

**Final
Environmental Impact Report
College Park at Mountain House
Specific Plan III
Volume III**

SCH #2003102074

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ACRONYMS AND ABBREVIATIONS

Term	Definition
ADA	Americans with Disabilities Act
ARB	California Air Resources Board
ASTs	above ground storage tanks
BBID	Byron–Bethany Irrigation District
Caltrans	California Department of Transportation
C/N	Neighborhood Commercial
C/O	Office Commercial
CCR	California Code of Regulations
CDE	Department of Education
CEQA	California Environmental Quality Act
County	San Joaquin County
CRSO	Cultural Resource Study Officer
CVFT	Central Valley Farmland Trust
DEIR	draft environmental impact report
DFG	California Department of Fish and Game
DTSC	California Department of Toxic Substances Control
EIR	environmental impact report
FEIR	final environmental impact report
GNK, LLC	Gerry N. Kamilos, LLC
HCM	Highway Capacity Manual
I-205	Interstate 205
I-580	Interstate 580
I/L	Limited Industrial
ITE	Institute of Transportation Engineers
LESD	Lammersville Elementary School District
LOS	level of service
mgd	million gallons per day

Term	Definition
MHCSD	Mountain House Community Services District
MHMP	Mountain House Master Plan
MHMP EIR	Mountain House Master Plan EIR
MMRP	Mitigation Monitoring and Reporting Plan
NO _x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
PDT	Project Development Team
PEA	Preliminary Endangerment Assessment
PF	Public Facilities
PSR	Project Study Report
R/H	High Density Residential
R/L	Low Density Residential
R/M	Medium Density Residential
R/MH	Medium-High Density Residential
R/VL	Very Low Density Residential
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SJDCCD	San Joaquin Delta Community College District
SJMSCP	San Joaquin County Multi-Species Habitat Conservation and Open Space Plan
SJCOG	San Joaquin County Council of Government
SJVAPCD	San Joaquin Valley Air Pollution Control District
TDM	Transportation Demand Management
TIMF	Transportation Improvement Mitigation Fee
TUSD	Tracy Unified School District
UST	Underground Storage Tank
V/C	volume-to-capacity

1 INTRODUCTION

1.1 OVERVIEW

On March 14, 2005, San Joaquin County (County) and Gerry N. Kamilos, LLC (GNK, LLC) distributed to public agencies and the general public a draft environmental impact report (DEIR) prepared pursuant to the California Environmental Quality Act (CEQA) for the College Park at Mountain House Specific Plan III project, hereafter referred to as College Park (proposed project). A specific plan is a planning document that helps implement the goals, policies, and objectives of a general plan or applicable master plan. It provides more precise planning for a portion of the area covered by the Mountain House Master Plan (MHMP) (the larger planning area). A specific plan typically includes a land use plan, development table, infrastructure plans, phasing plan, design standards, development standards, and implementation strategies for the development of a portion of the area covered by the larger master plan.

The specific plan area (i.e., project site) is located in the southwest portion of unincorporated San Joaquin County, approximately 3 miles west of the City of Tracy and just northeast of the intersection of Interstate 205 (I-205) and Interstate 580 (I-580).

In accordance with Section 15105 of the State CEQA Guidelines, a 45-day public review period was provided on the DEIR that ended on April 28, 2005. Fifteen letters were received providing comments on the document, several following the official close of the review period. In addition, consistent with the County's CEQA guidelines and as allowed by Section 15202 of the State CEQA Guidelines, a public meeting was held by the County on April 5, 2005, during which time stakeholders (including regulatory agencies and the public) were given the opportunity to provide oral comments on the DEIR.

This document responds to the written and oral comments received on the DEIR and has been prepared in accordance with Section 15089 and Section 15132 of the State CEQA Guidelines. It is divided into three chapters:

- ▶ Chapter 1, Introduction, provides an overview of the environmental review process and presents a summary of the proposed project and alternatives.
- ▶ Chapter 2, Comments and Responses to Comments on the DEIR, reproduces public comments received on the DEIR, including a summary of comments received at the April 5, 2005 public meeting, and presents responses to those comments.
- ▶ Chapter 3, Revisions to the DEIR, identifies changes made to the DEIR in response to the comments.

This document and the DEIR together comprise the final environmental impact report (FEIR).

1.2 SUMMARY DESCRIPTION OF THE PROPOSED PROJECT

The DEIR evaluated the proposed project as described in detail in Chapter 3 of the DEIR.

The subject of this FEIR is Specific Plan III - College Park - which includes approximately 815 acres between Grant Line Road and I-205, with a portion located along Mountain House Parkway extending north of Grant Line Road to approximately 500 feet south of Mascot Road. Development under the revised College Park project (see Section 1.4, "Changes to the Specific Plan") is proposed to include 2,240 residential units (not including approximately 197 second units); approximately 1.8 million square feet of commercial, office, and industrial property; 42 acres of parks; two K-8 schools; a 108-acre community college, 79 acres of arterial roads, and 34 acres of open space. It would include three of the 12 neighborhoods envisioned under the MHMP (i.e.,

Neighborhoods A and B, and the eastern portion of Neighborhood D). San Joaquin County is the lead agency. The College Park project also includes an area of approximately 50 acres of Specific Plan I, located along the north side of I-205, just west of the Mountain House Business Park; this was originally planned under Specific Plan I and is being replanned under the College Park Specific Plan.

The College Park project is a mixed-use project, which proposes changes (i.e., amendments) to the land uses previously approved for the site in the MHMP. These changes relate to changes in market conditions, the purchase by the San Joaquin Delta Community College District (SJDCCD) of a portion of the site for a community college, and the presence of high-voltage electrical-transmission lines and high-pressure natural gas and oil pipelines that present constraints at the project site. The proposed project includes both program-level (i.e., specific plan) and project-level (i.e., Tentative Map) components.

Details of the proposed project are described more fully in Chapter 3 of the DEIR. The specific plan for the proposed project is available under separate cover from the San Joaquin County Community Development Department, 1810 East Hazelton Avenue, Stockton, California 95205. Both documents can be accessed via the web at < <http://www.co.san-joaquin.ca.us/commdev/cgi-bin/cdyn.exe>>.

College Park is the third of three specific plans proposed under the MHMP, which was adopted by the County in 1994 (San Joaquin County 1994). For more information on the previous specific plan phases (Specific Plans I and II), please see the DEIR.

1.3 PROJECT ALTERNATIVES

The DEIR evaluated three alternatives to the proposed project as listed below and as described in their entirety in Chapter 5 of the DEIR:

- ▶ No-Project (No-Development) Alternative,
- ▶ MHMP Build-out Alternative, and
- ▶ Traffic/Air Emissions Reduction Alternative.

1.4 CHANGES TO THE SPECIFIC PLAN

Since publication of the DEIR on (March 14, 2005), a number of site-specific design details for the Specific Plan have changed. Review of these plan refinements show that these changes do not alter the analyses or conclusions as presented in the DEIR and do not constitute “significant new information” within the meaning of Section 15088.5 of the CEQA guidelines. In particular, none of the design revisions (detailed below) change the assessment of significant impacts. In addition, the combined programmatic/project-specific nature of the EIR allows for evolution of the design details. Revisions to the Specific Plan as of June 15, 2005 are summarized in Table 1.4-1, showing both the data as presented in the DEIR as well as the proposed revisions, and the rationale for the revision. Because the analysis and conclusions presented in the DEIR are not changed by these Specific Plan refinements, Chapter 3 of this FEIR does not include page-specific revisions to the DEIR text in response to the changes.

Issue/Topic	Presentation in DEIR	Revised Specific Plan Design	Rationale
Location of Church Site	Located south of Grant Line Road (Machado Parcel)	Located north of Grant Line Road (Souza parcel – northeast corner of Grant Line and De Anza)	The church was relocated due to improved market visibility

**Table 1.4-1
Changes to the Specific Plan in Relation to Information Presented in the DEIR**

Issue/Topic	Presentation in DEIR	Revised Specific Plan Design	Rationale
Water Tank site on College Campus	General location assessed in the DEIR analysis; not shown on plan	Shown on plan and noted as Public Facilities (PF) zone. Tank site configuration revised, per Option G site plan.	Precise water tank locations were undetermined at the time of the release of the DEIR
Revised lot counts on Tentative Maps	<ul style="list-style-type: none"> ▶ A2 – 101 dwelling units ▶ B4 – 131 dwelling units ▶ B6 – 70 dwelling units ▶ B7 – 93 dwelling units ▶ D2 – 100 dwelling units ▶ D3 – 104 dwelling units ▶ D4 – 100 dwelling units ▶ Hernandez parcel – 40 dwelling units 	<ul style="list-style-type: none"> ▶ A2 – 98 dwelling units ▶ B4 – 133 dwelling units ▶ B6 – 74 dwelling units ▶ B7 – 95 dwelling units ▶ D2 – 99 dwelling units ▶ D3 – 65 dwelling units ▶ D4 – 65 dwelling units ▶ Hernandez parcel – 48 dwelling units 	Dwelling unit changes (62 fewer units) were due to more precise tentative map planning.
Location of Neighborhood Commercial Site	Located east of power line easement (north of Neighborhood Park between Schools A&B)	Located west of power line easement (north of Neighborhood Park)	Relocated to be part of first school phasing development
Figure 1-3: Mountain House Master Plan	Earlier version (2/07/03) shown in DEIR	Updated version from San Joaquin County Community Development Dept. inserted	To correspond with the latest version from the County
Figure 3-2: Land Use Summary & Residential Build-Out	9/24/04 Plan Shown	Plan Updated (5-25-05) to correspond with 5-14-05 Preferred Plan (MacKay & Soms)	The figure was modified to reflect the updated preferred plan
Table 3-1: Land Use Summary by Neighborhood	Table reflects statistics pertaining to 9-24-04 Land Use Plan	Table now reflects changes to correspond with updated 5-25-05 Land Use Plan	The table was updated to reflect the updated Land Use Plan
Table 3-3: Neighborhood Minimum, Maximum, and Expected Residential Units	Table reflects statistics pertaining to 9-24-04 Land Use Plan	Table now reflects changes to correspond with updated 5-25-05 Land Use Plan	The table was updated to reflect the updated Land Use Plan
Figure 3-4: SPIII Zoning Map	R-H Product Classification shown in Neighborhood D (2 Areas)	R-H Product changed to R-MH in both areas	R-MH housing prototype was determined to have better market acceptance in compliance with master plan zoning
Table 3-13: Housing Analysis	Expected dwelling units shown at 2,302	Expected dwelling units shown at 2,240	The expected dwelling units were reduced because of the reduction from R-H to R-MH housing in Neighborhood "D." It is the County goal that this surplus of unused dwelling units can be maintained by reallocating them to RH housing through future plan amendments

**Table 1.4-1
Changes to the Specific Plan in Relation to Information Presented in the DEIR**

Issue/Topic	Presentation in DEIR	Revised Specific Plan Design	Rationale
Table 3-14: Jobs Analysis	Jobs/Housing ratio shown at 1.34	Jobs/Housing ratio shown at 1.38 (Table updated to reflect 5-25-05 Land Use Plan)	The table was modified to reflect the updated Land Use Plan. This remains consistent with the MHMP.
Figure 4-1: Illustrative Concept Plan	9/24/04 Plan was used as base for Illustrative Concept Plan	Plan now reflects changes made from 9/24/04 Site Plan to 5/25/05 Site Plan. Includes relocation of Neighborhood Commercial Site, relocation of Church site, change of R/H to R/MH product in Neighborhood D.	The figure was updated to show the most current site plan
Figure 4-28: Neighborhood Center Plan (Illustrative Only)	Neighborhood Commercial site shown on east side of power line easement	Neighborhood Commercial site relocated to west of power line easement.	Relocated to be part of first school phasing development
Table 5-1: SPIII Student Generation	K-8 Students/Unit shown at 0.559 for R/VL, R/L, R/M, R/MH products	K-8 Students/Unit revised to 0.676 for R/VL, R/L, R/M, R/MH products Table also reflects new acreages and dwelling units per the 5/25/05 Site Plan	To reflect school districts current student generation rate To reflect the new acreages and dwelling units per the current site plan
Figure 7-2: Neighborhood A/B Park Preliminary Plan	Neighborhood Commercial site shown on east side of SCE Easement	Neighborhood Commercial site relocated to west of SCE Easement Park area was also changed to reflect current lotting plan	To reflect the current lotting plan To reflect the current lotting plan
Figure 7-3: West Park Plan	2.0-acre Water Tank plan was shown on exhibit	Updated 2.7-acre Water Tank plan now shown.	The water tank locations were undetermined at the time of release of the DEIR
Table 12-1: Water Demand	Table reflects statistics pertaining to 9-24-04 Land Use Plan	Table now reflects changes to correspond with updated 5-25-05 Land Use Plan	The table was modified to reflect the updated land use plan
Table 13-1: Generation of Wastewater by Land Use	Table reflects statistics pertaining to 9-24-04 Land Use Plan	Table now reflects changes to correspond with updated 5-25-05 Land Use Plan	The table was modified to reflect the updated land use plan

1.5 CEQA GUIDELINES ON RECIRCULATION

Recirculation is the process by which the DEIR is revised and redistributed to the public for additional comments prior to the completion of the Final EIR. CEQA requires recirculation only under special circumstances. Section 15088.5 of the State CEQA Guidelines identifies the requirements for recirculating an EIR as follows:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the DEIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or

environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.

“Significant new information” requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the proposed project, but the project’s proponents decline to adopt it.
 - (4) The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
- (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
- (d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
- (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

The intent of this section of State CEQA Guidelines is to ensure that decision-makers and the public have the opportunity to review new information that affects the DEIR’s conclusions about significant environmental effects. As shown in the comments and responses to comments in Section 2 of this document, new information is added to clarify the analysis in the DEIR. This document also includes modifications to mitigation measures recommended in the DEIR; these modifications would not result in new significant and adverse impacts. The County is expected to adopt the mitigation measures as revised herein. The comments and responses to comments do not reveal any new significant impacts, substantial increase in severity of any impacts, nor any alternatives or mitigation measures considerably different from those analyzed in the DEIR. No significant new information as defined by Section 15088.5 of the State CEQA Guidelines are added to the FEIR. For these reasons, the County has determined that the modifications to the DEIR as presented in this document do not warrant its recirculation.

1.6 PERMITS AND APPROVALS

The College Park project would require amendment of the MHMP land use map, adoption of a land use concept plan, development standards, and design guidelines for development of the College Park area consistent with the goals, policies, standards, requirements, and implementation mechanisms of the MHMP. Additional entitlements required for the project would include:

- ▶ Amendment of the *San Joaquin County General Plan 2010*;
- ▶ Amendment of the MHMP to include features of the proposed College Park at Mountain House Specific Plan III;
- ▶ Preparation of Special Purpose Plans or their equivalent in the Specific Plan for the consolidated neighborhood commercial center and two K–8 schools;
- ▶ Amendment of the Mountain House Development Title for the Mountain House Community;
- ▶ Approval of Tentative Subdivision Maps consistent with the Specific Plan;
- ▶ Approval of a Use Permit to construct an aboveground, tertiary wastewater storage pond;
- ▶ Approval of a Use Permit to develop two water tanks;
- ▶ Immediate cancellation of Williamson Act contracts;

Actions required for the proposed project under the purview of the MHCS D rather than the lead agency (San Joaquin County) include:

- ▶ Annexation of College Park into Mountain House Community Services District (MHCS D); and
- ▶ Amendment of the MHCS D Utility Master Plan; and
- ▶ Adoption of the Joint-Use Agreement to construct two water tanks on Delta College’s property.

Actions required for the proposed project under the purview of regulatory agencies other than the lead agency (San Joaquin County) include:

- ▶ Annexation of the Delta College site into Byron–Bethany Irrigation District (BBID).
- ▶ National Pollution Discharge Elimination System (NPDES) permit from the Central Valley Regional Water Quality Control Board (RWQCB);
- ▶ Section 401 water quality certification from the Central Valley RWQCB;
- ▶ Section 404 of the federal Clean Water Act permit from U.S. Army Corps of Engineers for fill of wetlands;
- ▶ Streambed alteration agreement from the California Department of Fish and Game (DFG) for possible alteration to Mountain House Creek associated with widening of the Grant Line Road bridge in Alameda County;
- ▶ Encroachment permits from the California Department of Transportation (Caltrans) and Federal Highway Administration for freeway improvements to I-205;
- ▶ Authority to construct permits from San Joaquin Air Pollution Control District;
- ▶ Mosquito abatement permits from San Joaquin County Mosquito Abatement; and
- ▶ California Department of Health Services permit for land application of recycled water (Pombo Property).
- ▶ Approval to abandon or relocate BBID irrigation canals to allow development without impacting off-site agricultural operations.

2 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

2.1 LIST OF COMMENTERS

Fifteen letters were received on the DEIR during and within 2 weeks after the public comment period. In addition, three comments were provided during the April 5 public meeting. The list of commenters on the DEIR, along with the topic of each comment, is presented in Table 2.1-1. Each letter and comment has been assigned a letter/number designation for cross-referencing purposes. State agency correspondence is designated S1, S2, etc.; local agency correspondence is designated L1, L2, etc.; and correspondence from other organizations is designated O1, O2, etc. The comment letters and the responses to the substantive environmental issues raised in those letters and the transcript are presented in Section 2.2.

Several comment letters were received from 1-2 weeks after the close of the 45-day public comment period on April 28, 2005. CEQA does not require that letters received after the close of the comment period be addressed in the FEIR. However, because the County wishes to be responsive to the concerns of agencies and the public relating to the DEIR, the County is including these letters and voluntarily providing responses to comments on any significant environmental issues they contain.

Table 2.1-1 Comments Received on the DEIR				
Letter	Commenter	Date	Code	Topic
State Agencies				
S1	CA Dept of Conservation, Division of Land Resource Protection	4/27	S1-1	Williamson Act lands and agricultural preserve lands
			S1-2	Mitigation measures for agricultural lands and lands containing protected habitat
S2	Governor’s Office of Planning & Research – State Clearinghouse and Planning Unit (Caltrans)	4/49	S2-1	Relationship to Project Development Team (PDT) meeting [LATE COMMENT]
			S2-2	Consistency with other transportation projects
S3	CA Business Transportation and Housing Agency	5/12	S3-1	Potential impacts to the Alameda County roadway network
			S3-2	Consistency with Institute of Transportation Engineers (ITE) Trip Generation rates
			S3-3	Trip generation estimates
			S3-4	Volume to Capacity (V/C) ratios and Highway Capacity Manual (HCM) methodology
			S3-5	Intersection analysis
			S3-6	Traffic volume under cumulative impacts
			S3-7	Trip generation in relation to ingress/egress
			S3-8	Differing Level of Service (LOS)
			S3-9	Highway operations

**Table 2.1-1
Comments Received on the DEIR**

Letter	Commenter	Date	Code	Topic
			S3-10	Alternative transportation modes and ADAAG
			S3-11	Use of sound walls
			S3-12	Storm drain facilities and their sizing
			S3-13	Electromagnetic fields
			S3-14	Tree removal on Grant Line Road
			S3-15	Cultural resource procedures
Local Agencies				
L1	San Joaquin County – Public Works	4/26	L1-1	Wording of transportation impacts
			L1-2	Transportation volume counts
			L1-3	Grant Line Road lane widths
			L1-4	Parallel east-west roadway system
L2	San Joaquin County – Environmental Health Dept	4/28	L2-1	No comment
			L2-2	No comment
			L2-3	No comment
			L2-4	Permitting of sludge disposal
			L2-5	Sludge disposal from wastewater treatment
			L2-6	Dairy waste pond removal
			L2-7	Treated wastewater disposal
			L2-8	Permitting and decommissioning of dairies
			L2-9	Geotechnical drilling and related permitting
			L2-10	Mitigation for potentially contaminated sites
			L2-11	Phase I and II environmental studies
			L2-12	Mitigation for potentially contaminated sites
			L2-13	Mitigation for potentially contaminated sites
L-3	San Joaquin Valley Air Pollution Control District (SJVAPCD)	4/28	L3-1	District Regulation VIII (Fugitive Dust Prohibitions)
			L3-2	Wood burning devices and natural gas fired water heaters
			L3-3	Mitigation measures for oxides of nitrogen (NO _x) emissions
			L3-4	Heavy duty engine program
			L3-5	Use of idling diesel engines
			L3-6	Construction equipment with Tier II engines
			L3-7	Electrified truck parking areas
			L3-8	Truck refrigeration units (TRUs)
			L3-9	Construction work on Spare the Air days
			L3-10	Electric lawn mowers and edgers as part of housing unit sales
			L3-11	Clean alternative energy features

**Table 2.1-1
Comments Received on the DEIR**

Letter	Commenter	Date	Code	Topic			
L4	Contra Costa County – Community Development Dept	4/28	L3-12	Idling diesel engines			
			L3-13	Construction during periods of high ambient pollutant concentrations			
			L4-1	State Route 239 as mitigation			
			L4-2	Commuter rail service on Union Pacific tracks as mitigation			
			L4-3	Widening of Byron Highway			
L5	Stanislaus County – Environmental Review Committee	4/26	L4-4	Request for future notification			
			L5-1	Need for Phase I and II studies			
			L5-2	Permitting for hazardous materials and/or waste			
			L5-3	Risk Management Plan for hazardous materials storage			
L6	Lammersville Elementary School District (LESD)	4/27	L5-4	Consultation requirements for hazardous waste usage or storage			
			L6-1	Mitigation Agreement between LESD and the applicants			
			L6-2	Mitigation agreement with LESD			
			L6-3	Mitigation agreement with LESD			
L7	San Joaquin Delta College	4/26	L6-4	Student generation rate data			
			L7-1	Peak hour transportation trips			
			L8	TRANSPLAN Committee – East Contra Costa Transportation Planning	4/20	L8-1	Relationship to State Route 239
						L8-2	Relationship to Union Pacific rail lines
L8-3	Widening of Byron Highway						
L8	TRANSPLAN Committee – East Contra Costa Transportation Planning	4/20	L8-4	Bus transportation service as mitigation			
			L8-5	Pace of development, build-out plans, and overall transportation system			
			L8-6	Request for notification			
L9	Alameda County Congestion Mgmt Agency	5/12	L9-1	Potential impacts to county roadway network			
Organizations							
O1	Mountain House Trimark Communities, LLC (Trimark)	4/28	O1-1	Applicable regulatory policies			
			O1-2	Phrasing of mitigation requirements			
			O1-3	Status of Specific Plan II document approval			
			O1-4	Analysis related to program components			
			O1-5	Impacts to mineral rights holders			
			O1-6	Community Approvals in the permitting process			
			O1-7	Potential opportunities for additional development			
			O1-8	Commitment to use of Design Guidelines			

**Table 2.1-1
Comments Received on the DEIR**

Letter	Commenter	Date	Code	Topic
			O1-9	Relationship to and analysis of Pegasus property
			O1-10	Mitigation agreements with LESD and Tracy Unified School District (TUSD)
			O1-11	Master Plan Land Use Designations on Figure 3-4
			O1-12	Amendments of the I/L, C/N, and C/O
			O1-13	Frontage improvements to community arterials
			O1-14	Increase of the minimum percentage of Second Units
			O1-15	Compliance with Affordability Housing Program and Ordinance
			O1-16	Density bonus units and zoning
			O1-17	Proposed edge treatment along community college
			O1-18	Policies for parks and recreation
			O1-19	CEQA threshold of significance and school mitigation
			O1-20	School design policies in the MHCS D Design Manual
			O1-21	Provision of Police facility
			O1-22	Provision of child care facility
			O1-23	Unapproved agreement between Delta College and MHCS D regarding community park land
			O1-24	Mitigation for school impacts
			O1-25	Compliance with Library Services Plan
			O1-26	Acquisition of Pombo property
			O1-27	Analysis of water supply adequacy
			O1-28	Potential impacts to historic resources
			O1-29	Potential EMF impacts
			O1-30	MHCS D Roadway Improvement Plan, Development Standards, and Mountain House Transportation Improvement Fees (MHTIF)
			O1-31	Funding of road improvements
			O1-32	Analysis of impacts and mitigation (e.g., regarding Tentative Maps)
			O1-33	I-205 freeway noise
			O1-34	College-related visual impacts
O2	Sierra Club	4/22	O2-1	CEQA requirements regarding mitigation measures (e.g., agricultural mitigation fees)
			O2-2	Williamson Act analysis requirements
			O2-3	500-foot buffer on west
			O2-4	Affordable housing/jobs balance
			O2-5	Mitigation for wastewater treatment and disposal
O3	Mountain House Community Services District	4/28	O3-1	Agreement between MHCS D and Delta College for community park land
			O3-2	Plan II vs. Plan III

**Table 2.1-1
Comments Received on the DEIR**

Letter	Commenter	Date	Code	Topic
			O3-3	Density bonus units
			O3-4	Full frontage improvements on Mountain House Parkway
			O3-5	Use of non-potable water
			O3-6	Spelling of intract
			O3-7	Number of residential units
			O3-8	Safety issues associated with pipelines
			O3-9	Trees along Grant Line Road
Public Meeting Summary				
PM1	Carolyn Crook		PM1-1	Water quality impacts on wells
	Cindy Sosa		PM1-2	Construction start time
	Elaine Biden		PM1-3	Inclusion of home site parcels in DEIR

2.2 WRITTEN AND ORAL COMMENTS AND RESPONSES

The written and oral comments received on the DEIR and the responses to those comments are provided in this section. All comment letters and the public meeting transcript are reproduced in their entirety, and each is followed by responses to comments on substantive environmental issues.



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

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April 27, 2005

Mr. Chandler Martin, Deputy Director
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

Subject: Mountain House Specific Plan III Draft Environmental Impact Report (DEIR) -
SCH# 2003102074, San Joaquin County

Dear Mr. Martin:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the DEIR for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments with respect to the project's impacts on agricultural land and resources.

Project Description

The proposed project is the mixed-use residential development of 815 acres within the 4780-acre Mountain House Master Plan (MHMP) area. It involves Neighborhoods A, B and the eastern portion of D, as well as a community college and off-site infrastructure improvements. The project site is located approximately three miles west of the City of Tracy in southwest San Joaquin County (County). It is generally bounded by Grant Line Road to the north, Interstate 205 to the south, Mountain House Parkway to the east and the Alameda County line to the west. The site is in active agricultural production. The project will convert 520 acres of Prime Farmland and 240 acres of Farmland of Local Importance. Six parcels within the site are enforceably restricted by Williamson Act contracts placed in nonrenewal with expiration dates ranging from 2004 to 2011. The contracts will either complete nonrenewal or be cancelled prior to development. Surrounding land is in agricultural production. The DEIR incorporates by reference the MHMP EIR certified in 1994 and the Delta College Center at Mountain House EIR certified in 2002. The DEIR has determined impacts to agricultural land to be significant.

*The Department of Conservation's mission is to protect Californians and their environment by:
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;
Conserving California's farmland; and Saving energy and resources through recycling.*

Mr. Chandler Martin
April 27, 2005
Page 2 of 3

Williamson Act Lands

The DEIR states that the project may involve cancellation of contracts within the project area prior to expiration of nonrenewal. The Department has received notice of petition for cancellation from the County as required under Government Code section 51284.1 for three of the involved six parcels. Nonrenewal for the remaining parcels is due to expire in 2004 and 2006 according to the DEIR.

At the time of circulation of the Negative Declaration for the Delta Center at Mountain House project, the Department commented in its letter of July 17, 2001 that the proposed site for the college was within an agricultural preserve according to the County Community Development Department. The Department recommended notification of public agency acquisition pursuant to Government Code §51290 et seq., which requires notification of acquisition involving land under contract or within a Williamson Act agricultural preserve. In our comment on the Notice of Preparation for this project, we advised the San Joaquin-Delta Community College District to provide this notification, which has not been received to date. Based on maps provided in the DEIR, it appears that the College site is not on contracted land. However, it may be located within a Williamson Act agricultural preserve, an area of land established by the County within which contracts may be enrolled and which must be restricted by zoning compatible with agricultural use if the preserve contains contracted land. We recommend that the Final EIR (FEIR) provide clarification as to whether the college site is located within an agricultural preserve.

Mitigation Measures

The DEIR states that developers will pay an agricultural mitigation fee on an acre-per-acre basis if such a fee is approved by the County before approval of any final subdivision map for the project site. As of January 2005, no such fee had been adopted.

Although not listed as mitigation for impacts to agriculture, the DEIR notes that the County has adopted the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and that one of the goals of the SJMSCP is to preserve farmland that is compatible with protecting habitat lands. Developers may participate in the SJMSCP or other acceptable mitigation plan regarding specified habitat. Mitigation measures in the DEIR appear to require that developers participate in the SJMSCP for some species. If land within the site contains listed species habitat, the SJMSCP requires payment of a fee for each acre of habitat converted. Fees are used to purchase conservation easements on habitat land elsewhere in the County. Although not specifically directed to farmland, the program allows for the purchase of easements that permit continued farming compatible with protection of the specified habitat. The fees are based on the type of habitat involved.

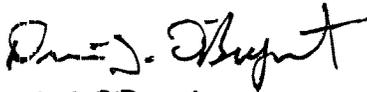
Mr. Chandler Martin
April 27, 2005
Page 3 of 3

It is not clear to the Department whether the developer's participation in the SJMSCP is required or under what circumstances it will be required. We recommend that the FEIR clarify this. For example, will fees be required depending upon future survey results or will they be automatically required because the project site has already been determined to contain listed habitat?

CEQA requires the implementation of feasible mitigation measures. Generally, a statement of intention or unspecified future action, such as the statement that developers will pay an agricultural mitigation fee if one is adopted by the County, is not sufficient mitigation under CEQA. The feasibility of such a mitigation fee is well established in the County's adoption of the SJMSCP. The City of Lathrop recently agreed to an agricultural mitigation fee for a residential development. Increasingly, lead agencies in the Central Valley, Sacramento Valley and Bay Area are using agricultural conservation easements or in lieu fees as mitigation for the conversion of farmland. Because the SJMSCP is not directed to farmland mitigation and would only inadvertently protect farmland that contains specified habitat, the Department recommends that the FEIR propose mitigation that requires agricultural conservation easements on land of equal size and quality as that being converted or in lieu fees.

Thank you for the opportunity to comment on this DEIR. Pursuant to Public Resources Code §21092.5(a), the Department looks forward to receiving your response and a copy of the FEIR. If you have questions on our comments or require technical assistance or information on agricultural land conservation, please contact Bob Blanford at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 327-2145.

Sincerely,



Dennis J. O'Bryant
Acting Assistant Director

cc: State Clearinghouse

Mr. Robert Yribarren
San Joaquin Delta Community College District
5151 Pacific Avenue
Stockton, CA 95207-6370

San Joaquin County Resource Conservation District
3422 West Hammer Lane, Suite A
Stockton, CA 95219

Letter
S1
Response

State of California, Resources Agency – Department of Conservation, Division of Land
Resource Protection
Dennis J. O’Bryant, Acting Assistant Director
April 27, 2005

S1-1 In response to the commenter’s request for clarification of the college site’s location in an agricultural preserve, The County identified that the college site is located within an agricultural preserve. However, the County also confirmed that the college site is not under a Williamson Act contract (Martin, pers. comm., 2005). Any notification required for the public agency acquisition of land within a Williamson Act agricultural preserve would be the responsibility of the San Joaquin-Delta Community College District.

S1-2 As analyzed under Impact 4.2-3 of the DEIR, the loss of Important Farmland, including Prime Farmland, is consistent with conclusions made in the MHMP EIR and is also considered a significant and unavoidable impact in the DEIR. The DEIR assumes that, in many cases, lands preserved as habitat for listed species may be put to agricultural uses without compromising the habitat preservation functions of such lands. Through implementation of the SJMSCP, the preservation of farmland that is also compatible with protecting habitat lands would continue, and the proposed project would be required to participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).

Implementation Measures 7.3.3(b) and (c) of the College Park Specific Plan require landowners in the project area to participate in the SJMSCP, including conducting surveys for special status species prior to submittal of a tentative map for approval. The process for determining whether and to what extent fees must be paid for a given parcel of land is described in Section 4.10.2 (Biological Resources) of the DEIR. When a landowner requests coverage under the SJMSCP through application to the San Joaquin Council of Governments (SJCOG), the SJCOG determines the avoidance and minimization measures to apply and calculates the appropriate fee for conversion of the land. An application can be submitted prior to or after the landowner has conducted the required surveys. Under the SJMSCP, landowners also have the option to dedicate land in lieu of paying the conversion fee. Under the SJMSCP, the SJCOG considers the size and quality of lands proposed for conversion to urban uses when determining the appropriate fees for such lands.



STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Arnold
Schwarzenegger
Governor

April 29, 2005

RECEIVED
MAY 04 2005
Community Development Dept.

Chandler Martin
San Joaquin Community Development Department
1810 E. Hazelton Avenue
Stockton, CA 95205-6232

Subject: College Park at Mountain House Specific Plan III
SCH#: 2003102074

Dear Chandler Martin:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on April 27, 2005. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2003102074) when contacting this office.

Sincerely,

A handwritten signature in black ink that reads "Terry Roberts".

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

ATTENTION: Mark Martin		FROM: Dan Brewer Department of Transportation 1976 East Charter Way Stockton, CA 95205	
UNIT/COMPANY: Community Development Department Development Services Division		DATE: 05/03/05	TOTAL PAGES (Including Cover Page) 3
		FAX # (Include Area Code) (209) 948-7194	ATSS FAX 8-423-7194
DISTRICT/CITY San Joaquin County 1810 East Hazelton Avenue Stockton, CA 95205		PHONE # (& Area Code) (209) 948-7142	ATSS 8-423-7142
PHONE # (& Area Code) (209) 468-8569	FAX # (& Area Code) (209) 468-3163	ORIGINAL DISPOSITION: Destroy <input type="checkbox"/> Return <input type="checkbox"/> Call for Pickup <input type="checkbox"/>	

COMMENTS:

- SJ-205-Post Mile 1.6
- PA 0500138 (General Plan Amendment)
- PA 0500140 (Master Plan Amendment)
- PA 0500141 (Development
- PA 0500142 (Specific Plan)
- PA 0500143 (Major Subdivision)
- PA 0500144 (Major Subdivision)
- PA 0500145 (Major Subdivision)
- PA 0500146 (Major Subdivision)
- PA 0500147 (Major Subdivision)
- PA 0500148 (Development Agreements)
- PA 0500149 (Use Permit)
- PA 0500150 (Use Permit)
- PA 0500151 (Williamson Act Cancellation)

Mountain house

DEPARTMENT OF TRANSPORTATION

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LUTHER KING JR. BLVD. 95205)
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May 3, 2005

10-SJ-205-PM 1.6
PA 0500138 (General Plan
Amendment),
PA 0500140 (Master Plan
Amendment),
PA 0500142 (Specific Plan),
PA 0500141 (Development Title
Amendment),
PA 0500143 (Major Subdivision),
PA 0500144 (Major Subdivision),
PA 0500145 (Major Subdivision),
PA 0500146 (Major Subdivision),
PA 0500147 (Major Subdivision),
PA 0500148 (Development
Agreements),
PA 0500149 (Use Permit),
PA 0500150 (Use Permit),
PA 0500151 (Williamson Act
Cancellation)
Mountain House

Chandler Martin
San Joaquin County
Community Redevelopment Department
Development Services Division
1810 East Hazelton Avenue
Stockton, CA 95205

Dear Mr. Martin:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the above mentioned documents for the proposed Mountain House community located north of and adjacent to Interstate 205 (I-205) and the I-205/Mountain House Parkway interchange. The Department has the following comments:

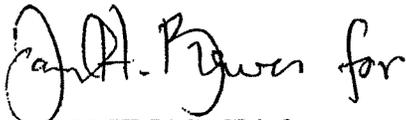
"Caltrans improves mobility across California"

Mr. Martin
May 3, 2005
Page 2

- Traffic impacts have been reviewed and mitigated as part of the Project Development Team (PDT) meetings for the Mountain House Parkway Interchange Project, Expenditure Authorization (EA) 10-442600. The Final Draft Project Report is currently under review by the District. Please contact Julie Dunning, Deputy District Director for Project Management, for status updates of above project.
- This project will need to be consistent with both the Mountain House Parkway Interchange Project, EA 10-442600 and the Altamont Westbound Truck Climbing Lane project, EA 10-0G4900.

