

# CRYSTAL BAY

FINDINGS, OVERRIDING CONSIDERATIONS, MITIGATION MONITORING  
AND REPORTING PROGRAM

EIR FILE #6-05

SCH# 2007032116

LSA

April 2008

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## FINDINGS, OVERRIDING CONSIDERATIONS, MITIGATION MONITORING AND REPORTING PROGRAM

EIR FILE #6-05

SCH#2007032116

Submitted to:

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The logo for LSA Associates, Inc. consists of the letters 'L', 'S', and 'A' in a bold, blue, sans-serif font, spaced out horizontally.

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**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: Development of the project site would include substantial grading activities that could result in soil erosion.***

Implementation of the proposed project would require grading for proposed roadways, infrastructure, and superpads. Exposed soils are considered erodible when subjected to concentrated surface flow. 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 Measures:***

GEO-1a: Prior to approval of the improvement plans for site development, the project applicant will submit an erosion control plan to the Director of 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 also comply with applicable State and City codes and regulations and adopted standards.

GEO-1b: 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 (RWCQB) 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-2: Implementation of the proposed project would expose people and structures to major seismic hazards.***

The project site is located within Seismic Zone 3 as identified in the 1997 Uniform Building Code. The geotechnical report indicates that special design considerations are not needed relating to seismic hazards. (Kleinfelder, 2003a).

***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-2: 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 and liquefaction. Plans for all structures shall be reviewed and approved by the Building Division prior to approval of the building plans and building permits. This report will include:

1. An analysis of seismic hazards anticipated at the project site from regional faults.
2. 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 will 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 determined in the seismicity report.

***Level of Significance Conclusion:*** Implementation of the above listed mitigation measure would reduce impacts due to major seismic hazards to a less than significant level.

***Impact:***           ***GEO-3: Project implementation may encounter groundwater or soil conditions during grading that could affect structural support and suitability.***

The geotechnical study prepared for the project concludes that the site is suitable for development provided recommendations are incorporated into the project design. Three primary considerations in designing the proposed project include: 1) the shrink-swell (expansion) characteristics of the near surface organic soil and the potential for post construction heave of concrete slabs and lightly loaded foundations; 2) the weak and highly compressible nature of the organic silt and clay encountered in the southwestern portion of the site; and, 3) the shallow groundwater levels on the site.

***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-3a: The site specific geotechnical study prepared for the proposed project site provides information on the suitability of excavated material as engineered fill. The study also provides recommendations for treating onsite soils and alternatives to using onsite soils as engineered fill. The geotechnical study should be amended to include the following:

- Specify measures for reuse or disposal of excavated material.

- The time between excavation and reuse of excavated material should be minimized. Provisions for adequate stockpile coverage and protection from wind and water erosion during the entire storage period.
- Include specific information regarding the eventual reuse or disposal site, transportation methods, disposal reuse and management and schedule.

GEO-3b: To mitigate potential impacts of expansive soils, construction of the proposed project should consider use of post-tensioned slab foundations designed to resist and/or span the expansive soils. Other options are provided in the geotechnical report. The geotechnical study provided in Appendix D provides specific information regarding various construction options for building on expansive soils and drainage considerations. Homeowners should be made aware of the risks associated with expansive soils and the importance of maintaining positive drainage to convey water away from structures. Homeowners should also be made aware that potential man-made water sources such as pipes, drains, pools, ponds should be tested periodically and/or examined for signs of leakage or damage.

GEO-3c: To mitigate potential impacts of compressible soils, construction of the proposed project should consider using post-tensioned slab foundations or replacing this soil material with engineered fill. The geotechnical study provided in Appendix D provides specific information regarding various construction options for building on compressible soils.

GEO-3d: The geotechnical study recommends the installation of permanent dewatering systems to mitigate the high ground water levels on the project site. Additionally, “toe” drains should be installed along levees to prevent “underseepage.” Construction dewatering should also be implemented to ensure stable construction.

GEO-3e: Further testing should be performed prior to and during construction of the liners for the onsite lakes. The technical study presented in Appendix D provides additional recommendations for construction of the onsite lakes. The study also recommends hiring a lake construction consultant to provide the final lake design.

GEO-3f: The geotechnical study provides site specific recommendations and alternatives for mitigating potential impacts. Prior to the issuance of building permits for site development, the project applicant shall submit the geotechnical study to the Director of Community Development Department for approval. This consultation and approval process will ensure that the construction methods and alternatives provided within the study are viable for mitigating potential geophysical constraints of the site.

***Level of Significance Conclusion:*** Implementation of the above listed mitigation measures would reduce impacts affecting structural support and suitability due to groundwater or soil conditions to a less than significant level.

## **AIR QUALITY**

***Impact:***           ***AIR-4: The project may conflict with adopted environmental plans, policies, or regulations for air pollutants.***

The City of Stockton acknowledges that global warming and greenhouse gases are an emerging environmental concern being raised on statewide, national, and global levels. Regional, State, and federal agencies are developing strategies to control pollutant emissions that contribute to global warming. However, neither CEQA nor the CEQA Guidelines mention or provide any methodology for analysis of “greenhouse gases,” including CO<sub>2</sub>, nor do they provide any significance thresholds. The air quality analysis in the DEIR follows all procedures and requirements of the California Environmental Quality Act (CEQA) and the SJVAPCD CEQA Guidelines.

***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:***

AIR-1: The following measures shall be incorporated into the design and operation of the proposed project:

- Energy-efficient design shall be provided for homes and buildings, including automated control systems for heating and air conditioning and energy efficiency beyond title 24 requirements, lighting controls and energy-efficient lighting in buildings, increased insulation beyond Title 24 requirements, and light-colored roof materials to reflect heat.
- 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.
- Plant deciduous trees on the south- and west-facing sides of buildings.
- Plant trees adjacent to all sidewalks thirty foot on center and at a ratio of one tree for each parking space. Structural soil shall be used under paved areas to improve tree growth in locations where street trees are located or planned.
- The City shall implement measures to reduce the amount of vehicle traffic to and from the project area to further reduce air pollution in the valley. This could include provisions such as encouraging employees to rideshare or carpool to the project site, or incentives for employees to use alternative transportation.
- If transit service is available to the project site, improvements shall be made to encourage its use. If transit service is not currently available but is planned for the area in the future, easements shall be reserved to provide for future improvements. These include bus turnouts, loading areas, route signs, and shade structures. Pedestrian access shall be directed to the main entrance of the project from existing or potential public transit stops, and appropriately designed sidewalks shall be provided. Such access shall consist of paved walkways or ramps and shall be physically separated from parking areas and vehicle access routes. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project.
- Sidewalks and bicycle paths shall be provided throughout as much of the project as possible and connect to any nearby open space areas, parks, schools, and commercial areas to encourage walking and bicycling. Connections to nearby public uses and commercial areas shall be made as direct as possible to promote walking for some trips. Sidewalks and bikeways shall be designed to separate pedestrian and bicycle pathways from vehicle paths. Sidewalks and bikeways shall be designed to accommodate and be appropriately sized for anticipated future pedestrian and bicycle use. Such 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. Pedestrian walkways shall be created to connect all buildings throughout the project. The walkways shall create a safe and inviting walking environment for people wishing to walk from one building to another. Walkways shall be installed to direct pedestrians from the street sidewalk to the buildings. Safe and convenient pathways shall be provided for pedestrian movement in large parking lots. Mid-block paths shall be installed to facilitate pedestrian movement through long blocks and cul-de-sacs. Sidewalks shall be designed for high visibility (brightly painted, different color of concrete, etc.) when crossing parking lots, streets, and similar vehicle paths. Pathways through the project shall be built in anticipation of future growth/development.

- Exits to adjoining streets shall be designed to reduce time to re-enter traffic from project site.
- Efficient interior circulation and pedestrian access within the project area and logical connection points for future development on the surrounding properties shall be provided.
- Measures shall be implemented to reduce the amount of vehicle traffic to and from the residential areas that further reduce air pollution in the SJVAB. This could include providing an information center for residents to coordinate carpooling.

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 the above mitigation measures will reduce Greenhouse Gas Emission impacts to a less than significant level and bring the project into substantial compliance with the various GHG emission reduction measures identified by Cal/EPA in the State Executive Order S-3-05 to reduce greenhouse gas emissions in residential development.

## **WATER RESOURCES**

***Impact:*** ***FC-2: The proposed project will increase the amount of impermeable surfaces which will increase site runoff quantities.***

Site development will create additional impervious surfaces due to paving and building coverage. Site runoff quantities will increase and will be diverted into the project drainage system. This system consists of local storm drains, detention features, and a 7.2 acre manmade lake, designed to accommodate stormwater conveyance, detention, and water quality treatment from within the project area. All runoff will be diverted into the lake, and will ultimately be conveyed through the Westlake Villages system prior to discharging into Pixley Slough. Implementation of the project will include the preparation of a Drainage Master Plan and Hydrology Study which provides an assessment of both the onsite development surface drainage requirements and flood protection from the offsite tributary watershed. This Storm Drainage Master Plan would provide an assessment of both the regional and local surface hydrology, and preliminary hydraulic analysis of the drainage facilities.

### ***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:***

FC-1a: Prior to issuance of building permits for new development, the applicant shall provide evidence to the Director of Community Development Department that flood assessments have been paid.

FC-1b: Prior to the filing of any parcel map or final map, storm drainage analysis or plans demonstrating that the onsite lake and stormwater runoff from the project can be adequately conveyed shall be reviewed and approved by the City of Stockton Department of MUD, City of Stockton Parks and Recreation, and the Public Works Department.

GEO-3d and GEO-3f will also be implemented. These measures will serve to protect the site from "underseepage," localized flooding and other geotechnical constraints.

***Level of Significance Conclusion:*** Implementation of the above mitigation measures will reduce potential flooding impacts to a less than significant level.

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

During construction, disturbance of soil and operation of construction equipment can lead to increased sediments and vehicle fluids in stormwater or surface runoff. Following development of the project site, pollutants from roadway runoff would contain heavy metals and hydrocarbons from vehicle fluid. Chemicals used in landscaping maintenance would also impact water quality through stormwater 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 Measures:***

WQ-1a: 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.

WQ-1b: The project applicant will comply with the applicable water quality and storm drainage discharge requirements consistent with any waste discharge or water quality certification requirements authorized by the RWQCB. A Water Quality Certification may also be required.

WQ-1c: This project shall comply with the Stockton Municipal Code Section 7-859, Storm Water Quality Control Criteria Plan and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2002-0181). The Owners, Developers, and/or Successors-in-Interest (ODS) shall establish a maintenance entity acceptable to the City to provide funding for operation, maintenance, and replacement costs of storm water best management. In addition, ODS shall create a new zone within the Stockton Consolidated

Storm Drainage Maintenance Assessment District No. 2005-1, prior to the filing of any parcel map or final map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices.

WQ-1d: Storm water runoff shall be treated in conformance with the City's Storm Water Quality Control Criteria Plan prior to any discharge into the Westlake Villages.

WQ-1e: Prior to filing any parcel map or final map, Crystal Bay shall demonstrate to the satisfaction of the Municipal Utilities Department that discharge of storm drainage into the Westlake Villages storm drain system will not adversely impact the storm water quality or storm water detention and/or discharge characteristics of the Westlake Villages storm drainage system.

WQ-1f: Prior to filing any parcel map or final map, Crystal Bay and Westlake Villages shall enter a City approved agreement permitting Crystal Bay to discharge treated storm water into Westlake Villages lake and water quality treatment system. The agreement shall stipulate privileges, responsibilities, compensation, and remedies.

WQ-1g: The lake edge treatment improvements adjacent to the Neighborhood Park shall be subject to review and approval by the City Parks and Recreation Department.

**Level of significance Conclusion:** The design of the lake 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 could affect several special status species that could occur on the project site.*

The proposed project would convert the existing agricultural conditions of the project site to residential development. Despite the extensive habitat modification to the site, several special status species including; bat species, tricolored blackbird, Aleutian Canada goose, ferruginous hawk, Swainson's hawk, mountain plover, white-tailed kite, merlin, prairie falcon, and western pond turtle could be directly impacted by site development if they present on the site when construction begins.

### ***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: Impacts to habitat for special status plant and animal species covered under the SJMSCP require payment of mitigation fees. The project shall implement the SJMSCP conservation strategy, which includes one or a combination of two or more of the following options to provide compensation pursuant to the SJMSCP.

- a) Pay the appropriate fee as indicated in the SJMSCP; or
- b) Dedicate, as conservation easements or fee title, or in-lieu dedications; or

- c) Purchase approved mitigation bank credits; or
- d) Purpose an alternative mitigation plan, consistent with the goals of the SJMSCP and equivalent in biological value to options A, B, and C above, subject to approval by the JPA with the concurrence of the Permitting Agencies' representatives on the TAC.

Once the applicant selects from these options, additional interaction with SJCOG will be required. This includes a biologist on-call with SJCOG conducting a survey of the project site to confirm findings from prior biological surveys. The biologist will collect information relating to the project site such as habitat type and potential presence of covered species. This information will be used to formulate Incidental Take Minimization Measures for the project applicant consistent with the SJMSCP. Focused wildlife and plant surveys, including preconstruction surveys, are not conducted by the SJCOG biologist, but are the responsibility of the project applicant. The preconstruction survey must be conducted prior to the submittal of any building permits within the Planned Development project area.

