3: Be located on a geologic unit or soil that is unstable.						
SCDD	Director	During Construction	GEO-3: A 2005 Geotechnical Services Report prepared by Kleinfelder, Inc. for The Preserve project recommends specific guidelines for the following features: <ul style="list-style-type: none"> • Concrete Floor Slabs • Exterior Flatwork • Spread Foundations • Post-Tensioned Slabs • Lateral Resistance • Retaining Walls • Asphalt Concrete Pavements • Site Drainage and Landscaping • Soil Corrosion • General Earthwork 	Specific geotechnical guidelines	LS	Pg. 4-8
AIR QUALITY						
AIR-5: The project will generate short-term fugitive dust impacts.						
SJVAPCD	Director	During construction	AIR-1a: The SJVAPCD Regulation VIII, Control Measures for Construction emissions of PM ₁₀ , is required to be implemented at all construction sites.	Improve air quality	LS	Pg. 4-22

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			AIR-1b: Architectural coatings and asphalt paving conducted on site shall adhere to rules and regulations stated in the SJVAPCD Rulebook, specifically the project will comply with Rule 4601, Architectural Coatings, and 4641, Asphalt Paving.			
AIR-6: The project is not expected to create short-term impact from architectural coatings and asphalt paving.						
			Implementation of Mitigation Measure AIR-1a will reduce this impact to less than significant.		LS	
AIR-7: The project will create short-term construction equipment exhaust-related impacts.						
			Implementation of Mitigation Measure AIR-1a will reduce this impact to less than significant.		LS	
AIR-8: The project would create long-term air quality impacts.						
SCDD	Director	Prior to issuance of building permits	<p>AIR-2 - Project Operations Related Impacts</p> <p>The project applicant shall incorporate the following in building plans:</p> <ul style="list-style-type: none"> Solar or low-emission water heaters shall be used with combined space/water heater units. Double-paned glass or window treatment for energy conservation shall be used in all exterior windows. Buildings shall be oriented north/south where feasible. 	Low-emission water heaters, double-paned glass windows, north/south oriented buildings	SU	Pg. 4-25
WATER RESOURCES						
WQ-1: Project implementation could result in the potential degradation of water quality during project construction and operation.						
MUD	Director	Prior to issuance of grading permits	WQ-1: Prior to issuance of grading permits for the project site, the applicant shall submit evidence to the Director of the MUD indicating that a NOI and a copy of the developer's or contractor's SWPPP have been filed	Written evidence	LS	Pg. 4-43

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
with the RWQCB.						
BIOLOGICAL RESOURCES						
BR-1: Implementation of the project will remove habitat for special status species.						
SCDD	Director	Prior to construction	BR-1: The project shall implement the SJMSCP conservation strategy, which includes payment of appropriate fees to SJCOG for conversion of undeveloped lands. Documentation of fee payment shall be provided to the USFWS and CDFG prior to the start of construction.	Implement SJMSCP, proof of payment	LS	Pg. 4-54
BR-2: Implementation of the project may impact several special status bird species that may nest on the site or immediate vicinity.						
SCDD	Director	Prior to construction	BR-2a: The burrowing owl is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for burrowing owls shall be adhered to where applicable. 1. During the non breeding season (September 1 through January 31) any burrowing owls occupying the project site should be evicted from the project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (Oct., 1995). 2. During the breeding season (February 1 through August 31) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the TAC, with the concurrence of the Permitting Agencies' representatives on the TAC; or unless a qualified biologist approved by the Permitting Agencies verifies through non invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the	Implementation of the SJMSCP conservation strategy	LS	Pg. 4-54

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	Prior to construction	<p>fledglings are capable of independent survival, the burrow can be destroyed.</p> <p>3. These Incidental Take Minimization Measures are consistent with the provisions of the Migratory Bird Treaty Act.</p> <p>Measure BR-2b: The tricolored blackbird is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for tricolored blackbirds shall be adhered to where applicable. A setback of 500 feet from colonial nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave nests. This setback applies whenever construction or other ground disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing.</p>	Implementation of the SJMSCP conservation strategy	LS	Pg. 4-54
SCDD	Director	Prior to construction	<p>BR-2c: The Swainson's hawk is covered under the SJMSCP. The following mitigation measures consistent with those listed in the SJMSCP for the Swainson's hawk shall be adhered to where applicable.</p> <p>1. If a nest tree in the vicinity of the project becomes occupied during construction activities, then all construction activities shall remain a distance of two times the dripline diameter of the tree, measured from the nest.</p>	Implementation of the SJMSCP conservation strategy; pre-construction surveys	LS	Pg. 4-55
SCDD	Director	Prior to construction	<p>BR-2d: The white-tailed kite is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for the white-tailed kite shall be adhered to where applicable.</p>	Implementation of the SJMSCP conservation strategy; pre-construction surveys	LS	Pg. 4-55

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	Prior to construction	<p>1. Suitable nesting habitat shall be removed between September 1 and February 29, outside of the nesting season.</p> <p>2. If project construction is to begin during the nesting season (March 1 to August 31), a qualified biologist shall survey suitable nesting habitat within the project area more than 10 days prior to the start of construction. If presence of occupied nests is conformed, a setback of 500 feet from the nest site, marked by brightly colored temporary fencing, shall be maintained until nestlings have fledged or it is confirmed that nesting has failed, as determined by a qualified biologist.</p> <p>BR-2e: The northern harrier is covered under the SJMSCP. Mitigation measures consistent with those listed in the SJMSCP (listed below) for the northern harrier shall be adhered to where applicable.</p> <p>1. Suitable nesting habitat shall be removed between September 1 and February 29, outside of the nesting season.</p> <p>2. If project construction is to begin during the nesting season (March 1 to August 31), a qualified biologist shall survey suitable nesting habitat within the project area more than 10 days prior to the start of construction. If presence of occupied nests is conformed, a setback of 500 feet from the nest site, marked by brightly colored temporary fencing, shall be maintained until nestlings have fledged or it is confirmed that nesting has failed, as determined by a qualified biologist.</p>	<p>construction surveys</p> <p>Implementation of the SJMSCP conservation strategy; pre-construction surveys</p>	LS	Pg. 4-55
BR-3: Construction of the project may impact the giant garter snake.						
SCDD	Director	Prior to	BR-3: The following mitigation measures consistent with	Implementation	LS	Pg. 4-56

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		construction	<p>those listed in the SJMSCP for giant garter snake shall be adhered to where applicable.</p> <ol style="list-style-type: none"> 1. The project shall implement the SJMSCP conservation strategy, which includes payment of appropriate fees to San Joaquin Council of Governments (SJCOC) for conversion of undeveloped lands and implementation of the Incidental Take Minimization Measures for giant garter snake, as described below. Documentation of fee payment shall be provided to the USFWS and CDFG prior to the start of construction. 2. Construction shall occur during the active period for the snake, between May 1 and October. Between October 2 and April 30 contact the Service's Sacramento Fish and Wildlife Office to determine if additional measures are necessary to minimize and avoid take. 3. Limit vegetation clearing within 200 feet of the banks of potential giant garter snake aquatic habitat to the minimal area necessary. 4. Confine the movement of heavy equipment within 200 feet of the banks of potential giant garter snake aquatic habitat to existing roadways to minimize habitat disturbance. 5. Prior to ground disturbance, all on site construction personnel shall be given instruction regarding the presence of SJMSCP Covered Species and the importance of avoiding impacts to these species and their habitats. 6. In areas where wetlands, irrigation ditches, marsh areas or other potential giant garter snake habitats are being 	of the SJMSCP conservation strategy; payment of fees		