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 (e-mail: dan.brewer@dot.ca.gov) or me at (209) 941-1921.

Sincerely,



TOM DUMAS, Chief
Office of Intermodal Planning

Letter
S2
Response

**State of California, Governor's Office of Planning and Research – State Clearinghouse
and Planning Unit**
Terry Roberts, Senior Planner
April 29, 2005

S2-1, S2-2

The MHCSD and its project team worked closely with Caltrans during the preparation of the Project Study Report (PSR) for the Mountain House Parkway Interchange Project. The design of the proposed interchange modification project takes into consideration some of the potential design needs of the future Altamont Westbound Truck Climbing Lane project. For example, Mountain House Parkway on the north side of the interchange was elevated in order to accommodate the proposed Altamont Truck Climbing Lane.

DEPARTMENT OF TRANSPORTATION

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MAY 12 2005

May 12, 2005

Community Development Dept.

ALA580810

SCH#2003102074

Mr. Chandler Martin
 San Joaquin County
 Community Development Agency
 1810 East Hazelton Avenue
 Stockton, CA 95205

Dear Mr. Martin:

**COLLEGE PARK AT MOUNTAIN HOUSE SPECIFIC PLAN III - DRAFT
 ENVIRONMENTAL IMPACT REPORT**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the College Park at Mountain House project. The comments presented below are based on the Draft Environmental Impact Report (DEIR); additional comments may be forthcoming pending final review of the DEIR.

The Department continues to have concerns about transportation impacts to the Alameda County roadway network, particularly those resulting from large development projects at the Alameda/San Joaquin County line that have the potential to impact Altamont Pass, which is a critical gateway to Alameda County. As lead agency, San Joaquin County is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. Required roadway improvements should be completed prior to issuance of the project's building permit.

Forecasting**Trip Generation (Pages 3-18, 4.11-25 & Tables 3-2, 4.11-7)**

1. Explain why AM and PM peak hour trip generation estimates are inconsistent with the Institute of Transportation Engineer (ITE), Trip Generation, 7th edition trip rates. ITE rates are compared with those in Table 4.11-7 below (unit:vph).

	<i>Office Comm. (C/O)</i>	<i>Limited Indus. (I/L)</i>	<i>ITE Total</i>	<i>Table 4-11.7</i>	<i>Underestimated</i>
AM	256 X 1.55=397	1507 X 0.92=1387	1784	1152	632
PM	256 X 1.49=382	1507 X 0.98=1477	1859	1329	530

Single Family & Multifamily (Total of 2302 units, not including 133 second units)

	ITE Trip Generation	Table 4-11.7	Underestimated
AM	2302 X .75 = 1727	1595 (=1362+233)	123
PM	2302 X 1.01 = 2325	2180 (=1851+329)	145

2. Why are the project's 133 second units omitted from project trip generation estimates? Explain why Table 4.11-7 underestimates 632 (530) vph for Service land use (IL, CO), and 132 (145) vph for single family/multifamily use, for a total of 764 (675) underestimated vph? We recommend using Table 3-2 to clarify trip generation estimates by identifying the product of each land use by size, and its corresponding trip rate.

Highway Capacity Manual (HCM) 2000 Methodology

While Volume-to-Capacity (V/C) ratios are applied to determine the Level Of Service (LOS) in Tables 4.11-1, 4.11-12 - 11-15, the most current measure of effectiveness (MOE) for determining LOS for both freeways and highways is density, which is addressed in the Highway Capacity Manual 2000.

Analysis of Intersection 9 and 10 (Page 4.11-42)

Comparing Figure 4.11-10a 2025 Build-out with Project (without interstate 205/Lammers Interchange) to Figure 4.11-11a 2025 Build-out with Project (with interstate 205/Lammers Interchange), traffic volumes appear at intersections 9 and 10 appear to be inconsistent. Note AM peak hour Right-turn traffic decreases approximately 50%, Left-turn traffic increases 96% at intersection 9 and PM peak hour approach traffic decreases 30% at intersection 10 due to the Lammers interchange improvement. Clarify how the interchange improvement, which is a significant distance from the project site, could result in these significant changes to traffic assignment.

Intersection (vph)	Figure 4.11-10a	Figure 4.11-11a	Difference
9: WB RT	797, AM	389, AM	(408, 50%)
9: WB LT	393, AM	771, AM	(378, 96%)
10: SB approach	1688 = (996+692), PM	1173 = (617+556), PM	(515, 30%)

Inconsistent Traffic Volume under Cumulative Impacts

Peak Hour traffic volumes listed in Tables 4.11-1, 4.11-13 & 14 are inconsistent. Explain the dramatic decrease in traffic from 2003 to 2010 as well as 2025, as shown below (unit:vph):

	2003	2010	2025 (w/o / w Lammers interchange)
I-205			
W. of Tracy Blvd.	9000	6900 (7560)	8311 (8524) / 8576 (8357)
S. of Grant Line Rd.	7800	5620 (6280)	6863 (3941) / 7648 (7335)
I-5			
S. of SR 132	2750	940 (1110)	444 (697) / 449 (665)
S. of Grand Ln Rd	2300	o.k.	777 (1125) / 777 (1128)
N. of I-205	11500	10540	

Trip Distribution

Trip distribution should be shown in relation to project ingress/egress.

Different Scales of Level of Service F

While actual operations within the LOS F range may vary significantly, important differences in project impacts are masked by the single LOS F designation, whereas a modified scale ranging from F1 (best-case) to F10 (worst-case) would more realistically reflect project impacts and would provide useful information for measuring the effectiveness of mitigation. For example, where the project would contribute considerably to unacceptable and unavoidable LOS F conditions on Interstate (I) 205, I-580 and I-5 (see Table 4.11-13), this modified scale could greatly enhance mitigation evaluation by providing more specific information when monitoring operating conditions once mitigation has been implemented. In response to a similar magnitude in impacts, the Los Angeles metropolitan area now applies a modified LOS F scale to more accurately represent project impacts.

Highway Operations

1. The DEIR should identify additional mitigation measures to reduce the project's contribution to significant impacts identified in Tables 4.11-13, 14. Despite the safety and operational improvements and/or the widening of Altamont Pass Road west of Grant Line Road to four lanes, the freeway is expected to operate at LOS F with the addition of project traffic.
2. The DEIR should include a table comparing delay on the freeway with and without the project under Year 2025 conditions.
3. Is the planned Grant Line Road widening to four lanes sufficient for projected volumes to the year 2025? Compared to other major arterials such as Byron Road or Mountain House Parkway, planned widening on Grant Line Road doesn't seem to correlate as well with projected volumes.
4. District 4 concurs with the District 10 recommendation that the County ensure that sufficient Right of Way (ROW) is reserved for the Westbound Altamont Truck Climbing Lane project.

Alternative Transportation

To encourage transit use as well as bicycling and pedestrians, related facilities should comply with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG).

Sound Walls

Since sound walls may be needed in the following locations, the extent of proposed sound walls should be shown on a concept plan:

- South of Central Parkway to separate residential and industrial uses, and
- Along I-205.

Hydraulics

Storm drain facilities within the Mountain House Master Plan (MHMP) area should be sized to accommodate both future development south of I-205 as well as future freeway improvements. San Joaquin County should coordinate the storm drain master plan with Caltrans' District 10.

Since College Park as well as the entire MHMP area lies northerly and downstream of I-205, portions of the freeway and areas south of the freeway drain towards the MHMP area.

Electromagnetic Fields

The project's Mitigation Monitoring and Reporting Plan should identify the individual responsible for ensuring adequate mitigation for potential Electromagnetic impacts, i.e., appropriate application of California Department of Education school setback requirements. Since the mitigation cited for this impact is outside the purview of the project sponsor, responsibility for ensuring adequate mitigation should be clarified.

Tree Removal

Detailed plans for relocating mature trees should be provided. If sufficient width for Grant Line Road widening cannot be gained from the south side of the road, trees along the north side of the road may need to be relocated.

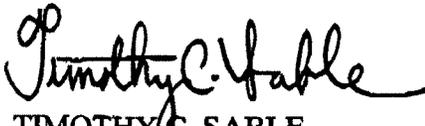
Cultural Resources

A cultural resource study of the project area was prepared for this project which identified numerous archaeological sites and the potential for unknown buried prehistoric sites, some of which may extend into Caltrans ROW. The final EIR should include the following paragraph:

"In compliance with CEQA, Public Resources Code Section 5024.5, and the Caltrans Environmental Handbook, Vol. 1, should ground disturbing activities within Caltrans ROW take place as part of this project and there is an inadvertent archaeological or burial discovery, all construction within 35 feet of the find shall cease and the Caltrans Cultural Resource Study Office (CRSO), District 4, shall be immediately contacted. A staff archaeologist will evaluate the finds within one business day of being contacted. The CRSO can be contacted at (510) 286-5613 or (510) 286-5618."

Please feel free to call or email Patricia Maurice of my staff at (510) 622-1644 or patricia_maurice@dot.ca.gov with any questions regarding this letter.

Sincerely,



TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: Mr. Dan Brewer, District 4
Ms. Terry Roberts, State Clearinghouse

S3-1 The adopted MHMP EIR requires that Mountain House mitigates its fair share of transportation impacts through participation in:

- i). Payment of a MHCS D Transportation Improvement Fee (MHTIF), and
- ii). Participation in the County’s Transportation Mitigation Fee (TIMF) program which includes a fee for regional roadway improvements, alternative modes of travel and Council of Government fee. The community’s obligation shall be as presented in adopted MHTIF/County/TIMF/Offset Program and Master Plan Development Agreement.

S3-2 The SJCOG trip rates used in the SJCOG model are shown in table below. For the proposed project, TJKM used the Institute of Transportation Engineers (ITE) residential trip rates for the project area only. The adjusted trip rates are shown in the table. As shown, the trip rates used for the proposed project area are higher than the original SJCOG trip rates, not lower as asserted by the commenter. Therefore, the trip rates are conservatively high (the residential rates used are almost double that assumed in the SJCOG model). The model was calibrated to a high level of accuracy based on these rates.

Land Use Data	Proposed Project Area		SJCOG		Other Area	
	AM trip rates	PM trip rates	AM trip rates	PM trip rates	AM trip rates	PM trip rates
SF (Unit)	0.584	0.814	0.292	0.407	.0321	0.447
MF (Unit)	0.345	0.476	0.173	0.238	.0190	0.262
RETAIL (Job)	0.629	0.844	0.629	0.844	0.691	0.927
SERVICE (Job)	0.299	0.337	0.150	0.169	0.164	0.185
OTHER (Job)	0.264	0.273	0.132	0.137	0.145	0.150

S3-3 Second units are generally a separate unit in a single-family lot that will include a bedroom, kitchenette, and bathroom. The intent is to provide more affordable housing for future workers in the area. Due to the limited floor area of the unit, it is likely that most of these second units’ rentals will be workers with no children in the family. The study did not evaluate second or bonus density units.

As mentioned above in response to comment S3-2, the model rates are based on the SJCOG model as indicated in the table. The trip rates for non-residential land use are based on number of jobs for each land use. The total trip generation rates for the proposed project is shown in Table 4.11-7.

S3-4 Comments noted. TJKM is aware of using density for freeway LOS analysis based on the 2000 Highway Capacity Manual (HCM). The intent of using Volume to Capacity (V/C) for the current freeway analysis is for comparison to the 1994 Master Plan analysis that was based on V/C.

S3-5 The proposed Lammers Interchange at I-205 is approximately 2.5 miles to the east of the proposed project site. The 2025 projection indicates that the I-205 freeway will be operating at LOS F conditions for both with and without the future Lammers Interchange.

Since the freeway is operating at capacity, any newly added roadway capacity will generally result in a change in traffic patterns due to a redistribution of traffic. Based on the results of the model projections, some of the traffic coming from Tracy or farther east will use the new Lammers Interchange connection to access Mountain House. This frees up some capacity at the ramp and is being taken up by future traffic demand to the south of I-205 at Mountain House Parkway.

S3-6 Note that the 2010 projections as shown in Table 4.11-14 of the DEIR were based on projections in the 1994 MHMP EIR, which was the future cumulative analyzed in 1994. It was included in the DEIR for comparison purposes. The newer forecast is made with an entirely different forecasting model. The numbers for the 2025 projections for these locations were incorrectly entered. The corrected numbers are as follows:

Roadways	2025 without Lammers Interchange (am volumes)/(pm volumes)	2025 with Lammers Interchange (am volumes)/(pm volumes)
I-205		
West of Tracy Boulevard	9,463/9,252	9,227/9,056
South of Grant Line Road	8,940/9,239	8,972/9,302
I-5		
South of SR 132	1,377/1,585	1,602/924
South of Grant Line Road	1,172/1,865	1,150/1,811

Table 4.11-13 is corrected herein (see revisions in Chapter 3 of this FEIR).

S3-7 Detailed trip distribution is illustrated on Figures 4.11-10 and 4.11-11.

S3-8 Comment noted. TJKM is not aware that the described rating scale is a recognized standard.

S3-9 All feasible measures to mitigate the traffic impacts from the proposed project are addressed and recommended in the EIR. The build-out of the Mountain House Community will include 12 neighborhoods, including a Town Center with residential, retail, commercial, golf course, several schools, and parks development. It is planned to be a self-sufficient community with its own employment, schools, parks, and public facilities. To internalize most of these trips or to reduce single auto-dependency, the Mountain House Transportation Demand Management (TDM) program emphasizes use of other modes of transportation such as use of transit, carpools, bicycling, walking, and telecommuting.

For example, the existing Mountain House TDM Program and Transit Plan include many programs that will promote non-auto modes of travel. By the time many of the homes in Specific Plan III are occupied, it is anticipated that at a minimum the following TDM measures will be implemented:

- ▶ Full-time TDM Coordinator – currently, a part-time TDM Coordinator has been provided. One of the TDM action items is to provide a full-time staff person as soon as the on-site MHCSO office is occupied.
- ▶ Community Telecenter – this will promote and facilitate tele-commuting as a viable option.

- ▶ Park-and-Ride Lots – three joint-use park-and-ride lots would be provided throughout the community.

As mentioned in the DEIR, the projected volumes are based on unconstrained assignments and likely upstream constraints would preclude these volumes from reaching the study area. Once the freeway is saturated and operating at LOS F, additional traffic cannot be realized in the same peak hour. Instead, it is likely that peak spreading would occur, which is already happening on I-205 and on other freeways in the area.

As commute traffic on highway facilities reaches congested levels, commuters begin to change their travel patterns by either finding less-congested routes or commuting during off-peak hours. This second phenomenon, known as peak spreading, is already occurring on the I-580 and I-205 freeways. It is becoming especially pronounced in this area for which no direct corridorwide, uncongested alternative routes exist. For example, with four lanes in each direction on I-580 at Altamont Pass, the maximum theoretical capacity is approximately 8,800 vehicles per hour. The 1994 MHMP DEIR forecasted a demand of approximately 10,440 vehicles per hour at the same location. So the theoretical capacity of 8,800 vehicles per hour on I-580 would not be able to accommodate even the projected 1994 MHMP DEIR demand as well. In this situation, peak spreading would occur.

However, the current model is projecting a demand of approximately 12,000 vehicles per hour in 2025. The freeway will not be able to accommodate all the projected demand in one peak hour. The projected traffic can only be realized through peak spreading.

Below is a table that shows I-205 freeway volumes at some locations near the project site. As shown in the table, these locations will still be operating at LOS F without the proposed project since all available capacity would be utilized by the latent demand.

Freeway	Location	Total Lanes	2025 Build-out With Project & Without I-205 Lammers Interchange						2025 Build-out No Project & Without I-205 Lammers Interchange					
			AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour		
			Volume	V/C	LOS	Volume	V/C	LOS	Volume	V/C	LOS	Volume	V/C	LOS
I-205	South of Grant Line Road	6	8,940	1.35	F	9,239	1.40	F	8,936	1.35	F	9,085	1.38	F
	West of 11 th Street	6	12,730	1.93	F	12,992	1.97	F	11,900	1.80	F	12,029	1.82	F
	West of Patterson Pass Rd.	6	12,054	1.83	F	12,621	1.91	F	11,930	1.81	F	12,440	1.88	F

According to the County and MHCS D adopted Improvement Programs, the MHTIF will fund the widening of Grant Line Road between the Alameda County line and its intersection with I-580. According to traffic modeling, a four-lane Grant Line Road will be adequate to accommodate the projected traffic. MHCS D and the project team have been working with Caltrans on this issue for sometime since the beginning of the PSR for the I-205/Mountain House Parkway Interchange project. In fact, the design of the interchange provides for the potential future design of the truck climbing lane.

S3-10

The design of Mountain House community provides for bicycling and pedestrian access and fully supports American Disability Act (ADA) guidelines.

- S3-11** The commenter suggests that sound walls may be needed south of Central Parkway to separate residential and industrial uses and along I-205. The 1994 MHMP describes landscape buffers and/or open fences to be installed along I-205 and for community edging. These plans were carried through to this DEIR; see Section 4.13 (Noise).
- It has not yet been determined whether or not sound barriers or other noise attenuation techniques will be needed along I-205 as it is premature to make this determination at this point in time. As provided in Table 4.13-11 of the DEIR, noise barriers are not included along Central Parkway so are not needed on a concept plan.
- S3-12** The DEIR addresses potential impacts to the conveyance of stormwater in Section 4.7 (Drainage). This section identifies that runoff water originates from off-site locations to the south and southwest of the proposed project site in Section 4.7.1 (Physical Setting). This off-site runoff water is currently funneled through culverts under I-205. For the purposes of analyzing stormwater drainage across the project site, the DEIR assumes that off-site drainage courses would remain the same and that long-term development limitations (i.e., agricultural zoning) of lands south and southwest of the proposed project site would not change. Because urban development has not been proposed for areas south and southwest of the proposed project site, the DEIR analyzes water drainage from these off-site locations as “clean” water because the runoff originates from undeveloped lands. As a result, the storm drain system to serve the proposed project is sized to convey water drainage from project development and off-site “clean” water. The DEIR adequately analyzes potential impacts related to stormwater drainage for the proposed project site and offsite locations.
- S3-13** The Mitigation Monitoring and Reporting Plan (MMRP) would not identify a responsible party for implementing mitigation for Electric Magnetic Fields (EMF) exposure because the impacts for EMF exposure would be less than significant. However, as stated in the MHMP MMRP, the developer is responsible for providing informational packets to be given to residents (see MM 4.10-2(a) of the MHMP and Specific Plan I MMP). In addition, *Education Code Section 17521 and the California Code of Regulations (CCR), Title 5, sections 14001 through 14012*, outline the powers and duties of the Department of Education (CDE) regarding school sites and the construction of school buildings. Within the guidelines are the **Proximity to High-Voltage Power Transmission Lines** guidelines. The CDE requires their regulations and siting criteria to approve a school site.
- S3-14** The DEIR addresses potential visual impacts from the removal of 200 mature trees along Grant Line Road in Section 4.14 (Visual Quality) and under Impact 4.14-1. As stated in Impact 4.14-1, the removal of these trees is a significant and unavoidable impact. Mitigation Measure 4.14-1 requires developers in the project area to provide trees on both sides of Grant Line Road. Detailed plans showing the specific locations for planting new trees would be reviewed by The County. Although the assumption that additional road width could be required for widening Grant Line Road, replacement trees would still be required to be planted along both sides of Grant Line Road. The analysis of impacts to visual quality resulting from the expansion of Grant Line Road is adequate, and the mitigation measure provided fully mitigates these impacts.
- S3-15** Text on page 4.6-21 is revised to read: “In compliance with CEQA, Public Resources Code Section 5024.5, and the Caltrans Environmental Handbook, Vol. 1, should ground-disturbing activities within Caltrans ROWs take place as part of this proposed project and there is an inadvertent archaeological or burial discovery, all construction within 35 feet of the find shall cease and the Caltrans Cultural Resource Study Officer (CRSO), District 4, shall be contacted immediately. A staff archaeologist will evaluate the finds within one business day of being contacted. The CRSO can be contacted at 510-286-2613 or 510-286-5618.”

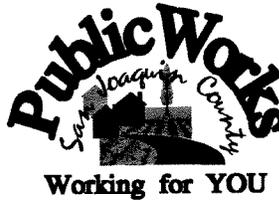


THOMAS R. FLINN
DIRECTOR

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DEPUTY DIRECTOR

STEVEN WINKLER
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April 26, 2005

San Joaquin County Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205-3163
Attn: Chandler Martin
SUBJECT: COLLEGE PARK AT MOUNTAIN HOUSE SPECIFIC PLAN III DRAFT EIR

Dear Mr. Martin:

The San Joaquin County Department of Public Works has reviewed the environmental document for the above referenced project and our concerns, recommendations, and corrections are as follows:

The Traffic Engineering Division offers the following comments:

- Volume I, Table 2-1 Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts), page 2-35, Impact 4.11-2 Transportation – Potential Traffic Safety Issues during Construction: The last sentence is incomplete as stated (“A would occur.”) Please clarify.
- Volume I, Section 4.11.4 Impact Analysis, page 4.11-18, Approved Roadway Improvements, paragraph 3: It is unclear whether volume counts were taken during peak harvest and construction periods. Please clarify.
- Volume I, Table 4.11-18 2025 Cumulative With-Project Mitigation Measures, page 4.11-52, Roadway Segment 3. Grant Line Road from Mountain House Parkway to Byron Road: Figure 4.11-13 shows it as four lanes from Hansen Road to Byron Road. This is inconsistent. Please clarify.

The Transportation Planning Division offers the following comments:

- The document references the development of a future parallel east-west roadway system to the north of I-205. These statements appear to be inconsistent with various financial agreements that are in place between Mountain House Community Services District and San Joaquin County. Further, the proposed future roadway is not included in the San Joaquin County General Plan. References to this proposed future roadway should be removed from the document since they are speculative at this time.

Thank you for the opportunity to be heard. Should you have questions or need additional information regarding the above comments, please contact Wendy Johnson, Environmental Coordinator at (209) 468-3085.

Sincerely,

Wendy Johnson
Environmental Coordinator

c: Tom Okamoto, Traffic Engineering
David Mendoza, Transportation Planning

Letter
L1
Response

Public Works, San Joaquin County
Wendy Johnson, Environmental Coordinator
April 26, 2005

- L1-1** Text has been revised, replacing “A would occur” with “A less than significant impact would occur.” See text revisions in Chapter 3.
- L1-2** Traffic counts were conducted at critical times throughout the day and points in the year (e.g., during school session, before summer vacation.)
- L-13** Grant Line Road would be widened from Mountain House Parkway to Byron Road. Figure 4.11-13 was also showing it to be widened to four lanes from Mountain House Parkway to Byron Road by the proposed project (using a different line type). To avoid confusion, TJKM has revised Figure 4.11-13 (see revisions in Chapter 3 of this FEIR).
- L1-4** Comment noted. Note that the reference of an east-west parallel was mentioned in the Master Plan under 9.2 (Freeway Improvements).



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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Robert McClellon, R.E.H.S.
Mark Barcellos, R.E.H.S.

April 28, 2005

To: San Joaquin County Community Development Department
From: San Joaquin County Environmental Health Department **RB**
Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284
RE: **PA-05-138 (TA), SU004913, Attention: Chandler Martin
Mountain House Community**

RECEIVED
MAY 03 2005
Community Development Dept.

The Environmental Health Department has no comments in regards to the General Plan Amendment as proposed.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 28, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB* *MA*

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

**RE: PA-05-141 (TA), SU004915, Attention: Chandler Martin
Mountain House Community**

RECEIVED
MAY 03 2005
Community Development Dept.

The Environmental Health Department has no comments regarding Mountain House Development Title Amendments as proposed.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 28, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB*

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

**RE: PA-05-140 (TA), SU004914, Attention: Chandler Martin
Mountain House Community**

RECEIVED
MAY 03 2005
Community Development Dept.

The Environmental Health Department has no comments in regards to the Master Plan Amendment as proposed.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 28, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB MA*

Contact Person: Raymond Borges, Lead Sr. R.E.H.S., R.D.I., Phone: (209) 468-3284

**RE: PA-0500159 (DEIR), SU004947, Attention: Chandler Martin
College Park at Mountain House
For the Proposed Specific Plan III Project, Volume I & II**

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Community Development Dept.

The Environmental Health Department has reviewed the Draft Environmental Impact Report for College Park at Mountain House and has the following comments:

A. Page 4.5 – 12:

Land disposal of sludge from potable water treatment facilities should be permitted by the Central Valley Water Quality Control Board under mitigation measure M4.4.1-5.

B. Page 4.5 – 22 and 24:

Land disposal of sludge from wastewater treatment plants is currently prohibited in San Joaquin County per the San Joaquin County Development Title 5 – 9102 (a). (See mitigation measure M4.4.2-3).

C. Page 4.9 – 30:

The Environmental Health Department believes the Central Valley Water Quality Control Board should be added in regards to dairy waste pond(s) removal per mitigation measure 4.9-1.

The San Joaquin County Environmental Health Department has regulatory authority over the investigation and cleanup of contamination from underground storage tank releases and would provide “no further action required” determinations for that source of contamination. Determinations of “no further action required” for any other sources of contamination would be by the California Regional Water Quality Control Board, Central Valley Region or the California Department of Toxic Substance Control, including the December 4, 2003 crude oil release and any migration of it to the College Park site.

The San Joaquin County Environmental Health Department will review but does not provide approval of Environmental Site Assessments.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 29, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB*

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

**RE: PA-05-150 (UP), SU004924, Attention: Chandler Martin
Mountain House Community (Tertiary Wastewater Storage Pond)**

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MAY 03 2005
Community Development Dept.

The Environmental Health Department recommends that the applicant and Mountain House Community Services District are permitted for treated wastewater disposal on this site from the Central Valley Regional Water Quality Board.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 28, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

RE: **PA-0500152 (SP), SU004916, Attention: Chandler Martin
College Park at Mountain House
Specific Plan III**

RECEIVED
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Community Development Dept

RB

The Environmental Health Department has reviewed the College Park at Mountain House, Specific Plan III and has the following comments:

The Environmental Health Department has only one dairy under permit in this Planning area. The Environmental Health Department concurs with permitting requirements for decommission as proposed with the Central Valley Water Quality Control Board approval.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 29, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB* *MM*

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

**RE: PA-05-149 (UP), SU004923, Attention: Chandler Martin
Mountain House Community (Two Water Tanks)**

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MAY 03 2005
Community Development Dept.

The San Joaquin County Development Title Requirements listed below have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

- A. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 29, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB* *[Signature]*

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

RE: **PA-05-145 (SU), SU004919, Attention: Chandler Martin
Mountain House Community (Tuso/Muela Tentative Map)**

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MAY 03 2005
Community Development Dept.

The Tuso/Muela Tentative Map shall comply with the Specific Plan III in regards to public services and potential contaminated site mitigation issues.



ENVIRONMENTAL HEALTH DEPARTMENT

SAN JOAQUIN COUNTY

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April 29, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB* *MA*

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

**RE: PA-05-146 (SU), SU004920, Attention: Chandler Martin
Mountain House Community (Machado Tentative Map)**

RECEIVED
MAY 03 2005
Community Development Dept.

The Environmental Health Department recommends that the Phase I and Phase II Environmental Studies be completed prior to processing the Machado Tentative Map. Access was denied according to the Specific Plan III report.

The Machado Tentative Map shall then comply with the Specific Plan III in regards to public services and potential contaminated site mitigation issues.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

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April 28, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

RE: **PA-05-143 (SU), SU004917, Attention: Chandler Martin
Mountain House Community (Donati Tentative Map)**

RECEIVED
MAY 03 2005
Community Development Dept
R/S

The Donati Tentative Map shall comply with the Specific Plan III in regards to public services and potential contaminated site mitigation issues.



ENVIRONMENTAL HEALTH DEPARTMENT SAN JOAQUIN COUNTY

Donna K. Heran, R.E.H.S.
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April 29, 2005

To: San Joaquin County Community Development Department

From: San Joaquin County Environmental Health Department *RB*

Contact Person: Raymond Borges, Lead Senior R.E.H.S., R.D.I., Phone: (209) 468-3284

**RE: PA-05-144 (SU), SU004918, Attention: Chandler Martin
Mountain House Community (Souza/Teixeira Tentative Map)**

RECEIVED
MAY 03 2005
Community Development Dept.

The Souza/Teixeira Tentative Map shall comply with the Specific Plan III in regards to public services and contaminated site mitigation issues.

- L2-1** Comment noted.
- L2-2** Comment noted.
- L2-3** Comment noted.
- L2-4** The referenced mitigation measure was adopted by the County as part of the FEIR for the MHMP and Specific Plan I (1994) as a condition of approval of the MHMP and Specific Plan I projects. This mitigation measure is identified in the DEIR as it forms a portion of existing regulations that apply to the proposed project. The proposed project would be required to comply with this mitigation measure and all applicable requirements of the MHMP and Central Valley RWQCB.
- L2-5** The reference to San Joaquin County Development Title 5 – 9102(a) is noted. The referenced mitigation measure was adopted by the County as part of the FEIR for the MHMP and Specific Plan I 1994 as a condition of approval of the MHMP and Specific Plan I projects. This mitigation measure is identified in the DEIR as it forms a portion of existing regulations that apply to the proposed project. The proposed project would be required to comply with this mitigation measure and all applicable requirements of the MHMP and Central Valley RWQCB.
- L2-6** Mitigation Measure 4.9-1: Public Health and Safety – Expose People to Pre-Existing Hazardous Materials During Construction, shall read:
- “The San Joaquin County Environmental Health Department shall have regulatory authority over the investigation and clean-up of contamination from underground storage tank releases and would provide “no further action required” determinations for that source of contamination. All above ground storage tanks (ASTs) and underground storage tank (USTs) at the proposed project site shall be removed under the supervision of a qualified hazardous material expert in accordance with applicable regulations and removal permit requirements from the County Environmental Health Department. Dairy waste ponds or any other sources of contamination shall be removed under a qualified hazardous materials expert in accordance with applicable regulations and requirements from the Central Valley RWQCB or the California Department of Toxic Substances Control (DTSC). This includes the December 4, 2003 crude oil releases and any migration of it to the proposed project site. The soil underlying these facilities shall be sampled and tested by the experts. If the testing reveals contamination, the regulatory agencies shall be contacted, any recommendations by the experts shall be implemented, and regulating agency shall identify “no further action” before project construction.”
- L2-7** Recommendation is noted. Analysis of disposal of treated wastewater on land by MHCS D’s Wastewater Treatment Plant is provided in under Impact 4.5-3 of the DEIR. As part of this process for disposing of treated wastewater, the proposed project would comply with all applicable requirements of the Central Valley RWQCB.
- L2-8** Comment noted.
- L2-9** Comment noted.

- L2-10** Comment noted.
- L2-11** Comment noted. The Machado property is considered at a “program” level of review because the proposal for the tentative map was withdrawn.
- L2-12** Comment noted. Tentative maps proposed in the College Park Specific Plan area would be required to comply with all requirements of Specific Plan III. Approval of tentative maps would not occur until after the College Park Specific Plan and environmental document are approved by the San Joaquin County Board of Supervisors.
- L2-13** Comment noted. Tentative maps proposed in the College Park Specific Plan III area would be required to comply with all requirements of the Specific Plan III. Approval of tentative maps would not occur until after the College Park Specific Plan and environmental document are approved by the San Joaquin County Board of Supervisors.



San Joaquin Valley
Air Pollution Control District

Reference #: N20050257

April 28, 2005

Chandler Martin
San Joaquin County
Community Development Department
Development Services Division
1810 East Hazelton Avenue
Stockton, CA 95205

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) COLLEGE PARK
AT MOUNTIAN HOUSE SPECIFIC PLAN III.

Dear Mr. Martin:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the proposed project and offers the following comments:

Based on the information provided in the "Air Quality" section of the DEIR, the District concurs with the findings of significant impacts identified in the report. However, the District would like to suggest the following items as additional mitigation measures and clarifications:

As identified in the DEIR this project is subject to District Regulation VIII (Fugitive Dust Prohibitions). The purpose of Regulation VIII is to reduce the amount of fine particulate matter (PM-10) entrained into the ambient air from man-made sources. **Please be advised that the District's Governing Board approved amendments to Regulation VIII, Rules 8011-8061 and 8071-8081; respectively, that became effective on October 1, 2004. Of particular note are amendments to Rule 8021 (see section 6.3.1); the Dust Control Plan threshold has changed from 40.0 acres to 10.0 or more acres for residential sites and 5 acres for nonresidential sites. If a site is 1.0 to less than 10.0 acres (for residential) and 5 acres (for nonresidential), an owner/operator must provide written notification to the District at least 48 hours prior to his/her intent to begin any earthmoving activities (see section 6.4.1). The attached Compliance Assistance Bulletin (CAB) highlights many of the requirements contained within Regulation VIII. The CAB is not meant to be all-inclusive, but it can be a useful compliance aid in the field and office alike. Question regarding Regulation VIII and Dust Control Plans should be directed to Dillon Collins at (209) 557-6400**

David L. Crow
Executive Director/Air Pollution Control Officer

Northern Region Office
4230 Kiernan Avenue, Suite 130
Modesto, CA 95356-9322
(209) 557-6400 • FAX (209) 557-6475

Central Region Office
1990 East Gettysburg Avenue
Fresno, CA 93726-0244
(559) 230-6000 • FAX (559) 230-6061
www.valleyair.org

Southern Region Office
2700 M Street, Suite 275
Bakersfield, CA 93301-2373
(661) 326-6900 • FAX (661) 326-6985

Additionally, District Rules 4901 and 4902 regulate the sale, installation and transfer of both wood burning devices and natural gas-fired water heaters to limit the emissions of PM10 and NOx in residential developments. Specifically:

§5.3 Limitations on Wood Burning Fireplaces or Wood Burning Heaters in New Residential Developments:

Beginning January 1, 2004,

5.3.1 No person shall install a wood burning fireplace in a new residential development with a density greater than two (2) dwelling units per acre.

5.3.2 No person shall install more than two (2) EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three (3) dwelling units per acre.

5.3.3 No person shall install more than one (1) wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two (2) dwelling units per acre.

The following mitigation measure should be considered.

- Require construction equipment used at the site to be equipped with catalysts/particulate traps to reduce particulate and NOx emissions. These catalysts/traps require the use of ultra-low sulfur diesel fuel (15 ppm). Currently, California Air Resources Board (ARB) has verified a limited number of these devices for installation in several diesel engine families to reduce particulate emissions. At the time bids are made, have the contractors show that the construction equipment used is equipped with particulate filters and/or catalysts or prove why it is infeasible.
- The District encourages the applicant and fleet operators using the facility to take advantage of the District's Heavy-Duty Engine program to reduce project emissions. The Heavy Duty program provides incentives for the replacement of older diesel engines with new, cleaner, fuel-efficient diesel engines. The program also provides incentives for the re-power of older, heavy-duty trucks with cleaner diesel engines or alternative fuel engines. New alternative fuel heavy-duty trucks also qualify. For more information regarding this program

contact the District at (559) 230-5858 or visit our website at <http://www.valleyair.org/transportation/heavydutyidx.htm>.

- The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling. The applicant should install equipment that provides amenities that would otherwise be powered by idling engines. An example of such technology includes *IdleAire*. See <http://www.idleaire.com/>.
- Construction equipment should have engines that are Tier II (if available as certified by the Air Resources Board). Engines built after 1998 are cleaner Tier II engines. Tier I and Tier II (2.5 gram) engines have a significantly less PM and NOx emissions compared to uncontrolled engines. To find engines certified by the Air Resources Board, see <http://www.arb.ca.gov/msprog/offroad/cert/cert.php>. This site lists engines by type, then manufacturer. The "Executive Order" shows what Tier the engine is certified as. For more information on heavy-duty engines, please contact Mr. Kevin McCaffrey, Air Quality Specialist, at (559) 230-5831.
- Electrify truck-parking areas to allow trucks with sleeper cabs to use electric heating and cooling to eliminate the need to idle their diesel engines.
- If TRU's (truck refrigeration units) will be utilized, provide an alternative energy source for the TRU to allow diesel engines to be completely turned off.
- On days declared as "Spare the Air Days", construction work should be reduced as much as possible.
- All housing units should include as part of the purchase an electric lawn mower and an electric edger.
- The project should include as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc. Rebate and incentive programs are offered for alternative energy equipment. More information can found at- <http://www.dsireusa.org/>, <http://rredc.nrel.gov/>, <http://www.energy.ca.gov/renewables/>
- The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling.