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

**Impact:** *BR-2: Implementation of the project could impact northern harrier.*

The northern harrier (*Circus cyaneus*) is a State species of concern. It has no federal status. Northern harriers occur in a variety of habitats, including grasslands, grain fields, sagebrush flats, emergent wetlands, and alpine meadows. This species usually nests in emergent wetlands or along rivers or lakes, but may nest in grasslands, grain fields, or on sagebrush flats. The CNDDDB does not contain any records for northern harrier within 10 miles of the project site, and no northern harriers were observed during the 2005 surveys.

**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-2: Direct take of nesting northern harriers would be in violation of the Fish and Game Code and MBTA, and this species is covered under the SJMSCP. The following mitigation measures are consistent with the SJMSCP Incidental Take Minimization Measures for northern harrier, and the provisions of the MBTA.

1. Prior to issuance of a grading permit, the project proponent shall implement the SJMSCP conservation strategy, as described in Mitigation Measure BR-1, to provide compensation pursuant to the SJMSCP.
2. If project construction is to begin during the nesting season (March 1 - September 15), all suitable nesting habitat on the project site and within 500 feet of the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. Surveys shall be conducted no more than 14 days prior to the start of work.
3. A setback of 500 feet from nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings

leave the nest. 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.

**Level of Significance Conclusion:** Implementation of Mitigation Measure BR-2 reduces this impact to less than significant.

**Impact:** *BR-3: Implementation of the project could impact burrowing owls.*

The western burrowing owl (*Athene cunicularia*) is a State species of concern. Burrowing owls occur in warmer valleys, open, dry grasslands, deserts, and scrublands associated with agriculture and urban areas that support populations of California ground squirrels. Burrowing owls nest below ground, utilizing abandoned burrows of other species, most commonly ground squirrel burrows, and feed on insects and small mammals. The closest recorded occurrence of this species in the CNDDDB is approximately 2.2 miles southeast of the project site on Atlas Tract. Surveys of the project site in 2005 did not identify any suitable burrows for this species or any signs of burrowing owls utilizing the project site. However, California ground squirrels were observed on the project site, and the presence of ground squirrels and squirrel burrows are attractive to burrowing owls.

**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: Direct take of nesting burrowing owls would be in violation of the Fish and Game Code and MBTA, and burrowing owl is a covered species under the SJMSCP. The following mitigation measures are consistent with the SJMSCP Incidental Take Minimization Measures for burrowing owl and the provisions of the MBTA.

1. Prior to issuance of a grading permit, the project proponent shall implement the SJMSCP conservation strategy, as described in Mitigation Measure BR-1, to provide compensation pursuant to the SJMSCP.
2. No more than 30 days prior to any ground disturbing activities, a qualified biologist shall conduct surveys for burrowing owls. If ground disturbing activities are delayed or suspended for more than 30 days after the initial preconstruction surveys, the site shall be resurveyed. All surveys shall be conducted in accordance with CDFG's Staff Report on Burrowing Owls (CDFG 1995).
3. If the preconstruction surveys identify burrowing owls on the site during the non-breeding season (September 1 through January 31), burrowing owls occupying the project site shall be evicted from the project site by passive relocation as described in the CDFG's Staff Report on Burrowing Owls (CDFG 1995).
4. If the preconstruction surveys identify burrowing owls on the site during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and shall be provided with a 250-foot protective buffer. The buffer shall be maintained until the SJMSCP Technical Advisory Committee (TAC), with the concurrence of CDFG representatives on the TAC, or a qualified biologist approved by CDFG, 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(s) can be destroyed.

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

**Impact:** **BR-4: Implementation of the project could impact loggerhead shrikes.**

The loggerhead shrike (*Lanius ludovicianus*) is a State species of concern. This species nests in broken woodlands, savannahs, riparian, and other woodlands. Loggerhead shrikes prefer open country with perches for scanning and hunting, and dense shrubs and brush for nesting. The CNDDDB does not contain any records of loggerhead shrike within 10 miles of the project site. Suitable habitat occurs on the project site, and this species could nest and/or forage here.

**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-4: Direct take of nesting loggerhead shrikes would be in violation of the Fish and Game Code and MBTA. Loggerhead shrike is a covered species under the SJMSCP. The following mitigation measures are consistent with the SJMSCP Incidental Take Minimization Measures for loggerhead shrike and the provisions of the MBTA.

1. Prior to issuance of a grading permit, the project proponent shall implement the SJMSCP conservation strategy, as described in Mitigation Measure BR-1, to provide compensation pursuant to the SJMSCP.
2. If project construction is to begin during the nesting season (March 1 - September 15), all suitable nesting habitat on the project site and within 100 feet of the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. Surveys shall be conducted no more than 14 days prior to the start of work
3. A 100-foot setback from 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.

**Level of Significance Conclusion:** Implementation of Mitigation Measure BR-4 reduces this impact to less than significant.

**Impact:** **BR-5: Implementation of the project could impact giant garter snake.**

The giant garter snake (*Thamnophis gigas*) is a federal and State threatened species. It occurs in the Sacramento and San Joaquin Valleys in California. This species inhabits areas in the vicinity of freshwater marshes, ponds, and slow moving streams with dense aquatic vegetation, and prefers water

depths of at least one foot. Optimal giant garter snake habitat includes still or slow moving waters with emergent vegetation, overhanging tree canopy, and pools deeper than approximately 30 inches. Adjacent upland habitat above flood elevations is also important. The giant garter snake occupies small mammal burrows and other soil crevices above prevailing flood elevations during its winter dormancy period.

***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 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 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 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.

In addition to the above measures, the following avoidance and minimization measures shall also be implemented:

13. All construction shall be conducted during daylight hours.
14. 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](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-5 reduces this impact to less than significant.

**Impact:** **BR-6: Implementation of the project could impact wetlands.**

The drainage system for the study area consists of a levee toe drain and two drainage ditches. Per Corps regulations (Preamble Section 328.3 Definitions) the Corps does not generally consider non-

tidal drainage and irrigation ditches excavated on dry land to be waters of the U.S. The Corps does, however, reserve the right to regulate these ditches on a case by case basis.

Approximately 0.86 acre of areas meeting Corps criteria for wetlands was identified in the levee toe drain and irrigation ditches in the study area. However, the wetlands on the project site are not expected to be considered waters of the United States (subject to Corps verification).

***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-6: 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 0.86 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-6 reduces this impact to less than significant.

**NOISE**

***Impact:***        ***NOI-1: The project could create short-term construction related impacts.***

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

***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-1a: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation noise-generating equipment to 7:00 a.m. to 7:00 p.m. Monday through Saturday when such equipment is to be used near noise-sensitive land uses. No construction activities shall occur on Sundays or national holidays.

NOI-1b: All construction equipment shall be fitted with factory equipped mufflers, and shall be maintained in good working order, at all times.

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

**Impact:** *NOI-2: Impacts from vehicular traffic could exceed the City's noise standards for sensitive receptors.*

Noise-sensitive land uses such as residences and outdoor active use areas may be exposed to traffic noise levels exceeding the City's noise standards. Within the Crystal Bay project area, residential uses adjacent to Eight Mile Road could be exposed to noise levels due to future vehicular traffic. The projected future traffic volumes (Fehr & Peers, April 2006) for roadway segments in the project vicinity are used in the traffic noise impact analysis.

**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-2a: Residential structures located within 953 feet of the centerline of Eight Mile Road shall be equipped with mechanical ventilation, such as air conditioning, to ensure that windows and doors can remain closed for prolonged periods of time.

NOI-2b: A sound barrier with shall be required to protect outdoor active use areas such as backyards, patios, and balconies associated with on-site residential land uses along of Eight Mile Road as follows:

- Outdoor active use areas within 280 feet of the centerline of Eight Mile Road that don't have intervening structures shall have a wall with a minimum height of eight feet.
- Outdoor active use areas within 601 feet of the centerline of Eight Mile Road that don't have intervening structures shall have a wall with a minimum height of six feet.

NOI-2c: Building façade upgrades, such as double paned windows, shall be required to meet the City's interior noise standard for the residential structures located within 154 feet of the centerline of Eight Mile Road.

**Level of Significance Conclusion:** Implementation of Mitigation Measures NOI-1a, NOI-1b, and NOI-1c will ensure that noise impacts related to long-term vehicular traffic will not be significant.

## **TRAFFIC AND CIRCULATION**

**Impact:** *TRAF-1a through f: The project would contribute to unacceptable service levels at the following signalized intersections under Existing plus Approved Projects plus Project conditions. This is considered a significant impact and conflicts with of Streets and Highways Goals 1.8 and 1.9.*

*Eight Mile Road/Mokelumne Circle.* The addition of project traffic would result in unacceptable LOS E conditions at this intersection.

**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-1a: The project applicant shall construct an additional eastbound through lane (for a total of three). This improvement is consistent with the Eight Mile Road Specific Plan. With implementation of this mitigation measure, the impact would be reduced to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-1a will reduce impacts to the Eight Mile Road/Mokelumne Circle intersection to less than significant levels.

**Impact:** *TRAF-1a through f: The project would contribute to unacceptable service levels at the following signalized intersections under Existing plus Approved Projects plus Project conditions. This is considered a significant impact and conflicts with of Streets and Highways Goals 1.8 and 1.9.*

*Eight Mile Road/Davis Road.* Project traffic would worsen LOS E conditions to LOS F conditions during the AM peak hour and worsen LOS F conditions during the PM peak hour. Average delay would increase by more than five seconds during both peak hours.

**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-1c: The project applicant shall contribute their fair share to construct a second eastbound through lane through the intersection (Note: In the eastbound direction, a right-turn lane is currently provided. For this mitigation, the right-turn lane could be converted to a shared through/right-turn lane), an additional westbound through lane (for a total of 2), and an additional westbound left-turn lane (for a total of 2). These improvements are consistent with the Eight Mile Road Specific Plan, which calls for the eventual provision of eight lanes on Eight Mile Road. With implementation of this mitigation measure, the impact would be reduced to a less than significant level. Implementation of this measure would also reduce vehicle queue spillback at this intersection.

**Level of Significance Conclusion:** Mitigation Measure TRAF-1c will reduce impacts to the Eight Mile Road/Davis Road intersection to less than significant levels.

**Impact:** *TRAF-1a through f: The project would contribute to unacceptable service levels at the following signalized intersections under Existing plus Approved Projects plus Project conditions. This is considered a significant impact and conflicts with of Streets and Highways Goals 1.8 and 1.9.*

*Eight Mile Road/West Lane.* The intersection is projected to operate at LOS E during the AM peak hour and LOS F during the PM peak hour. Project traffic would increase the average delay by more than five seconds during both the AM and PM peak hours.

***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-1d: The project applicant shall contribute its fair share to construct an additional eastbound through lane (for a total of 2), an additional westbound through lane (for a total of 2), and a second eastbound left-turn lane (for a total of 2). These improvements are consistent with the Eight Mile Road Specific Plan. With implementation of this mitigation measure, the impact would be reduced to a less than significant level.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-1d will reduce impacts to the Eight Mile Road/West Lane intersection to less than significant levels.

***Impact:***            ***TRAF-1a through f: The project would contribute to unacceptable service levels at the following signalized intersections under Existing plus Approved Projects plus Project conditions. This is considered a significant impact and conflicts with of Streets and Highways Goals 1.8 and 1.9.***

*Eight Mile Road/SR 99 West Frontage Road.* This intersection is projected to operate at LOS E conditions during the PM peak hour. Project traffic would increase the average delay by 5 seconds during the PM peak hour.

***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-1e: The project applicant shall contribute its fair share to modify the eastbound approach to provide a left turn lane, a through lane and a right-turn only lane. This improvement is consistent with the Eight Mile Road Specific Plan. With implementation of this mitigation measure, the impact would be reduced to a less than significant level.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-1e will reduce impacts to the Eight Mile Road/SR 99 West Frontage Road intersection to less than significant levels.

***Impact:***            ***TRAF-2a: The proposed project would contribute to unacceptable service levels at the following unsignalized intersection. This is considered a significant impact under Streets and Highways Goals 1.8 and 1.9.***

*Eight Mile Road/Oak Grove Regional Park Entrance.* The addition of project traffic would result in unacceptable LOS E conditions during the PM peak hour and increase average delay 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-2a: The project applicant shall contribute their fair share to the signalization of this intersection. This improvement is consistent with the Eight Mile Road Specific Plan. With implementation of this mitigation measure, the impact would be reduced to a less than significant.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-2a will reduce impacts to the Eight Mile Road/Oak Grove Regional Park Entrance to less than significant levels.

***Impact:***           ***TRAF-3: The proposed project would worsen unacceptable roadway operations on Eight Mile Road between I-5 and Trinity Parkway. This is considered a significant impact based on Streets and Highways Goal 1.3 and 1.9.***

*Eight Mile Road, I-5 to Trinity Parkway.* The addition of project trips would result in LOS E operations on this roadway segment.