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>retained on the site:</p> <ul style="list-style-type: none"> a. Install temporary fencing at the edge of the construction area and the adjacent wetland, marsh, or ditch; b. Restrict working areas, spoils and equipment storage and other project activities to areas outside of marshes, wetlands and ditches; and c. Maintain water quality and limit construction runoff into wetland areas through the use of hay bales, filter fences, vegetative buffer strips, or other accepted equivalents. <p>7. If on site wetlands, irrigation ditches, marshes, etc. are being relocated in the vicinity: the newly created aquatic habitat shall be created and filled with water prior to dewatering and destroying the pre existing aquatic habitat. In addition, non predatory fish species that exist in the aquatic habitat and which are to be relocated shall be seined and transported to the new aquatic habitat as the old site is dewatered.</p> <p>8. If wetlands, irrigation ditches, marshes, etc. shall not be relocated in the vicinity, then the aquatic habitat shall be dewatered at least two weeks prior to commencing construction.</p> <p>9. Pre construction surveys for the giant garter snake (conducted after completion of environmental reviews and prior to ground disturbance) shall occur within 24 hours of ground disturbance.</p> <p>10. Other provisions of the USFWS Standard Avoidance and Minimization Measures during Construction</p>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>Activities in Giant Garter Snake Habitat shall be implemented (excluding programmatic mitigation ratios which are superseded by the SJMSCP's mitigation ratios).</p> <p>11. Survey of the project area shall be repeated if a lapse in construction activity of two weeks or greater has occurred. If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the snake shall not be harmed. Report any sightings and any incidental take to the Service immediately by telephone at (916) 414 6600.</p> <p>12. Following project completion, all areas temporarily disturbed during construction shall be restored following the "Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat" outlined below.</p> <ul style="list-style-type: none"> a. The disturbed area shall be regraded to its preexisting contour and ripped, if necessary, to decompact the soil. b. The area shall be hydroseeded. Hydroseed mix shall contain at least 20-40 percent native grass seeds. Some acceptable native grasses include annual fescue (<i>Vulpia</i> spp.), California brome (<i>Bromus carinatus</i>), blue wildrye (<i>Elymus glaucus</i>), and needle grass (<i>Nassella</i> spp.). The seed mix shall also contain 2-10 percent native forb seeds, five percent rose clover (<i>Trifolium hirtum</i>), and five percent alfalfa (<i>Medicago sativa</i>). Approximately 40-68 percent of the mixture may be non-aggressive European annual grasses, such as wild oats (<i>Avena sativa</i>), wheat (<i>Triticum</i> sp.), and 			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>barley (<i>Hordeum vulgare</i>). Aggressive non native grasses shall not be included in the seed mix. These grasses include perennial ryegrass (<i>Lolium perenne</i>), cheatgrass (<i>Bromus tectorum</i>), fescue (<i>Festuca sp.</i>), giant reed (<i>Arundo donax</i>), medusa head (<i>Taeniatherum caput medusae</i>), or Pampas grass (<i>Cortaderia selloana</i>). Endophyte infected grasses shall not be included in the seed mix.</p> <p>13. In addition to the above measures, the following avoidance and minimization measures shall also be implemented.</p> <p>14. All construction shall be conducted during daylight hours.</p> <p>15. Measures consistent with the current Caltrans' Construction Site Best Management Practices (BMPs) Manual (including the Storm Water Pollution Prevention Plan [SWPPP] and Water Pollution Control Program [WPCP] Manuals [http://www.dot.ca.gov/hq/construc/Construction_Site_BMPs.pdf]) shall be implemented to minimize effects to giant garter snake (e.g., siltation, etc.) during construction</p>			
BR-5: The project may impact wetlands and/or other waters regulated by the ACOE, RWQCB, and/or CDFG.						
SCDD	Director	Prior to construction	BR-5: The project shall implement the SJMSCP conservation strategy, which includes payment of appropriate fees to SJCOG for conversion of undeveloped lands. Lands acquired and preserved under the conservation strategy will provide equivalent habitat to mitigate the loss of wetlands associated with the drainage ditches. If the wetland areas are regulated by the ACOE and/or RWQCB, additional wetlands mitigation	Implementation of the SJMSCP conservation strategy; payment of fees and obtain permits as appropriate	LS	Pg. 4-59

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			may be required by those agencies for the loss of 0.46 acre of wetlands. This mitigation may be accomplished through purchase of appropriate wetlands mitigation credits from an approved mitigation bank that services the project area. In lieu of purchasing mitigation credits, the project may implement a wetlands mitigation plan that provides equivalent wetlands replacement in accordance with agency requirements.			
NOISE						
NOI-2: Construction related activities may negatively impact surrounding receptors.						
SCDD	Director	During construction	<p>NOI-1:</p> <ul style="list-style-type: none"> During all project site excavation and on-site grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards; The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site and; The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. 	Compliance with noise-reduction measures	LS	Pg.4-72
NOI-3: Implementation of the proposed project will increase noise levels on the project site and surrounding areas.						
SCDD	Director	Prior to issuance of building	<p>NOI-2: The following mitigation measures shall be implemented for the proposed project:</p>	Sound barriers; Building facade upgrades; Air	LS	Pg. 4-75

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		permits	<p>Exterior Noise. The following mitigation measures are required for outdoor active use areas:</p> <ul style="list-style-type: none"> • A sound barrier with a minimum height of 10 feet shall be required to protect outdoor active use areas such as parks, backyards, patios, and balconies for the following areas: <ul style="list-style-type: none"> ○ Within 65 feet of the Trinity Parkway centerline ○ Within 80 feet of the Otto Drive centerline • A sound barrier with a minimum height of eight feet shall be required to protect outdoor active use areas such as parks, backyards, patios, and balconies for the following areas: <ul style="list-style-type: none"> ○ Within 133 feet of the Trinity Parkway centerline ○ Within 165 feet of the Otto Drive centerline • A sound barrier with a minimum height of six feet shall be required to protect outdoor active use areas such as parks, backyards, patios, and balconies for the following areas: <ul style="list-style-type: none"> ○ Within 282 feet of the Trinity Parkway centerline ○ Within 353 feet of the Otto Drive centerline <p>Interior Noise. To meet the City's 45 dBA CNEL interior noise standard, the following mitigation measures will be required:</p> <ul style="list-style-type: none"> • Building facade upgrades such as double-paned windows with a Sound Transmission Class higher 	conditioning systems		