San Joaquin County
College Park DEIR

April 28, 2005
Page 4

- Curtail construction during periods of high ambient pollutant concentrations. This may include ceasing construction activity during peak-hour vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.

Thank you for the opportunity to comment. If you have any questions, please feel free to contact me at (209) 557-6400.

Sincerely,

John Cadrett
Air Quality Planner
Northern Region

- L3-1** As noted in the DEIR, the Project is subject to District Regulation VIII (Fugitive Dust Prohibitions). Per the District's comment, we note that it has amended Regulation VIII. Air quality Mitigation Measure 4.12-1 would require the proposed project to comply with the current regulations in effect at the time individual development applications are received. Therefore, the amended regulations would apply to the proposed project.
- L3-2** The San Joaquin Valley Air Pollution Control District (SJVAPCD) may require that the new regulations (District Rules 4901 and 4902) be a part of their permitting process. As stated in Specific Plan III, implementation measure 10.2.3 d. states: "The project shall be subject to all requirements of the SJVAPCD, MHCSD Standards and Programs, including the MHCSD's TDM Plan and Construction Truck Management Plan."
- L3-3 - L3-13** Pursuant to Section 10.5 of the MHMP and Section 10.4.3 of the College Park Specific Plan (Specific Plan III), the proposed project is required to comply with all applicable requirements of the SJVAPCD. The following mitigation measures have been added to the DEIR (included in Chapter 3 of this FEIR):
- ▶ Require construction equipment used at the site to be equipped with catalysts/particulate traps to reduce particulate and NO_x emissions. These catalysts/traps require the use of ultra-low sulfur diesel fuel (15 ppm). Currently, California Air Resources Board (ARB) has verified a limited number of these devices for installation in several diesel engine families to reduce particulate emissions. At the time bids are made, have the contractors show that the construction equipment used is equipped with particulate filters and/or catalysts or prove why it is infeasible.
 - ▶ The District encourages the applicant and fleet operators using the facility to take advantage of the District's Heavy-Duty Engine program to reduce project emissions. The Heavy Duty program provides incentives for the replacement of older diesel engines with new, cleaner, fuel-efficient diesel engines. The program also provides incentives for the re-power of older, heavy-duty trucks with cleaner diesel engines or alternative fuel engines. New alternative fuel heavy-duty trucks also qualify.
 - ▶ The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling. The applicant should install equipment that provides amenities that would otherwise be powered by idling engines.
 - ▶ Construction equipment should have engines that are Tier II (if available as certified by the Air Resources Board). Engines built after 1998 are cleaner Tier II engines. Tier I and Tier II (2.5 gram) engines have a significantly less Particulate Matter (PM) and NO_x emissions compared to uncontrolled engines.
 - ▶ Electrify truck-parking areas to allow trucks with sleeper cabs to use electric heating and cooling to eliminate the need to idle their diesel engines.
 - ▶ If TRUs are utilized, provide an alternative energy source for the TRU to allow diesel engines to be completely turned off.

- ▶ On days declared as “Spare the Air Days,” construction work should be reduced as much as possible.
- ▶ All housing units should include as part of the purchase an electric lawn mower and an electric edger.
- ▶ The project should include as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc.
- ▶ Rebate and incentive programs are offered for alternative energy equipment.
- ▶ The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling.
- ▶ Curtail construction during periods of high ambient pollutant concentrations. This may include ceasing construction activity during peak-hour vehicular traffic on adjacent roadways, and “Spare the Air Days” declared by the District.

Community Development Department

County Administration Building
651 Pine Street
4th Floor, North Wing
Martinez, California 94553-0095

Phone: (925) 335-1240

April 28, 2005

Mr. Chandler Martin
San Joaquin County Community Development Department
Development Services Division
1810 East Hazelton Avenue
Stockton, CA 95205

Dear Mr. Martin:

My staff and I have reviewed the transportation section and project description in the Draft Environmental Impact Report (EIR) on Mountain House Specific Plan III. This project, and the Mountain House community as a whole, is of interest to Contra Costa County due to their potential impacts on the existing and future transportation network that connects our two counties.

I would like to offer the following comments on the DEIR.

The future Brentwood-Tracy Expressway (State Route 239) should be considered as mitigation for significant impacts on I-580 and Byron Road. The Brentwood-Tracy Expressway, or State Route 239, is an unconstructed state highway. State law describes this highway as an inter-county route that will link State Route 4 in Brentwood with I-580 near Tracy. In 1996, the Metropolitan Transportation Commission and the San Joaquin Council of Governments jointly sponsored the Altamont Interregional Corridor Transportation Study. That study referred to State Route 239 as the Brentwood-Tracy Expressway and recommended local jurisdictions to continue planning and implementation activities for such long-range transportation projects that could eventually serve as alternate routes for I-580.

A precise alignment hasn't yet been determined, but the Mountain House community is within the general study area for Brentwood-Tracy Expressway. An inter-county study could begin in the near future, once adequate funding has been secured. Contra Costa County is working with our Congressional delegation to secure funding authorization for this project in the next six-year federal transportation bill.

The EIR should evaluate this future route as mitigation for the level-of-service "F" conditions on I-580 that were identified as a significant but unavoidable impact, as well as for the significant impacts identified on Byron Road. I believe the Public Works Directors of San Joaquin County and Contra Costa County have had some discussions about a multi-agency alignment study for the route. It is important that the Specific Plan III project and future phases of the Mountain House community facilitate rather than impede the ability to design and build this route.

Commuter rail service on the Union Pacific tracks should be considered as mitigation for significant impacts on I-580 and Byron Road. Rail service also should be considered as mitigation for the level-of-service "F" conditions that are projected for I-580 west of the project. Recent approval of Regional Measure 2 in the Bay Area and Measure J in Contra Costa County will provide toll and sales tax revenue for extension of BART service to eastern Contra Costa. BART and the Contra Costa Transportation Authority are working with Union Pacific to acquire the Mococo rail line from Pittsburg to its terminus at the Altamont rail line in Tracy. BART is about to begin the environmental analysis for a planned commuter rail service that will run along these tracks within eastern Contra Costa County, from the Pittsburg/Bay Point BART Station to the Byron/Discovery Bay area. Due to the cost of BART technology, a more conventional commuter service using standard gauge tracks with a cross-platform transfer

Office Hours Monday - Friday: 8:00 a.m. - 5:00 p.m.
Office is closed the 1st, 3rd & 5th Fridays of each month

Contra Costa County



Dennis M. Barry, AICP
Community Development Director

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to BART trains is the preferred project. If the U.P. right-of-way is acquired all the way to Tracy, rail service could be extended to the ACE Train system at some point in the future. The EIR should propose establishment of a rail transit station in the Mountain House community to accommodate future rail service as mitigation for traffic impacts of the Specific Plan III project and for cumulative growth in Mountain House.

Clarification is needed on the widening of the Byron Highway that is referenced in the Draft EIR. The Draft EIR indicates the widening of Byron Highway to four lanes is necessary to avoid level-of-service "F" on Byron Highway west of Mountain House Road. This is the portion of Byron Highway closest to Contra Costa County. The EIR should specify the geographical limits of the impact and the proposed mitigation so we can understand how much of Byron Highway will be impacted by the project and addressed by the mitigation. The EIR should discuss the necessity to evaluate the need for a grade separation at the Union Pacific railroad crossing north of the county line. In Contra Costa County local funding sources have been developed to help finance operational improvements to the Byron Highway within Contra Costa County.

The Mountain House Master Plan published in 1994 included widening of Byron Road to four lanes from Mountain House Parkway to Marina Boulevard to be triggered by 8,050 dwelling units; widening to four lanes from Marina Boulevard to the Alameda County line to be triggered by 12,080 dwelling units; widening to four lanes from Mountain House Parkway to Grant Line Road to be triggered by 9,660 dwelling units; and widening to six lanes from Mountain House Parkway to Wicklund to be triggered by 12,080 dwelling units. Does the information in the Draft EIR warrant re-evaluating these triggers for road improvements?

The EIR for the Master Plan published in 1994 also discussed the need to monitor the actual jobs/housing balance during the development of the Mountain House community. Such monitoring was proposed as a reality check for the EIR's assumptions for the portion of residents that would work in the community and not impact regional commute routes such as Byron Highway. It is not evident from the Draft EIR how assumptions for commuting internal to Mountain House compare with the EIR for the Master Plan and whether initial development assumptions, and the reduction in impacts to regional commute routes, are feasible to achieve.

Future notification is requested for public notices and reports related to Mountain House. I understand Bill Factor of your staff is sending an Expanded Initial Study on Specific Plan II to John Greitzer of my staff. Please also put Mr. Greitzer on your mailing list for any future Mountain House phases, and also for any other publications such as annual reports that are distributed to the San Joaquin County Planning Commission or Board of Supervisors regarding the status of the Mountain House community. Mr. Greitzer has given his name and contact information to Mr. Factor.

These comments are offered to ensure a complete and adequate evaluation of Specific Plan III. If you have questions about any of these comments, please contact me at (925) 335-1240.

Sincerely,



Steven L. Goetz
Deputy Director, Transportation Planning

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- c:
- Members, Board of Supervisors
 - Members, Byron Municipal Advisory Council
 - Members, Bethel Island Municipal Advisory Council
 - Members, Discovery Bay Municipal Advisory Council
 - Members, Knightsen Municipal Advisory Council
 - D. Barry, Community Development Director
 - M. Shiu, Public Works Director
 - K. Ajise, Caltrans District 10
 - A. Chesley, San Joaquin Council of Governments
 - B. Mc Cleary, Contra Costa Transportation Authority
 - B. Sartipi, Caltrans District 4

L4-1

The traffic modeling was based on the most current SJCOG regional travel demand model. SJCOG is the regional transportation planning agency in the County. In 1998, SJCOG prepared the draft 1998 Regional Transportation Plan (RTP). The RTP is an overall “blueprint” of the County’s transportation system that addresses transportation improvements between 1999 and 2020.

The RTP divides desired transportation improvements between Tier 1 (anticipated to be funded) and Tier 2 (no funding currently identified). Tier 1 actions proposed under the RTP for the Mountain House area include:

- ▶ Preparation of a PSR for I-205 interchange at Mountain House Parkway (the PSR has been approved); and
- ▶ Preparation of environmental studies and design engineering work for the widening of I-205 between Eleventh Street and I-5 (project is funded and slated for construction in Summer of 2005)

The proposed Brentwood-Tracy Expressway, or SR 239 was not included in the Tier 1 or Tier 2 project list. Consequently, this roadway was not part of the SJCOG model. However, any future study of the proposed project would be a positive contribution for traffic in the area. MHCSO will fully assist and cooperate in such a study.

Since the proposed SR 239 connects I-580 to SR 4, it might provide access for some traffic to the west of Mountain House Parkway (traffic from Tracy or Stockton); however, it is anticipated that the major benefits would be experienced by I-5 traffic with destinations to the Delta cities such as Antioch, Benicia, Pleasant Hill, or Concord.

L4-2

The Mountain House New Community has adopted a set of TDM plans as documented in “*Mountain House New Community – TDM Program and Transit Plan, dated April 3, 1997.*” The TDM plan anticipates that some day commuter rail service might be planned along the Altamont Pass Corridor (now ACE), and may someday be along the Mococo Line which runs though the Mountain House site parallel to Byron Road.

The TDM plan calls for a 2-acre station platform and parking at the Mococo Line within the Mountain House community.

L4-3a

Based on current analysis, widening of Byron Road from the County Line to Mountain House Parkway to four lanes would be required at approximately 14,000 units of Mountain House development. The widening of Byron Road from Mountain House Parkway to Henderson Road to six lanes would be required at approximately 14,000 units.

L4-3b

The current model assumptions for commuting internal to Mountain House compares very closely (within 3 percent) to the Master Plan as shown on Table 4.11-8, page 4.11-26.

The Master Plan Mitigation Measure M4.12-1 states: “The annual reports should identify various data including land use occupancy information, traffic counts, and progress of planned

transportation improvements and planning studies such as PSRs. Traffic monitoring should include traffic counts and LOS analysis on all community gateways and other impacted County roads. Adequacy of the near-term trigger points and progress toward implementation of the required transportation improvements should also be reviewed.

Should traffic impacts of the proposed project be found during the annual monitoring to be different (i.e., higher than projected levels), then the County shall hold hearings, receive testimony, make findings, and take appropriate action. The County shall adopt findings related to whether the adopted trigger points for transportation improvements and the project's fair share of costs should be revised to ensure the timely construction of needed improvements, as a condition of further development approvals.”

The MHCSO conducts annual traffic monitoring and will be following the above policies.

L4-4 Comment noted. Contact will be added to the project mailing list.



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Community Development Dept.

CHIEF EXECUTIVE OFFICE
Richard W. Robinson
Chief Executive Officer

Patricia Hill Thomas
Assistant Executive Officer

1010 10th Street, Suite 6800, Modesto, CA 95354
P.O. Box 3404, Modesto, CA 95353-3404

Phone: 209.525.6333 Fax 209.544-6226

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

April 26, 2005

Chandler Martin
San Joaquin County
Planning Department
1810 E. Hazelton Ave.
Stockton, CA 95205

SUBJECT: ENVIRONMENTAL REFERRALS-SAN JOAQUIN COUNTY: PA-0500138 (GENERAL PLAN MAP/ TEXT AMENDMENT); PA-0500140 (MASTER PLAN MAP/TEXT AMENDMENT); PA-0500142 (SPECIFIC PLAN); PA-0500141 (MOUNTAIN HOUSE DEVELOPMENT TITLE TEXT AMENDMENT); PA-0500143, PA-0500144, PA-0500145, AND PA-0500146 (MAJOR SUBDIVISIONS); PA-0500147 AND PA-0500148 (DEVELOPMENT AGREEMENTS); PA-0500149 AND PA-0500150 (USE PERMITS); AND PA-0500151 (WILLIAMSON ACT CONTRACT CANCELLATION)

Mr. Martin:

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has the following comment(s):

- Applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I and II studies) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.
- Applicant should contact the Department of Environmental Resources regarding appropriate permitting requirements for hazardous materials and/or wastes. Applicant and/or occupants handling hazardous materials or generating hazardous wastes must notify the Department of Environmental Resources relative to: (Calif. H&S, Division 20)
 - A. Permits for the underground storage of hazardous substances at a new or the modification of existing tank facilities.
 - B. Requirements for registering as a handler of hazardous materials in the County.
 - C. Submittal of hazardous materials Business Plans by handlers of materials in excess of 55 gallons or 500 pounds of a hazardous material or of 200 cubic feet of compressed gas.

ENVIRONMENTAL REFERRALS-SAN JOAQUIN COUNTY: PA-0500138 (GENERAL PLAN MAP/ TEXT AMENDMENT); PA-0500140 (MASTER PLAN MAP/TEXT AMENDMENT); PA-0500142 (SPECIFIC PLAN); PA-0500141 (MOUNTAIN HOUSE DEVELOPMENT TITLE TEXT AMENDMENT); PA-0500143, PA-0500144, PA-0500145, AND PA-0500146 (MAJOR SUBDIVISIONS); PA-0500147 AND PA-0500148 (DEVELOPMENT AGREEMENTS); PA-0500149 AND PA-0500150 (USE PERMITS); AND PA-0500151 (WILLIAMSON ACT CONTRACT CANCELLATION)

Page 2

- D. The handling of acutely hazardous materials may require the preparation of a Risk Management Prevention Program, which must be implemented prior to operation of the facility. The list of acutely hazardous materials can be found in SARA, Title III, Section 302.
 - E. Generators of hazardous waste must notify the Department of Environmental Resources relative to the: (1) quantities of waste generated; (2) plans for reducing wastes generated; and (3) proposed waste disposal practices.
 - F. Permits for the treatment of hazardous waste on-site will be required from the Hazardous Materials Division.
 - G. Medical waste generators must complete and submit a questionnaire to the Department of Environmental Resources for determination if they are regulated under the Medical Waste Management Act.
- The California Health and Safety Code section 25534 and 25535.1 require that stationary source facilities that handle or store acutely hazardous materials in reportable quantities develop a Risk Management Plan (RMP) and submit it to the local administering agency for review and approval. Facilities in California having a threshold quantity of 500 lbs. Of ammonia are subject to the RMP. Stanislaus County Department of Environmental Resources is the administering agency for facilities subject to an RMP.
 - Public Resources Code Section 21151.8 requires that the school district consult with its administering agency to identify facilities within one-fourth mile of a proposed school site which might reasonably be anticipated to handle hazardous or acutely hazardous materials, substances, or waste. Inquiries pursuant to Public Resources Code Section 21151.8 should be submitted to the Stanislaus County Department of Environmental Resources.

The ERC appreciates the opportunity to comment on this project.

Sincerely,



W. Richard Jantz, Deputy Executive Officer
Raul Mendez, Senior Management Consultant
Environmental Review Committee

cc: ERC Members

L5-1 - L5-3

The Project is not within the jurisdiction of the Stanislaus County Department of Environmental Resources, so it is not appropriate for the County to require the project applicants to comply with the Stanislaus County Department of Environmental Review's regulations and requirements or to contact the Stanislaus County Department of Environmental Review to obtain information regarding permitting requirements. The proposed project will comply with all applicable federal, state, and San Joaquin County environmental health and safety regulations, including California Health & Safety Code sections 25534 and 25535.1 and Public Resources Code section 21158.1 as applicable. In addition, proposed Mitigation Measure 4.9-1 would require: (i) thorough investigations and monitoring of all earth-moving activity on the site by qualified hazardous materials experts, including Phase II environmental site assessments where there is any indication of potential pesticide, hydrocarbon, or other contamination; (ii) removal of all ASTs, USTs, and dairy waste ponds under the supervision of qualified hazardous materials experts and in accordance with the applicable regulations and removal permit requirements of the State Environmental Health Department; (iii) soil testing of all soils underlying ASTs, USTs and dairy waste ponds to ensure that all remediation required to obtain a "no further actions required" decision from the state Environmental Health Department have been completed for the entire Project area, with the exception of Grant Line Village, where no project-level approvals are being sought at this time, and the Machado property (including the Lucky J Dairy), because the property owner did not grant access to the site.

L5- 4

As stated above, the proposed project is not within the jurisdiction of the Stanislaus County Department of Environmental Resources, and is therefore not subject to the County's regulations. The proposed project as indicated in Impact 4.9-4 (page 4.9-32) addresses the location of schools in an area with potential hazards. Mitigation Measure 4.9-4 would be implemented to reduce impacts. This measure requires a Preliminary Endangerment Assessment (PEA) to be prepared by a qualified hazardous materials consultant for School B, if required by the CDE. The PEA would be done in accordance with DOE and DTSC requirements and shall be reviewed by DOE, DTSC, the San Joaquin Community Development Department, and the Lammersville School District.

LAMMERSVILLE ELEMENTARY SCHOOL DISTRICT

300 Legacy Drive
Mountain House, CA 95391

Mr. William A. Lebo
Superintendent
Lammersville Elementary School
Lammersville Charter School
Wicklund Elementary School

(209) 836-7400
FAX (209) 835-1113

Governing Board
Mr. Stewart Easton, President
Dr. Chris Cunningham, Clerk
Mrs. Yolanda Salsedo
Mr. J.P. Cole
Mr. Shane Nielson

April 27, 2005

Mr. Thomas Parilo,
Mountain House EIR Project Manager
San Joaquin Co. Community Development Department
Stockton, California 95205

Dear Mr. Parilo,

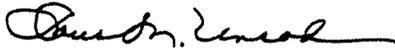
No executed Mitigation Agreements exist between the Lammersville Elementary School District and any of the various applicants or land owners within Specific Plan III or the Pegasus project which is being processed under separate application. In absence of executed agreements which comply with this LESD and County policy contained in the Master Plan, the LESD concludes that the project as proposed, including both the Specific Plan III and related Tentative Maps processed by the applicants, pose a significant unmitigated impact to the Lammersville Elementary School District.

We ask that the County revise the Impacts discussion contained in the EIR and place a mitigation measure in the EIR which states, in part; "all applicants or landowners within Specific Plan III must enter into full mitigation agreements with the LESD, as defined, in part, by the Master Plan, prior to approval of any implementing development permits including tentative maps, other than approval of the Specific Plan III." We further request that the County modify SPIII Implementation Measure 5.2.3 which inappropriately presumes that mitigation agreements exist, to state; "all developers or landowners seeking to develop in accordance with the Master Plan and Specific Plan III shall enter into full mitigation agreements with the Lammersville Elementary School District as defined by the Master Plan, prior to approval of tentative maps or any other discretionary or ministerial development permit."

Furthermore, the Specific Plan III Draft Student Generation Rate Table 5-1 should be amended to reflect those numbers used in the Mountain House Master Plan which indicates an SGR of 0.676 for RMG to RM and 0.338 for RMH to M/X. LESD utilizes these numbers for all State forms and applications when required.

Please feel free to call me with any questions at 209-836-7400, ext. 2314.

Sincerely,



Doris M. Unsod
LESD Facilities Planner

Cc: Chandler Martin, Deputy Director, Planning Division
Bill Factor, Senior Planner, Planning Division

- L6-1** Implementation Measure 5.1.3(j) of the MHMP requires full funding of K-8 school facilities, interim facilities, support facilities, and vehicles attributable to growth by project applicants. The Mountain House Specific Plan III also includes Implementation Measure 5.2.3(o) which similarly requires project applicants to implement a funding agreement with the LESD to provide interim and permanent funding for school facilities prior to approval of Final Maps. Through execution of school funding agreements as required by the Mountain House Specific Plan III and full funding as required by the MHMP, project developers would provide full funding for LESD facilities before receiving Final Map approvals and before development occurs.
- L6-2** The County would require applicants requesting approval of tentative maps or other applicable development permits to sign a school agreement with the LESD prior to approval of the final map of any residential units on the project site. Please refer to Response to Comment L6-1.
- L6-3** Although this comment does not relate to the adequacy of environmental analysis conducted in the DEIR, the request to revise Specific Plan III is noted.
- L6-4** The DEIR calculates the potential number of students that could be generated from implementation of the proposed project through the use of student generation rates obtained from LESD. These calculations are provided in Table 4.4-1 of the DEIR.



San Joaquin Delta College

April 26, 2005

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Community Development Dept.

Mr. Chandler Martin, Deputy Director
San Joaquin County
Community Development Department
1810 E. Hazelton Avenue
Stockton, California 95205-6232

Subject: Comment on the College Park at Mountain House Specific Plan III Draft Environmental Impact Report No. PA-0500159

Dear Mr. Martin:

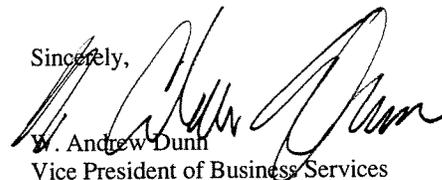
San Joaquin Delta College has the following comment on the DEIR:

Page 4.11-26, Table 4.11-7. This table identifies total a.m. peak-hour trips of 2,218 and total p.m. peak-hour trips of 2,300 for Delta College. The Final Supplemental EIR (FSEIR) for the Delta College Center at Mountain House (2001) identified total a.m. peak-hour trips of 1,567 and total p.m. peak-hour trips of 1,903. The average trip generation rate per student identified in the ITE Trip Generation 6th Edition was used in the College's FSEIR traffic analysis. A conservative two percent of the adult population estimate was used to represent internal project vehicle trip levels (i.e. Mountain House residents attending classes at the College). The difference between the College trip generation rate identified in Table 4.11-7 of the Specific Plan III DEIR and Table 4.12-5 in the College's FSEIR is an increase of 29 percent vehicle trips in the a.m. peak-hour and 17 percent vehicle trips in the p.m. peak-hour. It is noted the College's FSEIR was certified and received no comments pertaining to use of the ITE average trip generation rate per student.

In discussions with the Mountain House Community Services District (MHCS D) concerning this trip generation discrepancy, it was reported that TJKM took a conservative approach and used the peak ITE rate for the College due to the small sample size used by ITE. This was to ensure adequate design capacity for roadways. However, the MHCS D stated the average ITE trip generation rate will be used in calculating Delta College's traffic impact fee obligations under the TIMF and MHTIF.

With the agreement that the ITE 6th Edition average trip generation rate per student will be used by MHCS D in calculating the College's traffic impact fees (TIMF and MHTIF), the College has no additional comments on the DEIR.

Sincerely,



W. Andrew Dunn
Vice President of Business Services

Office of Vice President of Business Services

5151 Pacific Avenue - Stockton - California 95207 • Office: (209) 954-5022 • Fax: (209) 954-5891

Letter
L7
Response

San Joaquin Delta College
W. Andrew Dunn, Vice President of Business Services
April 26, 2005

L7-1 Comment noted.

TRANSPLAN Committee
East Contra Costa Transportation Planning
Antioch • Brentwood • Oakley • Pittsburg • Contra Costa County

April 20, 2005

Mr. Chandler Martin
San Joaquin County
Community Development Department
Development Services Division
1810 East Hazelton Avenue
Stockton, CA 95205

RECEIVED

MAY 02 2005

Community Development Dept.

Dear Mr. Martin:

The TRANSPLAN Committee is a joint powers agency that coordinates the transportation interests of the jurisdictions in eastern Contra Costa County. We are composed of local elected officials and planning commissioners from the Cities of Antioch, Brentwood, Oakley, Pittsburg and Contra Costa County.

I am writing in regard to the Specific Plan III or College Park area of the Mountain House community that is now undergoing environmental review. This project is of concern to us because of its potential impacts on eastern Contra Costa County and particularly our transportation network. We have plans for major improvements to both our regional highway network and our rail system that could be impacted by the Mountain House project.

Our Technical Advisory Committee has reviewed the environmental analysis which was obtained from the San Joaquin County website. Based on this review, TRANSPLAN offers the following comments.

1. San Joaquin County and the developer must ensure the project does not impede our ability to design and construct the future Brentwood-Tracy Expressway, or State Route 239. This route will link State Route 4 in Brentwood with I-205 in or near Tracy. While a precise alignment hasn't yet been determined, the Mountain House community is within the general study area for this future route. An inter-county study could begin in the near future on this vital highway link if funding is available. As you may know, the six-year transportation bill recently passed by the U.S. House of Representatives includes a \$5 million authorization for the highway, thanks to the efforts of Representative Richard Pombo. When the time comes, TRANSPLAN looks forward to working with San Joaquin County and all other interested parties on the planning for this route.
2. The project must not preclude future use of the Union Pacific railroad tracks for commuter rail service. In fact, rail service should be considered as mitigation for the project's traffic impacts, particularly the level-of-service "F" traffic conditions that are forecast for I-580 west of the project site. Rail service would provide Mountain House residents with another way to access job destinations by providing a rail connection both to the ACE Train service in Tracy or to the planned "eBART" rail system in eastern Contra Costa County. BART and the Contra Costa Transportation Authority are working with Union Pacific to acquire the tracks from Pittsburg to Tracy. Environmental review is about to begin for a planned commuter rail service that will run along these tracks within eastern Contra Costa County, from the Pittsburg/Bay Point BART Station to the Byron/Discovery Bay area. If the rail right-of-way is acquired all the way to Tracy as hoped, rail service could be extended to the ACE Train system.

651 Pine Street, N. Wing—4th Floor, Martinez CA 94553

Phone: (925) 335-1201

Fax: (925) 335-1300

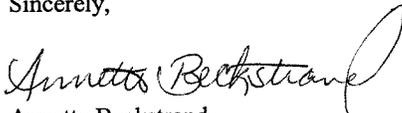
jgrei@cd.cccounty.us

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3. It would be helpful to clarify the exact limits of the widening of Byron Highway that is mentioned as mitigation in the draft environmental impact report. The draft EIR indicates the widening (to four lanes) is necessary to avoid level-of-service "F" conditions on Byron Highway west of Mountain House Road. Specific geographical limits would be helpful so we can understand exactly how much of Byron Highway will be widened. In Contra Costa County local funding sources have been developed to help finance operational improvements to the Byron Highway within Contra Costa County.
4. Additional bus transit service could help mitigate the new project's traffic impacts and could help meet the new transit service demand generated by the project. Mountain House residents sometimes contact Tri Delta Transit, an agency based in Antioch that operates bus service in eastern Contra Costa County and provides some commuter runs to job centers in Alameda County. The potential need for bus service between the project and Contra Costa County destinations should be discussed. These discussions should include Tri Delta Transit. If such services are needed the developer and San Joaquin County should identify funding sources, such as the Mountain House Transportation Improvement Fee or Mitigation Fee programs.
5. It would be helpful to know whether the pace of development of the entire Mountain House community is generally on schedule with the build-out plans that were published in the 1994 Mountain House Master Plan. Our interpretation of the draft environmental impact report on College Park indicates the transportation system will work better at build-out, with all planned road improvements, than during the interim stages.
6. Finally, please add TRANSPLAN to your notification list when you send out future notices of environmental review on Mountain House projects. It is our understanding that another environmental review process is in progress for another part of Mountain House called Specific Plan II. We would appreciate receiving information on that project as well as any future Mountain House developments. Please send environmental notices to John Greitzer, TRANSPLAN, 651 Pine Street. North Wing - 4th Floor, Martinez, CA 94553.

If you have questions about any of these comments, please contact Mr. Greitzer at (925) 335-1201. Thank you in advance for your consideration of our comments.

Sincerely,



Annette Beckstrand
Chair, TRANSPLAN Committee

Cc: TRANSPLAN Committee
The Hon. Richard Pombo
San Joaquin County Board of Supervisors
Kome Ajise, Caltrans District 10
Andrew Chesley, San Joaquin Council of Governments
Jeanne Krieg, Tri Delta Transit
Robert McCleary, Contra Costa Transportation Authority
Stacy Mortensen, San Joaquin Regional Rail Commission
Bijan Sartipi, Caltrans District 4

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- L8-1** Comment noted.
- L8-2** The *Mountain House New Community – TDM Program and Transit Plan* has a strong transit program for both local and regional transit connections. The MHCSD supports any program to add commuter rail service.
- L8-3** Based on the 1994 Master Plan as well as current analysis, Byron Road will be widened from Mountain House Parkway to the Alameda/Contra Costa County Line. As a point of clarification, commenter may be confusing Mountain House Road with Mountain House Parkway. There is no widening west of the County line. All widening of Byron Road is west of Mountain House Parkway in San Joaquin County.
- L8-4** The goal of the Mountain House transit program is to provide convenient and cost-effective transit alternatives to automobile use for all segments of the community, particularly for commuter trips. Transit service, which could include service from Tri Delta Transit, is planned to include commuter express, local, and neighborhood transit service to the 12 neighborhoods. For example, the Master Plan includes provision for Express Bus Service to jobs in Tracy prior to establishment of 44,000 residents in Mountain House; this will include service frequency of 30 minutes or better in the peak periods.
- L8-5** The pace of development is currently on schedule. The initial stages are primarily residential developments to be followed with non-residential developments such as the proposed Mountain House Business Park.
- L8-6** Comment noted. Contact will be added to project mailing list.



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2580 • FAX: (510) 836-2185
E-MAIL: mail@accoma.ca.gov • WEB SITE: accoma.ca.gov

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Community Development Dept.

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Jamilor Haskaman
- City of San Leandro**
Mayor
Shela Young
- City of Union City**
Mayor
Mark Green

May 12, 2005

Mr. Chandler Martin
San Joaquin County Community Development Department
Development Services Division
1810 East Hazelton Avenue
Stockton, CA 95205

Subject: Comments on the Application Referral for the Specific Plan III (also referred to as "College Park") as required by Mountain House Master Plan

Dear Mr. Martin:

Thank you for the opportunity to review and comment on the application referral for various amendment applications for the Specific Plan III (also collectively referred to as "College Park") as required by the Mountain House Master Plan to permit the development of approximately 816 acres (17%) of the Mountain House Community. In addition to the specific plan application, the project includes amendments to the County General Plan, the Mountain House Master Plan, and the Mountain House Development Title, four major Subdivision applications, two Development Agreements, and two use permits for wastewater storage pond and water tanks. The project is located north of I-205 and east of the Alameda County line.

The Specific Plan III would develop Neighborhood A/B, a portion of Neighborhood D, 2,302 dwelling units (not including 196 required second unit dwellings); 18.3 acres (256,000 square foot) of commercial uses; 86.5 acres (1,507,000 square feet) of industrial uses; two K-8 schools occupying 32 acres; 42.3 acres of neighborhood and community parks; a 114-acre community college with a planned capacity of 12,000 students; and open space connections, consisting of a linear park system, multi-use paths, trails, local streets with sidewalks, and bikeways. The commercial, industrial, and school uses are estimated to generate over 4,200 jobs.

While these amendments do not appear to result in changes to the land use or transportation assumptions of the new community, the Alameda County Congestion Management Agency continues to have concerns about transportation impacts to the Alameda County roadway network, particularly I-580 in the Tri-Valley area, as a result of large developments at the Alameda/San Joaquin County line. Caltrans'

Mr. Chandler Martin

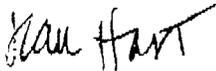
5/12/2005

Page 2

2003 Highway Congestion Monitoring Program indicates that I-580 in the Tri-Valley area is the most congested corridor in the Bay Area with highest levels of congestion, occupying three spots in the Top-10 Most Congested Corridors in the Nine-County Bay Area. As you are aware, this congested condition of I-580 is mostly due to the significant number of trips generated east of Alameda County. Therefore, we request that the San Joaquin County mitigate traffic impacts on I-580 due to the developments in San Joaquin County jurisdiction east of Alameda County, through paying for improvements on I-580 and/or designating as a high priority project in the I-580 corridor.

Again, we appreciate the opportunity to comment on the Specific Plan III of the Mountain House Master Plan. Please continue to keep us informed about future changes to the Mountain House Plan and its resulting development and construction impact in Alameda County. Please do not hesitate to contact me or Saravana Suthanthira at 510/836-2560 if you have any questions.

Sincerely,



Jean Hart
Deputy Director

cc: Saravana Suthanthira, Associate Transportation Planner
file: CMP/Environmental Review Opinions - Responses 2005

Letter
L9
Response

Alameda County, Congestion Management Agency
Jean Hart, Deputy Director
May 12, 2005

L9-1

As described in Section 4.11, Transportation, of the DEIR, these issues and associated impacts have been addressed. Comment noted.



MOUNTAIN HOUSE
TRIMARK COMMUNITIES, LLC

Sent via Facsimile and US Mail

April 28, 2005

Mr. Candler Martin, Deputy Director
COMMUNITY DEVELOPMENT DEPARTMENT
SAN JOAQUIN COUNTY
1810 E. Hazelton Avenue
Stockton, California 95205

RE: Draft Specific Plan III and EIR (SCH#2003102074)

Dear Mr. Martin:

Thank you for the opportunity to review the Draft Specific Plan III document (SPIII) and related Draft EIR (DEIR) as referenced above. This correspondence serves as Trimark Communities, LLC's (Trimark) official comments on the DEIR. In addition, this correspondence provides numerous comments on the SPIII document itself which may have implications on the environmental affects of the project; however, we intend to provide more thorough comments on the SPIII document under separate cover at a later date.

As you know, Trimark, as the Master Developer and majority landowner of the Mountain House New Town, has a vested interest in other projects that are planned for development within the overall community boundary. It is our desire to ensure that other projects are planned, analyzed and implemented consistent with the goals, objects, policies, programs and mitigation that exist for the entire Mountain House community. To achieve this consistency, we have reviewed the SPIII and SPIII DEIR and have summarized our comments in this correspondence to assist the County in your efforts to fully analyze the environmental impacts which may be associated with the project.