***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-3: Mitigation of this impact would require constructing ten lanes on Eight Mile Road between I-5 and Trinity Parkway or providing an alternative route to re-distribute traffic in the area. Future improvements would provide a ten lane cross section, including turn lanes, on this portion of Eight Mile Road. A fair share contribution to this improvement would reduce the impact to a less-than-significant level.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-3 will reduce impacts to Eight Mile Road between I-5 and Trinity Parkway to less than significant levels.

***Impact:***           ***TRAF-5a, b, c, d, and e: The proposed project would result in unacceptable service levels or increase the delay by greater than 5 seconds at already deficient operations at five signalized intersections. This is a significant impact under Streets and Highways Goal 1.9.***

*Eight Mile Road/Mokelumne Circle.* The intersection is project to operate at LOS E conditions during the PM peak hour. Project traffic would increase average delay by more than 5 seconds in the PM peak hour.

**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-5a: The project applicant shall contribute its fair share to re-stripe the northbound approach to provide a share left-turn/right-turn lane and an exclusive right-turn lane, in addition to signal modifications. With implementation of this mitigation measure, the impact would be reduced to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-5a will reduce impacts to Eight Mile Road/Mokelumne Circle to less than significant levels.

**Impact:** *TRAF-5a, b, c, d, and e: The proposed project would result in unacceptable service levels or increase the delay by greater than 5 seconds at already deficient operations at five signalized intersections. This is a significant impact under Streets and Highways Goal 1.9.*

*Mokelumne Circle/Scott Creek Drive.* The addition of project traffic would result in LOS F during the PM peak hour.

**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-5c: The project applicant shall provide for an exclusive southbound right-turn lane. With implementation of this improvement, the project impact would be reduced to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-5c will reduce impacts to Mokelumne Circle/Scott Creek Drive to less than significant levels.

**Impact:** *TRAF-5a, b, c, d, and e: The proposed project would result in unacceptable service levels or increase the delay by greater than 5 seconds at already deficient operations at five signalized intersections. This is a significant impact under Streets and Highways Goal 1.9.*

*Trinity Parkway/Consumnes Drive.* The addition of project traffic would result in LOS E during the AM peak hour and would contribute to LOS E conditions in the PM peak hour by increasing average delay 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-5d: The project applicant shall contribute its fair share towards providing an exclusive right turn lane on the eastbound approach. With implementation of this improvement, the project impact would be reduced to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-5d will reduce impacts to Trinity Parkway/Consumnes Drive to less than significant levels.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. This is considered a significant impact under Streets and Highways Goal 1.9.*

*Eight Mile Road/Regatta Lane.* The addition of project traffic would degrade operations from LOS D to LOS F during the AM peak hour.

**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-7a: The project applicant shall construct an additional eastbound through lane. Implementation of this improvement would reduce the impact to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-7a will reduce impacts to the Eight Mile Road/Regatta Lane intersection to less than significant levels.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. This is considered a significant impact under Streets and Highways Goal 1.9.*

*Eight Mile Road/Mokelumne Circle.* The addition of project traffic would degrade operations from LOS D to LOS E during the AM peak hour.

**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-7b: The project applicant shall construct an additional eastbound through lane. Implementation of this improvement would reduce the impact to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-7b will reduce impacts to the Eight Mile Road/Mokelumne Circle intersection to less than significant levels.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. This is considered a significant impact under Streets and Highways Goal 1.9.*

*Eight Mile Road/Trinity Parkway.* The addition of project traffic would degrade operations from LOS E to LOS F during the AM peak hour and worsen LOS F conditions during the PM peak hour by increasing average delay 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-7c: The project applicant shall convert a westbound through lane to a left-turn lane. Implementation of this improvement would reduce the impact to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-7c will reduce impacts to the Eight Mile Road/Trinity Parkway intersection to less than significant levels.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. This is considered a significant impact under Streets and Highways Goal 1.9.*

*Eight Mile Road/Thornton Road.* The addition of project traffic would worsen LOS F conditions during the AM and PM peak hours by increasing average delay 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-7f: The analysis assumes build-out of this intersection under future 2035 conditions. There are no additional planned or funded intersection improvements to mitigate the project impact. Measures such as providing second northbound and southbound left-turn lane would reduce the project's impact to a less than significant level, although the intersection is projected to continue operating at LOS F

during the PM peak hour. Alternatively, the project applicant can contribute to measures that would provide acceptable service levels, such as construction of a continuous flow intersection.

**Level of Significance Conclusion:** Mitigation Measure TRAF-7f will reduce impacts to the Eight Mile Road/Thornton Road intersection to less than significant levels.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. This is considered a significant impact under Streets and Highways Goal 1.9.*

*Eight Mile Road/Davis Road.* The addition of project traffic would worsen LOS F conditions during the PM peak hour by increasing average delay 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-7g: The project applicant shall either (alternative #1) construct an additional northbound left-turn lane (for a total of 2) or (alternative #2) construct an exclusive “free” southbound right-turn lane. While implementation of either of these mitigation measures would reduce the project’s impact to a less than significant level, improvement alternative #2 would still only provide LOS F conditions while improvement alternative #1 would improve LOS F conditions to LOS E conditions during the PM peak hour. The preferred mitigation measure is to implement both improvements since they minimize delay. However, since the two improvements together still result in LOS E conditions, both improvements are not required to mitigate this project’s impact on this intersection. Implementation of at least one of these improvement alternatives would reduce the impact to a less than significant level.

**Level of Significance Conclusion:** Mitigation Measure TRAF-7g will reduce impacts to the Eight Mile Road/Davis Road intersection to less than significant levels.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. 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 F conditions during the PM peak hour by increasing delay 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-7h: The project applicant shall contribute its fair share to provide an additional eastbound through lane (for a total of 3), an additional westbound through lane (for a total of 3), and an additional eastbound left-turn lane (for a total of 2). This mitigation would require acquiring additional right-of-way on Otto Drive between Trinity Parkway and Interstate 5. Implementation of this improvement would reduce the impact to a less than significant level.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-7h will reduce impacts to the Otto Drive/Trinity Parkway intersection to less than significant levels.

***Impact:***            ***TRAF-8: The proposed project would result in unacceptable roadway operations on Eight Mile Road east of I-5 and between I-5 and Trinity Parkway. This is considered a significant impact based on Streets and Highways Goal 1.3. This is the same impact as Impact TRAF-3.***

The addition of project trips would degrade Eight Mile Road east of I-5 from LOS D to LOS E and worsen LOS E conditions along Eight Mile Road between I-5 and Trinity Parkway. The total traffic on Eight Mile Road between I-5 and Trinity Parkway would increase by more than five percent. This is considered a significant 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 Measure:***

TRAF-8: Mitigation of this impact would require widening Eight Mile Road to 10-lanes from the Oak Grove Park entrance to Trinity Parkway or providing an alternative route to re-distribute traffic in the area. As part of the PA/ED for the Eight Mile Road interchange, a 10 lane cross section (including turn lanes) may be provided. A fair share contribution to this improvement would reduce the impact to a less than significant level.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-8 will reduce impacts to Eight Mile Road east of I-5 and between I-5 and Trinity Parkway to less than significant levels.

***Impact:***            ***TRAF-10: Based on the proposed roadway cross-sections, the proposed project has the potential to conflict with the City of Stockton's Traffic calming Guidelines. This is a potentially significant impact.***

The proposed Courtyard perimeter road would provide two 15-foot travel lanes, which exceed the recommended lane width of 8 to 10 feet for residential roadways.

***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-10: redesign this roadway to reduce the lane width to an acceptable level, or allow for parking. Implementation of this measure would reduce this impact to a less than significant level.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-10 will reduce impacts regarding the City of Stockton's Traffic Calming Guidelines to less than significant levels.

***Impact:***            ***TRAF-11: The project site plan does not provide sufficient detail to evaluate parking plans for the proposed project. This is considered a significant impact.***

Although the project site plan does not provide sufficient detail to evaluate parking plans, the applicant intends to meet parking requirements set forth by the City of Stockton.

***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-11: The project applicant shall provide adequate parking as required by City of Stockton Zoning Code prior to the approval of the site plan for each use within the project area. Implementation of this measure would reduce the impact to a less than significant level.

***Level of Significance Conclusion:*** Mitigation Measure TRAF-11 will reduce impacts regarding parking 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, 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 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 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, the park space. The maintenance entity would also be responsible for 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-1c: The Owners, Developers and/or Successors-in-Interest (ODS) shall reserve for public use and construct the planned neighborhood parks, mini parks, greenbelt and linear park corridors and storm drain treatment basins located within the project site. Park improvements shall be subject to the approval of the City Parks Facility Planner/Landscape Architect.

PR-1d: The ODS shall contribute Public Facility Fees, land or a combination of both in fulfillment of adopted parkland Public Facility Fee requirement

PR-1e: All walls shall be located on private property and a separate maintenance easement shall be recorded for such walls. Such easement shall be sufficient to allow for regular maintenance (i.e. graffiti removal) and shall include with width of the support footing as it extends from both sides of the wall.

PR-1f: The ODS shall construct a pedestrian/bikeway facility along the I Street and Scott Creek Street. The pedestrian/bikeway path along the street system shall comply with applicable ADA requirements, including a wheelchair linkage to all streets within the project site that terminate at the level.

PR-1g: Subdivision improvement plans shall include utility stub-outs to public park sites, subject to approval of the Parks and Recreation Department.

***Level of Significance Conclusion:*** Implementation of the above measures, combined with the concepts proposed in the PD, will reduce potential park-related impacts to less than significant.

***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 4,000 residents to the North Stockton area. This would require a subsequent increase in fire fighting personnel to provide adequate fire protection services. A fire station is proposed as part of the adjacent Westlake Villages project, and this should prevent increases to response times and level of service. The new fire station will also provide services to areas outside of the project site. However, the fire station will need to be staffed which may create a financial burden on the City. New developments tend to generate fewer fire-related calls due to the use of new materials and construction techniques in accordance with current codes. Mitigation is provided to offset 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:***

FP-1a: Prior to issuance of building permits, the project applicant shall pay development impacts 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.

FP-1c: The ODS shall install fire hydrants and water distribution facilities which will provide fire flows which are adequate to support the City's existing Class 1 ISO rating and which conform to adopted Building Code Fire Safety Standards.

***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 Crystal Bay project will increase the demand for law enforcement services.***

The proposed project would add 4,000 residents to the North Stockton area. This would require a subsequent increase in law enforcement officers (including CHP officers) to provide adequate police protection services. A police station will be built as part of the North Stockton Gateway project, just north of the project site that will help serve Crystal Bay. However, the proposed project will rely on existing police stations in the interim. Mitigation is provided to offset 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:***

PP-1a: Prior to issuance of building permits, the project applicant shall pay development impacts 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 essential to prevent criminal activity during construction.

***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 in the adjacent Westlake Villages project to serve the majority of new elementary aged children within that project site and surrounding neighborhoods. Students generated by the proposed project for middle and high school levels will be accommodated by the new 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.

SCH-1b: The ODS shall coordinate with LUSD as required to assure that adequate school facilities will be available concurrently with project-related need for such facilities, consistent with General Plan facilities Goal 2, Policies 7, 8, and 9.

***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 is planning to construct a branch library to service the northeastern portion of the City. The City's Library Master Plan does not provide provisions for a library in the northwestern section of the City. Consultation with library personnel indicated that providing adequate space within the nearby commercial portion of Spanos Park West would offset any impacts from 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 Measure:**

LIB-1a: Prior to issuance of building permits, the project applicant shall pay development impacts 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 Crystal Bay 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 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 have already been completed. The remaining infrastructure needed includes numerous smaller pipes to distribute water at appropriate pressures to all points within the system. It is expected that the water supply infrastructure will be extended from Spanos Park West and development impact fees exacted on new development projects for surface water connections would assist in financing expanded services to the proposed project. The existing water system lines in Spanos Park West have been sized to accommodate additional demand in the North Stockton area.

***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. The Department of Community Development will collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and that necessary dedications are made or secured prior to approval of Final Map. All conditions set forth in the Annexation MOU will be met by the applicant.

WSA-1b: Prior to issuance of building permits, the applicant shall provide evidence of compliance with plumbing, metering, and other water conservation measures in effect, including the 16 BMPs included in the City's Urban Water Management Plan, 1995 Update. The Department of Community Development would collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and that necessary dedications are made or secured prior to approval of Final Map.

WSA-1c: Prior to approval of improvement plans for each development unit, the applicant will perform a water system analysis of the annexation project areas utilizing methodology approved by the Municipal Utilities Department. The Department of Community Development would collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and that necessary dedications are made or secured prior to approval of Final Map.

WSA-1d: Prior to approval of the Final Map, the applicant shall design and construct all on-site and off-site water facilities to comply with the revised City Master Water Plan and the water system analysis. The Department of Community Development would collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of

Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and that necessary dedications are made or secured prior to approval of Final Map.

WSA-1e: An Integrated Water Management Plan shall be developed, and provided to the Municipal Utilities Department prior to the submission of utility master plans.

***Level of Significance Conclusion:*** Development of the proposed project would require construction of additional infrastructure to accommodate water delivery. However, the proposed mitigation measures (i.e., Mitigation Measures WSA 1a-1d) would reduce the impacts to a less than significant level.