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>than standard construction for the proposed residential structures that have no intervening structures for the following areas:</p> <ul style="list-style-type: none"> o Within 76 feet of the Trinity Parkway centerline o Within 93 feet of the Otto Drive centerline • Air-conditioning systems for the proposed residential structures that have no intervening structures for the following areas: <ul style="list-style-type: none"> o Within 447 feet of the Trinity Parkway centerline o Within 559 feet of the Otto Drive centerline 			
LAND USE						
LU-6: Implementation of the proposed project could endanger residents due to potential natural disasters.						
SCDD	Director	Prior to approval of Final Map	<p>LU-1: The owner, developer, or successors in interest shall provide an evacuation plan as a condition of approval. The evacuation plan must identify the following:</p> <ul style="list-style-type: none"> • Emergency evacuation routes using levee features and bridge access • Local street evacuation routes • Local evacuation access locations • Emergency contact information 	Evacuation plan	LS	Pg. 4-91
TRAFFIC AND CIRCULATION						
TRAF-1a, b, c, d, e and f: The project would contribute to or result in unacceptable service levels at six signalized intersections under Existing plus Approved Projects plus Project conditions. If the addition of project traffic increases delay by more than 5 seconds, this is considered a						

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
significant impact under Streets and Highways Goal 1.9.						
SPWD	Director	Prior to the approval of engineering improvement plans	<p>TRAF-1a: A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Eight Mile Road interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p>	Pay fair share fees; engineering improvement plans	SU	Pg. 4-175
SPWD	Director	Prior to the approval of engineering improvement plans	<p>TRAF-1b: A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and the adjacent Hammer Lane/Mariners Drive intersection. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable near-term operations with the addition of project traffic and reduce</p>	Pay fair share fees; engineering improvement plans	LS	Pg. 4-176

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	Prior to the approval of engineering improvement plans	<p>queue spillback were identified. Modifying the southbound approach within the existing right-of-way to provide dual left-turn lanes and a through-right shared lane in addition to signal modifications, would result in acceptable intersection operations. These improvements shall be implemented by the project applicant. With implementation of this mitigation measure, the impact would be reduced to a less than significant level</p> <p>TRAF-1c. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and the adjacent Hammer Lane/Kelley Drive intersection. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable near-term operations with the project were identified. These improvements include restriping the northbound through/right-turn shared lane to a left-turn/through/right-turn shared lane and signal modifications to provide north-south split phasing and a southbound right-turn overlap phase. This improvement would also alleviate</p>	Pay fair share fees; engineering improvement plans	SU	Pg. 4-176

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	Prior to the approval of engineering improvement plans	<p>vehicle queue spillback at this intersection.</p> <p>TRAF-1d. The project applicant shall construct a second northbound left-turn lane. This improvement would result in acceptable service levels at this intersection and would reduce the effects of vehicle queue spillback from the northbound left-turn lane, reducing the project's impact to a less-than-significant level. Each left-turn pocket should provide 300 feet of vehicle storage. However, as this intersection is located in San Joaquin County Jurisdiction and implementation of this measure cannot be assured by City of Stockton, this impact would remain significant-and-unavoidable</p>	Engineering improvement plans	SU	Pg. 4-177
TRAF-2a, b, c, and d: The proposed project would contribute to or result in unacceptable service levels at four unsignalized intersections. This is considered a significant impact under Streets and Highways Goals 1.8 and 1.9.						
SPWD	Director	Prior to the approval of engineering improvement plans	<p>TRAF-2a, 2b, 2c, and 2d. The project applicant shall construct Trinity Parkway from Otto Drive to Hammer Lane and construct the Otto Drive/Trinity Parkway intersection to include the following geometry:</p> <ul style="list-style-type: none"> o Signalization o 1 northbound left-turn lane (300 feet of storage) o 1 northbound through lane o 1 northbound through-right shared lane o 1 southbound left-turn lane (300 feet of storage) o 1 southbound through lane o 1 southbound through-right shared lane o 1 eastbound left-turn lane (200 feet of storage) o 1 eastbound through lane o 1 eastbound right-turn only lane o 1 westbound left-turn lane (100 feet of storage) o 1 westbound through-right shared lane 	Engineering improvement plans	LS	Pg. 4-179
TRAF-3: The proposed project would worsen the operation of two freeway segments projected to operate at unacceptable service levels without						

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
<i>the proposed project, I-5 south of Hammer Lane, northbound and southbound. This is considered a significant impact under Streets and Highways Goal 1.8 and 1.9.</i>						
SPWD	Director	Prior to the approval of engineering improvement plans	<p>TRAF-3: Widening of I-5 to provide four mixed flow travel lanes per direction, in conjunction with interchange improvements and the provision of auxiliary lanes would reduce this impact to a less than significant level, as shown in Table 4.7.M. The widening of I-5 from the Monte Diablo undercrossing to Eight Mile Road is included in the San Joaquin Council of Governments 2025 Regional Transportation Plan as a Tier 1 project sponsored by Caltrans. However, the Plan notes that full project funding has not yet been identified.</p> <p>Additionally, a PA/ED is currently being prepared for the I-5/Hammer Lane interchange. An improved interchange configuration that would minimize the potential for vehicle queue spill from the off-ramp to the freeway mainline will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels on I-5 south of the Hammer Lane interchange, reducing the project's impact to a less-than-significant level. However, because these improvements are not fully funded, implementation cannot be assured and this impact would remain significant and unavoidable.</p>	Pay fair share fees	SU	Pg. 4-182
<i>TRAF-4a, b, c, d, e and f: The proposed project would increase traffic through 8 intersections projected to operate at an unacceptable service levels prior to the addition of project traffic. If the addition of project traffic increases delay by more than 5 seconds, this is considered a significant impact under Streets and Highways Goal 1.9.</i>						
SPWD	Director	Prior to the	TRAF-4c: The project applicant shall contribute their fair	Engineering	LS	Pg. 4-196

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	approval of engineering improvement plans	share to intersection improvements that would result in acceptable intersection operations: provide a shared left-turn-right-turn lane and a right-turn lane on the westbound approach. With implementation of this mitigation, the project impact would be to a less-than-significant level.	improvement plans; Pay fair share fees		
SPWD	Director	Prior to the approval of engineering improvement plans	<p>TRAF-4d: A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Otto Drive interchange. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to the intersection design that would provide acceptable operations in 2025 with the project were identified. These improvements include dual westbound left-turn lanes, and an eastbound through lane, through-right shared lane and right-turn only lane in addition to two receiving lanes on the on-ramp. With implementation of this measure, the impact would be reduced to a less than significant level.</p>	Engineering improvement plans; Pay fair share fees	LS	Pg. 4-196
SPWD	Director	Prior to the approval of engineering	TRAF-4e: A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and the	Engineering improvement plans; Pay fair	LS	Pg. 4-196