We submit these comments with anticipation that the County will fully respond and in-turn, complete the DEIR analysis so that the document will satisfy all applicable standards and provisions of the California Environmental Quality Act (CEQA). To this end, we have found what we believe to be multiple areas of serious concern as to the methodology, disclosure and mitigation of impacts presented but not addressed, and impacts not disclosed. *Failing to address these flaws at this time seriously impedes San Joaquin County's ability to meet the sound and beneficial public goals of the Master Plan community.*

GENERAL COMMENTS:

1. We have found in our review of the DEIR that several applicable Master Plan and related Plans, Programs and Ordinance provisions are missing from the list of applicable regulatory policies in each section of the DEIR. Due to the unreliability of appropriate listing of such applicable policy, we are very concerned that key obligations of SPIII

development have been overlooked, thereby compromising the integrity of the environmental analysis. You will see in the following specific comments several instances where these required policies are missing and the related environmental conclusions are inadequate. We strongly encourage the County to go back through the Master Plan and all applicable Plans and Programs to accurately list all applicable policy in the DEIR, as well as to ensure that all applicable project requirements are contained in the SPIII document. The absence of such requirements suggests that several aspects of this environmental analysis are flawed and incomplete.

2. Throughout the document, wherever mitigation is deemed not necessary (except as addressed in this letter), we suggest that the document conclude that "no additional Mitigation required" rather than "no mitigation required", to make more clear to the reader the distinction between prior and related environmental reviews versus this review. Prior reviews in most cases do in fact have mitigation measures which apply to this project.
3. The document mentions the Specific Plan II and related environmental review in several instances as "proposed". The Specific Plan II documents and environmental review are now approved and the DEIR should reflect this.
4. Although Sections 2.3.2 states that the DEIR is prepared to also address the effects of related Tentative Maps and Use Permits associated with the SPIII project processed by GNK, however the analysis doesn't appear to disclose, analyze or conclude the specific project descriptions, impact analysis or required mitigations which may be necessary to conduct a full review of these mentioned, but not analyzed projects. The tentative maps, use permit diagrams and plans are not present, as are discussions of specific traffic impacts and improvements, infrastructure, community facilities, phasing, and financing, which we believe are necessary in order to satisfy CEQA for these related and more specific projects. To this end, we find the analysis completely inadequate. Either the analysis should be completed, or this project description should be removed and should be subject to subsequent environmental review.
5. No discussion of Mineral Rights, related access, or protection of third party right holders is discussed in the document. Therefore it is unknown as to whether impacts to the rights of mineral right holders are impacted. Such analysis should be included in the DEIR.
6. The SPIII Document doesn't seem to clearly obligate all subsequent development permits to comply with all "Community Approvals" more specifically described as all the implementing plans, programs and Ordinances adopted by the County, MIICSD or other agencies having jurisdiction over the Mountain House project. We believe that the DEIR should include a measure which requires such statements be added to the SPIII document to both "shore-up" the lack of clear mandate contained in the SPIII document, as well as the ambiguity of various policy sections contained in the SPIII documents to accomplish the same.
7. Specific Plan III Implementation Measure 3.2.5.4 a), footnotes in Table 3-3, discussions in Section 5.2.2 and Implementation Measure 5.2.3 d), all seem to imply SPIII's ability and desire to seek additional development beyond what is disclosed and addressed in

both the DEIR and the SPIII itself. The discussions provide loopholes for developers in SPIII to seek either additional residential dwelling units or non-residential development beyond what is described in the project description. Trimark is particularly concerned about the environmental effects associated with such non-disclosed and non-defined "additional development" opportunities, in that such development could exceed or cause to exceed either infrastructure facilities (roads, water, sewer, storm, utilities, etc) or to exceed the Master Plan imposed maximum cap of allowed residential units. More specifically, we are concerned that such latent plan changes could impact our vested rights to the amount and extent of development on our property as protected by the County in our Development Agreement.

It would also result in the omission of important information concerning the potential environment effects of Specific Plan III and could understate the magnitude of potential environmental effects by improperly piecemealing the totality of the project.

We request that the County eliminate such "loopholes" and "opportunities" for additional development so that there is no question as to our ability to develop our properties to the maximum extend allowed under our approvals and agreements with the County and MHCSO, and as a way to mitigate the potential impacts associated with these provisions not currently discussed or addressed in the DEIR.

8. Impact analysis and conclusions contained in both the DEIR and SPIII rely upon the presence of Design Guidelines, specifically guidelines that have prepared by Trimark for Trimark lands. We are supportive of the notion that all development within SPIII utilize and rely on these County-approved Guidelines to satisfy the various Community Approval (and in some cases environmental mitigation) requirements. However there is no such commitment to use these various Guidelines in either the DEIR as mitigation, or in the SPIII as Implementation. Either the documents need to be amended to include such commitments, or both documents need to clearly state that such Master Plan Design Guidelines do not exist for SPIII and need to be approved prior to any issuance of any development permits within SPIII or approval of any maps, including development of the Community College facility.

SPECIFIC COMMENTS:

9. Page 1-1, third bullet point states that the Pegasus project originally planned under Specific Plan I is now being "replanned under the College Park Specific Plan", yet none of the analysis or exhibits contained in either the DEIR or SPIII contain the Pegasus property. In light of this fact, the SPIII and DEIR seem to fail to identify the critical impacts associated with incompatible land plans and related infrastructure inconsistencies between these portion of Specific Plan I and SPIII. Either the SPIII document needs to include these properties to ensure consistency under the General Plan and Master Plan, or the DEIR needs to analyze the related effects of the inconsistencies.
10. Page 2-3, Section 2.2.4 should also list required School Mitigation Agreements with both the Lammersville Elementary School District (LESD) and Tracy Unified School District (TUSD).

11. Figure 3-4 does not reflect the current Master Plan Land Use Designations. This exhibit has been updated as a result of the Specific Plan II approvals. The current Master Plan exhibit should be included.
12. Page 3-12, Section 3.7.2 discusses the amendments of the I/P, C/N and C/O, yet we could not find any disclosure of or related impacts analysis associated with these amendments. We request that the County provide this documentation to Trimark, and include and analyze such project components.

Page 3-22 Section 3.8.5 states that the "County's approval power over the college is limited to amending the General Plan and MHMP to permit development of the college". We believe this statement to be completely inaccurate, and believe that the County and MHCSD has broader powers under State Law and CEQA to regulate this project component, and have a contractual obligation to Trimark to regulate the College project to ensure that impacts associated with the College do not impair our rights and benefits enjoyed under our Community Approvals.

Impliedly this passage suggests that the County's power to regulate land uses is somehow restricted when dealing with a community college district. State law contradicts this notion. Sections 53094 and 53097 of the Government Code. Section 53094 allows the governing board of "any school district" to opt out of local zoning ordinances by a two-thirds vote. However, Education Code section 80 states: "Any school district' and 'all school districts' mean school districts of every kind or class, except a community college district."

This Section further states that "site specific impacts of the college were already evaluated and mitigated through the Delta College EIR process", yet the College is advocating unilateral exclusion from the Mountain House PLEP Ordinance which would significantly impact Trimark's economic and contractual rights under the Community Approvals. This impact needs to be discussed thoroughly in this DEIR since it was neither disclosed nor addressed as part of the prior Delta College SEIR. The impact of the College's unilateral exclusion on not only Trimark but other potential economic beneficiaries of the PLEP Ordinance need to be discussed and analyzed.

13. Sections 3.10 and 3.10.4, and specifically Figure 3-15 imply that frontage improvements to various Community Arterials may not be the responsibility of the SPIII project. It is important to clarify in the document (and the SPIII document itself) that the MHCSD's roadway phasing policies mandate frontage improvements when adjacent development abuts such roadways. Further the MHCSD TIF Ordinance requires that all developers pay their fairshare of all TIF-identified community roadway improvements regardless of geographic proximity. These statements should be removed from the document in that they imply some lesser responsibility.
14. Page 3-42, Section 3.4.2.3 of the Specific Plan states that the SPIII project proposes to increase the minimum amount of Second Units required for the R-VL, RL and RM zones within the SPIII lands for purposes of providing additional affordable housing opportunities. However we do not see any evidence of an analysis of the environmental effects of this increase associated with traffic and related effects, water supply, sewer capacity or other public services which could be directly impacted by such an increase.

15. Nowhere in either the DEIR or the proposed Specific Plan III document does it state the projects obligation to comply with the Affordable Housing Program and Ordinance. In absence of such commitment policy in the SPIII document, the DEIR needs to include a new Mitigation Measure that mandates that a new Implementation Measure be added to SPIII in Section 3.4.2.3 that mandates such participation and compliance.
16. Page 3-42, Section 3.4.2.3, item b) of Specific Plan III implies that additional density bonus units may be achieved on lands zoning MH and H, however neither the environmental effects of such a proposition seem to be addressed in the document, nor are the environmental or economic effects to Trimark's approvals of exceeding the Master Plan maximum number of 16,000 units plus additional units as defined in the Affordable Housing Program and Ordinance addressed. The Affordable Housing Program and Ordinance already define which specific properties (not just land use types) are anticipated to qualify for either additional units and density bonus units without exceeding the implied residential unit cap imposed by the Master Plan, and clearly NO lands within SPIII are designated for such additional or density bonus units. We request that this language be amended to remove the possibility of density bonus units from the SPIII lands, or that the significant environmental effects to Trimark (both physical and economic) of such an increase be addressed by the EIR.
17. Figure 4-13 of the Specific Plan depicts a revised proposed Edge Treatment along the Community College/County line edge, which does not comply with the requirements of the edge condition for this area in the Master Plan, in that it does not include require tree plantings and other mandated landscape vegetation within the 100 foot setback. Figure 4-13 further states that the setback can be reduced to zero, where the College adjacent land in Alameda County. This provision is in direct conflict with the provisions of the Master Plan and related prior environmental review conclusions that were the basis of this edge condition. It is immaterial to the issue whether Delta College owns land in Alameda County. Trimark owns land in Alameda County as well but that does not provide alternate mitigation for the land use transition which was the of the original mitigation measure requiring the setback and buffer. Further the DEIR fails to identify this impact or discuss its implications. Trimark requests that the County impose a mitigation measure which requires that the SPIII document be revised to provide an edge treatment consistent with the adopted Master Plan edge treatment, as required in the 1994 MEIR.
18. Page 4.4-4, "Mountain House Master Plan 1994" significantly ignores substantial related public policy contained in the Master Plan regarding Parks and Recreation, and such policies should be provided here in keeping with the format of the document.
19. Page 4.4-10, "Mountain House Master Plan 1994", "Land Use and Education, Child Care and Library Services" ignores the most significant Master Plan policy which influences the definition of CEQA threshold of significance. Policy 5.1.3, Implementation j) states "Local Funding. *Developers in Mountain House shall provide full school mitigation. Credit for revenues from the State and other sources shall be used to decrease the financial obligation of the developers when received. "Full school mitigation" shall be determined through the Education Specification Process and shall mean the entire cost per student for K-8 and high school facilities, interim facilities,*

support facilities, and vehicles attributable to growth. Except for construction cost inflators agreed upon during that Process, these costs shall not increase in future years without agreement with developers."

This policy is significant in that it is the defining criteria for thresholds of significance as defined by both the County and both the LESD and TUSD. In absence of recognition of this policy, the entire analysis regarding schools is flawed and inadequate, and significant impacts to both District's ability to mitigate schools are unmitigated. The DEIR completely ignores this issue as does the SPIII document. Further the DEIR relies upon proposed SPIII Policy which implies the existence of "School Mitigation Agreements between the Districts and Developers", yet no agreements exist. Therefore, inadequate mitigation exists and the DEIR must conclude that a significant unmitigated impact exists.

20. Page 4.4-13 "Mountain House Community Services District Design Manual 2002" concludes the manual does not include applicable policy to schools issues, when in fact it contains considerable school design policy. In fact an entire chapter is dedicated to School Facilities. Such policy needs to be included here for this analysis to be complete.
21. Page 4.4-15, "Mountain House Master Plan" and the related impacts analysis fails to recognize the Community's obligation (including SPIII) to fund and or otherwise provide a "Police Facility" as required in MHMP Section 6.2, Implementation a), as well as interim Staffing as discussed in MHMP Section 6.2, Implementation b). Such obligations need to be added to the DEIR and the SPIII document.
22. Page 4.4-16, "Mountain House Master Plan 1994" fails to disclose other applicable policy contained in the MHMP regarding Child Care, specifically the obligation to participate in the implementation of Section 5.2, Implementation a), b), c), d), e) and f). These policies need to be included as mandatory project obligations as the basis of environmental review, as well as added to the SPIII document.
23. Page 4.4-18, Section 4.4.4 relies upon an un-approved agreement between Delta College and the MHCSJ as the basis to conclude that "no mitigation is required" to address the direct impacts of a loss of community park land caused by the SPIII project description. In absence of such an agreement, this conclusion cannot be reached; therefore a significant impact should be concluded. Further the County should not consider the approval of SPIII without this agreement being first executed, otherwise the County will have no way to ensure that this impact will be avoided, while in the process approving a land use plan which specifically violates the requirements and intent of the MHMP and 1994 EIR, as well as a host of other Community Approvals. The DEIR should either conclude that a significant unmitigated impact occurs, or should add a mitigation measure that states that "no tentative maps can be processed or approved until the joint use agreement between Delta College and the MHCSJ which provides for the 7 acres of shared Community Park Land is executed".
24. Pages 4.4-19 through 4.4-21. As discussed above, reliance on State Statute does not eradicate the presence of significant unmitigated impacts to both Mountain House School Districts. Reliance upon SB50 would leave the Districts without a specific method to

mitigate the direct impacts caused by the SPIII project, which is why the County imposed the above discussed Master Plan policy as a way to bridge the gap to ensure that School Districts were kept whole. The DEIR is inadequate because it fails to recognize and address this issue. Further, in absence of any Mitigation Agreements prior to approval of Tentative Maps, the Districts have NO WAY TO SECURE ADEQUATE MITIGATION. This entire DEIR analysis is flawed. The result of this approach as proposed by SPIII will be that the School Districts will not be able to fund or build adequate schools to serve this project, nor will TUSD have adequate funds to complete the one High School proposed for Mountain House. So-called "favored nations" language in the school agreement with Trimark means that if Specific Plan III's obligation is limited to a statutory fee then Trimark can insist that its school requirement conform to the requirement imposed on Specific Plan III. This results in the school districts reimbursing Trimark millions of dollars that have been spent on educational facilities.

25. Page 4.4-23, Impacts and Mitigation Discussion on Library Services. This section fails to recognize SPIII's lack of policy in Section 5.4 which fails to obligate the SPIII area to comply with and participate in the MHCS D's Library Service Plan, and with the various Master Plan Library Service obligations contained in Section 5.3 of the Master Plan. In absence of policy contained in the Draft SPIII document, this DEIR must conclude that a significant unmitigated impact exists. The DEIR should add a mitigation measure that states that the SPIII document must be revised to include policy which obligates all participants within SPIII to comply with all applicable Master Plan Policy and MHCS D plans and programs.
26. Page 4.5-6, first Paragraph, states that GNK "has acquired the Pombo property", when in fact GNK has only secured an option to acquire. This should be noted in the analysis since the GNK project in part relies upon interim effluent disposal facilities on this property to be able to develop in absence of the MHCS D securing permission from the CVRWQCB to discharge treated reclaimed water into Old River.
27. Page 4.5-32, Section 4.5.4. This entire analysis (as did the 2002 Delta College SEIR) identifies that fact that insufficient water supply exists to serve the project, which was a fundamental contingency of approving the Master Plan in 1994. The analysis further identifies the fact that the project as proposed will need more water than what was analyzed in the 1994 MEIR, and that the MHCS D's existing Water Service Agreement with BBID does not secure enough water to serve the entire need of the project, as proposed. The analysis then concludes that additional nonpotable water can be secured from BBID, as if to suggest that the additional nonpotable water is from a different source, when in fact, the additional water is from the same source. Yet the analysis fails to identify the fact nor address the impact associated with relying additional water that was not anticipated nor addressed in any of the prior environmental review. Based on this, the DEIR fails to address the impacts associated with this additional water demand not anticipated in either the MHMP, MHMP MEIR, the MHCS D Water Service Agreement. At a minimum, the analysis should be expanded to discuss these potential impacts, and should include a mitigation measure that prior to approval of any tentative maps, that either the existing MHCS D Water Service Agreement be modified, or a separate water service agreement with BBID for this supply be secured.

28. Page 4.6-21, Impact 4.6-1 and Mitigation 4.6-1 Discussion. This section identifies potential impacts associated with historic resources as raised by the Westside Pioneers of Tracy, and further relies upon discussions between Trimark and the group to conclude that "No further mitigation is required". Yet there is no discussion or commitment to the discussed proposal contained in the SPIII document. We disagree with the DEIR conclusions. To correct the deficiency, we believe that the SPIII document should be amended to mandate these specific proposals agreed to by Trimark and the Westside Pioneers but not current obligated to the SPIII project.
29. Page 4.9-38, Impact 4.9-6 and related discussions fails to identify the Master Plan requirement contained in Section 6.9, Implementation Measures a), b), and d) which require that all development permits continue to address the possible effects of EMP's and that if and when standards are formally adopted, such standards shall be used on remaining development within the community. These Master Plan requirements are not properly used as a threshold of significance in the DEIR evaluation of the SPIII document and therefore fails to conclude that the absence of such requirements in the SPIII document poses a significant unmitigated impact. We request that the County add a Mitigation Measure which requires the inclusion of such applicable Master Plan requirements into the Specific Plan III document.
30. Page 4.11-15 needs to include the MHCS D Roadway Improvement Plan, Development Standards and MHTIF as related policy for purposes of identifying all applicable policy.
31. Section 4.11 discusses the impacts associated with the revised SPIII roadway improvement plan, which in part includes additional arterial roadway and traffic signal improvements beyond what was required as part of the original 1994 MHMP the MHCS D Roadway Improvement Plan, the MHCS D Development Standards or the MHCS D MHTIF. The DEIR and SPIII document also fail to clearly define these additional facilities as such. Further, nowhere does the DEIR (and related SPIII) document clearly define or assign the responsibility to fund or construct these additional roadway improvements exclusively to the SPIII project which is directly causing these additional improvements. Trimark believes that both the DEIR and related SPIII should include specific language which assigns such responsibility to the SPIII area only so as not to increase Trimark's responsibilities under our Community Approvals. Failure of the County to do so could represent a significant impact to the Trimark portions of Mountain House and to Trimark itself under our agreements with San Joaquin County.
32. Section 4.11.4 appears to fail to properly identify or address the specific impacts and mitigations associated with the mentioned GNK and Investwest Tentative Maps. In absence of such data or analysis, the DEIR should delete the reference to such addressed projects, or should be revised to include a full analysis of the environmental affects associated with these related projects.
33. Page 4.13-30, Mitigation Measure 4.13-4, describes noise impacts associated with I-205 freeway noise. The mitigation measure suggests that one way to mitigate the impacts to MH land uses is to construct a sound wall along the I-205 frontage. This proposal is contradictory to the MHMP Community Edge Treatment contained in Section 4.3.4 which seeks to establish a more aesthetically suitable treatment of both security "fence" and a sizable landscape treatment. This proposal discussed in the DEIR runs contrary to

the Master Plan intent, and we believe, poses a potential significant visual impact. We believe that alternate strategies which do not change the Master Plan edge treatment should be explored and proposed.

34. Page 4.14-14 states that "no mitigations measures applicable to visual quality impacts were recommended in the Delta College EIR". However the Delta College EIR concluded this in part because of the project description proposed by Delta College which clearly stated their intent to design the campus to blend in with the Mountain House community wide facility architectural theme of "civic Italianate", as discussed on page 4-8.4 and 4-8.5 of the Delta College Supplemental EIR. We understand that Delta College has potentially abandoned that commitment and in effect, changed the project description. If that is true, then the project description has changed, and the current SPIII EIR which Delta College is a part would be incomplete, failing to identify what we would deem a significant visual impact. This should be researched and reaffirmed with Delta College, and if true, the environmental analysis should be modified to address this major community wide visual and aesthetic impact.

In summary, we believe that the overall analysis in the SPIII DEIR appears to be fairly thorough, yet several key and critical impacts and related analysis appear to be missing or severely inadequate to satisfy CEQA or comply with the various Community Approvals adopted as part of the Mountain House project. We believe that unless these issues are addressed that the County should NOT process these documents further in either the CEQA certification or County entitlement approval consideration process, as such processing and consideration will likely violate not only key components of CEQA, but will also likely place the County in potential breach of the Master Plan Development Agreement between the County and Trimark. This agreement as you know contains various provisions which protect Trimark against County actions which would impair our benefits under the Community Approvals.

We are willing and ready to meet with the County as necessary to participate in the successful remediation of these issues so that the project can move forward in a manner that satisfies both CEQA and the Community Approvals adopted for Mountain House.

Respectfully Submitted:
TRIMARK COMMUNITIES, LLC



ERIC J. TEED-BOSE
Director of Community Development

C: Duane Grimsman, Trimark Communities, LLC
Steve Herum, Herum Crabtree Brown
Kerry Sullivan, SJCCDD
Sheryl Sparks, SJC Deputy County Counsel
Paul Sensibaugh, MHCS
Gabe Karam MHCS

- O1-1** Comment noted. This comment does not identify any applicable Master Plan, Program, or Ordinance that has been omitted from the DEIR. Absent more detail regarding the purported omissions from the DEIR, the County is unable to respond further.
- O1-2** Comment noted, and the DEIR has been modified accordingly. Note – because of the pervasive nature of this phrase, individual pages of the DEIR have not been reproduced; however, for purposes of the FEIR, this change is considered a revision made throughout the text.
- O1-3** Comment noted. The County acknowledges in the FEIR that the Specific Plan II has been approved.
- O1-4** This comment appears to object to the Project Description set forth in Chapter 3 of the DEIR; however, the comment does not identify any specific omissions in the Project Description or the impact analysis in Chapter 4. The County disagrees with the comment. The development proposed by the tentative maps and subject to the requested use permits is fully described in Chapter 3, including changes to Specific Plan III since release of the DEIR. The potential environmental impacts of that development are identified and analyzed in Chapter 4. CEQA does not require that an EIR include the actual tentative maps themselves, and the Project Description contains ample detail to evaluate the potential impacts of the proposed project.
- O1-5** The DEIR identifies in Section 4.1.1 (Introduction to Environmental Impacts) that the Initial Study found that issues related to surface mineral resources would result less-than-significant impacts. The comment does not identify any mineral rights, holders of such rights, or how they may be affected by the proposed project. As such, the County is unable to respond further.
- O1-6** This is not a comment on the DEIR. Rather, it appears to be a comment on the County’s Specific Plan III. The proposal to include a requirement that the proposed project comply with all the preceding Community Approvals appears to be too broad, because many such approvals are directed to other portions of the Master Plan area. Because the comment does not identify any specific ambiguities in the Specific Plan III’s policy sections, the County is unable to respond further.
- O1-7** Any “additional development” within the Specific Plan III area beyond that described and evaluated in the current Specific Plan III and this DEIR would be required to undergo further environmental review under CEQA. The impacts of such additional development on Trimark, as opposed to the environmental impacts of such development, are not a proper subject for CEQA review.
- O1-8** Chapter 4 of the DEIR identifies and assesses impacts of the proposed project and recommends mitigation where needed. Because no environmental issues are raised, no further response needs to be provided.
- O1-9** Figure 3-4 in the Project Description indicates that the Pegasus property is currently designated under the MHMP as primarily for limited industrial uses (I/L), with a small portion of the property designated for commercial/freeway service uses (C/FS). The current Project does not propose any change to these designations, and the landowner is not seeking any different

entitlements at this time. Overall, the Project calls for a reduction in commercial-office-industrial uses of the project area. The statement that the owner of the Pegasus property is currently re-planning that area does not conflict with the Project Description or any other aspect of the DEIR.

- O1-10** The DEIR discusses potential impacts to school services in Section 4.4 (Public Services). Please refer to Responses to Comments L6-1 and L6-2.
- O1-11** Comment noted. The exhibit was created in September 2004 and reflects the land use designations in place at the time the Notice of Preparation (NOP) was issued. SPIII will reflect any applicable land use designations.
- O1-12** The amendments to the industrial park (I/L), neighborhood commercial (C/N), and office commercial (C/O), and designations in the MHMP are described in the Specific Plan III and are incorporated for reference into the DEIR. These amendments are required to implement the proposed project described in Chapter 3 (Project Description) of the DEIR. The DEIR fully analyzes the potential impacts resulting from implementation of the proposed project as described in Chapter 3 including all amendments to the MHMP. Because the DEIR analyzes potential environmental impacts of the proposed project as a whole, potential impacts resulting from the land use amendments are incorporated into relevant discussions in the DEIR.

One part of the whole proposed project, as described in the Chapter 3 (Project Description), involves amending the allowable uses in the industrial park, neighborhood commercial, and office commercial designated areas of the project site. The DEIR analyzes potential impacts to land uses under Impact 4.2-1 (Section 4.2, Land Use and Agriculture) even though the DEIR does not refer to industrial park, neighborhood commercial, and office commercial land use designations directly under Impact 4.2-1. The analysis of land use impacts in Section 4.2 (Land Use and Agricultural) relates to the entire project, including land use amendments, as described in the project description.

The commenter's disagreement with the description of the County's approval power over the college is noted. Sections 53090 through 53097.5 of the California Government Code do not make a distinction between various types of school districts. In addition, these sections explicitly relate to the relationship between local agency ordinances and school districts and the requirements of school districts (including community college districts) to comply with requirements of the local agency ordinances. The definition of a "school district" by the Education Code is not relevant to Sections 53090 through 53097.5 of the California Government Code. The statement provided in the DEIR is correct.

The College's desire to be excluded from the MH PLEP Ordinance does not change the analysis in the DEIR. As a property owner within the MHMP area, Delta Community College District would be subject to the PLEP Ordinance. This comment does not indicate how such exclusion, even if possible, would impact Trimark. If any such impacts, if realized, were economic or contractual in nature, then they would not be appropriate subjects for evaluation in the DEIR. Although economic impacts of a project are an important factor when considering approval of a project, economic impacts of the project are not relevant to the discussion of the project's environmental impacts. An evaluation of the economic impacts of a project is not required by CEQA (State CEQA Guidelines Section 15382).

- O1-13** This comment does not specify how the DEIR implies that any roadway frontage improvements may not be the responsibility of the Specific Plan III Project, or which frontage improvements are affected. Exhibit 3-15 is intended to show roadway improvements that would be implemented as part of the proposed project. Although Exhibit 3-15 identifies locations for street and frontage

improvements, the DEIR does not itself discuss the potential environmental impacts from street frontage improvements. In such, the DEIR also does not identify which specific developers are responsible for the improvements and does not delineate the project's responsibility for roadway improvements.

- O1-14** The residential component of the College Park project, including permitted second units, is described at page 3-20 and 3-21 of the DEIR. Analysis of the entire project, including the residential component, is contained in Chapter 4 of the document, including all of the environmental and infrastructure issue areas referenced in the comment. Revisions to the Specific Plan since publication of the DEIR have resulted in a decrease in proposed residential units by approximately 62. If revisions to the project description are made after approval, the County will review the revised project to determine if any additional CEQA documentation is necessary pursuant to Sections 15162, 15163, and 15164 of the State CEQA Guidelines.
- O1-15** Analysis of potential impacts related to affordable housing is not required under CEQA. Issues involving the affordability of housing relate to the economy and economic conditions of the community. Although economic impacts of a project are an important factor when considering approval of a project, economic impacts of the project are not relevant to the discussion of the project's environmental impacts. An evaluation of the economic impacts of a project is not required by CEQA (State CEQA Guidelines Section 15382). Because no environmental issues are raised, no further response needs to be provided.
- O1-16** The environmental effects of constructing up to 2,302 residential units, including potential density bonus units, in the Specific Plan III area are fully evaluated in the DEIR. The proposed project would not exceed its allocation of residential units as identified in the MHMP and would reduce the number of residential units identified for development. Please refer to Response to Comment O1-14.
- The potential for development of density bonus units to impact Trimark's entitlement approvals would be related to potential economic effects of Trimark alone. Although economic impacts of a project are an important factor when considering approval of a project, economic impacts of the proposed project are not relevant to the discussion of the proposed project's environmental impacts. An evaluation of the economic impacts of a project is not required by CEQA (State CEQA Guidelines Section 15382).
- O1-17** Please refer to Response to Comment O2-3.
- O1-18** The DEIR discusses impacts related to parks and recreation in Section 4.4 (Public Services). The comment does not identify any specific policies in the MHMP that are not adequately addressed in the Specific Plan or DEIR. Because no environmental issues are raised, no further response needs to be provided.
- O1-19** Implementation Measure 5.1.3(j) of the MHMP requires full funding of K-8 and high school facilities, interim facilities, support facilities, and vehicles attributable to growth by project applicants. The Mountain House Specific Plan III also includes Implementation Measure 5.2.3(o) which similarly requires project applicants to implement a funding agreement with the LESD and TUSD to provide interim and permanent funding for school facilities prior to approval of Final Maps. Adoption of the MHMP by San Joaquin County makes full funding of school facilities by all developers in Mountain House applicable now, including future developers in Specific Plan III. Adoption of Mountain House Specific Plan III by San Joaquin County would further establish requirements for future developers to meet before Final Map approvals, specifically to execute school funding agreements. Development would occur after Mountain House Specific Plan III is

adopted by San Joaquin County and school funding agreements would be required before approval of Final Maps.

- O1-20** Policies contained in the MHCS D Design Manual as related to schools require school facilities to meet certain design principles and qualities. The design criteria established for school facilities in the MHSD Design Manual relate to the look and building design of school services. For purposes of the DEIR, lack of “applicable policy to schools issues” refers to lack of applicable policy related to a proposed project’s demand for school services and how this demand would be met.
- O1-21** The DEIR discusses potential impacts to the law-enforcement services in Section 4.4 (Public Services) and under Impact 4.4-6. In addition, the DEIR identifies Implementation Measure 6.2.3 of the Specific Plan in Section 4.4.2 (Public Services), which designates the MHCS D to provide law-enforcement services as identified in the MHCS D Police Protection Plan. Discussion under Impact 4.4-6 identifies that a new substation would be constructed at the Mountain House Town Center and interim staffing would be housed in the new fire station.
- Issues involving the funding of law-enforcement service relate to the economy and economic conditions of the community. Although economic impacts of a project are an important factor when considering approval of a project, economic impacts of the proposed project are not relevant to the discussion of the proposed project’s environmental impacts. An evaluation of the economic impacts of a project is not required by CEQA (State CEQA Guidelines Section 15382).
- O1-22** CEQA does not require a discussion of potential impacts to child care facilities from implementation of the proposed project. Because no environmental issues are raised, no further response needs to be provided.
- O1-23** Please refer to Response to Comment O3-1.
- O1-24** Please refer to Response to Comment O1-19.
- O1-25** The DEIR discusses impacts related to library services in Section 4.4 (Public Services) and under Impact 4.4-7. The impact discussion identifies that a library totaling 21,000 square feet would be constructed by the MHCS D to serve all residences living in the MHMP area.
- O1-26** The DEIR discusses impacts related to wastewater treatment /disposal capacity in Section 4.5 (Public Utilities) and under Impact 4.5-3. Whether the property in question is owned or secured by GNK would not change the analysis in the DEIR. In addition, no new impacts related to wastewater treatment would result.
- O1-27** The DEIR analyzes potential impacts from implementation of the project related to water supply in Section 4.5 (Public Utilities). Under Impact 4.5-1, the DEIR identifies that the proposed project would demand 1.45 million gallons per day (mgd) of water; the MHMP projected 1.52 mgd for the Specific Plan III area, which equates to 0.077 mgd less water demand for the proposed project.
- The DEIR acknowledges that without the additional 60 acre-feet per annum (afa) of non-potable water from BBID, there would be a shortfall of water supplies for the proposed project. The DEIR continues to identify that acquiring an additional 60 afa would meet the proposed project’s anticipated demand and satisfy all applicable legal requirements for securing an adequate water supply. The water supply assessment conducted for the proposed project demonstrates that with additional water supplies from BBID, water supplies would be sufficient to serve the proposed project. The fact that the additional water originates from the same supplier (BBID) does not change the analysis of water supply discussed in the DEIR. No new significant impacts related to

water supply would result, and analysis in the DEIR would not change. Furthermore, pursuant to SB221, water supply verification is required prior to tentative map approval.

- O1-28** Text on page 4.6-21 is revised to read “The conditions agreed upon in 2004 by Trimark and the West Side Pioneer Association as shown in the MHCS D design manual, must be implemented. These are conditions of approval on tentative maps. Implementation of these conditions would reduce impacts to the walnut trees planted on either side of the old Lincoln Highway to a less-than-significant level.”
- O1-29** The potential impacts of the entire MHMP development related to EMF were evaluated and mitigated in the MHMP EIR. The DEIR states that the proposed project’s compliance with the MHMP measures and policies related to EMF would avoid adverse EMF impacts. As stated on page 4.9-16 under Electromagnetic Fields, the San Joaquin County MHMP would require residential setbacks from the edge of the Rio Oso-Tesla powerline, and Mitigation Measure M 4.10-2(a) of the MHMP Mitigation Monitoring Plan and Section 6.9 of the MHMP require informational packets to be prepared and distributed to residents regarding EMF effects. The MHMP policies related to EMF are implemented in the Specific Plan III area through the Specific Plan. Under CEQA, the MHMP policies to be implemented in the Specific Plan III area constitute the environmental baseline for purposes of the environmental review of the proposed project. They are not thresholds of significance. The DEIR properly utilizes thresholds of significance based on established CEQA thresholds for public safety, listed on page 4.9-26.
- O1-30** Comment noted.
- O1-31** The additional recommended arterial roadway and traffic signal improvements beyond what was required as part of the original 1994 MHMP, the MHCS D Roadway Improvement Plan, the MHCS D Development Standards, or the MHCS D TIF will be included as conditions of approval during the tentative map process.
- O1-32** The proposed project characteristics of the referenced tentative maps are included in the project description and evaluated in the DEIR. The comment does not identify specific omissions; the County is unable to respond further.
- O1-33** Mitigation Measure 4.13-4 on page 4.13-30 does not describe, and is not intended to describe, the noise impacts associated with I-205 freeway noise. Those impacts are described and analyzed at page 4.13-25. The proposed mitigation for those impacts is monitoring noise levels at sensitive receptor locations, and if noise levels exceed the identified thresholds, constructing a noise barrier. The description of the sound wall on p. 4.13-30 is provided as an example to illustrate how a sound barrier could be used to mitigate the identified impacts. The DEIR does not mandate the use of a sound wall at that location.
- O1-34** The DEIR discusses potential visual and aesthetic impacts resulting from the proposed project in Section 4.14 (Visual Quality). The DEIR identifies in Section 4.14.4 (Visual Quality) that the Initial Study found visual impacts associated with conversion of the proposed project site from rural to urban uses and associated with development of community college instead of residential uses were adequately evaluated in previous EIRs covering the project site. As a result, impact analysis was not conducted in the DEIR as related to development of the community college, including the design of the community college. Development of the community college, in place of residential uses, would replace one urban use for another urban use.
- The project description provided in Section 3.0 (Project Description) of the DEIR does not identify specific design elements associated with development of the community college; therefore, any design revisions to the community college would not change the project

description. Although the overall design and look of the Delta Community College may go through various design revisions prior to construction, these design revisions would not change the analysis in the DEIR and would not create any new significant visual impacts.



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22 April 2005

Chandler Martin
San Joaquin County Community Development Dept.
1810 E. Hazelton Avenue
Stockton, CA 95205

RE: Mountain House Specific Plan III DEIR

Chandler:

We submit these comments on behalf of the Mother Lode Chapter of the Sierra Club and Eric Parfrey. Eric Parfrey is a professional city planner, a former planner with San Joaquin and Contra Costa Counties. He worked on the Mountain House project in the early 1990's as both a county planner and as a private consultant.

Mitigation Fee for Farmland Loss

The California Environmental Quality Act requires a lead agency to identify and implement feasible mitigation measures to reduce significant impacts, even if the impact cannot be reduced to a "less-than-significant" level. The analysis of agricultural conversion issues is deficient because it leads to the conclusion that "no feasible mitigation measures are available to avoid the conversion of farmland" (page 4.2-18). The impact issue is not whether the loss of farmland can be avoided, but whether the loss can be mitigated.