### **UTILITIES AND SERVICE SYSTEMS**

***Impact:***            ***NPW-1: The project will utilize a non-potable water source to accommodate the project demand for non-potable water needs.***

Water solely used for irrigation of the various parks, common landscaped areas and planting strips within the public right of way will be supplied by the on-site lake and conveyed in a “purple pipe” (non-potable water) system. The lake system design would include a series of small pumps that would deliver pressurized water into the purple pipe 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:***

NPW-1: The owners, developers and/or successors-in-interest shall establish a maintenance entity, acceptable to the City of Stockton to provide funding for the operation, maintenance and replacement costs of the non-potable water distribution system.

***Level of Significance Conclusion:*** Implementation of the above measure will ensure that the non-potable water demands will be accommodated in the long-term.

***Impact:***            ***WW-1: Existing and proposed wastewater conveyance facilities are expected to have adequate capacity to meet proposed project demand.***

As mentioned in the Existing Setting, the existing sewer lines in Westlake Villages and Spanos Park West have been sized to accommodate additional demand in the North Stockton area. The project engineer (Kimley-Horn) will submit preliminary sewer plans to the City’s Municipal Utilities Department for comment. According to Kimley-Horn, the City has indicated that sufficient sewer line capacity is available to serve 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:***

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: An assessment of the 14-Mile SPS was prepared for the City that indicates the SPS does not have capacity to meet the needs of the proposed project. Therefore, the developer shall contribute a fairshare contribution to upgrade the 14-Mile SPS to ensure that the system can adequately service the proposed project. Accordingly, the City of Stockton will condition the approval of 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.

***Level of Significance Conclusion:*** Development of the proposed project would require construction of additional infrastructure on-site to accommodate wastewater collection. Payment of sewer connection fees and fairshare upgrades to the 14-Mile SPS as required by the above mitigation measures would reduce the impacts to wastewater conveyance facilities to a less than significant level.

***Impact:***            ***WW-2: Sewage demand generated by the proposed project is not expected to 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 Measure:***

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.

### **AESTHETICS/LIGHT AND GLARE**

**Impact:** *VIS-5: Implementation of the proposed project could result in potentially significant nighttime light, both during and after construction.*

After project buildout, there will be several new sources of light during nighttime hours. Glare from residential structures is not expected to be significant due to the traditional use of non-glare materials in construction, and low-intensity association with residential uses. The new light sources may negatively impact wildlife species located within, near, or traveling through the project area. However, due to the proximity of Westlake Villages and SPW and associated light sources, impacts to wildlife are not expected to be significant.

#### **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-1a: Mitigation may include prior review and approval of building materials and lighting specifications by the Crystal Bay Review Board and City Community Development Director. Downcast lighting should be used where feasible. To ensure compliance with specification set forth by the Crystal Bay Design Review Board and City Community Development Director, the applicant should maintain control over all development within the project site. This can be done through compliance with the Planned Development and conditions placed on the covenants, conditions, and restrictions established by the applicant for the development.

VIS-1b: Prior to site plan review for development, the applicant shall provide evidence to the Design Review Board that non-reflective building materials will be used. The City's Community Development Director or Architectural Review Committee shall review and approve building materials and their applications to ensure light and glare effects are minimized.

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

### **CULTURAL RESOURCES**

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

The farm identified during the field survey has been removed from the site. Therefore, construction activities will not impact the previously identified structures. However, artifacts associated with these structures and era may exist below the surface.

***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 should not collect or move any archaeological material. Fill soils that may be used for construction purposes should not contain archaeological materials.

CR-1b: If deposits of prehistoric or historic archaeological materials are encountered during the project activities, all work within 50 feet of the discovery should be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations. It is recommended that such deposits be avoided by project activities. If such deposits cannot be avoided, they should be evaluated for their significance in accordance with the California Register. If the resources are not significant, further protection is not necessary. If the resources are significant, adverse effects will need to be avoided. Upon the completion of the archaeological evaluation, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Central California Information Center and appropriate City agencies.

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

CR-1c: During grading of other invasive site construction activities, the contractor shall comply with Section 7050.5 of the California Health and Safety Code. The code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the County in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority. If human remains are encountered, work should halt within 50 feet of the find and the County Coroner notified immediately. The contractor shall also immediately notify the Community Development Director and the Secretary of the Cultural Heritage Board. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission with 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendent to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

CR-1d: If paleontological resources are identified within the project area, all work within 50 feet of the discovery should be redirected and a qualified paleontologist should be contacted to evaluate the finds and make recommendations. If the paleontological resources are found to be significant, they should be avoided by project activities. If avoidance is not feasible, adverse effects to such resources should be mitigated. Upon completion of the paleontological evaluation, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the UCMP and appropriate City agencies.

**Level of Significance Conclusion:** Because the farmhouse and associated structures have been removed, impacts to this resource will not occur. Implementation of the mitigation measures will mitigate impacts to unknown cultural or paleontological resources.

## **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.

### **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.

## **ENERGY**

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

The proposed project will need approximately 50,320 therms of natural gas and 816,000 million 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 the increase in electrical service.

### **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:**

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

EN-1b: The project shall incorporate principles of passive solar design. Passive solar design is the technology of heating, cooling, and lighting a building naturally with sunlight rather than with mechanical systems because the building itself is the system. 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. Passive solar also takes advantage of energy efficient materials, improved insulation, airtight construction, natural landscaping, and proper building orientation to take advantage of the sun, shade, and wind.

EN-1c: The project shall install reflective, *EnergyStar*<sup>TM</sup> cool roofs. Cool roofs decrease roofing maintenance and replacement costs, improve building comfort, reduce impact on surrounding air temperatures, reduce peak electricity demand, and reduce waste stream of roofing debris.

EN-1d: All residences shall be constructed to meet the requirements of the *EnergyStar*<sup>TM</sup> program for new homes. Such residences improve energy efficiency by a minimum of 15 percent as compared to residences that simply meet the Title 24 requirements. The additional efficiency is typically accomplished through the use of tight construction, energy-saving windows, improved insulation, and super-efficient heating/cooling systems.

EN-1e: Although there is not a formal *EnergyStar*<sup>TM</sup> program for non-residential buildings, all buildings to be constructed by the project could be constructed to meet the same standards as those that apply to the residential program.

EN-1f: The project shall incorporate the use of the following in all development, to the extent feasible:

- Installation of motion detectors or dimmers to control lighting;
- Installation of efficient security, street, and parking lot lighting (e.g., high pressure low sodium fixtures);
- Installation of reflective window film or awning on south and west facing windows;
- Installation of ceiling and wall insulation

***Level of Significance Conclusion:*** Implementation of the proposed mitigation measures outlined above would reduce the impact on energy service facilities 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-5: Long-term air quality impacts with localized effects.***

Long-term air emission impacts are those associated with project-related stationary and mobile sources. The proposed project would consist of residential uses. The stationary source emissions from this land use would come from its consumption of natural gas and electricity. Vehicular trips associated with the proposed project would contribute to the congestion at intersections and along roadway segments in the project vicinity. The project's emissions would exceed the SJVAPCD annual emissions thresholds.

***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: The project would result in total (vehicular and stationary) daily emissions exceeding the daily emissions thresholds established by the SJVAPCD. No feasible mitigation measures would reduce the impacts to less than significant. However, the proposed project will be required to comply with Title 24 of the California Code of Regulations established by the Energy Commission regarding energy conservation standards. The SJVAPCD has created rules and regulations related to development projects to help minimize air quality impacts. Rule 4901 puts limits on wood-burning devices in new homes to minimize particulates from wood smoke. There is a limit on the number and type of wood-burning devices allowed in new houses and residential developments. The requirements would apply to the proposed project. Based on a density ratio of more than two homes per acre, no open-hearth fireplaces would be allowed.

More recently, the SJVAPCD adopted Indirect Source Review Rule 9510. New development projects in the San Joaquin Valley are affected by this Rule which requires a 20 percent reduction in construction equipment exhaust nitrogen oxides; a 45 percent reduction of construction equipment PM<sub>10</sub>; a 33 percent reduction in operational nitrogen oxides over 10 years; and a 50 percent reduction in operational PM<sub>10</sub> over 10 years. Under the Rule, on-site mitigation can be used to achieve these reductions or an off-site fee may apply. Off-site fees reduce emissions by helping to fund clean air projects in the San Joaquin Valley.

***Level of Significance Conclusion:*** Compliance with Rule 4901 and Rule 9510 would significantly reduce project related regional emission impacts. Implementation of AIR-1 would reduce emissions to the extent feasible; however, this impact would remain significant and unavoidable.

**Impact:** *AIR-6: The proposed project would contribute to cumulative air quality impacts. Additionally, the project is not consistent with the Air Quality Attainment Plan.*

A number of individual projects in the City will be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction may result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulative air quality impacts and is unavoidable.

**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.

**Level of Significance Conclusion:** Feasible mitigation measures do not exist that would reduce these impacts to a less than significant level.

**LAND USE**

**Impact:** *LU-2: Implementation of the proposed project will lead to the conversion of agricultural lands.*

The Crystal Bay site is considered Prime Farmland. The soils mapped on the site are also prime soils and the site is actively farmed with row crops. Implementation of the project will convert this agricultural land to urban uses. This conversion runs contrary to policies set by the City and County General Plans to protect agricultural lands outside the City's boundary.

**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:**

LU-1: The applicant, owners, developers, or successors in interest shall comply with the City of Stockton's Agricultural Land mitigation Program. The applicable mitigation fee is \$9,600 per acre of land within the project site designated as Prime Farmland.

**Level of Significance Conclusion:** The proposed project will result in the conversion of agricultural lands. This represents an adverse effect on land use. The mitigation measure above does not completely offset this impact.

**Impact:** *LU-3: Implementation of the proposed project will substantially alter the character of the previous land use.*

The applicant is proposing a change in land use from agriculture to residential uses for the Planned Development Area. A General Plan Amendment is required for the portion of the site (17.6 acres) proposed for higher density residential development and an eight-acre site for a “Park and Recreation” designation.

***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.

***Level of Significance Conclusion:*** The proposed project will result in an adverse effect on land use character and intensity when compared with previous designations and land uses.

**TRAFFIC AND CIRCULATION**

***Impact:***            ***TRAF-1a through f: The project would contribute to unacceptable service levels at the following signalized intersections under Existing plus Approved Projects plus Project conditions. This is considered a significant impact and conflicts with of Streets and Highways Goals 1.8 and 1.9.***

*Eight Mile Road/I-5 Northbound Ramps.* Project traffic would degrade LOS F conditions during the PM peak hour and increasing average delay by more than 5 seconds. Additionally, project traffic increases the northbound left-turn and eastbound left-turn vehicle queues at this intersection.

***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-1b: 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’s fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project’s impact to a less than significant level at this intersection. However as these improvements are not yet identified nor fully funded, this mitigation would remain significant-and-unavoidable.

Construction of a northbound loop off-ramp would result in acceptable operations at this interchange intersection and reduce vehicle queues to a level that can be accommodate within the available storage area, reducing the project impact to a less than significant level.

***Level of Significance Conclusion:*** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

**Impact:** *TRAF-1a through f: The project would contribute to unacceptable service levels at the following signalized intersections under Existing plus Approved Projects plus Project conditions. This is considered a significant impact and conflicts with of Streets and Highways Goals 1.8 and 1.9.*

*Hammer Lane/Mariners Drive.* This intersection is projected to operate at LOS F conditions during both the AM and PM peak hours. Project traffic would increase the average delay by more than 5 seconds 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-1f: 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's fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project's impact to a less than significant level at this intersection. However as these improvements are not yet identified nor fully funded, this mitigation 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 the provision of two left-turn lanes and a shared left-through-right-turn lane on the southbound approach by re-striping the approach, in addition to signal modifications. With implementation of this mitigation measure, the impact would be reduced to a less than significant level.

**Level of Significance Conclusion:** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

**Impact:** *TRAF-4: The proposed project would cause the operation of two freeway segments to operate at unacceptable service level. This is considered a significant impact under Streets and Highways Goal 1.8 and 1.9.*

The addition of project traffic would result in LOS F conditions for the northbound I-5 south of Hammer Lane during the PM peak hour and LOS E for the southbound I-5 south of Hammer Lane during both the AM and PM peak hours. The project would increase the total traffic on I-5 south Hammer Lane in the southbound direction by more than five percent in the AM peak hour and in the northbound direction, south of Hammer Lane in 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-4: Widening of I-5 to provide four mixed-flow travel lanes per direction would reduce this impact to a less than significant level, as shown in Table 4.7.P. 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:** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

**Impact:** *TRAF-5a, b, c, d, and e: The proposed project would result in unacceptable service levels or increase the delay by greater than 5 seconds at already deficient operations at five signalized intersections. This is a significant impact under Streets and Highways Goal 1.9.*

*Eight Mile Road/I-5 Northbound Ramps.* The addition of project traffic would further degrade LOS E conditions during the PM peak hour to 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-5b: Implement Mitigation Measure TRAF-1c. However as these improvements are not yet identified nor fully funded, this impact would remain significant-and-unavoidable.

**Level of Significance Conclusion:** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

**Impact:** *TRAF-5a, b, c, d, and e: The proposed project would result in unacceptable service levels or increase the delay by greater than 5 seconds at already deficient operations at five signalized intersections. This is a significant impact under Streets and Highways Goal 1.9.*

*Hammer Lane/I-5 Northbound Ramps.* Project traffic would result in LOS E conditions 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-5e: A Project Application/Environmental Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project's fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project's impact to a less than significant level at this intersection. However as these improvements are not yet identified nor fully funded, this mitigation would remain significant-and-unavoidable.