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		improvement plans	<p>adjacent Hammer Lane/Kelley Drive intersection. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable 2025 operations with the project were identified. These improvements include restriping the northbound through/right-turn shared lane to a left-turn/through/right-turn shared lane and signal modifications to provide north-south split phasing and a southbound right-turn overlap phase. These improvements shall be implemented by the project applicant. Although the intersection would continue to operate as LOS F, overall intersection delay with the project, with mitigation, would be less than without the project, without mitigation. With implementation of this mitigation measure, the impact would be reduced to a less than significant level</p>	share fees		
SPWD	Director	Prior to the approval of engineering improvement plans	<p>TRAF-4f: Mitigation of this impact would require two left-turn lanes (300 feet each), two through lanes, and a right-turn lane (200 feet) on the northbound approach, two left-turn lanes (300 feet each), three through lanes, and a right-turn lane on the eastbound approach, and two</p>	Engineering improvement plans; Pay fair share fees	SU	Pg. 4-197

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
<i>TRAF-5: The proposed project would degrade operations on two freeway segments, I-5 south of Hammer Lane, northbound and southbound. This is considered a significant impact under Streets and Highways Goal 1.8 and 1.9.</i>						
SPWD	Director	Prior to the approval of engineering improvement plans	TRAF-5: Mitigation of this project impact would require four lanes per direction on I-5 between Otto Drive and Hammer Lane and south of Hammer Lane (see Table 4.7.S). The widening of I-5 from the Monte Diablo undercrossing to Eight Mile Road is included in the San Joaquin Council of Governments 2025 Regional Transportation Plan as a Tier 1 project sponsored by Caltrans. However, the Plan notes that full project funding has not yet been identified. Therefore, because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.	Engineering improvement plans; Pay fair share fees	SU	Pg. 4-197
<i>TRAF-6a through m: The proposed project would worsen the operation of 14 intersections projected to operate at deficient service levels prior to the addition of project traffic. If the addition of project traffic increases the delay by greater than 5 seconds at already deficient intersection, this is considered a significant impact under Streets and Highways Goal 1.9.</i>						
SPWD	Director	Prior to the approval of engineering improvement plans	TRAF-6b. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Eight Mile Road interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall	Engineering improvement plans; Pay fair share fees;	SU	Pg. 4-211

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	Prior to the approval of engineering improvement plans	<p>contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include on the westbound approach: dual left-turn lanes, four through lanes; on the southbound approach: a left-turn lane, a shared left-through lane, and dual right-turn only lanes; and on the eastbound approach: two through lanes, a shared through-right lane, and dual right-turn lanes in addition to the construction of three receiving lanes on the on-ramp.</p> <p>TRAF-6c. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Eight Mile Road interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process,</p>	Engineering improvement plans; Pay fair share fees;	SU	Pg. 4-211

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	Prior to the approval of engineering improvement plans	interchange improvements that could result in acceptable operations include provision of a northbound loop off-ramp. TRAF-6d. The project applicant shall contribute its fair share to provide a third eastbound and a third westbound lane through the intersection. Implementation this improvement would reduce the impact to a less-than-significant level	Engineering improvement plans; Pay fair share fees	LS	Pg. 4-212
SPWD	Director	Prior to the approval of engineering improvement plans	TRAF-6e. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Otto Drive interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable. Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include construction of a second westbound left-turn lane, and provision of two through lanes, a through-right shared lane, and a right-turn only lane on the eastbound approach in addition to construction of two receiving lanes on the on-ramp.	Engineering improvement plans; Pay fair share fees	SU	Pg. 4-212
SPWD	Director	Prior to the approval of engineering	TRAF-6f. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Otto Drive interchange. An	Engineering improvement plans; Pay fair	SU	Pg. 4-213

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	improvement plans Prior to the approval of engineering improvement plans	<p>improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include provision of a northbound loop off-ramp.</p>	share fees	SU	Pg. 4-213
			<p>TRAF-06. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and adjacent Hammer Lane/Mariners Drive intersection. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this intersection, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing</p>	Engineering improvement plans; Pay fair share fees		

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	Prior to the approval of engineering improvement plans	<p>right-of-way that would provide acceptable operations with the project were identified. These improvements include provision of dual left-turn lanes and a shared through-right-turn lane on the southbound approach, in addition to signal modifications.</p> <p>TRAF-6h. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include provision of a southbound loop on-ramp.</p>	Engineering improvement plans; Pay fair share fees	SU	Pg. 4-213
SPWD	Director	Prior to the approval of engineering improvement plans	<p>TRAF-6i. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this interchange, reducing the project's impact to a less-than-</p>	Engineering improvement plans; Pay fair share fees	SU	Pg. 4-214

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	Prior to the approval of engineering improvement plans	<p>significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, interchange improvements that could result in acceptable operations include construction of an additional eastbound through lane and an additional northbound left-turn lane.</p>	Engineering improvement plans; Pay fair share fees	SU	Pg. 4-214
			<p>TRAF-6j. A Project Approval/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange and adjacent Hammer Lane/Kelley Drive intersection. An improved interchange configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this intersection, reducing the project's impact to a less-than-significant level. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.</p> <p>Although the ultimate configuration for this intersection will be determined through the PA/ED process, modifications to this intersection within the existing right-of-way that would provide acceptable near-term operations with the project were identified. These improvements include restriping the northbound through/right-turn shared lane to a left-turn/through/right-turn shared lane, restriping the southbound approach to</p>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD	Director	Prior to the approval of engineering improvement plans	provide a left-turn lane, a shared through-right lane and a right-turn only lane, and signal modifications to provide north-south split phasing. TRAF-61. The project applicant shall contribute their fair share towards improvements that would result in acceptable service levels at this intersection, reducing the project's impact to a less-than-significant level. Improvement that would result in acceptable service levels include: two left-turn lanes (300 feet each), two through lanes, and a right-turn lane (200 feet) on the northbound approach, two left-turn lanes (300 feet each), four through lanes, and a right-turn lane both the eastbound and westbound approaches. However, as this intersection is located within San Joaquin County and its implementation cannot be assured by the City of Stockton, this impact is significant-and-unavoidable.	Engineering improvement plans; Pay fair share fees	SU	Pg. 4-215
PUBLIC SERVICES						
PR-5: Fail to create a mechanism through which future maintenance of the park is guaranteed.						
SPRD	Director	Prior to recordation of any final map	PR-1a: Prior to recordation of any Final Map, the owner, developer, homeowners association or successor-in-interest shall form a new zone of the Stockton Consolidated Landscape Maintenance District, and approve an assessment providing for the subdivision's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision. Formation of a new zone shall result in the establishment of an assessment that would include, but not be limited to, costs for: 1) annual maintenance of the park; and 2) administrative costs. The assessment levied shall contain	Create new maintenance zone	LS	Pg. 4-246