The DEIR fails to discuss potential mitigation in the form of ag mitigation fees used to purchase ag conservation easements, which would mitigate the loss of farmland (but not to a level of less-than-significant, so a statement of overriding considerations would still be required). Mitigation Measure 4.1-2 from the 1994 Master Plan EIR (cited on page 4.2-10) requires payment of a fee if a countywide fee program is adopted. This measure does not go far enough. The second part of the measure appears to give credit to the developer for "set aside lands," including lands set aside for other mitigation of habitat. We are opposed to any "double credit" for the developer. The developer must mitigate for loss of ag lands as well as loss of Swainsons hawk and other

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habitat. Payment of fees to COG, or acquisition of land, does not constitute mitigation for ag land loss. The measure should be modified to delete the second bullet.

The DEIR fails to identify and discuss the recently formed Central Valley Farmland Trust or the several recent legal settlements between the Sierra Club and the cities of Lathrop, Manteca, and Tracy that will provide approximately \$30 million funding for the trust over the next 20 to 30 years. The trust is now operational in four counties and is charged to purchase conservation easements according to adopted strategic plans in each county. The Final EIR should be amended to reflect this.

We are asking the developer to pay an agricultural mitigation fee, regardless whether the County has approved one by the time of the first subdivision map approval. We have also asked the developer of SP II to pay a fee for the prime lands that are being converted, as well Specific Plan I, now under construction.

The Board of Supervisors, as well as the City of Stockton, has been asked to consider adoption of an ag mitigation fee by the Sierra Club and the Campaign for Common Ground, which would apply to this specific plan and all other projects approved in the county. The Board of Supervisors should require this developer to pay appropriate per acre mitigation fees of approximately \$5,000. The fee should be transmitted to the Central Valley Farmland Trust to be used to purchase conservation easements to ensure key farm lands outside Mountain House and City spheres of influence would be protected from development in perpetuity.

Such a mitigation fee and program is consistent with recent fees agreed to by developers of the River Islands and Central Lathrop Specific Plan projects in Lathrop, and is consistent with the fee program that the cities of Tracy, Manteca, and Lathrop are required to establish by March, 2005, according to a recent court settlement with the Sierra Club. The Farmland Trust, encompassing Sacramento, San Joaquin, Stanislaus, and Merced counties, was formed last year and is now operating with an elected board of directors and full-time executive director. Please contact director Bill Martin, board president Don Ro of Lodi, or Holly King, staff at the Great Valley Center in Modesto, for further details.

Williamson Act Analysis and Mitigation Issue is Deficient

The DEIR discussion and (lack of) mitigation for impacts to existing Williamson Act contracts is deficient. The analysis (page 4.2-18) fails to cite the specific findings under State law that must be met if the contracts were to be canceled by the Board of Supervisors. The DEIR should be amended to include a discussion of whether these findings could be made.

The DEIR erroneously states that the impact to the contract would be less-than-significant "because development would not be permitted on these parcels while the Williamson Act contract on these parcels are still active." Unless the DEIR states (proves) that the legal findings for the Board to cancel the contracts can be made (or that development will not be allowed to proceed until the non-renewal has occurred), this conclusion is not supported by facts in the DEIR. A mitigation measure should be added that requires this (cancellation in accordance with State law or prohibition of development until non-renewal occurs).

Support for 500-Foot Buffer on West

We support Mitigation Measure 4.1-2 from the original 1994 Master Plan EIR (cited on page 4.2-10) which requires 500-foot buffer between ag land in Alameda County and development in the project. However, the DEIR analysis on page 4.2-20 is not consistent with this requirement, since it states that Delta College development is proposed within 100 feet from the fields and housing is proposed 300 feet from the ag fields. The text should state that is not consistent with the Master Plan policy and recommend mitigation to ensure consistency.

Is the applicant planning to purchase lands on the Alameda County side to establish the 500-foot buffer. If so, the easements should be dedicated to the Central Valley Farmland Trust. Mitigation Measure 4.2-5 should explicitly state the requirement and offer alternatives to accomplish this (buy or dedicate lands, or prohibit development within 500 feet of the county line).

DEIR Fails to Discuss Affordable Housing and Jobs/Housing Balance

Perhaps the greatest deficiency of the DEIR is that it fails to even discuss affordable housing and jobs/housing balance issues. The Mountain House project was approved by the County in 1994 as a "new town" based on very different planning principles than typical sprawl development. The 1994 Master Plan includes detailed Affordable Housing and Jobs Housing programs that were crafted to ensure that the project would contain an adequate number of well-paying jobs and affordable housing units. The DEIR should be amended to include a discussion of these policies, how these programs have been implemented to date with SP I, how the project conforms to these policies and programs, and what additional mitigation may be required to ensure the success of the targeted goals.

As we noted in our review of SP II, we strongly urge the County to reaffirm its commitment to uphold the principles in the 1994 Master Plan by requiring the applicant to adhere to the original goals of the Affordable Housing and Jobs Housing programs. The County must retain its control over these programs, and must require the developer to accept rezoning and other modifications, if needed in the future, to reach the goals set forth in those two programs.

We recommend the following mitigation measures be included in this EIR, and that the following changes be made to the draft Development Agreement for Specific Plan III (based on the similar language in the SP II agreement)). These changes to the DA, or similar language, are needed so that the County (and the future elected Mountain House CSD Board) retains some control to enact zoning and other possible changes to the project in the future, if needed to reach affordable housing and jobs goals:

(Amended language in underline.)

Exhibit B-1, Existing Approvals, Vested Elements

B. Master Plan

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16. The Policies, Objectives, Implementation and Project Requirements set forth in Section 3.9.2 of the Jobs/Housing Section of the Master Plan. In addition, because Specific Plan II and Specific Plan III may be approved before the 2000th dwelling unit is completed, some options for modifying the Jobs/Housing Program may be lost. The Developer agrees to allow the County to enact modifications to the project zoning, in the event that periodic County reviews of the Jobs/Housing component of the project indicate a deficit of job creation on-site in relation to the number of housing units constructed and occupied to date. Specifically, the Developer agrees to allow the following legislative and discretionary actions to be considered by the County:

- Providing additional business park, industrial or commercial-zoned land;
- Increasing the density of existing business park, industrial or commercial-zoned land;
- Slowing the rate of housing approvals by the County until job creation has caught up;
- Requiring the Developer to hire additional economic development coordinators, or to fund additional economic development attraction programs;
- Other measures to bring the balance of on-site housing and jobs into greater compliance with the stated goal of achieving a jobs/housing ratio of 0.99 jobs on site for each employed resident.

17. The Policies, Objectives, Implementation and Project Requirements set forth in Section 3.9.2 of the Affordable Housing Section of the Master Plan. In addition, because Specific Plan II and Specific Plan III may be approved before the 2000th dwelling unit is completed, some options for modifying the Affordable Housing Program may be lost. The Developer agrees to allow the County to enact modifications to the project zoning, in the event that periodic County reviews of the Affordable Housing component of the project indicate the number of affordable units created on-site in relation to the number of market-rate housing units constructed and occupied to date, is falling behind the goals. Specifically, the Developer agrees to allow the following legislative and discretionary actions to be considered by the County:

- Providing additional Residential High Density (R/H) land;
- Increasing the density of existing R/H land;
- Requiring a set portion of R/H development to provide housing for very low and low income households
- Restricting lot size and home sizes to maintain a greater degree of affordability using market factors
- Applying an affordable housing fee to commercial, office and industrial uses
- Increasing the affordable housing fee
- Requiring additional second unit dwellings.

F. Specific Plan III

3. Figure 3.1 SP III Map and Zoning, including Figures 3.3, 3.4, 3.5 and 3.6 (Neighborhood Land Use Figures), subject to future changes as may be required by the provisions of Section B (16 and 17), above.

Similar changes should also be made to the text of Specific Plan III to retain consistency between the documents.

These changes to the Development Agreement are needed to allow the periodic review and modification of zoning and phasing of the project, if warranted, following the Jobs/Housing and Affordable Housing reviews. Without these or similar changes, the Board's hands will be tied in terms of being able to modify the buildout of this project, unless the developer voluntarily agrees to modifications.

Approval of Specific Plan II and III involves some two-thirds of the total amount of development planned in Mountain House. Blanket approval of this large amount of development, without the County retaining some legislative and discretionary control through rezoning and other approvals, could effectively gut the ability of the County to enforce affordable housing and job creation goals.

The 1994 Master Plan provides for periodic reviews of progress on the two critical programs, based on completion of a certain increment of housing. The first Affordable Housing Program Review shall take place after the completion of the 2,000th dwelling unit in Mountain House. Subsequent Affordable Housing Program Reviews shall take place after each successive block of 3,000 dwelling units have been completed, or at least once every five years.

Similarly, a Jobs/Housing Review comparing how many jobs have been created in the project in relationship to the number of housing units is to be completed after 2,000 units have been built. Subsequent reviews are to occur at 4,000 units, 8,000 units, 12,000 units, and 16,000 units. The intent of these programs when they were created in 1994 was to give the County a regulatory method to gauge progress of the two programs and to make changes through discretionary actions such as rezoning more land for jobs, or increasing housing densities, if necessary.

Approximately 1,000 units have been completed to date. No jobs have been created yet. Because less than 2,000 residential units have been constructed, there has been no Affordable Housing and Jobs/Housing Program Reviews. If Specific Plan II and III are approved as proposed, the County will have little control over the future Affordable Housing and Jobs/Housing programs, since the developer will have received the key discretionary approval and will have locked in their legal entitlements with a development agreement.

Representing 18,000 members in 24 counties in Northern and Central California

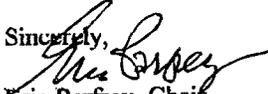
Alpine - Amador - Butte - Calaveras - Colusa - El Dorado - Glenn - Lassen - Modoc - Nevada - Placer - Plumas
Sacramento - San Joaquin - Shasta - Sierra - Siskiyou - Solano - Stanislaus - Sutter - Tehama - Tuolumne - Yolo - Yuba

Mitigation Required for Wastewater Treatment and Disposal

The DEIR notes that there is no capacity for interim land disposal of wastewater from the college (page 4.5-34). This is a potentially significant impact that must be mitigated. Mitigation Measure 4.5-3 should be amended to specifically prohibit development beyond the capacity of the Pombo parcel to accept treated effluent, and to require a technical study that proves the ability to serve the college site for wastewater, approved by the County prior to any subdivision of land or discretionary permit. Simply stating that a "will serve" letter is required from the MHCS D is not adequate to reduce the potential impact to an acceptable level.

Thank you for receiving these comments. If you should have any questions, we may be contacted at (209) 462-7079, or eparfrey@webintellects.net. Please send the Final EIR to me at 1421 W. Willow St., Stockton 95203. Do not send the FEIR to the Sacramento address at the top of the letterhead.

Sincerely,


Eric Parfrey, Chair
Mother Lode Chapter

cc: Board of Supervisors and Planning Commission

O2-1a

The DEIR discusses impacts related to the conversion of farmland in Section 4.2 (Land Use and Agriculture). Specific impacts related to the proposed project are analyzed under Impact 4.2-3. The conversion of agricultural lands within the project area to urban uses was previously evaluated and mitigated, to the extent feasible, in the MHMP EIR. As stated in the DEIR, this impact is described and further discussed for public disclosure and extends analysis of impacts to the conversion of 30 acres of agricultural lands on the Pombo property. Mitigation measures adopted with approval of the MHMP EIR apply fully to the proposed project.

The conclusion made in the DEIR that “no feasible mitigation measures are available to avoid the conversion of farmland” does not render the DEIR analysis of farmland conversion deficient. Mitigation measures identified in the MHMP EIR applicable to the proposed project include:

- ▶ Developers to pay, at the time of approval of each subdivision map or other discretionary permit, any agricultural mitigation fee established by the County that is in effect at that time; and
- ▶ Developers to pay the SJMSCP fees, which are intended to preserve agricultural lands containing biological resources and habitat for threatened and endangered species.

These mitigation measures would not constitute “double credit” to credit lands set aside by developers as mitigation for loss of agricultural lands and loss of habitat, provided that the lands set aside serve both agricultural and habitat functions. The funds collected through fees would allow SJCOG to purchase conservation lands that are similar in nature to the lands being converted. The lands being purchased would exhibit similar qualities to the land being converted including providing viable foraging habitat for Swainson’s hawk and other habitat and providing for agricultural production. This mitigation measure is consistent with the intent and approach of the SJMSCP as described in the DEIR (page 4.2-7). Please also refer to Response to Comment S1-2.

The DEIR acknowledges that mitigation fees paid under the SJMSCP would not be directed exclusively toward the purchase of agricultural conservation lands and that among the agricultural lands that would be placed under conservation easements, only a portion would consist of Important Farmland. The DEIR concludes that even with implementation of the mitigation associated with SJMSCP participation, the impact would remain significant and unavoidable.

O2-1b

The Central Valley Farmland Trust (CVFT) is a new non-profit land trust organization that formed recently as a result of the merger of four former land trust organizations: Sacramento Agricultural Farmland Trust and Conservancy, Stanislaus Farmland Trust, Merced County Farmland and Open Space Trust, and San Joaquin County Farmland Trust. The purpose of the CVFT is to use funds collected from developers in Merced, Stanislaus, Sacramento, and San Joaquin counties for the purchase of farmland conservation easements in accordance with applicable local farmland conservation policies. The CVFT is a land trust organization that could be selected by the County for the administration and use of farmland conservation fees collected from developers in the County. The San Joaquin County Board of Supervisors is considering adoption of an agricultural mitigation fee but no County-run program is yet in place, and no external program has yet received County approval.

O2-2 The DEIR discusses issues related to canceling Williamson Act contracts in Section 4.2 (Land Use and Agriculture). As analyzed in the DEIR, development would not proceed on any parcel in the project area while under a Williamson Act contract. As a result, project development would not conflict with the existence of any Williamson Act contract. The cancellation of Williamson Act contracts would not, in and of itself, result in any environmental impacts requiring analysis under CEQA. Environmental impact analysis of potential development on lands under a Williamson Act is required under CEQA. The responsibility for complying with provisions of the Williamson Act rests with the County who will comply completely with all requirements of the Williamson Act as related to the proposed project.

O2-3 The DEIR is in error regarding Mitigation Measure 4.1-2. It was not carried forward into the formal Mitigation Monitoring Report. Therefore SPIII is consistent with the adopted MHMP (and Final Mitigation Monitoring Report). Approved setbacks are 210 feet from Great Valley Parkway and 100 feet elsewhere.

O2-4 Comment is noted. Analysis of potential impacts related to affordable housing and jobs to housing balance is not required under CEQA. Issues involving the affordability of housing relate to the economy and economic conditions of the community. Similarly, the jobs to housing balance relates to the economic conditions of a region or community. Although economic impacts of a project are an important factor when considering approval of a project, economic impacts of the project are not relevant to the discussion of the project's environmental impacts. An evaluation of the economic impacts of a project is not required by CEQA (State CEQA Guidelines Section 15382). TJKM's model didn't assume affordable housing, but assumed a worst-case scenario (i.e., more vehicular traffic).

The commenter proposes modifications to the Development Agreement between the County and one of the developers associated with Specific Plan III. Because this request does not consist of revisions to the DEIR, consideration of modifications to a Development Agreement is beyond the scope of the environmental review required by CEQA.

Because no environmental issues are raised, no further response needs to be provided.

O2-5 The DEIR discusses the potential impacts to wastewater treatment services from the proposed project in Section 4.5 (Public Utilities). The potential impacts of construction of the college were fully analyzed and mitigated in the *Final Environmental Impact Report for the Delta College Center at Mountain House*, which includes impacts associated with the college's demand for wastewater treatment. Mitigation Measure 4.4-4 of the Delta College EIR states that a "will serve" letter shall be issued by MHCS D prior to construction of Phase I of the proposed project. In addition, the wastewater treatment demands of the entire MHMP area were evaluated and mitigated in the MHMP EIR. As analyzed under Impact 4.5-3 in the DEIR, tentative maps would not be approved until confirmation (i.e., will-serve letter) is received from MHCS D that adequate wastewater treatment and disposal capacity is available to serve the proposed development. Through this process, MHCS D would acknowledge that prior to the need for the wastewater treatment service, sufficient wastewater treatment and disposal capacity exists to serve the proposed development. The proposed project would not result in any significant impact to wastewater treatment facilities through the requirement that future developers in the project area inform MHCS D of development and receive confirmation back from MHCS D prior to construction.



MOUNTAIN HOUSE

COMMUNITY SERVICES DISTRICT

11 S. SAN JOAQUIN STREET, 7TH FLOOR, STOCKTON, CA 95202
MAIL: 222 E. WEBER AVENUE, ROOM 3, STOCKTON, CA 95202
(209) 468-9997 • (209) 468-3010 FAX • mhcsd1@pacbell.net

MEMORANDUM

RECEIVED

MAY 02 2005

Community Development Dept.

DATE: April 28, 2005

TO: Chandler Martin
Community Development Department

FROM: ^{GM} Gabe Karam, Development Manager

SUBJECT: Specific Plan III EIR
Mountain House Community Services District

The MHCSD staff has completed review of the EIR and has the following comments:

1. If an agreement between MHCSD and Delta College is not finalized prior to approval of SP III EIR, 7.0 acres shall be added to the community park to result in a park size equal to 38 acres. All sections and figures in the SP III EIR shall be revised to reflect these changes.
2. Page 2-8, section 4.3-1a. General Plan Policies and Zoning. In the following statement: "Amend the College Park Specific Plan II....", "Plan II" should be "Plan III".
3. Section 3.4.2.3. This section should state that if additional density bonus units are added, then other developments in SP III shall reduce their number of units by an equal amount so as the total number of units in SP III shall not exceed 2302 units.
4. Section 3.10.4, second paragraph, fifth line. Full frontage improvements will be required on Mountain House Parkway since there is no development on the east side. Change the sentence to reflect full frontage improvements on Mountain House Parkway. Add that full roadway improvements will be required by the MHCSD at other locations if triggered by SP III projects.
5. 4.9-7. Public Health and Safety. The project is not supplying reclaimed water; it is supplying non-potable water to the College and the Park.
6. See the following additional comments:

Page Comments / Corrections

3 -26	3.8.8	Landscape Component - Open Space Corridors Correct spelling error in second paragraph, second word; "intact" should be intract .
4.4-6		Implementation Measure 7.2.3.3 (f) Correct this to match SP III document to indicate proper number of residential units at 1,150th (not 1,650 th) and 1,840th (not 1,850 th). This will properly correlate with 50% and 80% of the dwelling units for SP III.
4.9-33	4.9-5	Public Health and Safety - Exposure to Pipeline Hazards Last paragraph indicates numerous natural gas and crude oil pipelines with an Open Space Corridor proposed in the easement, but it fails to mention that these pipelines also dissect both the West Neighborhood Park and the Community Park sites. This Section also should address the safety issues of the pipelines as they relate to park structures/facilities, restrictions for planting, safety and risk issues for sites and park users.
4.9-38	4.9-5	Mitigation Measure: Public Health and Safety - Exposure to Pipeline Hazards Add Mitigation Measures for Parks and the Open Space Corridor System including construction and maintenance of park structures/facilities, restrictions for plantings, safety and risk issues for sites and park users.
4.14-16	4.14-1	Impact: Visual Quality - Alteration of Visual Character along Grant Line Road Second paragraph is incorrect: <ul style="list-style-type: none"> 1. Verbiage, as it is written, does not accurately reflect the MHCSD Design Manual. Omit third sentence completely, it is redundant and inaccurate. 2. Omit last sentence at top of page 4.14-17 of this same paragraph (it is inaccurate) and replace with "All planting shall conform with the MHCSD Design Manual."
4.14-17	4.14-1	Mitigation Measure: Visual Quality - Alteration of Visual Character along Grant Line Road from Tree Removal. Correct last sentence of first paragraph (it is inaccurate) and amend to read, "The trees to be planted shall be in conformance with the MHCSD Design Manual, Chapter Three for Grant Line Road."

- O3-1** Comment noted. The proposed project is anticipated to provide approximately 31 acres of Community Park and 7 acres of athletic facilities at the Delta College site, per a joint-use agreement between the MHCSD and the SJCCDD. If an agreement between the MHCSD and Delta College is not finalized prior to EIR approval, the 7 acres shall be added to the Community Park site to result in a park size equal to 38 acres. The exhibits in the DEIR did not reflect the additional 7 acres because an agreement had not been finalized.
- O3-2** Comment noted. Revisions are made to Mitigation Measure 4.3-1a. See Chapter 3 of this FEIR.
- O3-3** The FEIR has been changed to reflect the comment.
- O3-4** Comment noted.
- O3-5** Comment noted. Text has been revised as appropriate, replacing “reclaimed water” with “non-potable water”.
- O3-6** Comment noted. The DEIR will be revised to clarify the statement; see revisions in Chapter 3 of this FEIR.
- O3-7** Comment noted. The DEIR and Specific Plan III will be revised to correct the numbering error and the FEIR will reflect this change; see revisions in Chapter 3 of this FEIR.
- O3-8** As stated on page 4.9-35 and Table 4.9-3, the estimated level of individual risk for open space/recreational use at the pipeline alignment is 4.2×10^{-7} . The recommended threshold acceptance criteria is 2.0×10^{-6} . Therefore, the estimated risk for open space/recreational use is almost an order-of-magnitude lower than the threshold, and no setbacks or restriction are required. Therefore, because the risk is low and that occupancy at these areas is not 100%, impacts to users at the open space corridor or at the parks would be less-than-significant. As indicated in the MHMP, Section 6.8, there are appropriate policies that minimize the risk of human injury or property damage in the event of an explosion and/or fire at a natural gas pipeline.
- O3-9** Comments noted. Text has been revised as appropriate.
- O3-10** Comment noted. The DEIR will be revised to reflect this comment; see revisions in Chapter 3 of this FEIR.



**SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

1810 E. HAZELTON AVE., STOCKTON, CA 95205-6232
PHONE: 209/468-3121 FAX: 209/468-3163

June 3, 2005

Francine Dunn, CEQA Project Manager
2022 J Street
Sacramento CA 95814

Dear Ms. Dunn:

Re: College Park at Mountain House Specific Plan III DEIR Comments from Public Meeting of April 5, 2005

Carolyn S. Crook
2367 Los Padres Drive

Regarding Section 4.8, Page 13. The potential water quality impacts on well was not addressed. There was no mention of long term effects of the surface disposal of treated effluents on the Pombo property east of Mountain House. The City of Tracy is using surface disposal methods for the Holy Sugar project and the Tracy Gateway project. The cumulative impacts of these treatments have not been addressed.

PM1-1

Cindy Sosa
19466 W. Grantline Road

Regarding Section 4-1.3.1 (noise). Will construction actually start at 6:00 a.m.?

PM1-2

Elaine Biden

Are the home site parcels included in the DEIR?

PM1-3

Please include responses in the Final EIR.

Sincerely,

Chandler Martin
Deputy Director of Planning

- PM1-1** The comment is noted; long term effects of the surface disposal of treated effluents on the Pombo property were not addressed for the following reasons: (1) the interim spray field operation is intended to be temporary, phasing out once Old River discharges commence in association with the Mountain House WWTP (anticipated as early as the end of 2005); (2) the treated wastewater to be disposed of would be tertiary treated and would be applied at the agronomic rate so that no standing water would be present and the potential for temporary water quality impacts would be negligible; and (3) the use of recycled water is extensively regulated by the RWQCB pursuant to California Department of Health Services regulations for reliability and quality factors to ensure that potential water quality and public health impacts are avoided.
- PM1-2** Daytime construction activities are exempt from County noise standards as stated under Impact 4.13-1 (page 4.13-17). The DEIR acknowledges the potential of nighttime construction, therefore, Mitigation Measure 4.13-1, included limiting construction activities between the hours of 6:00am and 9:00 pm in order to reduce noise impacts to a less-than-significant level.
- PM1-3** Yes, Figure 3-11 in the DEIR is the proposed lotting plan showing individual parcels.

3 REVISIONS TO THE DEIR

This chapter includes revisions to the DEIR. Text changes are intended to clarify or correct information in the DEIR. The changes shown in this chapter result primarily from clarifications in response to comments received on the DEIR, as documented in Chapter 2.

Revisions are shown as excerpts from the DEIR text, with strikethrough (~~strikethrough~~) text for deletions and underlined (underlined) text for additions. The changes appear in the order of their location in the DEIR.

In addition, see Chapter 1 (in particular, Table 1.4-1) for information related to revisions to the Specific Plan III; these revisions do not require further impact analyses in the EIR.

Chapter 2, Table 2-1, is revised as follows:

Table 2-1 Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)			
Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
4.2 Land Use			
<p>4.2-1. Land Use and Agriculture—Conflict with Existing Land Uses. The proposed land uses would be compatible with the existing on-site and adjacent land uses with the exceptions of the BBID irrigation canals and pipelines that cross the site. A potentially significant impact would occur.</p>	PS	<p>4.2-1. Land Use and Agriculture—Conflict with Existing Land Uses. The College Park developers shall implement the following measures:</p> <ul style="list-style-type: none"> ▶ Fence off the two on-site BBID canals from proposed urban development until such time as the canals are filled. The fencing shall be sufficient to block access to the canals by all except BBID personnel and other authorized persons, and shall be developed in coordination with BBID to ensure that BBID has continued access to the canals for maintenance activities. ▶ Implement Mitigation Measure 4.9-5, identified in Section 4.9, “Public Health and Safety,” to ensure that the proposed residences are not exposed to an explosion hazard from the natural gas pipelines within the PG&E–Chevron easement that bisects the project site. ▶ Identify an agricultural buffer of no less than 100 feet at the time of Tentative Map approval for any new units in the residential area in and south of Grant Line Village and adjacent to the County line. 	LTS
<p>4.2-2. Land Use and Agriculture—Conflict between Proposed Land Uses. The proposed project would not generate conflicts between proposed land uses, except for the proposed lighted community park facilities that would generate conflicts with proposed adjacent residential uses. A significant less-than-significant impact would occur</p>	§ LTS	<p>No mitigation is required. Implement Mitigation Measure 4.14-3.</p>	LTS
<p>4.2-3. Land Use and Agriculture—Direct Conversion of Important Farmland. The proposed project would result in the direct conversion of approximately 760 acres (730 on the College Park project site and 30 acres on the Pombo property) of Important Farmland (Prime Farmland and Farmland of Local Importance) to urban land uses. A significant and unavoidable impact would occur.</p>	SU	<p>4.2-3. Land Use and Agriculture—Conversion of Important Farmland. No feasible mitigation measures are available to avoid the conversion of farmland.</p>	SU

SU = significant and unavoidable

LTS = less than significant

PS = potentially significant

B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>4.2-4. Land Use and Agriculture—Conflict Substantially with Existing Agricultural Zoning or Williamson Act Contracts. The proposed project would not conflict with most existing Williamson Act contracts because these would expire before development. However, some early cancellations are being requested. Thus, new development could conflict with existing Williamson Act contracts. The majority of the project would not conflict substantially with agricultural zoning. However, one of the proposed off-site improvements (the 30-acre storage pond for the proposed interim land disposal of treated wastewater on the Pombo property) would convert agriculturally zoned land to an urban use. A significant impact would occur.</p>	S	<p>4.2-4. Land Use and Agriculture—Conflict Substantially with Existing Agricultural Zoning or Williamson Act Contracts. The project applicants shall implement the following mitigation measure:</p> <ul style="list-style-type: none"> ▶ At such time as the interim land disposal of treated wastewater at the Pombo property is discontinued, GNK, LLC shall remove the 30-acre storage pond and restore the storage-pond site to agricultural use (i.e., feed crops). 	LTS
<p>4.2-5 Land Use and Agriculture—Conflicts with Off-Site Agricultural Operations. The proposed project would not conflict with off-site agricultural operations but could potentially affect the water supply of downstream agriculture. A significant impact could occur.</p>	S	<p>4.2-5. Land Use and Agriculture—Conflicts with Adjacent Agricultural Operations.</p> <ul style="list-style-type: none"> ▶ Before development, the project developers shall provide for the continued provision of irrigation water to downstream agriculture reliant on the water from the canals by the installation of pipelines and other means. The filling of the irrigation canals shall be approved by BBID. 	LTS
<p>4.3 General Plan Polices and Zoning</p>			
<p>4.3-1. General Plan Policies and Zoning—Conflict with Adopted Policies in the MHMP and San Joaquin County General Plan. The project would <u>not</u> conflict with a specific policy of the MHMP, that is the implementing document of the County's General Plan for the overall Mountain House community. Policy inconsistency would be related to increased trip volume and the associated auto emissions and noise. A potentially <u>less-than-significant</u> impact would occur.</p>	<p>PS <u>LTS</u></p>	<p><u>No mitigation required.</u></p> <p>4.3-1a. General Plan Policies and Zoning—Conflict with Adopted Policies in the MHMP and San Joaquin County General Plan. The College Park developers shall implement the following measures:</p> <ul style="list-style-type: none"> ▶ Amend the College Park Specific Plan II III to add a 1.5 acre Neighborhood Commercial area to the southwestern portion of Neighborhoods A/B in the vicinity of Delta College and the proposed industrial park. This amendment would ensure compatibility with the adopted MHMP and to reduce transportation requirements. ▶ Implement Mitigation Measure 4.13-4 in Section 4.13, "Visual 	LTS

SU = significant and unavoidable

LTS = less than significant

PS = potentially significant

B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>Quality."</p> <p>Implementation of the above mitigation measures would reduce the impact to a less than significant level.</p> <p>4.3-1b: General Plan Policies and Zoning—Conflicts with Adopted Policies of the Mountain House Master Plan (MHMP). Implement Mitigation Measure 4.13-4.</p>	
<p>4.3-2. General Plan Policies and Zoning—Consistency with Land Use Designations of MHMP. The project would require changes to the MHMP land use map to allow development of the new Delta College and other specific uses on the site. With the proposed amendments, the project uses would be consistent with the new designations. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.3-3. General Plan Policies and Zoning—Consistency with San Joaquin County's Development Title and Zoning Designations. The project would include new zoning of the site, changing the existing Agriculture-Urban Reserve zoning designation to a variety of urban uses. This rezoning typically occurs at the time of adoption of a specific plan. The proposed zoning designations would be consistent with the County's General Plan and the MHMP and would not cause increases in the severity of impacts associated with the MHMP. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
4.4 Public Services			
<p>4.4-1. Public Services—Additional Demand for Public Parkland. The proposed project would result in the construction of residences that would result in the demand for parks and recreational facilities. Sufficient neighborhood and community parks to serve project needs would be constructed as part of the project. San Joaquin County currently provides less than needed regional parkland in accordance with their standard, and the project would provide funding for less regional parkland than needed in accordance with County standards.</p> <p>According to the Mountain House Specific Plan II Initial Study, findings of the MHMP Final EIR concluded that adequate</p>	LTS	No mitigation required.	LTS

SU = significant and unavoidable

LTS = less than significant

PS = potentially significant

B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
recreational facilities (e.g., neighborhood parks, regional parks) were provided by individual local facilities in each Specific Plan area and that developers would pay for development and maintenance of the proposed 82-acre regional park at Old River. Additionally, the proposed project would provide sufficient parkland to serve the needs of future residents. A less-than-significant impact would occur.			
<p>4.4-2. Public Services—Additional Demand for K-8 Schools. The project would result in the construction of residential units that would result in the demand for public elementary school facilities and services. However, the proposed project would provide sites for two new K-8 schools and would pay the required state-mandated school impact fees, which, according to state law, represents full mitigation of K-8 school capacity impacts. Public safety impacts associated with pedestrian access could occur, but the SJDCCD has agreed to fund buses to reduce the need for pedestrian access. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.4-3. Public Services—Additional Demand for Public High Schools. The project would result in the construction of residential units that would result in the demand for public high school facilities and services. However, a new high school is planned in the Specific Plan I area of the MHMP that would provide adequate high school service to the proposed project, and the proposed project would pay the required state-mandated school impact fees that, according to state law, represent full mitigation of high school capacity impacts. A less-than-significant impact would occur.</p>	LTS	<p><u>No mitigation required.</u></p> <p>4.4-3. Public Services—Additional Demand for Public High Schools. Project developers shall enter into project specific mitigation with TUSD that determines the development impact fee to be paid for the construction or rental of temporary portable buildings to be placed at West High School or Tracy High School.</p>	LTS
<p>4.4-4. Public Services—Additional Demand for College Services. The project would result in the construction of residential units that would result in the demand for college facilities and services. A beneficial impact would occur.</p>	B	No mitigation required.	B
<p>4.4-5. Public Services—Additional Demand for Fire-Protection Services. The project would result in the construction of residential units that would result in the demand for fire-protection and emergency-medical services. However, a fire station is under construction close to the project site which would serve the College</p>	LTS	No mitigation required.	LTS

SU = significant and unavoidable

LTS = less than significant

PS = potentially significant

B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
Park project under the MHMP. A less-than-significant impact would occur.			
4.4-6. Public Services—Additional Demand for Law-Enforcement Services. The project would result in the construction of residential units that would create a demand for law-enforcement services. New staffing would be provided, but no new facilities would be needed. A less-than-significant impact would occur.	LTS	No mitigation required.	LTS
4.4-7. Public Services—Additional Demand for Public Library Facilities. The project would result in the construction of residential units that would result in the demand for public library facilities. A new library would be constructed in the MHMP area that would serve the College Park project under the MHMP. A less-than-significant impact would occur.	LTS	No mitigation required.	LTS
4.5 Public Utilities			
4.5-1. Public Utilities—Demand for Water Supply. The proposed project would create a demand for water from BBID that, when added to the existing and future water demand for the balance of the MHMP area at buildout (2025), would exceed existing contracted capacity according to the College Park SB 610 WSA. However, subsequent to the preparation of the SB 610 WSA, a non-potable irrigation water system was added to the proposed project that would avoid this projected water supply shortfall. With implementation of this system, adequate water supply would be available to serve the proposed project. A less-than-significant impact would occur.	LTS	No mitigation required.	LTS
4.5-2. Public Utilities—Demand for Water Infrastructure. The proposed project would require the expansion of the existing Mountain House WTP, the extension of existing water pipelines to the project site, and the development of new water pumps and water storage tanks to serve the project. Such water infrastructure has already been programmed or would be developed as part of the proposed project. A less-than-significant impact would occur.	LTS	No mitigation required.	LTS
4.5-3. Public Utilities—Demand for Wastewater-Treatment/Disposal Capacity. The proposed project would require	LTS	No mitigation required.	LTS

SU = significant and unavoidable

LTS = less than significant

PS = potentially significant

B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
the expansion of the existing Mountain House WWTP, the commencement of river discharges of treated wastewater from the WWTP, and the provision of interim treated wastewater disposal, until such time as the river discharges commence, to provide adequate wastewater-treatment and disposal capacity to serve the proposed project. Such wastewater-treatment capacity and disposal via river discharge has already been approved and programmed, and an interim treated wastewater disposal infrastructure system is proposed as part of the proposed project. A less-than-significant impact would occur.			
4.5-4. Public Utilities—Demand for Wastewater Infrastructure. The proposed project would require the use of existing sewer pipelines and the development of new sewer pipelines to serve the proposed project. Adequate existing downstream sewer pipelines already exist, and the project includes proposals to extend these pipelines to the project site. A less-than-significant impact would occur.	LTS	No mitigation required.	LTS
4.5-5. Public Utilities—Demand for Electricity and Natural-Gas Supply and Infrastructure. The project would generate additional demand for electricity and natural-gas supply and conveyance. Because the proposed project identifies joint trench lines to accommodate transmission facilities, and because the service providers have sufficient supply, adequate electricity and natural gas would be provided to the proposed project. A less-than-significant impact would occur.	LTS	No mitigation required.	LTS
4.6 Cultural Resources			
4.6-1. Cultural Resources—Destruction/Damage of Known Cultural Resources. The project site contains 10 known historic-era cultural resources. One of these (Trees along the Lincoln Highway) is eligible for listing in the CRHR and would be adversely affected by project implementation. A less-than-significant impact would occur.	LTS	4.6-1. Cultural Resources—Destruction/Damage to Known Cultural Resources. The conditions agreed upon in 2004 by Trimark and the West Side Pioneer Association, as shown in the MHCS design manual, must be implemented. No further mitigation is required.	LTS
4.6-2. Cultural Resources—Potential Destruction/Damage to Undiscovered Cultural Resources. Subsurface disturbances	PS	4.6-2. Cultural Resources—Potential Destruction/Damage to Undiscovered Cultural Resources. If discovery of unknown	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>during construction could potentially destroy or damage undiscovered prehistoric or historic cultural resources that may be considered "unique archaeological resources" or "historic resources" as defined by CEQA. A potentially significant impact would occur.</p>		<p>cultural materials is made during construction, ground-disturbing activities at the construction site where the discovery was made shall be halted. The College Park developers or construction contractor shall contact the San Joaquin County Community Development Department (SJCCDD) immediately, and a qualified professional archaeologist acceptable to County staff shall be notified and retained by the College Park developer. The archaeologist shall determine whether the resource represents a "unique archaeological resource" or "historic resource" as defined by CEQA, and shall identify appropriate mitigation. The mitigation could potentially include, but would not necessarily be limited to, avoidance, preservation in place with capping, photo documentation, and/or excavation/curation.</p> <p><u>In compliance with CEQA, Public Resources Code Section 5024.5, and the Caltrans Environmental Handbook, Vol. 1, should ground-disturbing activities within Caltrans ROWs take place as part of this project and there is an inadvertent archaeological or burial discovery, all construction within 35 feet of the find shall cease and the Caltrans Cultural Resource Study Officer (CRSO), District 4, shall be contacted immediately. A staff archaeologist will evaluate the finds within one business day of being contacted. The CRSO can be contacted at 510-286-2613 or 510-286-5618.</u></p>	
<p>4.6-3. Cultural Resources—Potential to Uncover Human Remains. Subsurface disturbances could potentially uncover prehistoric Native American burials during construction. A significant impact would occur.</p>	<p>S</p>	<p>4.6-3. Cultural Resources—Potential to Uncover Human Remains. In accordance with the California Health and Safety Code, if human remains are uncovered during construction at the project site, the College Park developer or construction contractor shall immediately halt potentially damaging excavation and notify SJCCDD. The County shall, in turn, immediately notify the San Joaquin County coroner of the find. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (HSC Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). Once a Most Likely Descendent (MLD) has been designated by the NAHC, the</p>	<p>LTS</p>