Although the ultimate configuration for this intersection will be determined through the PA/ED process, construction of an additional northbound left-turn would provide acceptable future 2025 operations with the project. With implementation of this mitigation measure, the impact would be reduced to a less than significant level.

***Level of Significance Conclusion:*** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

***Impact:***        ***TRAF-6: The proposed project would degrade operations on four freeway segments. This is considered a significant impact under Streets and Highways Goal 1.8 and 1.9.***

The addition of project traffic would degrade freeway operations from LOS E to LOS F for northbound I-5 south of Hammer Lane (PM peak hour) and southbound I-5 south of Hammer Lane (AM peak hour). In addition, project traffic would degrade LOS D conditions to LOS E along southbound I-5 south of Hammer Lane 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-6: Implement Mitigation Measure TRAF-4. Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant-and-unavoidable.

***Level of Significance Conclusion:*** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. This is considered a significant impact under Streets and Highways Goal 1.9.*

*Eight Mile Road/I-5 Southbound Ramps.* The addition of project traffic would degrade operations from LOS E to LOS F during the AM peak hour and worsen LOS F conditions during the PM peak hour by increasing 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-7d: A Project Analysis/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's fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project's impact to a less than significant level at this intersection. However as these improvements are not yet identified nor fully funded, this mitigation would remain significant-and-unavoidable.

Should construction of the planned interchange improvements be scheduled for completion subsequent to project completion, the project applicant shall pay its fair share contribution to construct two additional westbound through lanes and one additional eastbound right-turn lane at this intersection as an interim improvement. The General Plan Update may allow for LOS E at this location; therefore, with implementation of this interim improvement, the intersection would operate at acceptable levels of service and this impact would be reduced to a less than significant level.

**Level of Significance Conclusion:** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

**Impact:** *TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. 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 worsen LOS F conditions during the PM peak hour by increasing 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-7e: Implement Mitigation Measure TRAF-1c. However as these improvements are not yet identified nor fully funded, this mitigation would remain significant-and-unavoidable.

Construction of a northbound loop off-ramp would result in acceptable operations at this interchange intersection and reduce vehicle queues to a level that can be accommodated within the available storage area, reducing the project impact to a less than significant level.

***Level of Significance Conclusion:*** Because the improvement is not fully funded, its implementation cannot be assured and this impact would remain significant and unavoidable.

**HOUSING/POPULATION/SOCIOECONOMICS**

***Impact:***           ***HPS-6: Development of the project site may result in substantial population growth.***

The proposed project would add approximately 4,000 residents to the City of Stockton population. Based on a 2003 population of 261,253, the proposed project would increase the City's population to 265,253. This constitutes an approximate 2 percent increase in the City's population. This represents a significant population growth since this area was not considered in planning projections of 2-4% growth rates. In light of these findings, the project may result in a substantial population growth.

***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.

***Level of Significance Conclusion:*** This impact is significant and unavoidable. No feasible mitigation exists to offset this impact.

## **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 Residential Density  
Alternative 3 - All Conventional Housing

These Alternatives are summarized below:

### ***Alternative 1: No Project Alternative***

The CEQA-required No Project Alternative would retain the site in its current condition, namely agricultural and fallow lands. 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, land use, population, and traffic. All these impacts are avoided with the No Project Alternative due to 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. The No Project Alternative is considered an environmentally superior alternative.

### ***Alternative 2: Low Density Residential***

The Low Density Alternative would consist of single family homes at a density of one unit per acre. This alternative would have 1,270 fewer units than the proposed project, resulting in 173 single family homes. All other project uses would remain the same. The Low Density Alternative would have fewer impacts than the proposed project but does not eliminate adverse impacts. Impacts to public services would be reduced due to fewer individuals and vehicles generated under this alternative. The severity of impacts to air quality, land use, traffic, and population, while similar to the proposed project, will likely be reduced. Overall the Low Density Alternative is an environmentally superior alternative.

### ***Alternative 3: All Conventional Housing***

The All Conventional Housing Alternative would consist of approximately 700 single family homes at a density of four units per acre. All other project uses would remain the same. The All Conventional Housing Alternative would have fewer impacts than the proposed project but does not eliminate adverse impacts. Impacts to public services would be reduced due to fewer individuals and vehicles generated under this alternative. The severity of impacts to air quality, land use, traffic, and population, while similar to the proposed project, will likely be reduced. Overall the All Conventional Housing Alternative is an environmentally superior alternative.

## 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 Crystal Bay 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 Crystal Bay 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 Crystal Bay development 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 13.1 acres of parkland that will be dedicated as part of the proposed project. This includes an 8-acre community park, which will include a pool complex, tot-lot, and open areas for play fields. The project will also include five mini parks with a total of 5.1 acres. In addition to the park dedication, the proposed project also includes 8.7 acres of levee/open space adjacent to Bishop Cut and a 7.2 acre lake.

**Infill south of Eight Mile Road.** The proposed project will be constructed on the only remaining undeveloped parcel south of Eight Mile Road and west of Interstate 5. Since no development can occur west of Bishop Cut, due to the Primary Zone of the Delta, this parcel is unique as the only remaining undeveloped land within this geographic subarea, south of Eight Mile Road (historic northerly limit of development for the City of Stockton). The City Council finds that infill of this area is important to the continuity of the area; particularly since development projects are currently under construction at the adjacent Westlake Villages site.

**EXHIBIT E**  
**MITIGATION MONITORING AND REPORTING PROGRAM**

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

**PROJECT DATA**

**KEY**

<p>EIR FILE NO.: 6-05 FINAL ENVIRONMENTAL IMPACT REPORT State Clearinghouse No. 2007032116</p>	<p>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)</p>
<p>Lead Agency: City of Stockton Community Development Department 345 North El Dorado Street Stockton, CA 95202 (209) 937-8266</p>	
<p>Project Title: Crystal Bay Project Description/Location: The project proposes a General Plan Amendment, Rezoning, Planned Development, Vesting Tentative Map, Eight Mile Road Precise Road Plan amendment, and annexation of three parcels comprising the 173 + acre project site. The proposed project consists of residential uses at a variety of densities. The development plan consists of residential uses that are generally defined by major circulation roads, and a project created lake. The community is anticipated to include approximately 1,343 total units, consisting of four residential product types: traditional single family units; small lot, cluster type development or courtyard units; and high-density residential units. The lake will provide for storm water detention, treatment and a source of non-potable water for landscape irrigation. Runoff will flow from the Crystal Bay Lake into the lake planned at Westlake Villages prior to discharging into Disappointment Slough. A total of 13.1 acres of parkland will be dedicated as part of this proposed project.</p> <p>The Planned Development Area contains approximately ±173 acres, located within the San Joaquin County near the northwest portion of the City of Stockton, California. The project site is bounded to the north by Eight Mile Road, to the south and east by Westlake Villages (an approved residential development), and to the west by Bishop Cut and Rio Blanco Road.</p>	

**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.

**Crystal Bay – 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
<b>GEOPHYSICAL RESOURCES</b>						
<i>GEO-1: Development of the project site would include substantial grading activities that could result in soil erosion</i>						
MUD	Director	Prior to the approval of the improvement plans	GEO-1a: Prior to approval of the improvement plans for site development, the project applicant will submit an erosion control plan to the Director of 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 also comply with applicable State and City codes and 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-1b: 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 (RWCQB) regarding compliance with National Pollutant Discharge Elimination System (NPDES) General Construction permit requirements.	Notice of Intent	LS	Pg. 4-8
<b><i>GEO-2: Implementation of the proposed project would expose people and structures to major seismic hazards</i></b>						
SCDD	Director	Prior to approval of the building plans	GEO-2: 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 and liquefaction. Plans for all structures shall be reviewed and approved by the Building Division prior to approval of the building plans and building permits. This report will include:  1. An analysis of seismic hazards anticipated at the project site from regional faults. 2. 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. 3. The project applicant will 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 determined in the seismicity report.	Seismicity Report	LS	Pg. 4-8
<b><i>GEO-3: Project implementation may encounter groundwater or soil conditions during grading that could affect structural support and suitability</i></b>						
SCDD	Director	Prior to approval of the building plans	GEO-3a: The site specific geotechnical study prepared for the proposed project site provides information on the suitability of excavated material as engineered fill. The study also provides recommendations for treating onsite	Site Specific Geotechnical Study	LS	Pg. 4-8

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>soils and alternatives to using onsite soils as engineered fill. The geotechnical study should be amended to include the following:</p> <ul style="list-style-type: none"> <li>• Specify measures for reuse or disposal of excavated material.</li> <li>• The time between excavation and reuse of excavated material should be minimized. Provisions for adequate stockpile coverage and protection from wind and water erosion during the entire storage period.</li> <li>• Include specific information regarding the eventual reuse or disposal site, transportation methods, disposal reuse management and schedule.</li> </ul>			
SCDD	Director	Prior to construction	<p>GEO-3b: To mitigate potential impacts of expansive soils, construction of the proposed project should consider use of post tensioned slab foundations designed to resist and/or span the expansive soils. Other options are provided in the geotechnical report. The geotechnical study provided in Appendix D provides specific information regarding various construction options for building on expansive soils and drainage considerations. Homeowners should be made aware of the risks associated with expansive soils and the importance of maintaining positive drainage to convey water away from structures. Homeowners should also be made aware that potential man-made water sources such as pipes, drains, pools, ponds should be tested periodically and/or examined for signs of leakage or damage.</p>	Engineering Improvement Plans	LS	Pg. 4-8
SCDD	Director	Prior to construction	<p>GEO-3c: To mitigate potential impacts of compressible soils, construction of the proposed project should consider using post tensioned slab foundations or</p>	Engineering Improvement Plans	LS	Pg. 4-8

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			replacing this soil material with engineered fill. The geotechnical study provided in Appendix D provides specific information regarding various construction options for building on compressible soils.			
SCDD	Director	Prior to construction	GEO-3d: The geotechnical study recommends the installation of permanent dewatering systems to mitigate the high ground water levels on the project site. Additionally, "toe" drains should be installed along levees to prevent "underseepage." Construction dewatering should also be implemented to ensure stable construction.	Engineering Improvement Plans	LS	Pg. 4-8
SCDD	Director	Prior to and during construction	GEO-3e: Further testing should be performed prior to and during construction of the liners for the onsite lakes. The technical study presented in Appendix D provides additional recommendations for construction of the onsite lakes. The study also recommends hiring a lake construction consultant to provide the final lake design.	Results of Testing	LS	Pg. 4-8
SCDD	Director	Prior to the issuance of building permits	GEO-3f: The geotechnical study provides site specific recommendations and alternatives for mitigating potential impacts. Prior to the issuance of building permits for site development, the project applicant shall submit the geotechnical study to the Director of Community Development Department for approval. This consultation and approval process will ensure that the construction methods and alternatives provided within the study are viable for mitigating potential geophysical constraints of the site.	Engineering Improvement Plans	LS	Pg. 4-8
<b>AIR QUALITY</b>						
<b><i>AIR-4: The project may Conflict with adopted environmental plans, policies, or regulations for air pollutants.</i></b>						
SCDD	Director	Issuance of Building Permits	AIR-1: The following measures shall be incorporated into the design and operation of the proposed project;	Engineering Improvement Plans	LS	Pg. 4-37

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<ul style="list-style-type: none"> <li>• Energy-efficient design shall be provided for homes and buildings, including automated control systems for heating and air conditioning and energy efficiency beyond title 24 requirements, lighting controls and energy-efficient lighting in buildings, increased insulation beyond Title 24 requirements, and light-colored roof materials to reflect heat.</li> <li>• 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.</li> <li>• Plant deciduous trees on the south- and west-facing sides of buildings.</li> <li>• Plant trees adjacent to all sidewalks thirty foot on center and at a ratio of one tree for each parking space. Structural soil shall be used under paved areas to improve tree growth in locations where street trees are located or planned.</li> <li>• The City shall implement measures to reduce the amount of vehicle traffic to and from the project area to further reduce air pollution in the valley. This could include provisions such as encouraging employees to rideshare or carpool to the project site, or incentives for employees to use alternative transportation.</li> <li>• If transit service is available to the project site, improvements shall be made to encourage its use. If transit service is not currently available but is planned for the area in the future, easements shall be reserved to provide for future improvements. These include bus turnouts, loading areas, route signs, and shade structures. Pedestrian access shall be directed to the main entrance</li> </ul>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>of the project from existing or potential public transit stops, and appropriately designed sidewalks shall be provided. Such access shall consist of paved walkways or ramps and shall be physically separated from parking areas and vehicle access routes. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project.</p> <ul style="list-style-type: none"> <li>• Sidewalks and bicycle paths shall be provided throughout as much of the project as possible and connect to any nearby open space areas, parks, schools, and commercial areas to encourage walking and bicycling. Connections to nearby public uses and commercial areas shall be made as direct as possible to promote walking for some trips. Sidewalks and bikeways shall be designed to separate pedestrian and bicycle pathways from vehicle paths. Sidewalks and bikeways shall be designed to accommodate and be appropriately sized for anticipated future pedestrian and bicycle use. Such 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. Pedestrian walkways shall be created to connect all buildings throughout the project. The walkways shall create a safe and inviting walking environment for people wishing to walk from one building to another. Walkways shall be installed to direct pedestrians from the street sidewalk to the buildings. Safe and convenient pathways shall be provided for pedestrian movement in large parking lots. Mid-block paths shall be installed to facilitate pedestrian movement through long blocks and cul-de-sacs. Sidewalks shall be designed for high visibility (brightly painted, different color of</li> </ul>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>concrete, etc.) when crossing parking lots, streets, and similar vehicle paths. Pathways through the project shall be built in anticipation of future growth/development.</p> <ul style="list-style-type: none"> <li>• Exits to adjoining streets shall be designed to reduce time to re-enter traffic from project site.</li> <li>• Efficient interior circulation and pedestrian access within the project area and logical connection points for future development on the surrounding properties shall be provided.</li> <li>• Measures shall be implemented to reduce the amount of vehicle traffic to and from the residential areas that further reduce air pollution in the SJVAB. This could include providing an information center for residents to coordinate carpooling.</li> </ul> <p>The project applicant shall incorporate the following in building plans:</p> <p>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.</p>			
<b><i>AIR-5: Long term air quality impacts with localized effects.</i></b>						
SCDD	Director	Prior to the issuance of building permits and during construction	AIR-2: The project would result in total (vehicular and stationary) daily emissions exceeding the daily emissions thresholds established by the SJVAPCD. No feasible mitigation measures would reduce the impacts to less than significant. However, the proposed project will be required to comply with Title 24 of the California Code of Regulations established by the Energy Commission regarding energy conservation standards. The SJVAPCD	Compliance with Title 24 and the Indirect Source Review Rule 9510; payment of fees	SU	Pg. 4-37