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD; SPWD	Director	Prior to recordation of any final map	<p>a provision that will allow the maximum assessment to be increased in an amount equal to the greater of: 1) three percent or 2) the percentage increase of the percentage increase of the Consumer Price Index for the San Francisco - Oakland - San Jose County Area for All Urban Consumers, as developed by the U.S. Bureau of Labor and Statistics, for a similar period.</p> <p>PR-1b: Prior to the recordation of any Final Map, the proposed project shall include provisions for the establishment of a maintenance entity acceptable to the Community Development Director, the Parks and Recreation Director, and the Public Works Director to provide funding for the maintenance of, and if necessary, replacement at the end of the useful life of improvements including but not limited to, common area landscaping, landscaping in the right of way, sound walls and/or backup walls, and all "improvements" serving or for the special benefit of the proposed project.</p> <p>If the proposed project provides maintenance through a maintenance assessment district, the proposed project shall include the formation of a new zone of the Stockton Consolidated Landscape Maintenance District provided the type, intensity, and amount of the improvements to be maintained are similar to improvements in the zone to which annexation is proposed. Formation/annexation shall require the approval of an assessment that shall be levied on all properties in the subdivision to ensure that all property owners pay their proportionate share of the costs of maintaining, in perpetuity, the improvements serving or for the special benefit of the proposed project.</p> <p>PR-2: Prior to issuance of building permits, the applicant</p>	Establish maintenance entity	LS	Pg. 4-246
SCDD;	Director	Prior to		Pay fees	LS	Pg. 4-246

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SPWD		issuance of building permits	shall pay in-lieu fees equivalent to the regional park acreage requirements (per City standards) that remain unfulfilled.			
<i>FP-1: Project implementation will increase the demand for fire protection services which could affect the level of service protection and response times.</i>						
SCDD	Director	Prior to the issuance of building permits	FP-1a: prior to issuance of building permits, the project applicant shall pay development impact fees (as applicable) to reduce the burden on fire protection services. Evidence indicating payment of fees shall be provided to the Director of Community Development Department.	Pay fees	LS	Pg. 4-247
Stockton Fire Department	Director	Prior to the approval of final map	FP-1b: The applicant will consult with the City's Fire Department regarding adequacy of project plans relating to the safety of structure, safety devices, and emergency vehicle access.	Consult with fire department	LS	Pg. 4-248
<i>PP-1: The proposed Preserve project will increase the demand for law enforcement services.</i>						
SCDD	Director	Prior to the issuance of building permits	PP-1a: Prior to issuance of building permits, the project applicant shall pay development impact fees (as applicable) to reduce the burden on police protection services. Evidence indicating payment of fees shall be provided to the Director of Community Development Department.	Pay fees	LS	Pg. 4-248
Stockton Police Department	Director	Prior to the approval of Final Map	PP-1b: The applicant will consult with the City's Police Department regarding adequacy of project plans relating to the safety and defensible space issues.	Consult with Police Department	LS	Pg. 4-248
SCDD	Director	During construction	PP-1c: Contractors are responsible for providing licensed uniformed security guards for after hours and weekends to prevent damage or theft of building materials, equipment, and/or appliances. Removal of doors to home appliances until after installation in new homes shall be considered.	Provide licensed uniformed security guards	LS	Pg. 4-248

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	During construction	<p>PP-1d: Construction site perimeter fencing is also required to prevent criminal activity during construction.</p> <p>PP-1e: The following conditions shall be required during the construction phase of the project.</p> <ul style="list-style-type: none"> A licensed, uniformed security guard must be present during the evening hours on weekdays (Monday through Friday), and 24 hours per day on weekends and holidays, when the developer is not on site. The entire construction area should be fenced and inaccessible to the public after hours, and on weekends and holidays. The fence should be well maintained as needed during construction of the project. The entire construction area should be well lit throughout the night, every night, so as to clearly illuminate the construction site and street(s). Portable video security monitors/cameras should be used during the construction phase, along with signs advertising such monitoring, to further serve as a deterrent. Appliances such as stoves, microwaves, refrigerators, etc., should not be installed until the day a new owner completes the final walkthrough of the residence. If installed earlier, the residence must remain securely locked after hours and on weekends/holidays. Cabinetry and other valuable items should be kept off site prior to installation. Once installed, the residence must be securely locked. 	<p>Perimeter fencing</p> <p>Security measures</p>	<p>LS</p> <p>LS</p>	<p>Pg. 4-248</p> <p>Pg. 4-248</p>
SCDD	Director	Post construction	<p>PP-1f: The following conditions shall be required during the post-construction phase of the project.</p> <ul style="list-style-type: none"> The ODS is required to implement a mandatory Crime Free Multi-Housing program. 	Security measures	LS	Pg. 4-248

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<ul style="list-style-type: none"> Enclose the complex with wrought-iron fencing as appropriate. After construction is completed, parking areas and walkways should be well lighted and equipped with security cameras and recording equipment. Low-growth vegetation should be employed around the buildings and parking areas to facilitate maximum visibility. Install automatic gates to control ingress and egress. All vehicle entrance/exit gates must be Knox-Box compatible. Provide private licensed and uniformed security guards to monitor the property. The ODS is required to establish and maintain a homeowner's association to address nuisance properties, maintain common area lighting and landscaping, and arrange for security patrols. 			
SCH-1: Project implementation will generate additional students and could affect the capacity of existing schools.						
SCDD	Director	Prior to the issuance of building permits	SCH-1: Prior to issuance of building permits, the project applicant shall pay fees (as applicable) to comply with State mandated impact fees. Evidence indicating payment of fees shall be provided to the Director of Community Development Department. The project applicant will provide an elementary school as identified in the project description.	Pay fees	LS	Pg. 4-249
LIB-1: Implementation of the proposed project will increase the demand for library services.						
SCDD	Director	Prior to issuance of building permits	LIB-1: Prior to issuance of building permits, the project applicant shall pay development impact fees (as applicable) to reduce the burden on community library services. Evidence indicating payment of fees shall be	Pay fees	LS	Pg. 4-250

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
VC-1: Locating the project development adjacent to sources of mosquito populations could result in health risks to residents.						
SCDD	Director	Prior to approval of final map	VC-1: Should the District's efforts to control mosquito populations within the project area fail to adequately control the potential health risk to the project population, The Preserve Owner's Association or similar organization shall provide additional resources or financial support to protect project residents from vector-related health risks.	Provide additional resources or financial support	LS	Pg. 4-250
PUBLIC WATER SUPPLY ASSESSMENT						
WSA-2: Project implementation could require extensive modifications to the existing water system to meet the proposed project demand.						
SCDD; MUD	Directors	Prior to issuance of building permits	WSA-1a: Prior to issuance of building permits, the applicant shall pay all applicable connection fees and/or capital improvement fees required by City ordinance to fund the necessary improvements to the domestic water supply.	Pay fees	LS	Pg. 4-262
SCDD; MUD	Directors	Prior to issuance of building permits	WSA-1b: Prior to issuance of building permits, the applicant shall provide evidence to the Director of Municipal Utilities at the City of Stockton of compliance with plumbing, metering, and other water conservation measures in effect, including any provisions outlined included in the City's Urban Water Management Plan, 2005 Update.	Submit evidence of compliance	LS	Pg. 4-262
SCDD; MUD	Directors	Prior to approval of improvement plans	WSA-1c: Prior to approval of improvement plans for each development unit, the applicant will perform a water system analysis, acceptable to the Director of Municipal Utilities, demonstrating that the water system improvements are sufficient to meet the City of Stockton service standards.	Perform a water system analysis	LS	Pg. 4-262