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		MLD, in consultation with the County, shall determine the ultimate disposition of the remains. The responsibilities of the County for acting upon notification of a discovery of Native American human remains are outlined in detail in the PRC Section 5097.9. Measures likely resulting from the above could include preservation in place and capping/avoidance, or removal and continued monitoring of ground-disturbing activities.	
4.7 Drainage			
<p>4.7-1. Drainage—Increased Erosion or Sedimentation. Development of the proposed project could alter the existing drainage pattern of the site or area in a manner that could result in substantial erosion and sedimentation during project construction and operation. Compliance with MHMP policies, MHMP mitigation measures, and Phase I and II NPDES permit requirements, including the preparation and implementation of a SWPPP that outlines BMPs to be followed to minimize erosion and sedimentation, would avoid substantial erosion and sedimentation during project construction and operation. No adverse effects on the capacity and performance of the storm-drain system would occur. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.7-2. Drainage—Result in Flooding or Exceed the Capacity of the Storm-drain System. The proposed project would increase the rate and amount of surface runoff and both increase the demand for capacity in the existing downstream MHMP storm-drain system and require the development of new storm-drain facilities to serve the project. However, this would not result in flooding or exceedance of the capacity of the MHMP storm-drain system because: the existing downstream MHMP storm-drain system has already been sized to accommodate runoff from the proposed project; and the proposed project would provide adequate capacity in the new storm-drain facilities required to serve it. A less-than-significant impact would occur. The project would require expansion of WQB1 and if not completed before project development, a significant impact would occur.</p>	S	<p>4.7-2. Drainage—Result in Flooding or Exceed the Capacity of the Storm-drain System. The College Park developers shall expand WQB1 as required to accommodate runoff from the College Park project, or shall provide the required on-site retention in-lieu of the required expansion of WQB1, before development of those portions of Neighborhoods B and D to be served by the DeAnza Boulevard and Mountain House Parkway storm-drain systems.</p>	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>4.7-3. Drainage—Require Dewatering that Could Lead to Flooding. Because groundwater levels at the College Park project site are a minimum of 40 feet bgs, it is not anticipated that dewatering would be required during project construction, and no potential would exist for dewatering-related flooding or exceedance of the capacity of the storm-drain system. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.8 Water Quality</p>			
<p>4.8-1. Water Quality—Potential Temporary Construction-Related Water Quality Effects. Temporary construction-related disturbances within the College Park site could result in the discharge of contaminated stormwater and non-stormwater discharges to drainage systems and ultimately the Mountain House Creek channel and Old River. A potentially significant impact would occur.</p>	PS	<p>4.8-1. Water Quality—Potential Temporary Construction-Related Water Quality Effects. The College Park developers shall consult with the Central Valley RWQCB to acquire the appropriate regulatory approvals that may be necessary to obtain Section 401 water quality certification, ensure compliance with the SWRCB statewide NPDES stormwater permit for general construction activity and the Central Valley RWQCB NPDES permit for construction dewatering activity, and obtain any other necessary site-specific WDRs or waivers issued pursuant to the Porter–Cologne Act. As required under the NPDES stormwater permit for general construction activity, the project applicant shall prepare a SWPPP and any other necessary engineering plans and specifications for pollution prevention and control. The SWPPP and other appropriate plans shall:</p> <ul style="list-style-type: none"> ▶ Identify and specify the use of erosion and sediment control BMPs, means of waste disposal, implementation of approved local plans, non-stormwater management controls, permanent postconstruction BMPs, and inspection and maintenance responsibilities; ▶ Specify the pollutants that are likely to be used during construction that could be present in stormwater drainage and non-stormwater discharges; ▶ Specify BMP inspection protocols to ensure that the BMPs are effective and ensure that the monitoring is conducted if nonvisible pollutants are inadvertently discharged into stormwater. 	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<ul style="list-style-type: none"> ▶ Identify construction techniques that will reduce the potential for runoff; ▶ Identify the erosion and sedimentation control measures to be implemented; ▶ Specify spill prevention and contingency measures; ▶ Identify the types of materials used for equipment operation; ▶ Identify measures to prevent or clean up spills of hazardous materials used for equipment operation and hazardous waste; ▶ Identify emergency procedures for responding to spills; ▶ Identify BMPs that shall be used in all subsequent site-development activities; ▶ Identify personnel training requirements and procedures that will be used to ensure that workers are aware of permit requirements and proper installation and performance inspection methods for specified BMPs; ▶ Identify the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP; and ▶ Require all construction contractors to retain a copy of the approved SWPPP on the construction site. 	
<p>4.8-2. Water Quality—Long-Term Water Quality Effects of Urban Runoff. The proposed project would convert agricultural lands to residential and commercial uses and thereby change the amount, timing, and content of potential waste discharges in stormwater runoff to Mountain House Creek and Old River. However, the combination of nonstructural and structural BMPs proposed for the project stormwater drainage system would reduce the overall amount of potential contaminant discharges compared to existing conditions. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
4.9 Public Health and Safety			
<p>4.9-1. Public Health and Safety—Possible Exposure to Pre-</p>	S	<p>4.9-1. Public Health and Safety—Possible Exposure to Pre-</p>	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>Existing Hazardous Materials During Construction. The proposed project could unearth or otherwise disturb pre-existing hazardous materials at the project site during construction, potentially exposing construction workers or others to hazardous materials. A significant impact would occur.</p>		<p>Existing Hazardous Materials During Construction. The College Park developers shall implement the following measures:</p> <ul style="list-style-type: none"> ▶ Project grading, excavation, and other earth-moving activities at the project site and off-site infrastructure locations shall be monitored at the County's discretion by qualified hazardous materials experts (either qualified County staff or consultants) for signs of potential pesticide, hydrocarbon, or other contamination. If the County or consultants observe soil discoloration, noxious odors, or other signs of potential contamination, Phase II testing (excavation, laboratory testing of soil, possibly groundwater testing) shall be undertaken, and any recommendations made by the consultants shall be implemented. ▶ <u>The San Joaquin County Environmental Health Department shall have regulatory authority over the investigation and clean-up of contamination from underground storage tank releases and would provide "no further action required" determinations for that source of contamination. All ASTs and USTs at the project site shall be removed under the supervision of a qualified hazardous material expert in accordance with applicable regulations and removal permit requirements from the County Environmental Health Department. Dairy waste ponds or any other sources of contamination shall be removed under a qualified hazardous materials expert in accordance with applicable regulations and requirements from the Central Valley RWQCB or the California Department of Toxic Substances. This includes the December 4, 2003 crude oil releases and any migration of it to the project site. The soil underlying these facilities shall be sampled and tested by the experts. If the testing reveals contamination, the regulatory agencies shall be contacted, any recommendations by the experts shall be implemented, and regulating agency shall identify "no further action" before project construction.</u> <p>The ASTs, USTs, and dairy waste ponds at the project site shall be removed under the supervision of qualified hazardous materials experts in accordance with applicable regulations and removal</p>	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>permit requirements from the County Environmental Health Department. The soil underlying these facilities shall be sampled and tested by the experts. If the testing reveals contamination, the regulatory agencies shall be contacted, any recommendations made by the experts shall be implemented, and the County Environmental Health Department shall identify "no further actions required" before project construction access at these locations.</p> <ul style="list-style-type: none"> ▶ Other potential existing sources of contamination (i.e., septic systems, refuse piles, waste ponds, electrical transformers containing PCBs) on the project site and off-site infrastructure sites shall be identified and removed under the supervision of qualified hazardous materials experts and in accordance with applicable regulations before construction. The applicant shall demonstrate to the County Environmental Health Department that the above has taken place before issuance of building permits. If the experts observe potential soil contamination or noxious odors associated with these facilities, the soils underlying these facilities shall be sampled and tested by the experts. If the testing reveals contamination, the regulatory agencies shall be contacted, any recommendations made by the experts shall be implemented, and the County Environmental Health Department shall identify "no further actions required" before project construction access at these locations. ▶ Phase I ESAs shall be prepared by qualified hazardous materials experts for areas in Grant Line Village that are the subject of future development proposals before construction in these areas. The ESAs shall be reviewed and approved by the County Environmental Health Department. Any recommendations made in the ESAs (monitoring, Phase II testing, mitigation, etc.) shall be implemented. ▶ Project grading, excavation, and other earth-moving activities directly adjacent to the off-site parcel where the December 4, 2003 crude oil release took place shall not occur until it has 	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>been verified, either by the assessment currently being conducted by the RWQCB or separate soil and groundwater sampling commissioned by the College Park developers, that the contamination associated with the incident has not migrated to the College Park site. If the contamination has migrated to the College Park site, it shall be fully remediated to the satisfaction of the County Environmental Health Department before project construction activities in the contaminated area.</p> <ul style="list-style-type: none"> ▶ Project construction activities at hazardous materials sites #3 and 7 (identified in Figure 4.9-2 and Table 4.9-1) shall occur only after any contamination that may exist at these sites has been fully remediated to the satisfaction of the County Environmental Health Department, the status of the sites has been changed to "no further action required" in the regulatory agency databases, and the facilities that are the source of any contamination have been removed in accordance with applicable regulations. The project developers may attempt to advance the above, if they desire, by conducting their own investigations of these sites in coordination with the property owners and regulatory agencies, and working with the regulatory agencies to accomplish the above. ▶ Before demolition, renovation, or modification of structures on the project site and off-site infrastructure sites constructed before 1981 (parcels containing such structures are listed in Table 4.9-2), the project developers shall contract with qualified hazardous materials experts to survey these buildings for asbestos and lead-based paint. Demolition, renovation, or modification of any structures identified as containing asbestos or lead-based paint shall be performed by a licensed asbestos and lead-based paint abatement contractor in accordance with applicable regulations. 	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>4.9-2. Public Health and Safety—Possible Exposure to Hazardous Materials Associated with Upset and Accident Conditions During Construction and Operation. The proposed project would not use large quantities of hazardous materials that would be subject to potential upset and accident conditions, and although project construction activities would occur in the vicinity of existing natural gas and crude oil pipelines, project compliance with the requirements and mitigation measures of the MHMP and MHMP MMP would avoid potentially significant upset and accident conditions involving these pipelines. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.9-3. Public Health and Safety—Emit Hazardous Emissions or Handle Hazardous Materials within one-quarter Mile of a School. The proposed project would be located in on-quarter mile of planned/proposed schools, but would not generate hazardous emissions or handle large quantities of hazardous materials. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.9-4. Public Health and Safety—Locate a School Site in an Area of Potential Hazards. One of the two proposed K–8 school sites would be located in an area of potential hazardous conditions as defined by CEQA (Section 21151). The school would be located less than one-quarter mile from a potential source of hazardous emissions and a location where large amounts of hazardous materials may potentially be used and stored. A significant impact would occur.</p>	S	<p>4.9-4. Public Health and Safety—Locate a School Site in an Area of Potential Hazards. The College Park developers shall have a PEA prepared by a qualified hazardous materials consultant for the school located near the Lucky J Dairy, if required by CDE. The PEA shall be prepared in accordance with CDE and DTSC requirements and shall be reviewed and approved by CDE, DTSC, the San Joaquin County Community Development Department (SJCCDD), and the Lammersville School District. If these agencies determine, based on the PEA, that the school site does not meet CDE siting requirements, the proposed school shall be developed at a different location within the College Park site, subject to clearance by a new PEA to be funded by the developers. If the new school site is required, the developers shall be responsible for processing the required amendment to the College Park Specific Plan III and obtaining and dedicating the new school site to the school district. The assessment and analysis would be conducted in accordance with CDE requirements and would be under separate CEQA documentation.</p>	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>4.9-5. Public Health and Safety—Exposure to Pipeline Hazards. The proposed project would result in the development of sensitive land uses in close proximity to existing natural gas and crude oil pipelines, and would expose persons to contamination or explosion hazards associated with the pipelines. A significant impact would occur.</p>	S	<p>4.9-5. Public Health and Safety—Exposure to Pipeline Hazards. The following measures shall be implemented by the College Park developers:</p> <ul style="list-style-type: none"> ▶ No habitable residential structures (i.e., homes, apartments, granny flats, garages converted to living quarters, patio rooms, sun rooms) shall be permitted within 68 feet of the PG&E–Chevron pipeline that bisects the College Park site and contains Pipelines L401, L002, and CSDF 0499. Alternatively, no habitable residential structures as defined above shall be permitted within 68 feet of the nearest pipeline in the PG&E easement. Outdoor structures such as pools, fences, patios, and decks could be allowed within the no build zone, since occupancy would be less than 100%. Garages would be permitted as long as documentation accompanies the sale or rental documents for the residence prohibiting conversion of the garage to a habitable use (spare bedroom, game room, etc.). ▶ Public disclosure of the hazard posed by the Pipelines L401, L002, and CSDF 0499 shall be provided in the purchase and rental agreements for all habitable residential structures to be located within 249 feet of the PG&E/Chevron easement, and shall appear in all subsequent purchase and rental agreements associated with these structures. 	LTS
<p>4.9-6. Public Health and Safety—Exposure to Electromagnetic Fields. The proposed project would comply with CDE school setback requirements from electrical transmission lines. While the project would result in development of residential uses in close proximity to electrical transmission lines, project compliance with the requirements of the MHMP and MHMP MMP would avoid significant adverse EMF-related health effects. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.9-7. Public Health and Safety—Exposure to Non-Potable Water. The proposed project would supply reclaimed non-potable water to the community college for landscape uses. A less-than-significant impact would occur.</p>	LTS	No <u>additional</u> mitigation required.	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
4.10 Biological Resources			
<p>4.10-1. Biological Resources—Conversion of Habitat for Common Plant and Animal Species. The proposed project would result in conversion of approximately 815 acres of agricultural, ruderal, and developed areas that provide habitat for a limited number of common plant and wildlife species. These common species and their habitats are locally and regionally abundant. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.10-2. Biological Resources—Conversion of Habitat for Special-Status Plants. The proposed project would result in conversion of habitat that could support special-status plant species. The MHMP and MHMP MMP do not identify policies or mitigation for potential impacts to the special-status plant species that could occur at the College Park site and off-site improvement areas. Therefore, a significant impact could occur.</p>	S	<p>4.10-2. Biological Resources—Conversion of Habitat for Special-Status Plants</p> <p>The College Park developers shall request coverage under the SJMSCP, and the project applicants shall pay the SJMSCP impact fees determined by SJCOG during the application and review process for each project under College Park.</p> <p>Suitable habitat for special-status plants that would be affected by implementation of College Park is currently limited to the irrigation canals and ponds. Before implementation of each Tentative Map (or of individual development projects if no Tentative Map), pre-construction surveys for special-status plants shall be conducted by a qualified botanist in areas identified as suitable habitat by SJCOG at the appropriate time of year when the target species would be in flower or otherwise clearly identifiable. Surveys shall be conducted in accordance with specific methodologies described in Section 5.2.2.5 of the SJMSCP.</p> <p>If special-status plants are found, the following measures shall be implemented, depending on the species found:</p> <ul style="list-style-type: none"> ▶ Sanford’s arrowhead, Delta button-celery, and slough thistle. The SJMSCP requires complete avoidance for these species; therefore, potential impacts on these species could not be covered through participation in the plan. If these species are present in the project area and cannot be avoided, a separate consultation with the appropriate regulatory agencies (likely DFG) would be required. This consultation shall determine appropriate mitigation measures for any populations 	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>affected by the project, such as creation of off-site populations through seed collection or transplanting, preserving and enhancing existing populations, or restoring or creating suitable habitat in sufficient quantities to compensate for the impact. All mitigation measures determined necessary during this consultation shall be implemented by the project proponents.</p> <ul style="list-style-type: none"> ▶ <u>Mason's lilaeopsis, rose mallow, Delta tule pea, and Delta mudwort.</u> These species are considered widely distributed species by the SJMSCP, and dedication of conservation easements is the preferred option for mitigation. If these species are found in the project area, the possibility of establishing a conservation easement or in-lieu land dedication shall be evaluated. If neither establishment of a conservation easement nor in-lieu land dedication is feasible, no mitigation (in addition to payment of SJMSCP fees) shall be required. ▶ <u>Bristly sedge and blue skullcap.</u> These species are considered narrowly distributed by the SJMSCP, and dedication of conservation easements is the preferred option for mitigation. If these species are found in the project area, the possibility of establishing a conservation easement shall be evaluated. If dedication of a conservation easement is not a feasible option, the SJMSCP requires a consultation with the permitting agency representatives on the Technical Advisory Committee to determine the appropriate mitigation measures. These may include seed collection or other measures and would be determined on a population basis, taking into account the species type, relative health, and abundance. After the appropriate mitigation has been determined, it shall be implemented by the project proponents. 	
<p>4.10-3. Biological Resources—Conversion of Special-Status Amphibian and Reptile Habitat. The proposed project would not result in conversion of habitat known or expected to support special-status amphibians or reptiles. Therefore, a less-than-significant impact would occur.</p>	<p>LTS</p>	<p>No mitigation required.</p>	<p>LTS</p>

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>4.10-4. Biological Resources—Conversion of Swainson’s Hawk Habitat, Loss of Active Nests, and Removal of Nest Trees. The proposed project would result in conversion of Swainson’s hawk foraging and nesting habitat, loss of active nests, and removal of known and potential nest trees. Implementation of measures presented in Section 7.3.3 of the MHMP would compensate for loss of foraging and nesting habitat and would avoid adverse effects to active nests. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.10-5. Biological Resources—Conversion of Burrowing Owl Foraging Habitat and Potential Destruction of Active Burrows. The proposed project would result in conversion of burrowing owl foraging habitat and could result in destruction of occupied burrows. Implementation of measures presented in Section 7.3.5 of the MHMP would compensate for loss of burrowing owl foraging habitat and avoid loss of active nest burrows. It would not, however, avoid destruction of potential occupied burrows during the nonnesting season. A significant impact would occur.</p>	S	<p>4.10-5. Biological Resources—Conversion of Burrowing Owl Foraging Habitat and Potential Destruction of Active Burrows</p> <p>The College Park developers shall request coverage under the SJMSCP, fees shall be paid in the amount determined by SJCOG during the application and review process for each project under College Park, and if SJCOG determines suitable habitat is present on or adjacent to a given project site, the following SJMSCP incidental take avoidance and minimization measures shall be implemented:</p> <ul style="list-style-type: none"> ▶ Burrowing owls shall be discouraged from entering or occupying construction areas by employing one of several methods outlined in Section 5.2.4.15 of the SJMSCP. These include retention of tall vegetation, regular discing of the site, or use of chemicals or traps to kill ground squirrels; ▶ Pre-construction surveys for burrowing owls shall be conducted where project construction activities would occur within 75 meters of suitable habitat (based on SJCOG review). The survey shall be conducted within 2 weeks of the beginning of construction. If burrowing owls are found, the following measures shall be implemented: <ul style="list-style-type: none"> • During the nonbreeding 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 DFG’s <i>Staff Report on Burrowing Owls</i> (DFG 1995). 	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<ul style="list-style-type: none"> ▶ 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 until and unless the Technical Advisory Committee, with the concurrence of the permitting agencies' representatives on the Technical Advisory Committee, or a qualified biologist approved by the permitting agencies, verifies through noninvasive 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. After the fledglings are capable of independent survival, the burrow can be destroyed. 	
<p>4.10-6. Biological Resources—Conversion of Common Nesting Raptor Habitat and Possible Loss of Active Nests. The proposed project would convert suitable foraging habitat and could result in loss of active nests of white-tailed kite, northern harrier, and other common raptor species. Implementation of measures presented in Section 7.3.5 of the MHMP would compensate for loss of foraging habitat and would avoid loss of active nests in trees more than 30 feet tall, but would not apply to nests in smaller trees, low vegetation, or on the ground. A significant impact could occur.</p>	<p>S</p>	<p>4.10-6. Biological Resources—Conversion of Common Nesting Raptor Habitat and Possible Loss of Active Nests</p> <p>The College Park developers shall request coverage under the SJMSCP, and fees shall be paid in the amount determined by SJCOG during the application and review process for each project under College Park. Potential nest sites for all tree-nesting species are scattered throughout much of the College Park site, but are concentrated along Grant Line Road and at Grant Line Village. Suitable nesting habitat for northern harrier is provided by all field crops and fallow fields. During the SJMSCP application process, SJCOG will determine whether that specific project site supports suitable nesting habitat. If SJCOG determines suitable habitat is present on or adjacent to a given project site, the SJMSCP incidental take avoidance and minimization measures described below for nesting raptors shall be implemented. Additional measures below shall be implemented to avoid loss of active nests of common raptor species, which are not covered under the SJMSCP but are protected under the California Fish and Game Code. The project applicants shall retain qualified biologists to conduct all pre-construction surveys.</p> <ul style="list-style-type: none"> ▶ White-tailed Kite. If project construction begins during the nesting season (February 15–September 15), pre-construction surveys shall be conducted to investigate all potential nesting trees on the project site (e.g., especially tree-tops 15–59 feet above the ground in oak, willow, eucalyptus, cottonwood, or 	<p>LTS</p>

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>other deciduous trees), whenever white-tailed kites are noted on-site or within the vicinity of the site during the nesting season. A setback of 100 feet from white-tailed kite 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 that are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing.</p> <ul style="list-style-type: none"> ▶ Northern Harrier. If project construction begins during the nesting season (February 15–August 31), pre-construction surveys shall be conducted during the nesting season in suitable nesting habitat within 500 feet of areas of project activity. The survey shall be conducted within the 2 weeks before construction begins. A setback of 500 feet from northern harrier 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 that are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing. ▶ Common Raptors. If project construction begins during the nesting season (February 15–August 31), pre-construction surveys shall be conducted during the nesting season in suitable nesting habitat within 500 feet of areas of project activity. The survey shall be conducted within the 2 weeks before construction or tree removal begins. If any active nests are found, a setback of 200 feet from each nest 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 that are known to be occupied. Setbacks shall be marked by brightly 	

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B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		colored temporary fencing.	
<p>4.10-7. Biological Resources—Conversion of Other Special-Status Nesting Bird Habitat and Possible Loss of Active Nests. The proposed project would convert suitable foraging habitat and could result in loss of active nests of loggerhead shrike, California horned lark, and tricolored blackbird. Loss of foraging habitat would be compensated through implementation of the MHMP. However, the MHMP does not identify policies or mitigation to avoid adverse effects to active nests of these species. A significant impact could occur.</p>	S	<p>4.10-7. Biological Resources—Conversion of Other Special-Status Nesting Bird Habitat and Possible Loss of Active Nests</p> <p>The College Park developers shall request coverage under the SJMSCP, and fees shall be paid in the amount determined by SJCOG during the application and review process for each project under College Park. During the SJMSCP application process, SJCOG will determine whether that specific project site supports suitable habitat for loggerhead shrike, California horned lark, or tricolored blackbird. If SJCOG determines suitable habitat is present on or adjacent to a given project site, the following SJMSCP incidental take avoidance and minimization measures shall be implemented by the project applicants in consultation with a qualified biologist.</p> <ul style="list-style-type: none"> ▶ Loggerhead Shrike. If project construction begins during the nesting season (April 1–August 31), pre-construction surveys shall be conducted during the nesting season in suitable nesting habitat within 100 feet of areas of project activity. The survey shall be conducted within the 2 weeks before construction or tree removal begins. A setback of 100 feet from loggerhead shrike 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 that are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing. ▶ California Horned Lark and Tricolored Blackbird. If project construction begins during the nesting season (April 1–August 31), pre-construction surveys shall be conducted during the nesting season in suitable nesting habitat within 500 feet of areas of project activity. A setback of 500 feet from California horned lark and tricolored blackbird nesting areas shall be 	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		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 that are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing.	
4.10-8. Biological Resources—Loss of Foraging Habitat for Other Special-Status Birds. The proposed project would result in conversion of potential foraging habitat for a number of other special-status bird species. None of these species are expected to nest at the College Park site. Similar foraging habitat is locally and regionally abundant, and loss of foraging habitat would be compensated for through implementation of the MHMP. A less-than-significant impact would occur.	LTS	No mitigation required.	LTS
4.10-9. Biological Resources—Conversion of San Joaquin Kit Fox Habitat and Possible Occupied Den Destruction. The proposed project would convert low-quality habitat for San Joaquin kit fox. Kit fox could possibly den and forage at the College Park site, and implementation of College Park could result in destruction of occupied dens. A significant impact could occur.	S	4.10-9. Biological Resources—Conversion of San Joaquin Kit Fox Habitat and Possible Occupied Den Destruction The College Park developers shall request coverage under the SJMSCP, and fees shall be paid in the amount determined by SJCOG during the application and review process for each project under College Park. Because the entire College Park site is located within the SJMSCP's Central/Southwest Transition Zone, the following SJMSCP incidental take avoidance and minimization measures shall be implemented for all projects: <ul style="list-style-type: none"> ▶ Pre-construction surveys shall be conducted 2 weeks to 30 days before commencement of ground disturbance. Surveys shall be conducted by a qualified biologist. If the surveys identify potential dens (potential dens are defined as burrows at least 4 inches in diameter that open up within 2 feet), potential den entrances shall be dusted for 3 calendar days to register track of any San Joaquin kit fox present. If no San Joaquin kit fox activity is identified, potential dens may be destroyed. If San Joaquin kit fox activity is identified, then dens shall be monitored to determine if occupation is by an adult fox only or is 	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>a natal den (natal dens usually have multiple openings). If the den is occupied by an adult only, the den may be destroyed when the adult fox has moved or is temporarily absent. If the den is a natal den, a buffer zone of 250 feet shall be maintained around the den until the biologist determines that the den has been vacated.</p> <ul style="list-style-type: none"> ▶ Where San Joaquin kit fox are identified, the provisions of the <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox before or during Ground Disturbance</i> (USFWS 1999b) shall apply (except that pre-construction survey protocols shall remain as established in the above paragraph). These standards include provisions for educating construction workers regarding the kit fox, keeping heavy equipment operating at safe speeds, checking construction pipes for kit fox occupation during construction, and similar low- or no-cost activities. 	
<p>4.10-10. Biological Resources—Loss or Alteration of Jurisdictional Waters of the United States. The proposed project could result in loss or alteration of jurisdictional waters of the United States. The MHMP includes measures designed to preserve and compensate for loss of such wetlands, but it does not specify measures to identify habitats under jurisdiction of USACE or DFG. A significant impact could occur.</p>	<p>S</p>	<p>4.10-10. Biological Resources—Loss or Alteration of Jurisdictional Waters of the United States</p> <p>Impacts to waters of the United States are not currently mitigated by participation in the SJMSCP. Therefore, the College Park developers shall implement the following measures:</p> <ul style="list-style-type: none"> ▶ Before implementation of any Tentative Map or development project (if no Tentative Map) under the College Park project, a formal Section 404 delineation of waters of the United States, including wetlands, shall be conducted by a qualified biologist in the Tentative Map or development project area if the area includes features that are potentially subject to USACE jurisdiction (ponds, irrigation canals, and drainages). The delineation shall be submitted to USACE for verification. ▶ If, based on the verified delineation, it is determined that fill of waters of the United States would result from the Tentative Map or development project, authorization for such fill shall be secured from USACE via the Section 404 permitting process before implementation of the Tentative Map or development 	<p>LTS</p>

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>project.</p> <ul style="list-style-type: none"> ▶ A DFG Streambed Alteration Agreement and 401 Water Quality Certification may also be required for fill of the irrigation canals and the ephemeral (College) drainage. DFG shall be consulted to determine if a Streambed Alteration Agreement is required. If USACE does not take jurisdiction over the irrigation canals or drainages, the RWQCB shall be consulted to determine if a 401 Water Quality Certification is required. ▶ The acreage of waters of the United States that would be removed shall be replaced or restored/enhanced by the developers on a "no-net-loss" basis in accordance with USACE and DFG regulations. Habitat restoration, enhancement, or replacement shall be at a location and by methods agreeable to USACE and DFG, as determined during the CWA Section 404 and California Fish and Game Code Section 1602 permitting processes. 	
<p>4.10-11. Biological Resources—Tree Removal. The proposed project would result in the removal of approximately 220 trees (including 188 mature trees associated with the proposed widening of Grant Line Road). These trees are not special-status species, not trees protected by federal and state regulations, and not trees protected under the San Joaquin County General Plan 2010 or Development Title. A less-than-significant impact would occur</p>	LTS	No mitigation required.	LTS
<p>4.10-12. Biological Resources—Possible Effects on Biological Resources from Implementation of Off-Site Infrastructure Improvements. The proposed project includes proposals for off-site infrastructure improvements. Construction of these infrastructure improvements could adversely affect Swainson's hawk, burrowing owl, other nesting raptors, loggerhead shrike, California horned lark, San Joaquin kit fox, and jurisdictional waters of the United States. Implementation of the biological resources requirements of the MHMP, MHMP EIR MMP, College EIR, and SJMSCP would minimize these impacts, but not all potential adverse effects would be adequately reduced. A potentially</p>	PS	<p>4.10-12. Biological Resources—Possible Effects on Biological Resources from Implementation of Off-Site Infrastructure Improvements</p> <p>San Joaquin County</p> <p>For those off-site improvements proposed in San Joaquin County, the College Park developers shall implement Mitigation Measures 4.10-5, 4.10-6, 4.10-7, 4.10-9, and 4.10-10.</p>	LTS

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
significant impact could occur.		<p>Alameda County</p> <p>For those off-site improvements proposed in Alameda County, the College Park developers shall implement the measures identified below:</p> <ul style="list-style-type: none"> ▶ Special-Status Plants ▶ Before any ground-disturbing or vegetation-clearing activities, a qualified botanist shall conduct surveys for the special-status plant species identified in Table 4.11-1. Surveys shall be conducted at the appropriate time, when the target species would be in flower and therefore clearly identifiable (i.e., blooming period) and in all areas of suitable habitat that would potentially be disturbed. If no special-status plants are found, no further mitigation shall be required. • If special-status plants are found and the populations can be avoided during project implementation, they shall be clearly marked in the field by a qualified botanist for avoidance during construction activities • If special-status plant populations cannot be avoided, consultations with DFG and/or USFWS may be required, depending on the listing status of the species present. These consultations shall determine appropriate mitigation measures for any populations that would be affected by the implementation of the proposed project. Appropriate measures may include the creation of off-site populations through seed collection or transplanting, preservation and enhancement of existing populations, or restoration or creation of suitable habitat in sufficient quantities to compensate for the impact. ▶ California Red-Legged Frog ▶ Before project activity, USFWS shall be consulted to determine whether widening of Grant Line Road has potential to adversely affect California red-legged frog. It may be necessary to conduct a formal habitat assessment and surveys to make such a determination. If it is determined that adverse effects are 	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>unlikely to occur, no further mitigation shall be required.</p> <ul style="list-style-type: none"> ▶ If it is determined that adverse effects to California red-legged frog could occur, consultation with USFWS shall be conducted, and authorization for incidental take could be required. Specific mitigation measures would be developed during the consultation process. Measures designed to avoid and minimize take to the greatest extent feasible shall be developed and implemented. These may include limiting activities to certain seasons, minimizing vegetation removal and in-water construction activities, conducting pre-construction surveys, and conducting daily surveys and monitoring of construction areas. If necessary, appropriate compensation for loss of habitat and other adverse effects would also be developed. This could include measures such as enhancement of existing habitat and creation of additional habitat. ▶ Swainson's Hawk ▶ If project construction begins during the Swainson's Hawk nesting season, as defined by DFG (March 1 to September 15), pre-construction surveys shall be conducted in areas of suitable nesting habitat within 0.5 mile of project activity. Surveys shall be conducted by a qualified biologist within the 2 weeks before construction or tree removal begins. If no active nests are found, no further mitigation shall be required. ▶ If active nests are found, impacts shall be avoided by establishment of appropriate buffers. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. DFG guidelines recommend implementation of 0.25- or 0.5-mile buffers, but the size of the buffer may be adjusted if a qualified biologist and DFG determine it would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist may be required if the activity has potential to adversely affect the nest. ▶ Burrowing Owl ▶ Before project activity, focused surveys for burrowing owls shall be conducted by a qualified biologist in areas of suitable habitat 	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>on and within 250 feet of the project site. Surveys shall be conducted in accordance with DFG protocols (DFG 1995).</p> <ul style="list-style-type: none"> ▶ If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to DFG, and no further mitigation is necessary. ▶ If an occupied burrow with an active nest is found, impacts shall be minimized by establishing a 250-foot buffer area around the burrow. No project activity shall occur within the buffer area until a qualified biologist confirms that the nest is no longer active. The size of the buffer area may be adjusted if a qualified biologist and DFG determine it would not be likely to adversely affect the nesting pair. DFG shall also be consulted to determine if it is necessary to temporarily preserve foraging habitat (in addition to the buffer area) until the nest is no longer active. ▶ If feasible, 250-foot buffer areas shall also be established around all other occupied burrows. If this is not feasible, DFG shall be consulted to determine whether smaller buffer areas and/or relocation of owls is necessary. Relocation may include passive techniques, such as use of one-way doors to encourage owls to move to alternative burrows outside the impact area, or capture and movement of owls to specific mitigation sites. ▶ Other Nesting Raptors ▶ If project construction begins during the raptor nesting season (February 15 to August 31), pre-construction surveys shall be conducted by a qualified biologist in areas of suitable nesting habitat within 500 feet of project activity. Surveys shall be conducted within 2 weeks before the beginning of construction or tree removal. If no active nests are found, no further mitigation shall be required. ▶ If active nests are found, impacts shall be avoided by establishment of appropriate buffers. No project activity shall commence within the buffer area until a qualified biologist 	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>confirms that the nest is no longer active. DFG guidelines recommend implementation of 500-foot buffers, but the size of the buffer may be adjusted if a qualified biologist and DFG determine it would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist may be required if the activity has potential adversely affect the nest.</p> <ul style="list-style-type: none"> ▶ San Joaquin Kit Fox ▶ To minimize the potential for destruction of an occupied burrow and direct take of a kit fox, a pre-construction survey for active and potential kit fox dens shall be conducted by a qualified biologist no more than 30 days and no less than 14 days before the beginning of ground disturbance or construction activity. The survey shall include all undeveloped areas in and within 100 feet of development and staging areas. Potential dens shall be monitored to determine if they are active, in accordance with methods presented in the <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox Before or During Ground Disturbance</i> (USFWS 1999). ▶ If no active dens are found during the surveys, a letter report documenting the survey methodology and findings shall be submitted to USFWS and DFG within 5 days after survey completion and before the start of ground disturbance or construction activity, and no further mitigation shall be necessary. ▶ Any known or potential dens discovered within the survey area shall be monitored for 3 days to determine its current use. If no activity is observed during this period, the den shall be destroyed immediately to preclude subsequent use. If kit fox activity is observed, the den shall be monitored for at least 5 consecutive days from the time of the observation, to allow any kit fox occupying the den to move to another location. If it is not a natal or pupping den, use of the den can be discouraged during this period by partially plugging its entrance(s) with soil in such a manner that any animal can escape easily. The den may be destroyed when, in the judgment of a qualified biologist, it is no longer occupied by a kit fox or it is temporarily vacant. 	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>Methods for den destruction shall be in accordance with USFWS recommendations.</p> <ul style="list-style-type: none"> ▶ Occupied natal or pupping dens shall not be destroyed until the adults and pups have vacated the den and then only after consultation with USFWS. A 250-foot buffer zone shall be maintained around natal dens until the biologist determines that the den has been vacated. ▶ Additional provisions of the <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox Before or During Ground Disturbance</i> (USFWS 1999), including those for educating construction workers regarding kit fox, keeping heavy equipment operating at safe speeds, and checking construction pipes for kit fox occupation during construction, shall also be implemented. ▶ Jurisdictional Waters of the United States ▶ The College Park Developers shall implement Mitigation Measure 4.10-10. 	
4.11. Traffic			
<p>4.11-1. Transportation—Effects on 2025 Cumulative With-Project Conditions on Anticipated Network. This scenario evaluates the traffic impact on the roadways in the project vicinity from the buildout of the proposed project and the remaining portions of the MHMP in the cumulative 2025 scenario. Under the cumulative 2025 scenario, some of the arterials in the project vicinity are projected to operate at an unacceptable LOS. Without mitigation, traffic impacts on these roadways would be significant. With implementation of the mitigation adopted previously for MHMP development, however, traffic effects on all but two of the arterial segments evaluated would be less than significant. Altamont Pass Road west of Grant Line Road would still be projected to operate at LOS F, resulting in a significant and unavoidable impact. This result is consistent with the results of the MHMP EIR. Also, Byron Road east of Grant Line Road is projected to operate at LOS D, while the current acceptable standard for this roadway segment is LOS C.</p>	<p>SU</p>	<p>Mitigation Measure 4.11-1: Transportation—Effects on 2025 Cumulative With-Project Conditions on Anticipated Network. For consistency with previously adopted roadway standards, the County shall extend the standard of LOS D to the segment of Byron Road east of Grant Line Road.</p> <p>Because Byron Road is a major regional arterial serving the area, the County shall extend implementation of MHMP EIR mitigation M 4.12-5(e) to apply to Byron Road east of Grant Line Road. MHMP EIR Mitigation Measure M 4.12-5(e) states that for consistency with the MHMP, and to promote transit/high-occupancy vehicle usage and efficient land use, the County should amend its General Plan policy that requires LOS C on all county road segments in the Tracy planning area, as follows: "Permit LOS D on new community gateways that are used as major commute routes, subject to the approval of the County." It has become more evident in the past few</p>	<p>SU</p>