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>has created rules and regulations related to development projects to help minimize air quality impacts. Rule 4901 puts limits on wood-burning devices in new homes to minimize particulates from wood smoke. There is a limit on the number and type of wood-burning devices allowed in new houses and residential developments. The requirements would apply to the proposed project. Based on a density ratio of more than two homes per acre, no open-hearth fireplaces would be allowed.</p> <p>More recently, the SJVAPCD adopted Indirect Source Review Rule 9510. New development projects in the San Joaquin Valley are affected by this Rule which requires a 20 percent reduction in construction equipment exhaust nitrogen oxides; a 45 percent reduction of construction equipment PM10; a 33 percent reduction in operational nitrogen oxides over 10 years; and a 50 percent reduction in operational PM10 over 10 years. Under the Rule, on-site mitigation can be used to achieve these reductions or an off-site fee may apply. Off-site fees reduce emissions by helping to fund clean air projects in the San Joaquin Valley.</p>			
<b>WATER RESOURCES</b>						
<b><i>FC-2: The proposed project will increase the amount of impermeable surfaces which will increase site runoff quantities.</i></b>						
SCDD	Director	Prior to the issuance of building permits	FC-1a: Prior to issuance of building permits for new development, the applicant shall provide evidence to the Director of Community Development Department that flood assessments have been paid.	Written evidence of paid assessments	LS	Pg. 4-46
MUD and SPWD	Director	Prior to approval of Final Map	FC-1b: Prior to the filing of any parcel map or final map, storm drainage analysis or plans demonstrating that the onsite lake and stormwater runoff from the project can be adequately conveyed shall be reviewed and approved by	Storm drainage analysis or plans	LS	Pg. 4-46

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			the City of Stockton Department of MUD, City of Stockton Parks and Recreation, and the Public Works Department.			
<b><i>WQ-1: Project implementation could result in the potential degradation of water quality during project construction and operation.</i></b>						
MUD	Director	Prior to issuance of the grading permits	WQ-1a: 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.	Written evidence	LS	Pg. 4-46
MUD	Director	During construction	WQ-1b: The project applicant will comply with the applicable water quality and storm drainage discharge requirements consistent with any waste discharge or water quality certification requirements authorized by the RWQCB. A Water Quality Certification may also be required.	Compliance with any waste discharge or water quality certification requirements authorized by the RWQCB	LS	Pg. 4-46
SCDD	Director	Prior to the filing of any parcel map or final map	WQ-1c: This project shall comply with the Stockton Municipal Code Section 7-859, Storm Water Quality Control Criteria Plan and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2002-0181). The Owners, Developers, and/or Successors-in-Interest (ODS) shall establish a maintenance entity acceptable to the City to provide funding for operation, maintenance, and replacement costs of storm water best management. In addition, ODS shall create a new zone within the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, prior to the filing of any parcel map or final map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management	Compliance with the Stockton Municipal Code Section 7-859 and City NPDES Permit	LS	Pg. 4-46

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			practices.			
MUD	Director	Prior to approval of Engineering Improvement Plans	WQ-1d: Storm water runoff shall be treated in conformance with the City's Storm Water Quality Control Criteria Plan prior to any discharge into the Westlake Villages.	Compliance with the City's Storm Water Quality Control Criteria Plan	LS	Pg. 4-46
MUD	Director	Prior to filing any parcel map or final map	WQ-1e: Prior to filing any parcel map or final map, Crystal Bay shall demonstrate to the satisfaction of the Municipal Utilities Department that discharge of storm drainage into the Westlake Villages storm drain system will not adversely impact the storm water quality or storm water detention and/or discharge characteristics of the Westlake Villages storm drainage system.	Demonstrate stormwater will not adversely impact existing systems	LS	Pg. 4-46
MUD	Director	Prior to filing any parcel map or final map	WQ-1f: Prior to filing any parcel map or final map, Crystal Bay and Westlake Villages shall enter a City approved agreement permitting Crystal Bay to discharge treated storm water into Westlake Villages lake and water quality treatment system. The agreement shall stipulate privileges, responsibilities, compensation, and remedies.	Approved City agreement	LS	Pg. 4-46
SPRD	Director	Prior to approval of Engineering Improvement Plans	WQ-1g: The lake edge treatment improvements adjacent to the Neighborhood Park shall be subject to review and approval by the City Parks and Recreation Department.	Review and approval of lake edge treatments	LS	Pg. 4-46
<b>BIOLOGICAL RESOURCES</b>						
<b><i>BR-1: Implementation of the project could affect several special status species that could occur on the project site.</i></b>						
SCDD	Director	Prior to construction	BR-1: Impacts to habitat for special status plant and animal species covered under the SJMSCP require payment of mitigation fees. The project shall implement the SJMSCP conservation strategy, which includes one or a combination of two or more of the following options to provide compensation pursuant to the SJMSCP:	Implementation of the SJMSCP conservation strategy; payment of SJMSCP fees	LS	Pg. 4-63

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>a) Pay the appropriate fee as indicated in the SJMSCP; or            b) Dedicate, as conservation easements or fee title, or in-lieu dedications; or            c) Purchase approved mitigation bank credits; or            d) Prepare an alternative mitigation plan, consistent with the goals of the SJMSCP and equivalent in biological value to options A, B, and C above, subject to approval by the JPA with the concurrence of the Permitting Agencies' representatives on the TAC.</p> <p>Once the applicant selects from these options, additional interaction with SJCOG will be required. This includes a biologist on-call with SJCOG conducting a survey of the project site to confirm findings from prior biological surveys. The biologist will collect information relating to the project site such as habitat type and potential presence of covered species. This information will be used to formulate Incidental Take Minimization Measures for the project applicant consistent with the SJMSCP. Focused wildlife and plant surveys, including preconstruction surveys, are not conducted by the SJCOG biologist, but are the responsibilities of the project applicant. The preconstruction survey must be conducted prior to the submittal of any building permits within Planned Development project area.</p>			
<b><i>BR-2: Implementation of the project could impact northern harrier.</i></b>						
SCDD	Director	Prior to construction	BR-2: Direct take of nesting northern harriers would be in violation of the Fish and Game Code and MBTA, and this species is covered under the SJMSCP. The following mitigation measures are consistent with the SJMSCP Incidental Take Minimization Measures for northern	Implementation of the SJMSCP conservation strategy; payment of	LS	Pg. 4-63

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>harrier, and the provisions of the MBTA.</p> <ol style="list-style-type: none"> <li>1. Prior to issuance of a grading permit, the project proponent shall implement the SJMSCP conservation strategy, as described in Mitigation Measure BR-1, to provide compensation pursuant to the SJMSCP.</li> <li>2. If project construction is to begin during the nesting season (March 1 - September 15), all suitable nesting habitat on the project site and within 500 feet of the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. Surveys shall be conducted no more than 14 days prior to the start of work.</li> <li>3. A setback of 500 feet from nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave the nest. 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.</li> </ol>	SJMSCP fees		
<b><i>BR-3: Implementation of the project could impact burrowing owls.</i></b>						
SCDD	Director	Prior to construction	<p>BR-3: Direct take of nesting burrowing owls would be in violation of the Fish and Game Code and MBTA, and burrowing owl is a covered species under the SJMSCP. The following mitigation measures are consistent with the SJMSCP Incidental Take Minimization Measures for burrowing owl and the provisions of the MBTA.</p> <ol style="list-style-type: none"> <li>1. Prior to issuance of a grading permit, the project proponent shall implement the SJMSCP conservation</li> </ol>	Implementation of the SJMSCP conservation strategy; payment of fees	LS	Pg. 4-63

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>strategy, as described in Mitigation Measure BR-1, to provide compensation pursuant to the SJMSCP.</p> <p>2. No more than 30 days prior to any ground disturbing activities, a qualified biologist shall conduct surveys for burrowing owls. If ground disturbing activities are delayed or suspended for more than 30 days after the initial preconstruction surveys, the site shall be resurveyed. All surveys shall be conducted in accordance with CDFG's Staff Report on Burrowing Owls (CDFG 1995).</p> <p>3. If the preconstruction surveys identify burrowing owls on the site during the non-breeding season (September 1 through January 31), burrowing owls occupying the project site shall be evicted from the project site by passive relocation as described in the CDFG's Staff Report on Burrowing Owls (CDFG 1995).</p> <p>4. If the preconstruction surveys identify burrowing owls on the site during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and shall be provided with a 250-foot protective buffer. The buffer shall be maintained until the SJMSCP Technical Advisory Committee (TAC), with the concurrence of CDFG representatives on the TAC, or a qualified biologist approved by CDFG, 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(s) can be destroyed.</p>			
<b>BR-4: Implementation of the project could impact loggerhead shrikes.</b>						
SCDD	Director	Prior to construction	BR-4: Direct take of nesting loggerhead shrikes would be in violation of the Fish and Game Code and MBTA.	Implementation of the SJMSCP	LS	Pg. 4-63

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>Loggerhead shrike is a covered species under the SJMSCP. The following mitigation measures are consistent with the SJMSCP Incidental Take Minimization Measures for loggerhead shrike and the provisions of the MBTA.</p> <ol style="list-style-type: none"> <li>1. Prior to issuance of a grading permit, the project proponent shall implement the SJMSCP conservation strategy, as described in Mitigation Measure BR-1, to provide compensation pursuant to the SJMSCP.</li> <li>2. If project construction is to begin during the nesting season (March 1 - September 15), all suitable nesting habitat on the project site and within 100 feet of the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. Surveys shall be conducted no more than 14 days prior to the start of work</li> <li>3. A 100-foot setback from 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.</li> </ol>	<p>conservation strategy; payment of fees</p>		
<b><i>BR-5: Implementation of the project could impact giant garter snake.</i></b>						
SCDD	Director	Prior to Construction	<p>BR-5: The following mitigation measures consistent with those listed in the SJMSCP for giant garter snake shall be adhered to where applicable.</p> <ol style="list-style-type: none"> <li>1. The project shall implement the SJMSCP conservation strategy, which includes payment of appropriate fees to SJCOG for conversion of undeveloped lands and implementation of the Incidental Take Minimization</li> </ol>	<p>Implementation of the SJMSCP conservation strategy; payment of fees</p>	LS	Pg. 4-63

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>Measures for giant garter snake, as described below. Documentation of fee payment shall be provided to the USFWS prior to the start of construction.</p> <p>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.</p> <p>3. Limit vegetation clearing within 200 feet of the banks of potential giant garter snake aquatic habitat to the minimal area necessary.</p> <p>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.</p> <p>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.</p> <p>6. In areas where wetlands, irrigation ditches, marsh areas or other potential giant garter snake habitats are being retained on the site:</p> <ul style="list-style-type: none"> <li>a. Install temporary fencing at the edge of the construction area and the adjacent wetland, marsh, or ditch;</li> <li>b. Restrict working areas, spoils and equipment storage and other project activities to areas outside of marshes, wetlands and ditches; and</li> <li>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</li> </ul>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>equivalents.</p> <p>7. If on-site wetlands, irrigation ditches, marshes, etc. is 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 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</p>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>disturbed during construction shall be restored following the “Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat” outlined below.</p> <p>a. The disturbed area shall be regraded to its preexisting contour and ripped, if necessary, to decompact the soil.</p> <p>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 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</i> sp.), 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>In addition to the above measures, the following avoidance and minimization measures shall also be implemented:</p> <p>13. All construction shall be conducted during daylight hours.</p> <p>14. Measures consistent with the current Caltrans’ Construction Site Best Management Practices (BMPs) Manual (including the Storm Water Pollution Prevention</p>			