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD; MUD	Directors	Prior to approval of improvement plans	WSA-1d: The City-wide Water Master Plan may be required to be amended and approved by the Stockton City Council, if the subject project is approved prior to the adoption of utility master plans for the 2035 General Plan Project.	Possible amendment of City Water Master Plan	LS	Pg. 4-262
UTILITIES AND SERVICE SYSTEMS						
<i>WW-1: Existing and proposed wastewater conveyance facilities may not have adequate capacity to meet proposed project demand.</i>						
SCDD	Director	Prior to issuance of building permits	WW-1a: Prior to issuance of building permits, the owners, developers, and/or successors in interest shall pay the applicable sewer connection fees required for improvements to the City's Regional Wastewater Collection Facilities. The Community Development Department will ensure that sewer connection fees are paid in conjunction with building permit issuance.	Pay fees	LS	Pg. 4-268
SCDD; MUD	Directors	Prior to approval of improvement plans	WW-1b: The City-wide Sanitary Sewer Master Plan may be required to be amended and approved by the Stockton City Council, if the subject project is approved prior to the adoption of utility master plans for the 2035 General Plan Project.	Possible amendment to the City Sanitary Sewer Master Plan	LS	Pg. 4-269
<i>WW-2: Sewage demand generated by the proposed project could exceed the capacity of the wastewater treatment plant.</i>						
SCDD	Director	Prior to issuance of building permits	WW-2: Prior to issuance of building permits, the applicant shall pay the applicable Sewer Connection Fees required for Improvements to the City's Wastewater Collection Systems. The City of Stockton will include the mitigation measures as stated above as a condition of approval for the applicable tentative maps, subdivision improvement plans, and building permits. The Department of Community Development will ensure that connection fees are paid in conjunction with building permit issuance. The Departments of Community Development and Public Works shall verify that all	Pay fees	LS	Pg. 4-269

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
EG-2: The proposed project will use large amounts of energy.						
SCDD	Director	Prior to issuance of building permits	EG-1: As feasible, the applicant should install energy reducing fixtures and implement energy reducing measures to decrease the amount of energy used.	Install energy reducing fixtures	LS	Pg. 4-270
AESTHETICS/LIGHT AND GLARE						
VIS-3: Development of the project site will not have a substantial adverse effect on a scenic vista as viewed from a public vantage point.						
SCDD	Director	Prior to construction	VIS-1: The City shall require the project applicant to submit a landscape plan for Trinity Parkway which will provide a visual screen and green buffers between the project and the adjacent existing residential development.	Submit landscape plan	LS	Pg. 4-275
VIS-4: Development of the project site may create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.						
SCDD	Director	Prior to construction	VIS-2: The City shall require the project applicant to submit a lighting plan which includes specifications for lighting along the Trinity Parkway Extension to be focused downwards and away from nearby residences in the Twin Creeks Estates. The City shall ensure that the landscape plan includes landscaped medians on the Trinity Parkway Extension to reduce light spillover from the residential developments and new road.	Submit a lighting plan	LS	Pg. 4-276
CULTURAL RESOURCES						
CR-1: Project site development could potentially affect known and unknown resources with cultural significance.						
SCDD	Director	During construction	CR-1a: Project personnel shall not collect or move any archaeological material. Fill soils that may be used for construction purposes shall not contain archaeological	No collection or movement of archaeological	LS	Pg. 4-285

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	During construction	<p>materials.</p> <p>CR-1b: If deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 25 feet of the discovery should be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations. It is recommended that adverse effects to such deposits be avoided by project activities. If such deposits cannot be avoided, they should be evaluated for their eligibility for listing in the California Register of Historical Resources. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, they will need to be avoided by adverse effects or such effects must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting methods and results, and recommendations. The report should be submitted to the project proponent, appropriate City of Stockton agencies, and the Central California Information Center.</p> <p>Prehistoric materials can include flaked-stone tools (e.g. projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and bone tools and stone milling equipment (e.g., mortars, pestles, handstones). Prehistoric sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse.</p>	<p>materials</p> <p>Redirect construction upon encountering prehistoric or historic archaeological materials</p>	LS	Pg. 4-285

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	During construction	<p>CR-1c: If human remains are encountered, work within 25 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.</p> <p>Upon completion of the assessment, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the project proponent, appropriate City of Stockton agencies, and the Central California Information Center.</p>	Redirect work and contact archaeologist if human remains are encountered	LS	Pg. 4-285
SCDD	Director	During construction	<p>CR-1d: If paleontological resources are encountered within five feet of the ground surface, however, they should be handled according to the accidental discovery section below.</p> <p>There is a possibility of encountering significant paleontological resources in the Modesto Formation sediments of the project area that directly underlie the soils. Paleontological monitoring is recommended if the proposed project plans involve ground disturbance at a</p>	Redirect construction upon encountering paleontological materials	LS	Pg. 4-285

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
HAZARDOUS MATERIALS/WASTES						
HAZ-1: Due to the existing conditions of the site, the environment and construction workers could be exposed to hazardous wastes and materials.						
SCDD	Director	Prior to the initiation of construction activities	depth greater than five feet. Prior to ground disturbing activities, a qualified paleontologist should develop a monitoring plan that takes into account the specific details of construction plans as well as information from any available paleontological, geological, and geotechnical studies, as well as limited subsurface investigations. HAZ-1: A Spill Prevention and Containment Plan (SPCP) will be prepared prior to the commencement of any construction activities. The SPCP will identify any and all hazardous materials that will be used or stored on site, and will also identify any hazardous wastes that might be generated by the proposed project. The SPCP will detail proper measures to handle and/or transport hazardous materials. The plan will also present procedures to contain or initiate cleanup of any spills. The phone number of the appropriate government agency will be contained on the plan in the event of any release of hazardous substances.	Spill prevention and containment plan	LS	Pg. 4-287
GLOBAL CLIMATE CHANGE						
GCC-1: GHG emissions associated with the implementation of the project could result in direct, indirect, and other project-related GHG emission that could substantially increase the total contribution of GHG emissions above current levels.						
SCDD	Director	During construction	GCC-1. The owners, developers and/or successors-in-interest (ODS) shall be subject to and comply with the City's adopted "Build It Green" Program, or green point rated guidelines in effect at the time of construction. Any housing or other development projects that are subject to Specific Plan, Master Development Plan, or projects of significance shall comply with all amendments and	Participate in Build it Green Program	SU	Pg.4-41