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>This segment was not projected to operate at an unacceptable LOS in the MHMP EIR. The effect on this segment would be potentially significant. In addition, several freeway segments in the project area are projected to operate at LOS F, as found in the MHMP EIR. A significant and unavoidable impact would occur.</p>		<p>decades that current experiences of best practices and context-sensitive design support the adoption of LOS D as an applicable standard. Adopting LOS C standards for street design can lead to unusually wide streets, high speeds, and insensitive pedestrian and bicycle design. For example, in this case, at LOS D a four-lane roadway would suffice whereas at LOS C standard requires a six-lane roadway.</p> <p>The County has adopted LOS D as the standard on Byron Road from the county line to Wicklund Road as part of its strategy to reduce vehicle trips. Adopting the current mitigation measure would extend this strategy to cover an additional portion of this roadway. With this standard, the projected cumulative traffic effect on this roadway would be less than significant.</p> <p>According to the MHMP EIR, "As an alternative to widening the I-205 freeway beyond six lanes, the project sponsor shall contribute a fair share to the development of a parallel east-west roadway system north of I-205, extending between Mountain House and the City of Lathrop's Gold Rush City development, including the necessary multi-jurisdictional alternative/feasibility studies." Recent news reports indicate that the River Island project in Lathrop will be funding a portion of the proposed Golden Valley Parkway north of the heavily congested I-205. A preliminary alignment of this roadway is shown in the draft City of Tracy General Plan. The County should work with the City of Tracy in the future to conduct more detailed analysis of the area, possibly conducting a plan line study for the roadway. Such an effort could also result in reduced cumulative traffic effects on the existing roadways.</p> <p>There is no additional feasible mitigation available to reduce the 2025 cumulative traffic impact on Altamont Pass Road west of Grant Line Road and on I-580, I-205, and I-5 north of I-205 to a less-than-significant level.</p>	
<p>4.11-2. Transportation—Potential Traffic Safety Issues during Construction. Project construction would be required to comply with the Mountain House Construction Management Plan, which</p>	<p>LTS</p>	<p>No <u>additional</u> mitigation required.</p>	<p>LTS</p>

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
would preclude roadway less-than-significant impact damage and safety problems from occurring. A would occur. <u>A less-than-significant impact would occur.</u>			
4.12. Air Quality			
<p>4.12-1. Air Quality—Potential Generation of Temporary, Short-Term Construction Emissions of Criteria Air Pollutants. Construction activity under the proposed project would generate temporary emissions of criteria pollutants that could interfere with the attainment of ambient air quality standards, and would generate fugitive dust that could adversely affect adjacent agricultural crops. Although the MHMP requires compliance with SJVAPCD control measures designed to mitigate construction emission impacts of new development, it does not identify the specific control measures or guarantee that the latest version of the control measures would be implemented. A significant impact could occur.</p>	S	<p>4.12-1 Air Quality—Generation of Temporary, Short-Term Construction Emissions of Criteria Air Pollutants. The College Park developers shall implement the latest version of the SJVAPCD construction-emissions control measures during construction (see “Regulatory Setting,” above).</p> <p>The latest version of the SJVAPCD control measures are included in the <i>Guide for Assessing and Mitigating Air Quality Impacts</i> (SJVAPCD 1998) and repeated in the “Regulatory Setting” subsection. The SJVAPCD periodically revises its control measures. Development under College Park would be required by the SJVAPCD to implement the current version of the measures at the time individual development applications are received by the County for development under College Park.</p>	LTS
<p>4.12-2. Air Quality—Potential Generation of Toxic Air Contaminants. The proposed project could include the demolition or renovation of existing structures that contain asbestos, resulting in an exposure hazard from the airborne entrainment of asbestos. In addition, the proposed project could include the use of diesel-fueled vehicles that could result in the generation of diesel PM emissions that exceed SJVAPCD significance thresholds. A significant and unavoidable impact could occur.</p>	SU	<p>4.12-2: Air Quality—Potential Generation of Toxic Air Contaminants</p> <ul style="list-style-type: none"> ▶ Asbestos— The College Park developers shall implement Mitigation Measure 4.9-1. ▶ Mobile-Source TAC Emissions—The College Park applicants for industrial or commercial land uses shall coordinate with the SJVAPCD to assess situations in which toxic risk from diesel PM may occur and to review methodologies that may become available to estimate the risk. The developers shall implement any project-level measures adopted by the SJVAPCD to reduce mobile-source TACs emissions. <p>Implementation of the above mitigation measure would remain significant and unavoidable because, as indicated in the impact discussion, the proposed project would result in a potentially significant increase in mobile-source TAC emissions, associated primarily with diesel trucks operating on commercial and industrial</p>	SU

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		land. Mobile-source TACs are a relatively new concern for the ARB. No specific guidelines and practices regarding assessing impacts and providing mitigation are available. It is also unclear what effects the ARB's new diesel-engine emission standards and diesel particulate-matter regulations would have on the level of impact and the necessity for, or type of, mitigation. Therefore, the specific conditions of mobile-source TAC impacts cannot be determined at this time. The only available mitigation, completely separating emission sources (diesel vehicles) from all sensitive receptors, is not a feasible mitigation measure for a mixed use project such as College Park. This conclusion could change in the future if effective, statewide regulatory controls are implemented.	
<p>4.12-3. Air Quality—Possible Temporary and Occasional Exposure of New Sensitive Uses to Odors. The proposed project would not include the types of land uses that would generate objectionable odors that could adversely affect either existing or proposed sensitive land uses. However, the proposed project could result in the development of new sensitive land uses (residential) adjacent to two existing on-site dairies. This could expose the new sensitive uses to objectionable odors from these dairies on a temporary basis until these dairies are replaced with urban development under the proposed project. A significant impact could occur.</p>	S	<p>4.12-3: Air Quality—Possible Temporary and Occasional Exposure of New Sensitive Uses to Odors. The College Park developers shall not develop any new residential uses within 1,000 feet of the two existing on-site dairies until such time as the dairies cease operation and the dairy waste ponds and animal refuse piles are removed.</p>	LTS
<p>4.12-4. Air Quality—Generation of Local Mobile-Source CO Concentrations. Implementation of the proposed project would result in the generation of CO at nearby intersections from increased vehicular traffic on the local transportation network. However, the proposed project would not contribute to CO concentrations that exceed the CAAQs of 9.0 ppm for 8 hours or 20 ppm for 1 hour at these intersections during or at buildout (2025). A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.12-5. Air Quality—Increased Long-Term Regional Emissions of Criteria Pollutants. Implementation of the College Park project would result in increases in long-term regional emissions, primarily associated with mobile sources that would exceed SJVAPCD's</p>	SU	<p>4.12-5: Air Quality—Increased Long-Term Regional Emissions of Criteria Pollutants. The College Park developers shall implement all of the mitigation measures as recommended in the <i>Guide for Assessing and Mitigating Air Quality Impacts</i> (SJVAPCD</p>	SU

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
recommended significant thresholds of 10 TPY for ROG and 10 TPY for NO _x . A significant and unavoidable impact would occur.		1998). Many of these measures are already included in the proposed project design and/or are already required by the MHMP and by mitigation in the MHMP and Delta College EIRs.	
4.13. Noise			
<p>4.13-1. Noise—Generation of Temporary Construction Noise. The proposed project could result in construction-related noise between 9:00 p.m. and 6:00 a.m. that would exceed applicable County noise standards at nearby existing and proposed residential land uses. A significant impact could occur.</p>	S	<p>Mitigation Measure 4.13-1: Noise—Generation of Temporary Construction Noise.</p> <ul style="list-style-type: none"> ▶ Limit project construction activities to the hours between 6:00 a.m. and 9:00 p.m. ▶ Comply with the San Joaquin County Development Title for all construction activities. ▶ Equip all construction vehicles or equipment, fixed or mobile, with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations. ▶ Arrange all construction equipment and truck routes to minimize travel adjacent to occupied residences. ▶ Locate stationary construction equipment and staging areas as far as possible from sensitive receptors. Temporary acoustic barriers may be installed around stationary equipment, if necessary. 	LTS
<p>4.13-2. Noise—Generation of New Stationary- Source Noise. The proposed project would result in new stationary-source noise (specifically, noise from commercial/office/industrial uses and landscape maintenance) that could exceed applicable County noise standards at existing and proposed nearby noise-sensitive land uses. A significant impact could occur.</p>	S	<p>Mitigation Measure 4.13-2: Noise—Generation of New Stationary-Source Noise. The project applicants shall incorporate the measures identified below into the project design.</p> <p>Commercial, Office, and Industrial Uses Industrial and commercial land uses proposed as part of the College Park project shall be designed to ensure that outdoor equipment does not result in an exceedance of 55 dBA L_{eq} during daytime hours (7:00 a.m. to 10:00 p.m.) or 50 dBA L_{eq} during nighttime hours (10:00 p.m. to 7:00 a.m.) at off-site noise-sensitive receptors. In addition, design and operational standards shall be established to minimize noise generated by loading dock activities from adversely affecting planned and existing off-site noise-sensitive land uses.</p>	LTS

SU = significant and unavoidable

LTS = less than significant

PS = potentially significant

B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>Design and operational measures may include:</p> <ul style="list-style-type: none"> ▶ Enclose outdoor noise-generating equipment and/or set back from the property line. ▶ Locate buildings and structures such that they shield off-site sensitive receptors from on-site noise sources, including loading dock activity. ▶ Enclose loading dock areas. ▶ Limit loading dock activity, including delivery truck arrivals and departures, to between 7:00 a.m. and 10:00 p.m. at those loading docks with direct line of site of noise-sensitive receptors within a distance of 1,000 feet. Activity at all other loading docks shall be limited to the hours between 5:00 a.m. and 10:00 p.m. <p>Noise studies, including on-site sound level measurements, shall be conducted to ensure that these thresholds are not exceeded. The noise studies shall be funded by the College Park developers and approved by SJCCDD before construction.</p> <p>Landscape Maintenance The following measures shall apply to noise-generating activities associated with landscaping and maintenance of school grounds, neighborhood parks, community parks, and open space.</p> <ul style="list-style-type: none"> ▶ On-site landscape maintenance equipment shall be equipped with properly operating exhaust mufflers and engine shrouds, in accordance with manufacturers' specifications. For maintenance areas located within 320 feet of noise-sensitive land uses, the operation of on-site landscape maintenance equipment shall be limited to the least noise-sensitive periods of the day, between the hours of 7:00 a.m. and 10:00 p.m. 	
<p>4.13-3. Noise—Increased Traffic Noise. Traffic from the proposed project would not result in exceedance of the 65 dBA CNEL traffic noise threshold or a noticeable (3-dBA or greater) increase in traffic noise at existing noise-sensitive receptors (residential) along</p>	<p>S</p>	<p>Mitigation Measure 4.13-3: Noise—Increased Traffic Noise. The project applicants shall implement the measures identified below.</p>	<p>LTS</p>

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B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>Mountain House Parkway or Byron Road, but would result in a noticeable (3-dBA or greater) increase in traffic noise at noise-sensitive receptors (residential) along Grant Line Road. A significant impact would occur.</p>		<ul style="list-style-type: none"> ▶ Before occupancy of the first residence at College Park, a noise barrier shall be constructed by the College Park developers between the five existing residences located on the north side of Grant Line Road between Central Parkway and the Alameda County line (Receptor 14 in Figure 4.13-2) and the northern travel lane of Grant Line Road. The noise barriers may consist of a wall, berm, or combination thereof. The exact location, height, and character of the noise barrier shall be determined by a noise consultant approved by the County. The sound barrier shall reduce outdoor noise levels at the center of the front yards of the five existing residences to below 65 dBA $L_{dn}/CNEL$. If Grant Line Road is widened at this location subsequent to construction of the sound barrier but before removal of the five residences under Specific Plan II, the sound barrier shall be relocated, as required. If the five existing residences are removed under Specific Plan II before occupancy of the first residence under the College Park project, this mitigation measure shall not require implementation. This mitigation shall be funded through fair-share payments by the College Park developers. 	
<p>4.13-4. Noise—Compatibility of Proposed Land Uses Exceeding Predicted Noise Levels. The proposed project would result in the development of noise-sensitive land uses (residential) in an area where predicted noise levels would exceed land use compatibility noise standards established by the San Joaquin County General Plan 2010 and MHMP. A significant impact would occur.</p>	<p>S</p>	<p>Mitigation Measure 4.13-4: Noise—Compatibility of Proposed Land Uses exceeding Predicted Noise Levels. The College Park developers shall implement the following measures:</p> <ul style="list-style-type: none"> ▶ Traffic Noise—Arterials. Before occupancy of the first residence proposed under the College Park project along each of the seven arterial segments identified in Table 4.13-11, a sound barrier shall be constructed by the College Park developers along that arterial segment. The noise barrier may consist of a wall, berm, or combination thereof. The exact location, height and character of the sound barrier shall be determined by a noise consultant approved by the County. The sound barrier shall reduce outdoor noise levels at the center of backyards of proposed adjacent single-family residences to below 65 dBA $L_{dn}/CNEL$ and as close to 60 dBA $L_{dn}/CNEL$ as feasible. This mitigation shall be funded through fair-share 	<p>LTS</p>

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>payments by the College Park developers.</p> <ul style="list-style-type: none"> ▶ Traffic Noise—I-205. The County shall conduct annual acoustical monitoring at the southernmost sites of the proposed residential, community park, community college buildings/common area, and limited industrial uses. The monitoring shall include 24-hour measurements at the affected properties. At such time as the monitoring indicates that freeway noise levels at the above residential, community park, community college, and limited industrial sites are greater than the applicable noise thresholds (65 dBA CNEL for residential and park uses, 70 dBA CNEL for college uses, and 75 dBA CNEL for limited industrial uses), a noise barrier shall be constructed along the north side of I-205 by the College Park developers to protect the affected receptor(s). The required location, height, and character of the noise barrier shall be determined by a noise consultant hired by the County. This mitigation shall be funded through fair-share payments by the College Park developers. <p>Sound barriers could be constructed to protect the proposed land uses from future freeway noise levels. For instance, a sound wall 12 feet high located approximately 50 feet from the edge of I-205 would reduce freeway noise exposure at the south property line of the proposed Delta College site to 69.8 dBA CNEL, which is below the significance threshold of 70 dBA L_{dn}/CNEL for this land use type. This level would also be less than the significance threshold of 75 dBA L_{dn}/CNEL for the proposed industrial/business park. A 12-foot sound wall would also reduce freeway noise exposure at the nearest proposed residences to 61.2 dBA L_{dn}/CNEL, not accounting for additional attenuation provided by the intervening presence of the industrial/business park.</p> <ul style="list-style-type: none"> ▶ Agricultural Activity, Industrial, and Commercial Noise. Before the approval of building permits for each individual subdivision, SJCCDD shall evaluate the building permits for compliance with the San Joaquin County Development Title. Where individual projects do not clearly comply with interior noise standards included in these guidelines, mitigation 	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
		<p>measures such as use of dual-pane windows, mechanical air systems, exterior wall insulation, and other noise-reducing building materials and methods shall be required as appropriate to reduce interior noise exposure to 45 dBA L_{dn} (Table 4.13-3). Where individual projects do not clearly comply with exterior noise standards of the San Joaquin Development Title (Table 4.13-3), mitigation measures, such as use of noise barriers, buildings for screening, and setbacks between noise sources and receptors, shall be implemented as appropriate to minimize exterior noise levels. Where there is a question regarding pre-mitigation or post-mitigation noise levels in an area, site-specific noise studies may be conducted to determine compliance or noncompliance with County guidelines. Any and all noise studies and mitigation required by the above shall be fully funded by the College Park developers.</p> <p>Title 24 of the California Code of Regulations requires the preparation of an acoustical analysis for multifamily residences that demonstrates how interior noise levels will achieve a 45-dBA L_{dn}/CNEL in locations where the exterior noise levels exceed 60-dBA L_{dn}/CNEL. As a result, a Title 24 analysis shall be prepared as part of the final design of any proposed multifamily residential dwellings. To the extent necessary, noise control measures shall be designed according to the type of building construction and specified sound rating for each building element to achieve an interior noise level of 45-dBA L_{dn}/CNEL.</p> <p>For any subdivisions for which the County Building Department and/or associated noise studies discussed above determine that agricultural noise from existing agricultural operations could exceed the County's interior or exterior noise standards of 65 dBA L_{dn}/CNEL and 40 dBA L_{dn}/CNEL, respectively, a disclosure statement shall be included in the sales or rental documents for residences indicating that the residence could potentially be subject to periodic agricultural activity noise above County standards.</p>	

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**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
4.14. Visual Quality			
<p>4.14-1. Visual Quality—Alteration of Visual Character along Grant Line Road from Tree Removal. The proposed project would result in the removal of approximately 188 mature trees along Grant Line Road, altering the visual character along this roadway. A significant and unavoidable impact would occur.</p>	SU	<p>Mitigation Measure 4.14-1: Visual Quality—Alteration of Visual Character along Grant Line Road from Tree Removal. The College Park developers shall provide new trees on both sides of Grant Line Road and in the median strip, from Mountain House Parkway to the Alameda County line, at a 3:1 ratio to the trees to be removed, or as required by the MHCS Design Manual, whichever is greater. The trees to be planted shall be 50 gallons in size each, shall be fast growing, and shall be a variety approved by the County that will provide an eventual tree lined appearance similar to what currently exists. <u>The trees to be planted shall be in conformance with the MHCS Design Manual, Chapter 3, for Grant Line Road.</u></p>	SU
<p>4.14-2. Visual Quality—Alteration of a Scenic Vista from Mountain House Parkway. The proposed project would include the development of a 30-acre interim recycled water storage pond on the Pombo property. This could affect the scenic vista across the 30-acre Pombo property currently viewed by motorists on Mountain House Parkway. A significant impact could occur.</p>	S	<p>Mitigation Measure 4.14-2: Visual Quality—Alteration of a Scenic Vista from Mountain House Parkway. The following measures shall be implemented by the College Park developers:</p> <ul style="list-style-type: none"> ▶ If the landscaping and edge treatments required by the MHMP and MHCS Design Manual have not been developed on the east side of Mountain House Parkway fronting the Pombo property by Specific Plans I or II at the time the proposed pond is developed on the Pombo property, the required landscaping and edge treatments on the east side of Mountain House Parkway in the vicinity of the proposed pond shall be installed by the College Park developers. This shall be done concurrent with development of the pond. <p>If the aboveground pond option is developed, the west-facing pond berm shall be densely landscaped by the College Park developers. In addition, the berm shall be constructed by the College Park developers using contoured and rounded slopes to avoid angular face slopes. This shall be done concurrent with development of the pond.</p>	LTS
<p>4.14-3. Visual Quality—Alteration of Visual Character from Required 5-foot to 7-foot Sound Walls at Locations not Planned for in MHMP. The proposed project would require the development of 5-foot to 7-foot sound wall segments in front of existing residences on Grant Line Road, the visual effects of which</p>	LTS	No mitigation required.	LTS

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LTS = less than significant

PS = potentially significant

B = beneficial

**Table 2-1 (continued)
Summary of Impacts and Mitigation Measures (Applicable to Program and Project-Specific Impacts)**

Impact	Significance before Mitigation	Mitigation Measure	Significance after Mitigation
<p>were not evaluated in the MHMP EIR. The sound wall segments would be short in length, and in some cases, temporary. A less-than-significant impact would occur.</p>			
<p>4.14-4. Visual Quality—Generation of New Light and Glare from Lighted Outdoor Recreational Facilities. The proposed project would include the development of lighted outdoor recreational facilities potentially within view of public vantage points along I-205, Mountain House Parkway, and Grant Line Road. However, three factors would ensure that this lighting would not represent a new source of substantial light or glare that would adversely affect daytime or nighttime views as seen from public vantage points. These include: (1) the lengthy distance between this proposed lighting and the roadways; (2) the presence of existing and proposed intervening landforms, buildings, and landscaping; and (3) the need to comply with applicable existing lighting requirements. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS
<p>4.14-5. Visual Quality—Alteration of Visual Character from Required 7-foot Sound Wall along Grant Line Road at Grant Line Village. The proposed project would require a 7-foot sound wall along Grant Line Road at Grant Line Village, the visual effects of which were not evaluated in the MHMP EIR. The sound wall would be required to comply with county landscaping requirements and the visual impact would be temporary. A less-than-significant impact would occur.</p>	LTS	No mitigation required.	LTS

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3.7 PROPOSED ENTITLEMENTS

The College Park project would include amendment of the ~~proposed MHMP land-use designations map~~ (Figure 3-6A), adoption of a land-use concept plan (Figure 3-6B), ~~development standards, and design guidelines, and public facility and utility plans~~ for development of the College Park area consistent with the goals, policies, standards, requirements, and implementation mechanisms of the MHMP. The College Park project would also include the entitlements and amendments addressed below in Sections 3.7.1, 3.7.2, and 3.7.3. Amendments to the MHMP, the San Joaquin County General Plan 2010, and San Joaquin County Development Title are required.

3.7.1 PROGRAM-LEVEL ENTITLEMENTS

A. Amend the *San Joaquin County General Plan 2010*:

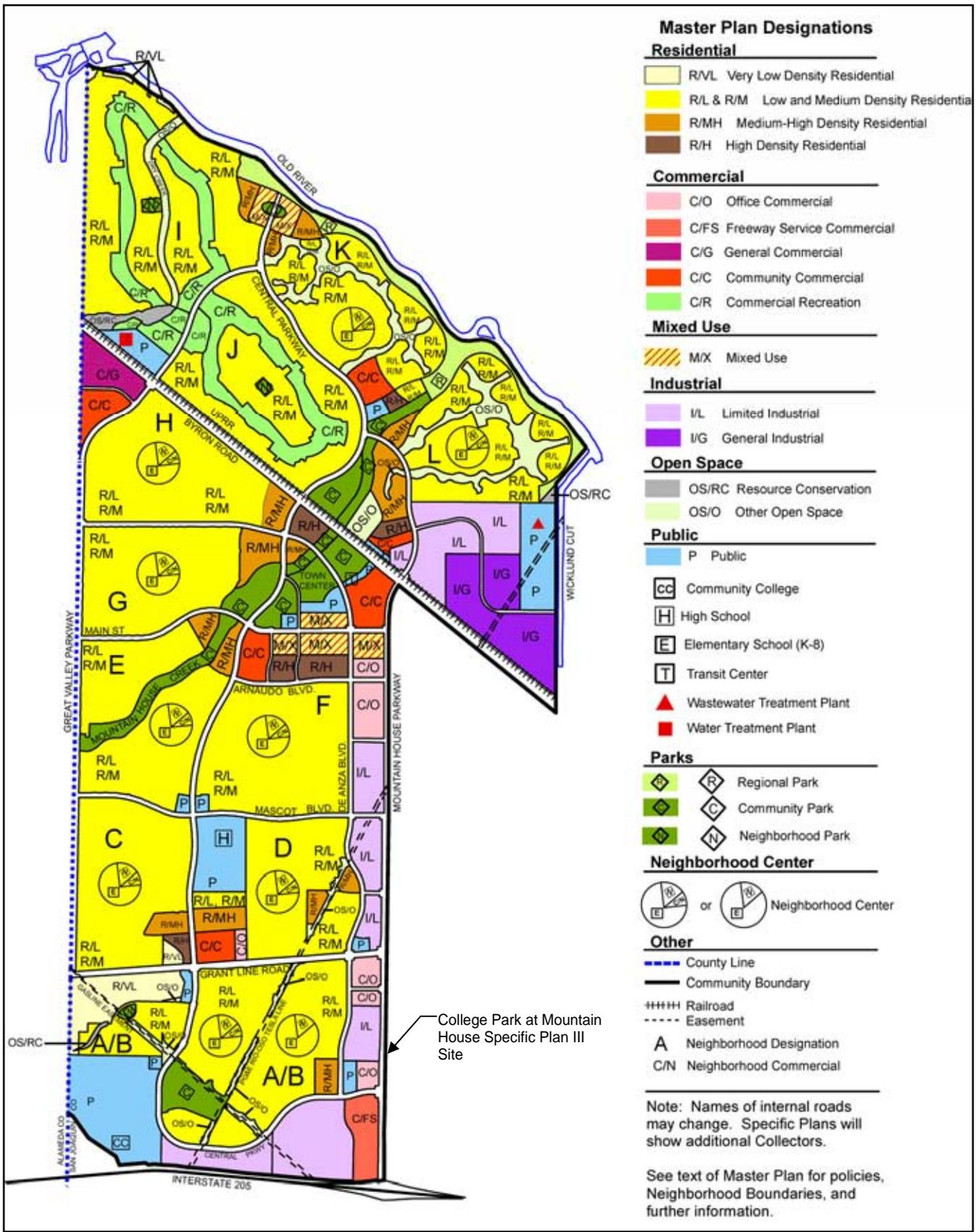
1. Add ~~Public-Quasi-Public-Community~~ College to Table XII.I-1 of the General Plan.
2. Modify Policy 3.8(a) in the “Transportation Element” to add the ability for the San Joaquin County Council of Governments (SJCOG) to establish alternative level-of-service standards for freeways in San Joaquin County through the update and amendment of the Congestion Management Plan (CMP) process. The level-of-service standards in the CMP will become the standard for individual freeways in San Joaquin County.

B. Amend the MHMP to include the following features for College Park (see tables in the following subsections for a detailed comparison of the changes):

1. ~~Create and add the~~ A Public-Community College (P/CC) land-use designation and description for the Delta College site.
2. Land-use designation amendments:
 - a. ~~Change-Redesignate~~ the current Low/Medium Density (R/L) and (R/M) MHMP land-use designations in the southwest 114 acres of the College Park site to 107.9 acres of Public-Community College (P/CC), 2.7 acres of Public-Other (P/O), and approximately 3.4 acres of arterial roadway.
 - b. ~~Redesignate 30.5 acres of Medium/High Density Residential (R/MH) and Low/Medium Density Residential (R/L) and (R/M) MHMP land-use designations to High Density Residential (R/H) and R/VL (Very Low Density Residential) or R/L (Low Density Residential).~~

be. Redesignate approximately 11 acres of Limited Industrial (I/L) to Medium Density Residential (R/M) and Medium/High-Density Residential (R/MH) and approximately 5.1 acres of Low/Medium Density Residential (R/L and R/M) to Medium/High Density Residential (R/MH) on the west side of the relocated DeAnza Boulevard north of Grant Line Road and redesignate 3.0 acres of Limited Industrial (I/L) to Public-Other (P/O) on the east side of the relocated DeAnza Boulevard immediately north of Grant Line Road.

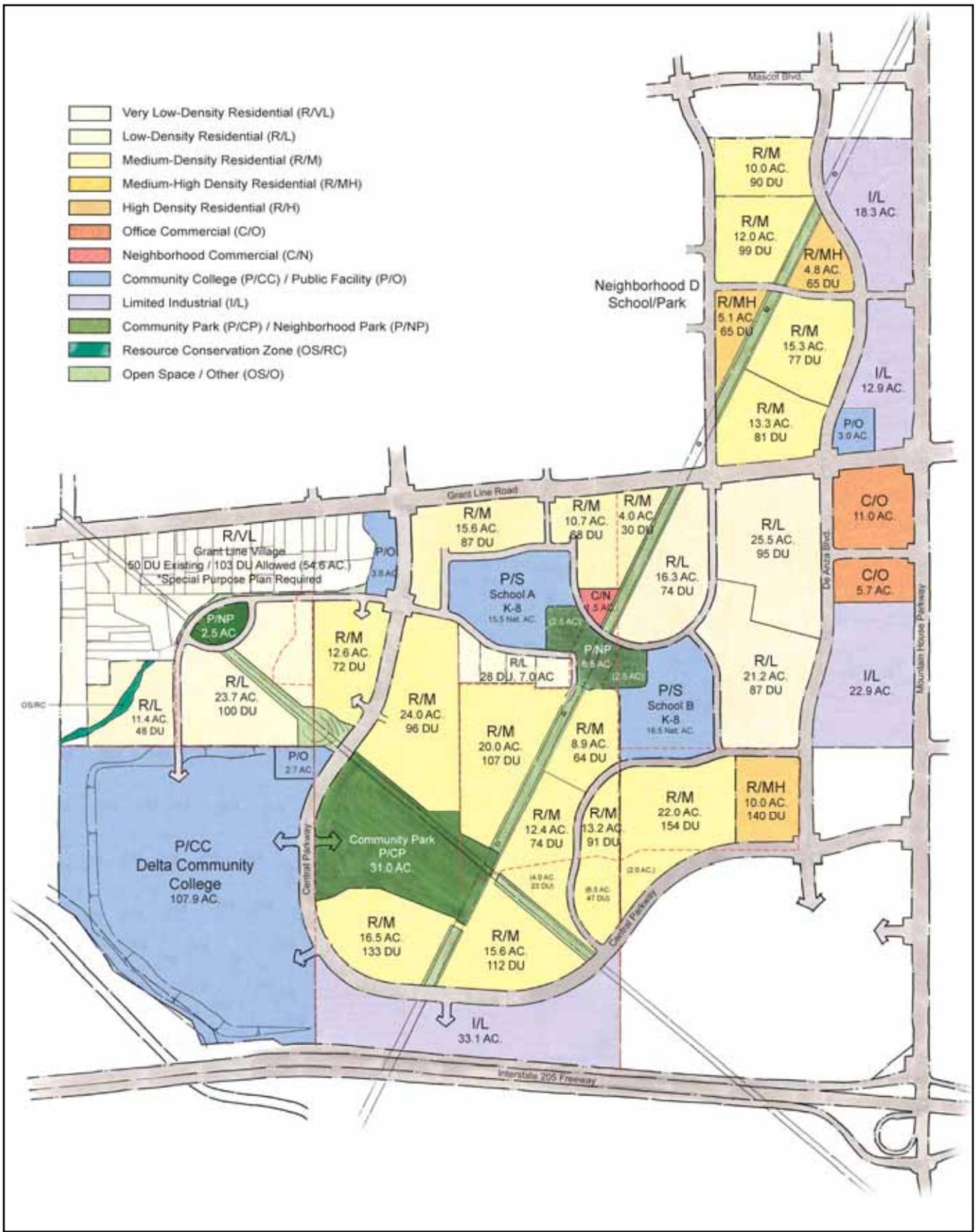
Redesignate approximately 11 acres of Limited Industrial (I/L) to Commercial Office (C/O) on the east side of DeAnza Boulevard immediately south of Grant Line Road and move an approximate 5.7 acre area of Commercial Office (C/O) east of DeAnza Boulevard north to adjoin the newly designated 11 acre Commercial Office (C/O) area.



Source: San Joaquin County Community Development Department 06/05

Proposed Mountain House Master Plan Land Use Designations

FIGURE 3-6A

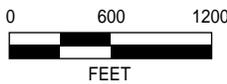


Source: EDAW 06/05

Proposed Concept Plan

FIGURE 3-6B

College Park at Mountain House
 Specific Plan III Draft EIR
 P 3N125.11 06/05



Redesignate approximately 15.25 acres of Very Low Density Residential of the Homesite Parcels to 7.0 acres of Low Density Residential (R/L) and 8.25 acres of Medium Density Residential (R/M).

Redesignate approximately 2.5 acres of Low/Medium Density Residential (R/L and R/M) designations to Public-Neighborhood Park (P/NP) south of Grant Line Village to accommodate a neighborhood park.

cd. Redesignate acreage designated as Limited Industrial (I/L) to Medium Density Residential (R/M) to accommodate the southerly realignment of Central Parkway and remove expansion area for Mountain House Business Park. Revise Mountain House Business Park Boundary to correspond to the realignment of Central Parkway.

de. ~~Amend and r~~Redesignate approximately 3.8 acres of Low/Medium Density Residential (R/L and R/M (Low/Medium Density Residential) designations to Open Space/Public Facilities (P/OS/P) to accommodate a water quality basin.

ef. Adjust the location and size of the community park and include the following related amendments:

- (1) Amend the master plan designation for a 38-acre community park (P/CP), west of the electrical transmission line, along the southern border of the plan area, to I/L (Limited Industrial) and R/M (Medium Density Residential).
- (2) Amend the current R/L and R/M (Low/Medium-Density Residential) designations west of the intersection of the power transmission lines and the high pressure gas line easements to include an approximately 31.03-acre Community Park (P/CP) designation.
- (3) Include a joint-use agreement between SJDCCD and Mountain House Community Services District (MHCS D) for use of approximately 7 acres of college athletic facilities to be made available to the community (this along with the proposed 31.03-acre Community Park will provide the 38 acres of community park required by the MHMP).

3 Modify the alignment and radii of the following roads:

a. Central Parkway:

- (1) Realign Central Parkway to the west and south to provide direct access to the 114-acre P/CC (Public-Community College) site proposed for the southwest portion of the specific plan area.
- (2) Change the minimum centerline radius of Central Parkway south of Grant Line Road from 1,200 feet to 800 feet.

b. DeAnza Boulevard:

- (1) Modify the alignment between Mascot Boulevard and Grant Line Road to include an easterly sweep.
- (2) Change the minimum centerline radius from 1,200 feet to 800 feet for curves within the sweep to increase the R/M acreage and reduce the I/L acreage while maintaining a separation between residential and industrial areas.

4. Add a new roadway section to Section 9.5 (Figure 9.5) of the MHMP to widen Grant Line Road to include an access frontage road along Grant Line Village between Great Valley Parkway and Central Parkway (see Figure 3-16).