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			Plan [SWPPP] and Water Pollution Control Program [WPCP] Manuals [ <a href="http://www.dot.ca.gov/hq/construc/Construction_Site_BMPs.pdf">http://www.dot.ca.gov/hq/construc/Construction_Site_BMPs.pdf</a> ] shall be implemented to minimize effects to giant garter snake (e.g., siltation, etc.) during construction			
<b>BR-6: Implementation of the project could impact wetlands.</b>						
SCDD	Director	Prior to construction	BR-6: 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 0.86 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.	Implementation of the SJMSCP conservation strategy; payment of fees	LS	Pg. 4-63
<b>NOISE</b>						
<b>NOI-1: The project could create short-term construction related impacts.</b>						
SCDD	Director	During construction	NOI-1a: Temporary noise impacts resulting from project construction shall be minimized by restricting hours of operation noise-generating equipment to 7:00 a.m. to 7:00 p.m. Monday through Saturday when such equipment is to be used near noise-sensitive land uses. No construction activities shall occur on Sundays or national holidays.	Compliance with noise-reduction measures	LS	Pg. 4-84
SCDD	Director	During	NOI-1b: All construction equipment shall be fitted with	Compliance with	LS	Pg. 4-84

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		construction	factory equipped mufflers, and shall be maintained in good working order, at all times.	noise-reduction measures		
<b><i>NOI-2: Impacts from vehicular traffic could exceed the City's noise standards for sensitive receptors</i></b>						
SCDD	Director	Prior to issuance of Bldg Permits	NOI-2a: Residential structures located within 953 feet of the centerline of Eight Mile Road shall be equipped with mechanical ventilation, such as air conditioning, to ensure that windows and doors can remain closed for prolonged periods of time.	Building Plans	LS	Pg. 4-84
SCDD	Director	Prior to approval of Engineering Improvement Plans	NOI-2b: A sound barrier with shall be required to protect outdoor active use areas such as backyards, patios, and balconies associated with on-site residential land uses along of Eight Mile Road as follows: <ul style="list-style-type: none"> <li>• Outdoor active use areas within 280 feet of the centerline of Eight Mile Road that don't have intervening structures shall have a wall with a minimum height of eight feet.</li> <li>• Outdoor active use areas within 601 feet of the centerline of Eight Mile Road that don't have intervening structures shall have a wall with a minimum height of six feet.</li> </ul>	Sound barrier	LS	Pg. 4-84
SCDD	Director	Prior to issuance of Bldg Permits	NOI-2c: Building façade upgrades, such as double paned windows, shall be required to meet the City's interior noise standard for the residential structures located within 154 feet of the centerline of Eight Mile Road.	Building Plans		Pg. 4-84
<b>LAND USE</b>						
<b><i>LU-2: Implementation of the proposed project will lead to the conversion of agricultural lands.</i></b>						
SCDD	Director	Prior to approval of Final map	LU-1: The applicant, owners, developers, or successors in interest shall comply with the City of Stockton's Agricultural Land mitigation Program. The applicable mitigation fee is \$9,600 per acre of land within the project site designated as Prime Farmland.	Payment of fees	SU	Pg. 4-128
<b>TRAFFIC AND CIRCULATION</b>						

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
<b><i>TRAF-1a through f: The project would contribute to unacceptable service levels at the following signalized intersections under Existing plus Approved Projects plus Project conditions. This is considered a significant impact and conflicts with of Streets and Highways Goals 1.8 and 1.9.</i></b>						
SPWD	Director	Prior to the approval of Engineering Improvement Plans	TRAF-1a: The project applicant shall construct an additional eastbound through lane (for a total of three). This improvement is consistent with the Eight Mile Road Specific Plan.	Engineering Improvement Plans	LS	Pg. 4-227
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-1b: 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's fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project's impact to a less-than-significant level at this intersection.	Pay fair share fees	SU	Pg. 4-227
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-1c: The project applicant shall contribute their fair share to construct a second eastbound through lane through the intersection (Note: In the eastbound direction, a right-turn lane is currently provided. For this mitigation, the right-turn lane could be converted to a shared through/right-turn lane), an additional westbound through lane (for a total of 2), and an additional westbound left-turn lane (for a total of 2). These improvements are consistent with the Eight Mile Road Specific Plan, which calls for the eventual provision of eight lanes on Eight Mile Road. With implementation of this mitigation measure, the impact would be reduced to a less than significant level, as shown in Table 4.7.O. Implementation of this measure would also reduce vehicle queue spillback at this intersection.	Pay fair share fees	LS	Pg. 4-227

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	TRAF-1d: The project applicant shall contribute its fair share to construct an additional eastbound through lane (for a total of 2), an additional westbound through lane (for a total of 2), and a second eastbound left-turn lane (for a total of 2). These improvements are consistent with the Eight Mile Road Specific Plan. With implementation of this mitigation measure, the impact would be reduced to a less than significant level, as shown in Table 4.7.O.	Pay fair share fees	LS	Pg. 4-227
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-1e: The project applicant shall contribute its fair share to modify the eastbound approach to provide a left turn lane, a through lane and a right-turn only lane. This improvement is consistent with the Eight Mile Road Specific Plan.	Pay fair share fees	LS	Pg. 4-227
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-1f: 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's fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project's impact to a less-than-significant level at this intersection.	Pay fair share fees	SU	Pg. 4-227
<b><i>TRAF-2a: The proposed project would contribute to unacceptable service levels at the following unsignalized intersection. This is considered a significant impact under Streets and Highways Goals 1.8 and 1.9.</i></b>						
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-2a: The project applicant shall contribute their fair share to the signalization of this intersection. This improvement is consistent with the Eight Mile Road Specific Plan.	Pay share fair fees	LS	Pg. 4-227
<b><i>TRAF-3: The proposed project would worsen unacceptable roadway operations on Eight Mile Road between I-5 and Trinity Parkway. This is considered a</i></b>						

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
<b><i>significant impact based on Streets and Highways Goal 1.3 and 1.9.</i></b>						
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-3: Mitigation of this impact would require constructing ten lanes on Eight Mile Road between I-5 and Trinity Parkway or providing an alternative route to re-distribute traffic in the area. Future improvements would provide a ten lane cross section, including turn lanes, on this portion of Eight Mile Road.	Pay share fair fees	LS	Pg. 4-227
<b><i>TRAF-4: The proposed project would cause the operation of two freeway segments to operate at unacceptable service level. This is considered a significant impact under Streets and Highways Goal 1.8 and 1.9.</i></b>						
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-4: Widening of I-5 to provide four mixed flow travel lanes per direction would reduce this impact to a less than significant level. 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.	Pay share fair fees	SU	Pg. 4-227
<b><i>TRAF-5a, b, c, d, and e: The proposed project would result in unacceptable service levels or increase the delay by greater than 5 seconds at already deficient operations at five signalized intersections. This is a significant impact under Streets and Highways Goal 1.9.</i></b>						
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-5a: The project applicant shall contribute its fair share to re-stripe the northbound approach to provide a share left-turn/right-turn lane and an exclusive right-turn lane, in addition to signal modifications.	Pay fair share fees	LS	Pg. 4-227
SPWD	Director	Prior to the approval of Final Map	TRAF-5c: The project applicant shall provide for an exclusive southbound right-turn lane.	Engineering Improvement Plans	LS	Pg. 4-227
SPWD	Director	Prior to the approval of engineering Improvement Plans	TRAF-5d: The project applicant shall contribute its fair share towards providing an exclusive right turn lane on the eastbound approach. With implementation of this improvement, the project impact would be reduced to a less-than-significant level, as shown in Table 4.7.U.	Pay fair share fees	LS	Pg. 4-227
SPWD	Director	Prior to the	TRAF-5e: A Project Application/ Environmental	Pay fair share	SU	Pg. 4-227

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		approval of Final Map	Document (PA/ED) is currently being prepared for interchanges on I-5 including the I-5/Hammer Lane interchange. An improved intersection configuration with the goal of providing acceptable service levels will be identified through the PA/ED process. The project's fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project's impact to a less-than-significant level at this intersection.	fees		
<b><i>TRAF-7a through h: The proposed project would worsen the operation of the following signalized intersections projected to operate at deficient service levels prior to the addition of project traffic or result in unacceptable service levels. This is considered a significant impact under Streets and Highways Goal 1.9.</i></b>						
SPWD	Director	Prior to the approval of Final Map	TRAF-7a: The project applicant shall construct an additional eastbound through lane.	Engineering Improvement Plans	LS	Pg. 4-227
SPWD	Director	Prior to the approval of Final Map	TRAF-7b: The project applicant shall construct an additional eastbound through lane.	Engineering Improvement Plans	LS	Pg. 4-227
SPWD	Director	Prior to the approval of Final Map	TRAF-7c: The project applicant shall convert a westbound through lane to a left-turn lane.	Engineering Improvement Plans	LS	Pg. 4-227
SPWD	Director	Prior to the approval of Final Map	TRAF-7d: A Project Analysis/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's fair share contribution towards improvements that would result in acceptable service levels at this interchange would reduce the project's impact to a less-than-significant level at this intersection.	Pay fair share fees	SU	Pg. 4-227
SPWD	Director	Prior to the approval of	TRAF-7f: The analysis assumes build-out of this intersection under future 2035 conditions. There are no	Pay fair share fees	LS	Pg. 4-227

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		Final Map	additional planned or funded intersection improvements to mitigate the project impact. Measures such as providing second northbound and southbound left-turn lane would reduce the project's impact to a less-than-significant level, although the intersection is projected to continue operating at LOS F during the PM peak hour. Alternatively, the project applicant can contribute to measures that would provide acceptable service levels, such as construction of a continuous flow intersection.			
SPWD	Director	Prior to the approval of Final Map	TRAF-7g: The project applicant shall either (alternative #1) construct an additional northbound left-turn lane (for a total of 2) or (alternative #2) construct an exclusive "free" southbound right-turn lane. While implementation of either of these mitigation measures would reduce the project's impact to a less-than-significant level, improvement alternative #2 would still only provide LOS F conditions while improvement alternative #1 would improve LOS F conditions to LOS E conditions during the PM peak hour. The preferred mitigation measure is to implement both improvements since they minimize delay. However, since the two improvements together still result in LOS E conditions, both improvements are not required to mitigate this project's impact on this intersection.	Engineering Improvement Plans	LS	Pg. 4-227
SPWD	Director	Prior to the approval of Final Map	TRAF-7h: The project applicant shall contribute its fair share to provide an additional eastbound through lane (for a total of 3), an additional westbound through lane (for a total of 3), and an additional eastbound left-turn lane (for a total of 2). This mitigation would require acquiring additional right-of-way on Otto Drive between Trinity Parkway and Interstate 5.	Pay fair share fees	LS	Pg. 4-227
<b><i>TRAF-8: The proposed project would result in unacceptable roadway operations on Eight Mile Road east of I-5 and between I-5 and Trinity Parkway. This is</i></b>						

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
<b><i>considered a significant impact based on Streets and Highways Goal 1.3. This is the same impact as Impact TRAF-3.</i></b>						
SPWD	Director	Prior to the approval of Final Map	TRAF-8: Mitigation of this impact would require widening Eight Mile Road to 10-lanes from the Oak Grove Park entrance to Trinity Parkway or providing an alternative route to re-distribute traffic in the area. As part of the PA/ED for the Eight Mile Road interchange, a 10 lane cross section (including turn lanes) may be provided. A fair share contribution to this improvement would reduce the impact to a less-than-significant level.	Pay fair share fees	LS	Pg. 4-227
<b><i>TRAF-10: Based on the proposed roadway cross-sections, the proposed project has the potential to conflict with the City of Stockton's Traffic calming Guidelines. This is a potentially significant impact.</i></b>						
SPWD	Director	Prior to the approval of Final Map	TRAF-10: Redesign this roadway to reduce the lane width to an acceptable level, or allow for parking.	Engineering Improvement Plans	LS	Pg. 4-227
<b><i>TRAF-11: The project site plan does not provide sufficient detail to evaluate parking plans for the proposed project. This is considered a significant impact.</i></b>						
SPWD	Director	Prior to the approval of Final Map	TRAF-11: The project applicant shall provide adequate parking as required by City of Stockton Zoning Code prior to the approval of the site plan for each use within the project area.	Engineering Improvement Plans	LS	Pg. 4-227
<b>PUBLIC SERVICES</b>						
<b><i>PR-5: Fail to create a mechanism through which future maintenance of the park is guaranteed.</i></b>						
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 limited to, costs for: 1) annual maintenance of the park; and 2) administrative costs. The assessment	Create new maintenance zone	LS	Pg. 4-252

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			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 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.			
SCDD SPWD	Director	Prior to recordation of any final map	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, the park space. The maintenance entity would also be responsible for 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.	Establish maintenance entity	LS	Pg. 4-252
SPRD	Director	Prior to	PR-1c: The Owners, Developers and/or Successors-in-	Final Map	LS	Pg. 4-252