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>modifications to the 2035 General Plan required under the City, the California Attorney General and the Sierra Club Settlement Agreement, as approved by the Stockton City Council on September 9, 2008. Accordingly, the ODS shall adhere to the following standards:</p> <ul style="list-style-type: none"> a. Utilize building insulation that exceeds Title 24 standards. Utilize high-performance windows that employ advanced technologies, such as protective coatings and improved frames, to retain heat during winter and prevent heat during summer. b. Incorporate building techniques that ensure tight building construction and efficient duct systems. Require the use of efficient heating and cooling equipment for all residential buildings. c. Utilize efficient building products with standards that meet <i>EnergyStar</i>TM criteria. <i>EnergyStar</i>TM qualified homes may also be equipped with <i>EnergyStar</i>TM qualified products- lighting fixtures, compact fluorescent bulbs, ventilation fans, and appliances, such as refrigerators, dishwashers, and washing machines. d. Require the use of reflective, <i>EnergyStar</i>TM cool roofs on all building structures in the project. e. The owners, developers, and/or successors-in-interest (ODS) shall obtain Build It Green certification, based on then-current Build It Green standards, or to comply with a green building program that the City, after consultation 			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	Before and during construction	<p>with the Attorney General determines is of comparable effectiveness for all new housing units.</p> <p>f. If housing units or non-residential buildings certify to standards other than, but of comparable effectiveness to, Build It Green or LEED Silver, respectively, such housing units or buildings shall demonstrate using an outside inspector or verifier certified under the California Energy Commission Home Energy Rating System (HERS), or comparably certified verifier that comply with the applicable standards.</p> <p>g. All new non-residential buildings that exceed 5000 square feet and all new municipal buildings that exceed 5000 square feet to be certified to LEED Silver standards at a minimum, based on then-current LEED standards, or to comply with a green building program that the City, after consultation with the Attorney General determines is of comparable effectiveness.</p>	File for a permit pursuant to Rule 9510, pay ISR fees, prohibit wood-burning fireplaces	SU	Pg 4-42
			<p>GCC-2. The owner, developer, and/or successor-in-interest (ODS) shall address the impacts from project-related emissions through the implementation of the following measures:</p> <p>a. File an application for each proposed tentative subdivision map or other final entitlements to the San Joaquin Valley Air Pollution Control District (APCD) for a permit pursuant to Rule 9510 indirect Source Rule (ISR), if applicable. The ODS shall incorporate emission reduction</p>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	During construction	<p>measures into the project and pay ISR fees as required by the APCD.</p> <p>b. Prohibit wood-burning fireplaces and wood stoves within the project.</p> <p>GCC-3. The owner, developer and/or successors-in-interest are required to implement the following measures regarding land use to reduce greenhouse gas emission impacts for the proposed project.</p> <p>a. Provide sidewalks and pedestrian paths throughout as much of the project as possible and connect to open space areas, parks, and schools to encourage walking and bicycling.</p> <p>b. Mid-block paths shall be installed to facilitate pedestrian movement through long blocks and cul-de-sacs.</p> <p>c. To the extent practicable, the comprehensive the bicycle circulation system shall provide access to all neighborhoods and amenities within the proposed project and enhances comfort and safety for pedestrians by offering ample lighting, planted medians, tree lined streets, crosswalks and wide sidewalks.</p>	Provide pedestrian sidewalks, paths, and bicycle paths.	SU	Pg.4-42
SCDD	Director	During construction	<p>GCC-4. The owner, developer, and/or successors-in-interest are required to implement the following measures regarding public services to reduce greenhouse gas emission impacts for the proposed project.</p> <p>a. A non-potable source of water (e.g., reclaimed) shall be utilized for landscape irrigation in public spaces.</p>	Use non-potable water for landscaping, provide transit infrastructure	SU	Pg.4-42

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	During Construction	<p>b. Provide transit-enhancing infrastructure that includes bus shelters, benches, street lighting, route signs and displays and bus turn-outs.</p> <p>GCC-5. The following measures shall be used to accomplish an overall reduction in residential energy consumption relative to the requirements of State of California Title 24:</p> <p>a. Energy-efficient design shall be provided for homes and buildings, including automated control systems for heating and air conditioning, lighting controls and energy-efficient lighting in buildings, increased insulation, and light-colored roof materials to reflect heat.</p> <p>b. Residences shall be constructed with energy efficient appliances and home systems such as Energy Star appliances, energy efficient (i.e., Low E2) windows, tightly sealed ducts, florescent or energy efficient light bulbs with motion sensors where practicable, backyard outlets for electrical mower and other yard equipment operations, R-6 duct insulation, radiant roof barrier sheathing, 14 Seasonal Energy Efficiency Ratio air conditioning and ventilation systems, air conditioning with Thermostatic Expansion Valve metering devices that help regulate flow of liquid refrigerant, 0.95 Annual Fuel Utilization Efficiency furnaces, and gas dryer stubs.</p> <p>c. Buildings and outdoor structures shall include green-building materials, such as low-emission concrete, recycled aggregate, recycled</p>	Various energy reducing measures	SU	Pg.4-43

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>reinforcing, or waffle pods to be used in foundations; recycled plastics to be used in community structures such as fencing or playground equipment; wood flooring materials treated with low emission varnishes and floor board substrates to be made from low emission particleboard; compact fluorescent light bulbs in all buildings; and use of recycled building materials such as recycled aluminum for window frames or post-consumer plastic for piping.</p> <p>d. Contractors shall minimize the production of waste and shall recycle construction-related waste where possible.</p> <p>e. Use locally made building materials for construction of the project and associated infrastructure to reduce truck trips.</p> <p>f. Large canopy trees shall be carefully selected and located to protect buildings from energy-consuming environmental conditions and shade-paved areas. Trees shall be selected to shade 50% of paved areas within 15 years.</p> <p>g. Optimize building's thermal distribution by separating ventilation and thermal conditioning systems.</p> <p>h. For pool and spa heating and maintenance, use solar heating and automatic covers.</p> <p>i. Design buildings to accommodate solar power systems; solar panels on homes, carports over parking areas; solar and tankless hot water</p>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>heaters; and energy-efficient heating ventilation and air conditioning.</p> <p>j. Incorporate the principles of passive solar design shall be incorporated into building structures, including basic design principles are large south-facing windows with proper overhangs, as well as tile, brick, or other thermal mass material used in flooring or walls to store the sun's heat during the day and release it back into the building at night or when the temperature drops.</p> <p>k. Include energy-conserving features as options for home buyer. These include:</p> <ul style="list-style-type: none"> o increased energy efficiency; o high-albedo (reflecting) roofing materials; o cool paving; o radiant heat barriers; o installation of solar water-heating systems; o low NOx-emitting or high-efficiency, energy-efficient water heaters; o installation of clean-energy features that promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems); o installation of programmable thermostats for all heating and cooling systems; o awnings or other shading mechanisms for 			