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		recordation of any final map	Interest (ODS) shall reserve for public use and construct the planned neighborhood parks, mini parks, greenbelt and linear park corridors and storm drain treatment basins located within the project site. Park improvements shall be subject to the approval of the City Parks Facility Planner/Landscape Architect.			
SPRD	Director	Prior to recordation of any final map	PR-1d: The ODS shall contribute Public Facility Fees, land or a combination of both in fulfillment of adopted parkland Public Facility Fee requirement.	Pay public facility fees	LS	Pg. 4-252
SPRD	Director	Prior to recordation of any final map	PR-1e: All walls shall be located on private property and a separate maintenance easement shall be recorded for such walls. Such easement shall be sufficient to allow for regular maintenance (i.e. graffiti removal) and shall include with width of the support footing as it extends from both sides of the wall.	Establish wall maintenance easement	LS	Pg. 4-252
SPRD	Director	Prior to recordation of any final map	PR-1f: The ODS shall construct a pedestrian/bikeway facility along the I Street and Scott Creek Street. The pedestrian/bikeway path along the street system shall comply with applicable ADA requirements, including a wheelchair linkage to all streets within the project site that terminate at the level.	Engineering Improvement Plans	LS	Pg. 4-252
SPRD	Director	Prior to recordation of any final map	PR-1g: Subdivision improvement plans shall include utility stub-outs to public park sites, subject to approval of the Parks and Recreation Department.	Engineering Improvement Plans	LS	Pg. 4-252
<b><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></b>						
SCDD	Director	Prior to the issuance of building permits	FP-1a: Prior to issuance of building permits, the project applicant shall pay development impacts 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. 4-252
Stockton Fire	Director	Prior to the	FP-1b: The applicant will consult with the City's Fire	Consult with Fire	LS	Pg. 4-252

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
Department		approval of Final Map	Department regarding adequacy of project plans relating to the safety of structure, safety devices, and emergency vehicle access.	Department		
SCDD	Director	During construction	FP-1c: The ODS shall install fire hydrants and water distribution facilities which will provide fire flows which are adequate to support the City's existing Class 1 ISO rating and which conform to adopted Building Code Fire Safety Standards.	Install fire hydrants and water distribution facilities	LS	Pg. 4-252
<b><i>PP-1: The proposed Crystal Bay project will increase the demand for law enforcement services.</i></b>						
SCDD	Director	Prior to the issuance of building permits	PP-1a: Prior to issuance of building permits, the project applicant shall pay development impacts 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. 4-252
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. 4-252
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. 4-252
<b><i>SCH-1: Project implementation will generate additional students and could affect the capacity of existing schools.</i></b>						
SCDD	Director	Prior to issuance of building permits	SCH-1a: 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.	Pay Fees	LS	Pg. 4-252
SCDD	Director	Prior to construction	SCH-1b: The ODS shall coordinate with LUSD as required to assure that adequate school facilities will be	Coordination with LUSD	LS	Pg. 4-252

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			available concurrently with project-related need for such facilities, consistent with General Plan facilities Goal 2, Policies 7, 8, and 9.			
<b>LIB-1: Implementation of the proposed project will increase the demand for library services.</b>						
SCDD	Director	Prior to issuance of building permits	LIB-1: Prior to issuance of building permits, the project applicant shall pay development impacts 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.	Pay fees	LS	Pg. 4-252
<b>VC-1: Locating the project development adjacent to sources of mosquito populations could result in health risks to residents.</b>						
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 Crystal Bay 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. 4-252
<b>PUBLIC WATER SUPPLY ASSESSMENT</b>						
<b>WSA-2: Project implementation could require extensive modifications to the existing water system to meet proposed project demand.</b>						
SCDD; SPWD; MUD	Directors	Prior to the issuance of building permits; prior to approval of Final Map	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. The Department of Community Development will collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and that necessary dedications are made or secured prior to approval of Final Map. All conditions set forth in the Annexation MOU will be met by the applicant.	Pay fees; attach conditions to Tentative Maps; ensure that necessary dedications are secured	LS	Pg. 4-263

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
SCDD; SPWD; MUD	Directors	Prior to the issuance of building permits; prior to approval of a Final Map	WSA-1b: Prior to issuance of building permits, the applicant shall provide evidence of compliance with plumbing, metering, and other water conservation measures in effect, including the 16 BMPs included in the City's Urban Water Management Plan, 1995 Update. The Department of Community Development would collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and that necessary dedications are made or secured prior to approval of Final Map.	Submit evidence of compliance; attach conditions of Tentative Map; ensure that necessary dedications are secured	LS	Pg. 4-263
SCDD; SPWD; MUD	Directors	Prior to the approval of improvement plans and Final Map	WSA-1c: Prior to approval of improvement plans for each development unit, the applicant will perform a water system analysis of the annexation project areas utilizing methodology approved by the Municipal Utilities Department. The Department of Community Development would collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and that necessary dedications are made or secured prior to approval of Final Map.	Perform a water system analysis; pay fees; attach conditions to Tentative Maps; ensure that necessary dedications are secured	LS	Pg. 4-263
SCDD; SPWD; MUD	Directors	Prior to approval of Final Map	WSA-1d: Prior to approval of the Final Map, the applicant shall design and construct all on site and off site water facilities to comply with the revised City Master Water Plan and the water system analysis. The Department of Community Development would collect fees in conjunction with building permit issuance. The MUD will oversee water system analysis. The Departments of Planning, Building, and MUD shall verify that conditions are attached to Tentative Maps and	Engineering Improvement Plans	LS	Pg. 4-263

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			that necessary dedications are made or secured prior to approval of Final Map.			
MUD	Director	Prior to submission of utility master plans	WSA-1e: An Integrated Water Management Plan shall be developed, and provided to the Municipal Utilities Department prior to the submission of utility master plans.	Integrated Water Management Plan	LS	Pg. 4-263
<b>UTILITIES AND SERVICE SYSTEMS</b>						
<i>NPW-1: The project will utilize a non-potable water source to accommodate the project demand for non-potable water needs.</i>						
SCDD	Director	Prior to approval of Final Map	NPW-1: The owners, developers and/or successors-in-interest shall establish a maintenance entity, acceptable to the City of Stockton to provide funding for the operation, maintenance and replacement costs of the non-potable water distribution system.	Establish maintenance entity	LS	Pg. 4-270
<i>WW-1: Existing and proposed wastewater conveyance facilities are expected to 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. 4-270
SCDD; SPWD; MUD	Directors	Prior to the approval of Final Map	WW-1b: An assessment of the 14-Mile SPS was prepared for the City that indicates the SPS does not have capacity to meet the needs of the proposed project. Therefore, the developer shall contribute a fairshare contribution to upgrade the 14-Mile SPS to ensure that the system can adequately service the proposed project. Accordingly, the City of Stockton will condition the approval of 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.	Contribute fairshare fees	LS	Pg. 4-270

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
<b>WW-2: Sewage demand generated by the proposed project is not expected to exceed the capacity of the wastewater treatment plant.</b>						
SCDD; SPWD	Directors	Prior to the 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 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.	Pay fees	LS	Pg. 4-270
<b>AESTHETICS/LIGHT AND GLARE</b>						
<b>VIS-5: Implementation of the proposed project could result in potentially significant nighttime light, both during and after construction.</b>						
SCDD	Director	In conjunction with design review	VIS-1a: Mitigation may include prior review and approval of building materials and lighting specifications by the Crystal Bay Review Board and City Community Development Director. Downcast lighting should be used where feasible. To ensure compliance with specification set forth by the Crystal Bay Design Review Board and City Community Development Director, the applicant should maintain control over all development within the project site. This can be done through compliance with the Planned Development and conditions placed on the covenants, conditions, and restrictions established by the applicant for the development.	Engineering and Landscape Improvement Plan	LS	Pg. 4-279
SCDD	Director	Prior to site plan review for development	VIS-1b: Prior to site plan review for development, the applicant shall provide evidence to the Design Review Board that non reflective building materials will be used.	Site Plan	LS	Pg. 4-279

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			The City's Community Development Director or Architectural Review Committee shall review and approve building materials and their applications to ensure light and glare effects are minimized.			
<b><i>VIS-6: Implementation of the proposed project will impact views from Eight Mile Road, Bishop Cut and Westlake Villages.</i></b>						
SCDD	Director	Prior to site plan review for development	Implementation of the standards set forth in the Planned Development will minimize the effects on visual resources.	Implement Planned Development standards	LS	Pg. 4-279
<b>CULTURAL RESOURCES</b>						
<b><i>CR-1: Project site development could potentially affect known and unknown resources with cultural significance.</i></b>						
SCDD	Director	During construction	CR-1a: Project personnel should not collect or move any archaeological material. Fill soils that may be used for construction purposes should not contain archaeological materials.	No collection or movement of archaeological materials	LS	Pg. 4-286
SCDD	Director	During construction	CR-1b: If deposits of prehistoric or historic archaeological materials are encountered during the project activities, all work within 50 feet of the discovery should be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations. It is recommended that such deposits be avoided by project activities. If such deposits cannot be avoided, they should be evaluated for their significant in accordance with the California Register. If the resources are not significant, further protection is not necessary. If the resources are significant, adverse effects will need to be avoided. Upon the completion of the archaeological evaluation, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Central California Information Center and appropriate City agencies.	Redirect construction upon encountering prehistoric or historic archaeological materials	LS	Pg. 4-286

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			<p>Prehistoric materials can include flaked stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, or quartzite toolmaking debris; cultural darkened soil (i.e., midden soil often containing heat affected rock, ash and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, concrete, or adobe footings, walls and other structural remains; filled wells or privies; and deposits of wood, metal, glass, ceramics, and other refuse.</p>			
SCDD	Director	During construction	<p>CR-1c: During grading of other invasive site construction activities, the contractor shall comply with Section 7050.5 of the California Health and Safety Code. The code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the County in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority. If human remains are encountered, work should halt within 50 feet of the find and the County Coroner notified immediately. The contractor shall also immediately notify the Community Development Director and the Secretary of the Cultural Heritage Board. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission with 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendent to inspect the</p>	Comply with Section 7050.5 of the California Health and Safety Code	LS	Pg. 4-286

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
			site and provide recommendations for the proper treatment of the remains and associated grave goods.			
SCDD	Director	During construction	CR-1d: If paleontological resources are identified within the project area, all work within 50 feet of the discovery should be redirected and a qualified paleontologist should be contacted to evaluate the finds and make recommendations. If the paleontological resources are found to be significant, they should be avoided by project activities. If avoidance is not feasible, adverse effects to such resources should be mitigated. Upon completion of the paleontological evaluation, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the UCMP and appropriate City agencies.	Redirect construction upon encountering paleontological materials	LS	Pg. 4-286
<b>HAZARDOUS MATERIALS/WASTES</b>						
<i>HAZ-1: Due to the existing conditions of the site, the environment and construction workers could be exposed to hazardous wastes and materials.</i>						
SCDD	Director	Prior to the initiation of construction activities	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. 4-288
<b>ENERGY</b>						
<i>EN-2: The proposed project will use large amounts of energy.</i>						
SCDD	Director	Prior to the issuance of	EN-1a: As feasible, the applicant should install energy reducing fixtures and implement energy reducing	Building Plans	LS	Pg. 4-291

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		building permits	measures to decrease the amount of energy used.			
SCDD	Director	Prior to Site Plan review for development	EN-1b: The project shall incorporate principles of passive solar design. Passive solar design is the technology of heating, cooling, and lighting a building naturally with sunlight rather than with mechanical systems because the building itself is the system. 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. Passive solar also takes advantage of energy efficient materials, improved insulation, airtight construction, natural landscaping, and proper building orientation to take advantage of the sun, shade, and wind.	Site Plan	LS	Pg. 4-291
SCDD	Director	Prior to issuance of Building Permit	EN-1c: The project shall install reflective, EnergyStar™ cool roofs. Cool roofs decrease roofing maintenance and replacement costs, improve building comfort, reduce impact on surrounding air temperatures, reduce peak electricity demand, and reduce waste stream of roofing debris.	Building Plans	LS	Pg. 4-291
SCDD	Director	Prior to issuance of Building Permit	EN-1d: All residences shall be constructed to meet the requirements of the EnergyStar™ program for new homes. Such residences improve energy efficiency by a minimum of 15 percent as compared to residences that simply meet the Title 24 requirements. The additional efficiency is typically accomplished through the use of tight construction, energy-saving windows, improved insulation, and super-efficient heating/cooling systems.	Building Plans	LS	Pg. 4-291
SCDD	Director	Prior to issuance of Building	EN-1e: Although there is not a formal EnergyStar™ program for non-residential buildings, all buildings to be constructed by the project could be constructed to meet	Building Plans	LS	Pg. 4-291

Approving Agency	Responsible City Staff or Body	Timing	Mitigation Measures	Product/Action	Findings/Significance After Mitigation	Rationale
		Permit	the same standards as those that apply to the residential program.			
SCDD	Director	Prior to issuance of Building Permit	<p>EN-1f: The project shall incorporate the use of the following in all development, to the extent feasible:</p> <ul style="list-style-type: none"> <li>- Installation of motion detectors or dimmers to control lighting;</li> <li>- Installation of efficient security, street, and parking lot lighting (e.g., high pressure low sodium fixtures);</li> <li>- Installation of reflective window film or awning on south and west facing windows;</li> <li>- Installation of ceiling and wall insulation</li> </ul>	Building Plans	LS	Pg. 4-291

### 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.