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			<ul style="list-style-type: none"> windows; o porch, patio, and walkway overhangs; o ceiling fans or whole-house fans; o passive solar cooling and heating designs (e.g., natural convection, thermal flywheels); o daylighting (natural lighting) systems such as skylights, light shelves, and interior transom windows; o electrical outlets around the exterior of units to encourage the use of electric landscape maintenance equipment; o use of low and no-VOC coatings and paints; o natural gas fireplaces (instead of wood burning fireplaces or heaters) and natural gas lines (if available to the project area) in backyard or patio areas to encourage the use of gas barbecues; o pre-wire units with high-speed modem connections/DSL and extra phone lines; and o use of low or nonpolluting landscape maintenance equipment (e.g., electric lawn mowers, reel mowers, leaf vacuums, electric trimmers and edgers). 			
SCDD	Director	During construction	GCC-6: The owner, developer and/or successors-in-interest are required to prepare a water conservation plan for the proposed project to the satisfaction of the Director of Municipal Utilities. The plan shall address of the	Water efficient design	SU	Pg.4-44

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	During construction	<p>following, as appropriate:</p> <ul style="list-style-type: none"> a. Water-efficient landscapes shall be provided for all publicly landscaped areas, including parks, roadway medians and roadside landscaping. b. Water-efficient irrigation systems and devices shall be required in all landscaped areas. c. All buildings shall include water-efficient fixtures and appliances. <p>GCC-7: The owner, developer and/or successors-in-interest are required to implement the following to reduce the solid waste impacts from the proposed project.</p> <ul style="list-style-type: none"> a. Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). b. Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas. 	Reuse and recycle waste, provide area for recycling containers	SU	Pg.4-45
SCDD	Director	During and after construction	<p>GCC-8: The owner, developer and/or successors-in-interest of the commercial and industrial land uses are required to form a Transportation Management Association or join and existing association to address the following:</p> <ul style="list-style-type: none"> a. Provide bicycle enhancing infrastructure that includes bikeways/paths connecting to a bikeway system. b. Promote ride sharing programs by designating a certain percentage of parking spaces for ride 	Provide bicycle infrastructure, promote ride sharing	SU	Pg.4-45

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD	Director	During and after construction	<p>sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.</p> <p>GCC-9. The owner, developer, and/or successor-in-interest (ODS) shall address the following measures during the preparation of improvement plans to address an overall reduction in project-related vehicle miles traveled (VMT), including:</p> <p>Traffic Calming</p> <p>a. Traffic calming measures shall be included as part of the proposed project design with the objective of improving the overall quality of life for neighborhood residents by reducing safety hazards and nuisance impacts resulting from speeding vehicles, careless drivers and cut-through traffic.</p> <p>b. Vehicle speeds within the project should be maintained at a level that provides maximum safety for residents. Consistent with the City's adopted Traffic Calming Guidelines, the project shall incorporate roundabouts, short block lengths, traffic circles, and high visibility crosswalks to reduce traffic speeds and enhance pedestrian safety.</p> <p>Pedestrian Sidewalks & Pathways</p> <p>a. Sidewalks and bikeways shall be designed to separate pedestrian and bicycle pathways from vehicle paths.</p>	Various vehicle trip reduction measures	SU	Pg.4-45

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>b. Sidewalks and pedestrian pathways shall be easy to navigate and designed to facilitate pedestrian movement through the project and create a safe environment for all potential users from obstacles and automobiles.</p> <p>c. Sidewalks shall be designed for high visibility (e.g., brightly painted, different color of concrete, etc.) when crossing parking lots, streets, and similar vehicle paths.</p> <p>Bicycle</p> <p>a. The bicycle circulation system should be planned to act as a regional circulation system connecting the proposed project to Stockton's roadway/bikeway system.</p> <p>b. Incorporate bicycle lanes and routes into the street system.</p> <p>c. Incorporate bicycle-friendly intersections into street design.</p> <p>d. Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.</p> <p>e. The bicycle circulation system should be planned to act as a regional circulation system connecting the proposed project to Stockton's roadway/bikeway system.</p> <p>Transit</p> <p>a. A through roadway should connect adjacent developments so as to permit transit circulation</p>			

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			<p>between developments.</p> <p>b. Shielded openings in subdivisions sound walls should be provided to facilitate more direct pedestrian access to transit stops.</p> <p>c. The project would encourage public transportation by incorporating bus turnouts, shelters, and walkways into the design. As detailed in the <i>City of Stockton's Traffic Calming Guidelines</i>, the San Joaquin Regional Transit District (SJRTD) will review project site plans and identify potential bus stop locations.</p> <p>d. Locate the highest density land use at or within ¼ mile of a transit stop.</p> <p>e. Contact San Joaquin Regional Transit District (SJRTD) to identify appropriate location(s) for bus stops within the community.</p> <p>f. Provide transit-enhancing infrastructure that includes bus shelters, benches, street lighting, route signs and displays and bus turn-outs.</p> <p>g. Prior to approval of the Vesting Tentative Map, contact San Joaquin Regional Transit District (SJRTD) to identify appropriate location(s) for bus stops within the community.</p>			

IMPLEMENTATION OF MITIGATION REPORTING PROGRAM

This section describes the mitigation reporting program established for the above-described project pursuant to Section 21081.6 of the Public Resources Code. This program consists of the following steps:

- a. The Community Development Department shall utilize the above-listed Mitigation Monitoring and Reporting Program as a checklist of mitigation measures to be implemented for the project. Implementation of the applicable measures shall be included as a condition of all applicable discretionary approvals, improvement plans and/or construction permits.
- b. The project applicant (i.e., owner, developer, originating City department, or other responsible agency, as applicable) and/or successors-in-interest shall file a written report with the Community Development Department which will monitor the implementation of required mitigation measures. Similarly, any public agency having jurisdiction over natural resources affected by the project shall monitor and report upon the implementation of any mitigation measures incorporated at their request. Such written report(s) shall be submitted to the Community Development Department approximately once every twelve (12) months following approval of improvement plans and/or construction permits. The written report shall briefly state the status in implementing each adopted mitigation measure.
- c. The Community Development Department shall review the monitoring report(s) and determine whether there is any unusual and substantial delay in, or obstacle to, implementing the adopted mitigation measures. In reviewing the timeliness of implementation, the Community Development Department shall consider any timetable for the project and the required mitigation measures provided by the applicant and/or other responsible agency, as applicable. The Community Development Department and other City Departments may, to the extent deemed necessary, use scheduled inspections to monitor mitigation implementation.
- d. The result of the Community Development Department's review of the annual reports(s) will be provided to the applicant in writing within thirty (30) calendar days after receipt of the annual report. If the Community Development Department determines that a required mitigation measure is not being properly implemented, it shall consult with the applicant and, if possible, agree upon additional actions to be taken to implement the mitigation measures.
The CDD shall be limited to imposing reasonable actions as permitted by law which will implement the required mitigation measures. Any decision of the Community Development Director related to the annual monitoring report may be appealed to the City PC and/or CC, as applicable, within ten (10) calendar days following said written determination.
- e. Such monitoring and reporting shall continue until the CDD, in consultation with the other applicable City departments, determines that compliance has been fully achieved or, for ongoing measures (e.g., maintenance of facilities), determines that existing enforcement procedures relating to conditions of approval will provide adequate verification of compliance.