5. Miscellaneous changes:

- a. Amend Policy 17.54(a) of the MHMP to allow Neighborhood D to be included in two different specific plans provided that future projects are compatible with the design standards for each.
- b. Include the approximately 50-acre Specific Plan I expansion area (west of the Freeway/Commercial and Industrial Park designation in the southeast corner of the MHMP area) within the College Park boundaries.
- c. Include an approximately 2.5-acre expansion area north of the planned Mountain House Business Park in Specific Plan I to allow for appropriate curve radii of Central Parkway.
- d. Consolidate Neighborhoods A and B into a single neighborhood (A/B) and consolidate the two neighborhood centers, while providing two neighborhood parks, one 2.5 acre-park in the western portion of the plan area, south of Grant Line Village and an 8.5 acre-park in conjunction with the two K-8 schools (see Figure 3.6B).

C. ~~Adopt~~ ~~Prepare~~ ~~Special Purpose Plans or their equivalent for the Neighborhood A/B neighborhood center plan in the Specific Plan for the consolidated neighborhood which includes a neighborhood commercial area, neighborhood park, center and two K-8 schools.~~

3.7.2 SAN JOAQUIN COUNTY DEVELOPMENT TITLE AMENDMENTS

The following applies only to the College Park portion of the MHMP area.

A. Amend the ~~MHMP~~ San Joaquin County Mountain House Development Title regarding the College Park Specific Plan Area for the following purposes:

1. Change the definition of “Master Developer” by designating Gerry N. Kamilos, LLC and any successor in interest as the Master Developer for the Specific Plan III planning area, and expand the definition of “Subsequent Plans and Programs” to include plans and programs set forth in the Development Agreements between the County of San Joaquin and Mountain House developers.
2. Amend the Very Low, Low, Medium, Medium-High and High Density Residential (R-VL, R-L, R-M, R-MH, R-H), Industrial Park (I-P), Neighborhood Commercial (C-N), and Office Commercial (C-O) designations to remove inapplicable uses and allow a fuller range of uses as provided in the specific plan.
23. Adopt special standards for residential areas, setbacks and exceptions, lot coverage, corner lots, and cluster, alley, and garden court lots, as follows:
 - a. Revise the small model size requirement ~~F~~for R-M subdivisions with typical lots less than 3,600 square feet, to require that at least one model will ~~behave~~ have a maximum of 1,400-square footages as designated in SPIII Table 3-7feet.
 - b. Increase allowable front yard porch encroachments from 5 feet to 8 feet in the R/L and from 5 feet to 6 feet in the R/M. Reduce the front setback requirement for R-M lots of 3,600 square feet or more from 15 feet to 12 feet.
 - c. Require a developer who proposes to develop a subdivision with lots of a typical area of less than 3,600 square feet in the R-M designation to apply for a Model Home Master Plan containing certain required features as identified in SPIII. (e.g., a minimum of three floor plans, with one plan not exceeding 1,400 square feet of Livable Area, whichever is more).

- d. ~~Set a~~ Reduce the minimum lot size of from 3,000 square feet to 2,000 square feet for subdivisions in the R/_M designation.
 - e. Reduce the minimum lot width requirement for R-L lots from 50 feet to 45 feet, for R-M lots of 3,600 square feet or more from 40 feet to 34 feet, for R-M lots of less than 3,600 square feet from 35 feet to 30 feet, and set a minimum lot width requirement of 25 feet for lots in the R-MH designation in the R/M designation from 40 feet to 32 feet.
 - f. ~~Delete the minimum lot size and lot width requirements for residential dwellings in the R/M designation, except as set forth above (see 2d and 2e).~~ Eliminate the side setback requirement allowing lots less than 50 feet wide and having a Model Home Master Plan in the R-M district to have a side setback of 10% of the lot width, but in no case less than 3 feet.
 - g. ~~Eliminate the allowance of 3 stories for R-M lots of 3,600 square feet or more. Allow for a percentage of homes in the R/_M designation to have a third level, provided the third level is contained within the roof structure. The percentage of homes allowing this third level is not to exceed 40% for each individual builder project.~~
 - h. Eliminate the building separation requirement allowing lots less than 50 feet wide and having a Model Home Master Plan in the RM district to have a building separation of 20% of the lot width, but in no case less than 6 feet. Increase the building coverage (i.e., the percentage of a lot permitted to be occupied by buildings) for one-story homes in the R/_L designation from 40% to 50%.
 - i. Eliminate the rear setback requirement allowing a 15 foot setback for one story homes. Increase the building coverage for residential dwellings in the R/_MH or R/_H designations from 60% to 65%.
 - j. Add setback requirement that habitable residential structures shall maintain a minimum setback of 68 feet from the edge of the high pressure gas and oil pipeline easement. Exclude the area of single story porches that wrap from the front to the side of the house from building coverage calculations in the R/_M and R/_L designations, provided such porches do not exceed 20% of total building coverage (excluding garages) and do not encroach on setback requirements.
34. Adopt amended standards for commercial, industrial and public facility areas including setbacks and exceptions, lot coverage, and corner lots, with accompanying Text Amendments that would:
- a. Eliminate minimum lot width requirement for C-N and C-O designations.
 - b. Reduce side and rear setbacks in the C-O designation from 20 feet to 10 feet for the side setback and 15 feet to 10 feet for the rear setback, but maintain 20 foot side setback for streetside corner lots.
 - c. Eliminate minimum lot width requirement for I-P designation.
 - d. Reduce front setback in the I-P designation from 20 feet to 10 feet. Establish streetside side setback of 15 feet for corner lots.
 - e. Reduce maximum building coverage in P-F designation from 100% to 60%.

A summary of the provisions of the Text Amendment relating to setback requirements is provided below. The proposed Text Amendment would:

- a. ~~Replace the heading “Collector and Local Streets” with the heading “Front Setback.”~~

- b. ~~Delete the 45 degree clear setback requirement (i.e., the height of the structure determines the setback distance) from an arterial street, and make the setback from an arterial street the same as the front setback (except as specified).~~
- c. ~~Decrease the front setback for one story homes in the R/L designation from 20 feet to 15 feet.~~
- d. ~~Decrease the front setback for homes on lots that are less than 3,600 square feet in the R/M designation from 15 feet to 10 feet.~~
- e. ~~Allow a front setback of 10 feet for structures designated R/MH or R/H (or designated R/MH or R/H on the MHMP) and fronting on an arterial street, but increase said setback by 5 feet for each story over the first story.~~
- f. ~~Retain the existing front setback of 15 feet for structures designated R/MH or R/H (or designated R/MH or R/H on the MHMP) and not fronting on an arterial street, but increase said setback by 5 feet for each story over the first story when such structures are adjacent to lots designated R/VL, R/L or R/M, in the MHMP.~~
- g. ~~Allow a subdivision covered by a Model Home Master Plan in the R/M designation a side setback equal to 10% of lot width for lots less than 50 feet wide, provided the resulting side setback is at least 4 feet.~~
- h. ~~Include a new column entitled "Minimum Building Separation" (i.e., the distance between a building on one lot from a building on an adjacent lot) and specifying a building separation of at least 30 feet in the R/VL designation; 10 feet in the R/L, R/M, and R/MH designations; and 20 feet in the R/H designation.~~
- i. ~~Allow for a subdivision covered by a Model Home Master Plan in the R/M designation, a building separation equal to 20% of lot width for those lots less than 50 feet wide, provided the resulting building separation is at least 6 feet.~~
- j. ~~Decrease the rear setback to living area for one story homes in the R/L designation from 20 feet to 15 feet.~~
- k. ~~Decrease the rear setback to living area for lots that are less than 3,600 square feet in the R/M designation from 15 feet to 10 feet.~~
- l. ~~Allow the side setback in the R/L, R/M, and R/MH designations to be reduced to zero feet along the common wall in a zero lot line residential project, provided specified minimum building separation requirements are met.~~
- m. ~~Allow the rear setback for single story garages located in the rear third of the lot to be reduced to zero feet, provided specified minimum building separation requirements are met.~~
- n. ~~Allow a streetside side setback of 10 feet for corner lots in the R/L and R/M designations, with additive exceptions for projections into said setback by nonhabitable architectural features, porches, and garages.~~
- o. ~~Allow nonhabitable architectural features and porches on corner lots in the R/L and R/M designations to project up to 30 inches into the streetside side setback.~~
- p. ~~Allow a streetside side setback of 5 feet plus 10% of lot width for corner lots in the R/L and R/M designations that are less than 50 feet in width.~~

- ~~q. Allow garages located on corner lots that are less than 50 feet in width in the R/L and R/M designations to project up to 5 feet into the streetside side setback, provided said garages have automatic garage door openers with remote controls and the resulting streetside side setback is at least 4 feet. Allow second level habitable space above such garages to encroach 2 feet into the streetside side setback.~~
- ~~r. Allow a front and rear setback of 0 feet for buildings with common automobile or pedestrian access.~~
- ~~s. Qualify the requirement that garages with doors facing a street must be located 5 feet behind the building façade of the main structure, by making it applicable to the front setback only.~~
- ~~t. Allow the setbacks for garages served by common driveways, auto courts, or alleys to be reduced to 0 feet.~~
- ~~u. Allow single story porches, platforms, or landing places to extend into any setback adjacent to a public street, up to 6 feet in the R/M designation and up to 8 feet in the R/L and R/VL designations, provided at least a 4 foot setback from the property line is maintained.~~

3.7.3 PROJECT LEVEL ENTITLEMENTS

The following applies only to the College Park portion of the MHMP area, and only to those areas for which Tentative Subdivision Maps are being applied for at this time (GNK, LLC; and InvestWest Matthews Land, Inc. parcels).

- A. Approve Tentative Subdivision Maps proposing 1,251,737 single family lots consistent with the specific plan, as follows:
 - 1. 9851,474 lots on 233.4157.1 acres for GNK, LLC
 - 2. 266 lots on 45.144.0 acres for InvestWest Matthews Land, Inc.
- B. Approve Use Permit for GNK, LLC to construct an aboveground, 30-acre tertiary wastewater storage pond for on-site irrigation on land designated for agricultural uses (approximately 140-acre Pombo property) located at the southeast intersection of Byron Road and Mountain House Parkway in the AG-40 zone, outside the boundaries of the MHMP area (see Figure 3-14 later in this chapter).
- C. Approve Use Permit to develop two water tanks to be dedicated to the Mountain House Community Services District (MHCSD) located within the P/CC designation.
- D. Immediately cancel Williamson Act contracts for the following parcels (Assessor Parcel Nos.):
 - 1. 209-450-14, 15, 16
 - 2. ~~209-080-03~~
 - 3. ~~209-060-11~~
 - 4. ~~209-080-02~~

Chapter 3, Project Description, Section 3.8, Page 3-17, last paragraph, is revised as follows:

The amount of development that would occur at buildout of the College Park project is identified in Table 3-2. The amount of development that would occur at the College Park site under the existing MHMP is identified in Table 3-3. If additional bonus density units are added, then other developments in SPIII shall reduce their number by an equal amount so that the total number of units in SPIII shall not exceed 2,302 units.

Chapter 3, Project Description, Section 3.8.8, Page 3-26 is revised as follows:

3.8.8 LANDSCAPE COMPONENT

The landscape component of the College Park project would include distinct landscape zones within which consistent landscape treatments would be provided (Figure 3-9). The landscape concept for the College Park project is designed to provide an identifiable character for the Mountain House community.

The proposed project includes plans for an Open Space Corridor, which would link the community park, neighborhood parks, schools, and play areas through a series of greenbelt corridor connections.

The generous use of native and naturalized species would be promoted to provide a rustic, informal character and sense of transition from the Mountain House community to the San Joaquin County “countryside.” Landscape and hardscape would be used to reinforce other community design elements (architecture, walls/fences, and entry monumentation). Individual neighborhoods would be distinguished by varied planting themes, although still united by a common regional character. Windbreak landscape treatments would be used, as required, in the parks, schools, and other areas to establish visual points of reference and provide protection from the prevailing winds in the area. Landscaping would be provided consistent with the landscape requirements of the *MHCSD Design Manual*. The landscaping concept for the each of the proposed landscape zones is summarized below. See the *College Park at Mountain House Specific Plan III* document available for review at the SJCCDD for further description (including cross sections and plant palettes).

STREET CHARACTER

All streets in the neighborhoods would have curb-separated sidewalks with continuous tree planting, consistent with the *MHCSD Design Manual*.

OPEN SPACE CORRIDORS

The landscape concept for the open space corridors would consist of informal groupings of mixed canopy and flowering deciduous trees predominately located around the perimeter areas of the community park. The proposed open space corridor connections along the power- and gas-line easements would continue to the neighborhood parks and extend into the school play areas. All landscaping would comply with the *MHCSD Design Manual*.

All ~~intact~~ landscaping, utility rights-of-way, and all other landscape areas that were not included in the original MHMP, as defined by the MHCSD, in the *College Park at Mountain House Specific Plan III* area will require a funding mechanism. These areas will require establishment of a maintenance entity or financing mechanism acceptable to the MHCSD to provide funding for maintenance of, and if necessary, replacement at the end of the useful life of improvements, including but not limited to landscaping, pathways, walls, and all improvements serving or for the special benefit of this subdivision.

Section 4.2, Land Use and Agriculture, Page 4.2-15 and is revised as follows:

IMPACT 4.2-2 Land Use and Agriculture—Conflict between Proposed Land Uses. *The proposed project would not generate conflicts between proposed land uses, except for the proposed lighted community park facilities that would generate conflicts with proposed adjacent residential uses. A **significant less-than-significant** impact would occur.*

Section 4.2, Land Use and Agriculture, Page 4.2-16 is revised as follows:

Adherence to these requirements would result in a **less-than-significant** impact.

As indicated in Section 4.14, "Visual Quality," the development of proposed lighted recreational facilities at the community park could result in the direct illumination of adjacent proposed residential uses, ~~even with implementation of the General Plan, MHMP, and MHCSD Design Manual requirements designed to avoid light-glare impacts.~~ See Impact 4.14-43 in Section 4.14 of this Draft EIR for discussion and analysis. A **less-than-significant** impact would occur. ~~A significant impact would occur.~~

Mitigation Measure 4.2-2: Land Use and Agriculture—Conflicts between Proposed Land Uses.

No mitigation is required.

Implement Mitigation Measure 4.14-3.

~~Implementation of the mitigation measure identified above would reduce light glare impacts between the proposed community park and residential uses to a **less-than-significant** level.~~

Section 4.3, General Plan Policies and Zoning, Pages 4.3-3 through 4.5-5 are revised as follows:

IMPACT 4.3-1 4.3-1. General Plan Policies and Zoning—Conflict with Adopted Policies in the MHMP and San Joaquin County General Plan. *The project would not conflict with a specific policies of the MHMP, that is the implementing document of the County's General Plan for the overall Mountain House community. Policy inconsistency would be related to increased trip volume and the associated auto emissions and noise. A **potentially less-than-significant** impact would occur.*

A detailed analysis of the project's relationship to key policies of the MHMP and the San Joaquin County General Plan (Volume I) can be found in Appendix G. ~~The potential conflicts addressed below are the only potential conflicts identified.~~ Based on a comparison of the proposed land use plan and specific plan with the adopted MHMP policies, no potential conflicts would occur.

Unlike other parts of the MHMP, two neighborhoods were combined into one for the College Park Specific Plan III. Neighborhoods A and B were combined into Neighborhoods A/B so that the community college could be accommodated in what was originally a large portion of Neighborhood A (in the MHMP) and also to allow the development of two K–8 schools on one side of Central Parkway. Consequently, the MHMP policies related to providing a central school, neighborhood park, and neighborhood commercial ~~sitecenter~~ at the center of each neighborhood were not able to be complied with, and corresponding amendments to the MHMP are proposed as part of the College Park Specific Plan III project to achieve consistency between the documents. The two schools

were both proposed at the eastern side of Neighborhoods A/B so that few students required bussing or crossing of the Central Parkway arterial.

~~A neighborhood park is proposed at the western edge of Neighborhoods A/B, but no commercial center is proposed adjacent to this park. Consequently, residents of Grant Line Village and the western portion of Neighborhoods A/B would have to travel more than 3,600 feet (0.68 miles) to reach a commercial center. The nearest commercial center would be located in Specific Plan II at the northeast corner of Grant Line Road and Central Parkway. Because the two neighborhoods were consolidated, provision of a neighborhood commercial site would be consistent with the policies of the MHMP, and would require crossing an arterial. Residents would also have to cross Central Parkway to reach the Neighborhood Commercial center located near the schools at the eastern side of Neighborhoods A/B.~~

~~The limited number of residential units west of Central Parkway may be too few to support a neighborhood commercial center unless such a center were placed in the southwest portion of the project site. In this way, the SJDCCD and the proposed business park occupants could support associated commercial uses, and could walk or bicycle to such uses without requiring reliance on an automobile. Associated air quality and noise impacts would be reduced by the reduced dependency on the automobile.~~

The existing Grant Line Village is immediately adjacent to the western boundary of the MHMP. There are no buffer zones in this area. Unlike the area to the north, where Great Valley Parkway and residential setbacks would create a buffer zone from nearby agricultural operations, no such roadway exists south of Grant Line Road. When redevelopment of the Grant Line Village area is proposed, buffer zones would be appropriate to identify consistent with Figure 4-13 of the College Park Specific Plan III.

During development of the College Park site, existing agricultural operations ~~w~~could continue to operate that are in immediate proximity to new urban development until urbanization occurs. Land use conflicts could arise because of dust, noise, and traffic. Within the College Park site, temporary buffers of at least ~~100-40~~ feet should be maintained between urban uses and agricultural operations. These buffers could be phased out as agricultural operations are replaced with urban development. There may not be ongoing agricultural operations at the time that SJDCCD starts construction on the community college as adjacent agricultural properties controlled by GNK, LLC and California homes would likely be under construction at the same time. However, the precise timing of these developments is not currently known. Consistency with Policy 3.2.4.2.e of the College Park Specific Plan III would ensure the provision of temporary agricultural buffers.

Before submittal and approval of tentative maps, the Development Title requires that Farm Irrigation and Drainage Reports be prepared to identify how agricultural water users would be protected from changes to drainage systems within the Mountain House community. As of February 2005, no such reports have been prepared. Impacts to off-site agricultural operations served by Byron-Bethany Irrigation District (BBID) canals that pass through the College Park site are not anticipated with compliance with this regulation and the fact that the Farm Irrigation and Drainage Reports would clearly identify means to ensure continued agricultural water availability to off-site users.

~~Because of the changes in land use locations proposed as compared to the MHMP, the project would result in a different traffic distribution pattern. On some roadways (e.g., Grant Line Road), the traffic volumes would be increased, resulting in increased traffic related noise. This land use conflict impact is considered **potentially significant**. See also Section 4.13, "Noise," for a discussion of significant traffic related noise impacts associated with implementation of the proposed project. Because project land uses would meet all requirements of the MHMP and would not conflict with adopted policies in the MHMP and San Joaquin County General Plan, this impact is considered **less than significant**.~~

Mitigation Measure 4.3-1: General Plan Policies and Zoning—Conflict with Adopted Policies in the MHMP and San Joaquin County General Plan.

No mitigation is required.

~~Mitigation Measure 4.3-1a: General Plan Policies and Zoning—Conflict with Adopted Policies in the MHMP and San Joaquin County General Plan.~~

The College Park developers shall implement the following measures:

- ~~▶ Amend the College Park Specific Plan II to add a 1.5-acre Neighborhood Commercial area to the southwestern portion of Neighborhoods A/B in the vicinity of Delta College and the proposed industrial park. This amendment would ensure compatibility with the adopted MHMP and to reduce transportation requirements.~~
- ~~▶ Implement Mitigation Measure 4.13-4 in Section 4.13, “Visual Quality.”~~

~~Implementation of the above mitigation measures would reduce the impact to a less-than-significant level.~~

~~Mitigation Measure 4.3-1b: General Plan Policies and Zoning—Conflicts with Adopted Policies of the Mountain House Master Plan (MHMP). Implement Mitigation Measure 4.13-4.~~

~~Implementation of Mitigation Measures 4.3-1a and 4.3-1b above would reduce the impact to a **less-than-significant** level.~~

IMPACT **General Plan Policies and Zoning—Consistency with Land Use Designations of MHMP.** *The project 4.3-2 would require changes to the MHMP land use map to allow development of the new Delta College and other specific uses on the site. With the proposed amendments, the project uses would be consistent with the new designations. A **less-than-significant** impact would occur.*

The project includes an amendment to the MHMP to change the existing site designation from “Low-Density and Medium-Density Residential” to “Public” for the community college portion of the site. Other proposed MHMP land use designations are also proposed because of the change in location for specific residential, non-residential, and park uses. Because the proposed community college would replace lands originally proposed for residential uses, new residential areas have been created in other parts of College Park Specific Plan III so that the overall residential unit count for the entire new community would remain relatively unchanged with regard to the amount of agricultural land that would be converted to urban uses. The impact of agricultural land use conversion is discussed in Section 4.2, “Land Use and Agriculture.” With the proposed amendments to the MHMP, the project would be consistent with the MHMP land use map with regard to the number of residential units that would be in the MHMP area. Section 4.11, “Transportation,” identifies no significant increased traffic impacts based solely on the change in land use designations from the MHMP. The change in land use designation, while not increasing the overall development area included in the MHMP, would not cause an increase in land use conflicts associated with the existing MHMP. See Section 4.2, “Land Use and Agriculture” for a discussion of land use compatibility. For this reason, the change in land use designations would result in a **less-than-significant** impact.

Mitigation Measure 4.3-2: General Plan Policies and Zoning—Consistency with Land Use Designations of MHMP.

No additional mitigation is required.

Section 4.4, Public Services, Page 4.4-6 is revised as follows:

parcs should respond to the needs of neighborhood residents as surveyed by the MHCSD per their Parks, Recreation and Leisure Plan.

- ▶ **Implementation Standard 7.2.2.3(b).** Construction of neighborhood parks by the MHCSD shall begin as soon as 50% of the dwelling-unit permits for each neighborhood or school attendance area have undergone final inspection. The park shall be completed no later than after 80% of dwelling-unit permits for the neighborhood have undergone final inspection.
- ▶ **Implementation Measure 7.2.3.3(a).** Facilities and Design Criteria for community parks shall be consistent with the Parks, Recreation and Leisure Plan and the MHCSD Design Manual.
- ▶ **Implementation Measure 7.2.3.3(b).** Construction of the community park shall begin no later than the time at which 50% of the dwelling unit permits for Specific Plan III have had their final inspection. The park shall be completed no later than the time 80% of the dwelling units for Specific Plan III have been issued final inspection completion time. Completion time may be modified by the MHCSD General Manager to reflect construction and weather contingencies.
- ▶ **Implementation Measure 7.2.3.3(e).** A formal agreement for joint use of parks and recreation facilities between the MHCSD and the Delta Community College District shall be required prior to approval of final maps adjacent to the community park. If an agreement between the MHCSD and the College District is not finalized by that time, then 7.0 acres will be added to the community park to result in a park size equal to 38 acres.
- ▶ **Implementation Measure 7.2.3.3(f).** The Community Park shall be developed generally consistent with the Community Park Preliminary Plan (Fig. 7-4: Specific Plan III Community Park Preliminary Plan). The applicant shall bond for or commence construction of the Community Park prior to occupancy of the ~~1,650th~~ 1,150th residential unit within Specific Plan III with the intent to complete the community park prior to occupancy of the ~~1,850th~~ 1,840th residential unit with SPIII.
- ▶ **Implementation Measure 7.2.3.3(g).** Community Park land identified within Specific Plan III shall be included within the first Tentative Map of each applicant owning or controlling land within the park site. Community Park land shall be dedicated to the MHCSD or an offer of dedication to the MHCSD shall be recorded with the Final Map.
- ▶ **Implementation Measure 7.2.4.3(c).** The design of all implementing public improvements including paths, alignment, standards, signage, location of trailheads or staging areas, shall comply with the applicable provisions of the MHCSD Design Manual.
- ▶ **Implementation Measure 7.2.4.3(d).** Timing of Construction—Construction of Open Space Improvements may be completed on a phased basis to correspond with the development of neighborhoods, or parcels as determined by the MHCSD, directly adjacent to the facility. Open Space improvements to a specific segment shall be completed no later than the time at which 80% of dwelling units for the neighborhood, or adjacent parcels, have been issued final inspection. (The MHCSD General Manager may require completion of the improvements to an earlier date if it is deemed necessary).
- ▶ **Implementation Measure 7.7.7.3(3).** The neighborhood parks shown on the Tentative Map shall be dedicated to the MHCSD, or an offer of dedication to the MHCSD shall be recorded with the Final Map.

Section 4.4, Public Services, Page 4.4-13 is revised as follows:

Mountain House Community Services District Design Manual 2002

The MHCSD Design Manual does not contain polices related to the provision of public school services ~~schools design measures or standards~~ applicable to the proposed project.

FIRE PROTECTION

Federal Regulations

The proposed project is not located on or in the vicinity of federal lands, and there are no federal fire protection regulations applicable to the project.

State Regulations

There are no state fire protection regulations applicable to the project.

Regional and Local Regulations

San Joaquin County General Plan 2010

The San Joaquin County General Plan contains the following policy related to fire protection that is applicable to the proposed project.

Public Health and Safety Chapter

The San Joaquin County General Plan was recently amended to replace an existing policy that required fire station locations be planned to achieve a maximum run time of 3 minutes or a maximum distance of 1.5 miles in urban areas, or 6 minutes or 4 miles in rural areas (SJCCDD 1994a). The new policy requires fire station to be strategically located so as to offer fire protection to all portions of the community, consistent with standards for comparable communities in the County.

Mountain House Master Plan 1994

The following fire protection policy from the MHMP is applicable to the proposed project.

Public Health and Safety

The MHMP was recently amended to delete an existing policy that required fire station locations be planned to achieve a maximum run time of 3 minutes or a maximum distance of 1.5 miles in urban areas, or 6 minutes or 4 miles in rural areas (SJDCCD 2003). A new policy is not proposed to replace the previous policy, thus the County policy cited above would apply.

Section 4.4, Public Services, Page 4.4-21 is revised as follows:

~~Mitigation Measure 4.4-3: Public Services—Additional Demand for Public High Schools. Project developers shall enter into project specific mitigation with TUSD that determines the development impact fee to be paid for the construction or rental of temporary portable buildings to be placed at West High School or Tracy High School.~~

~~With implementation of this mitigation measure, project impacts resulting from additional demand for public high schools would be reduced to less-than-significant levels.~~

No mitigation is required.

Section 4.6, Cultural Resources, Mitigation Measures 4.6-1 and 4.6-2 on Page 4.6-21, are revised as follows:

Mitigation Measure 4.6-1: Cultural Resources—Destruction/Damage to Known Cultural Resources.

The conditions agreed upon in 2004 by Trimark and the West Side Pioneer Association, as shown in the MHCD design manual, must be implemented. No further mitigation is required.

Mitigation Measure 4.6-2: Cultural Resources—Potential Destruction/Damage to Undiscovered Cultural Resources.

If discovery of unknown cultural materials is made during construction, ground-disturbing activities at the construction site where the discovery was made shall be halted. The College Park developers or construction contractor shall contact the San Joaquin County Community Development Department (SJCCDD) immediately, and a qualified professional archaeologist acceptable to County staff shall be notified and retained by the College Park developer. The archaeologist shall determine whether the resource represents a “unique archaeological resource” or “historic resource” as defined by CEQA, and shall identify appropriate mitigation. The mitigation could potentially include, but would not necessarily be limited to, avoidance, preservation in place with capping, photo documentation, and/or excavation/curation. In compliance with CEQA, Public Resources Code Section 5024.5, and the Caltrans Environmental Handbook, Vol. 1, should ground-disturbing activities within Caltrans ROWs take place as part of this project and there is an inadvertent archaeological or burial discovery, all construction within 35 feet of the find shall cease and the Caltrans Cultural Resource Study Officer (CRSO), District 4, shall be contacted immediately. A staff archaeologist will evaluate the finds within one business day of being contacted. The CRSO can be contacted at 510-286-2613 or 510-286-5618.

Implementation of the above mitigation measure would reduce potential impacts to undiscovered cultural resources during construction to a **less-than-significant** level.

Section 4.9, Public Health and Safety, Mitigation 4.9-1, Page 4.9-30 is revised as follows:

Mitigation Measure 4.9-1: Public Health and Safety—Possible Exposure to Pre-Existing Hazardous Materials During Construction. The College Park developers shall implement the following measures:

- ▶ Project grading, excavation, and other earth-moving activities at the project site and off-site infrastructure locations shall be monitored at the County’s discretion by qualified hazardous materials experts (either qualified County staff or consultants) for signs of potential pesticide, hydrocarbon, or other contamination. If the County or consultants observe soil discoloration, noxious odors, or other signs of potential contamination, Phase II testing (excavation, laboratory testing of soil, possibly groundwater testing) shall be undertaken, and any recommendations made by the consultants shall be implemented.
- ▶ The San Joaquin County Environmental Health Department shall have regulatory authority over the investigation and clean-up of contamination from underground storage tank releases and would provide “no further action required” determinations for that source of contamination. All ASTs and USTs at the project site shall be removed under the supervision of a qualified hazardous material expert in accordance with applicable regulations and removal permit requirements from the County Environmental Health Department. Dairy waste ponds or any other sources of contamination shall be removed under a qualified hazardous

materials expert in accordance with applicable regulations and requirements from the Central Valley RWQCB or the California Department of Toxic Substances. This includes the December 4, 2003 crude oil releases and any migration of it to the project site. The soil underlying these facilities shall be sampled and tested by the experts. If the testing reveals contamination, the regulatory agencies shall be contacted, any recommendations by the experts shall be implemented, and regulating agency shall identify “no further action” before project construction.

- ~~▶ The ASTs, USTs, and dairy waste ponds at the project site shall be removed under the supervision of qualified hazardous materials experts in accordance with applicable regulations and removal permit requirements from the County Environmental Health Department. The soil underlying these facilities shall be sampled and tested by the experts. If the testing reveals contamination, the regulatory agencies shall be contacted, any recommendations made by the experts shall be implemented, and the County Environmental Health Department shall identify “no further actions required” before project construction access at these locations.~~

Section 4.9, Public Health and Safety, Page 4.9-35 (top) is revised as follows:

worldwide generally consider individual risk levels below 1×10^{-6} (one-in-a-million) as acceptable, and individual risk levels greater than 1×10^{-5} (one-in-one hundred thousand) as unacceptable. Although the state and San Joaquin County do not have standards for non-school risk, the following is in the spirit of MHMP Section 6.13:

- ▶ “No Habitable Structures Zone” – habitable structures not allowed (where risk greater than 2×10^{-6}).
- ▶ “Hazard Notification Zone” – habitable structures allowed with disclosure of potential risk to property owner (where risk between 2×10^{-6} and 1×10^{-7}).
- ▶ “No Constraint Zone” – habitable structures permitted with no conditions or constraints (where risk lower than 1×10^{-6}).

As indicated by the above, SJCCDD has taken a conservative position with respect to acceptable and unacceptable risk by defining unacceptable risk as 2×10^{-6} (two-in-one million) instead of the more traditional 1×10^{-5} (one-in-one hundred thousand) identified by CDE for schools. In addition, all site-specific risk management measures for SP III would be developed in coordination with pipeline operators, County officials, and the MHCS.

Section 4.9, Public Health and Safety, Impacts 4.9-6 and 4.9-7, Page 4.9-39 are revised as follows:

Plan for the project and with the MHMP, residential dwelling unit setbacks would be 25 feet from the edge of the Rio Oso–Tesla transmission line easement.

As indicated under “Regulatory Setting,” the state does not have residential setback requirements from electrical transmission lines, and the potential adverse health effects of EMFs are still unknown. As indicated, the consensus group “...does not find it appropriate to adopt any specific numerical standards in association with EMFs until (there is) a firm scientific basis for adopting any particular value” (CPUC 2003). Therefore, there appears to be a dilemma in that there may be some potential adverse health effects associated with EMFs, but there is no firm scientific evidence of this fact and no adopted exposure thresholds or setback requirements for residential uses.

The research conducted between adoption of the MHMP in 1994 and the present is still inconclusive on this issue, and no residential exposure thresholds or setback requirements have been established by the state. In addition, the MHMP MMP (M4.9-2) requires the provision of information packets to prospective or new homeowners in the MHMP area regarding EMF effects. Identifying a significant impact from EMFs would be speculative. In the absence of information demonstrating otherwise, this impact is concluded to be **less than significant**.²

Mitigation Measure 4.9-6: Public Health and Safety—Exposure to Electromagnetic Fields.

No additional mitigation is required.

IMPACT **Public Health and Safety—Exposure to Non-Potable Water.** *The proposed project would supply 4.9-7* ~~reclaimed non-potable~~ *water to the community college for landscape uses. A less-than-significant impact would occur.*

The proposed project would supply non-potable water to the Delta Community College site and to the community parks for irrigation purposes. An existing agreement would be amended between BBID and the MHCS D to include the delivery of this water. ~~Reclaimed Non-potable~~ water would provide a reliable long-term source of irrigation water for the College Park project. Since drought conditions have very little impact on this source of supply, a dependable water supply can be delivered to the parks, playgrounds and similar landscape areas served by the project even during drought periods. The tertiary treatment required for discharge to creeks produces ~~reclaimed~~ non-potable water that is suitable to irrigate parks, playgrounds, agricultural crops, and landscaping, as well as many industrial processes, for construction, and many other non-potable uses. The treatment would be in accordance with SWRCB regulations. Therefore, a **less-than-significant** impact would occur from the use of non-potable water usage.

Mitigation Measure 4.9-7: Public Health and Safety—Exposure to non-potable water.

No additional mitigation is required.

~~As indicated under “Regulatory Setting,” the state does not have residential setback requirements from electrical transmission lines, and the potential adverse health effects of EMFs are still unknown. As indicated, the consensus group “...does not find it appropriate to adopt any specific numerical standards in association with EMFs until (there is) a firm scientific basis for adopting any particular value” (CPUC 2003). Therefore, there appears to be a dilemma in that it is likely that there are some potential adverse health effects associated with EMFs, but there is no firm scientific evidence of this fact and no adopted exposure thresholds or setback requirements for residential uses.~~

~~The research conducted between adoption of the MHMP in 1994 and the present is still inconclusive on this issue, and no residential exposure thresholds or setback requirements have been established by the state. In addition, the MHMP MMP (M4.9-2) requires the provision of information packets to prospective or new homeowners in the MHMP area regarding EMF effects. Identifying a significant impact from EMFs would be speculative. In the absence of information demonstrating otherwise, this impact is concluded to be **less than significant**.~~²

Mitigation Measure 4.9-6: Public Health and Safety—Exposure to Electromagnetic Fields.

No mitigation is required.

²This approach is consistent with CEQA Guidelines Section 15145 which indicates that if, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the lead agency should note its conclusion and terminate discussion of the impact.

Section 4.11, Table 4.11-13, Page 4.11-36 will be revised as follows:

Table 4.11-13 2025 Peak-Hour, Peak-Direction Level of Service on Freeways – Comparison of Current 2025 Projections to MHMP EIR Projections															
Freeway	Location	Total Lanes	2025 Buildout With Project (No I-205/Lammers Interchange)						2025 Buildout With Project (With I-205/Lammers Interchange)						Comparison to MHMP EIR
			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour			
			Volume	V/C ^a	LOS	Volume	V/C ^a	LOS	Volume	V/C ^a	LOS	Volume	V/C ^a	LOS	
I-580	North of Linne Road	4	6,161	1.40	F	6,488	1.47	F	6,132	1.40	F	6,468	1.47	F	Same LOS; higher V/C
	South of I-205	4	7,116	1.62	F	7,035	1.60	F	7,130	1.72	F	7,050	1.68	F	Same LOS; higher V/C
	At Altamont Pass Road	8	20,178	2.29	F	20,952	2.38	F	20,325	2.32	F	20,989	2.41	F	Same LOS; higher V/C
	West of Vasco Road	8	18,141	2.06	F	18,827	2.14	F	18,209	2.04	F	18,929	2.13	F	Same LOS; higher V/C
I-205	West of I-5	6	9,194	1.39	F	9,467	1.43	F	9,185	1.36	F	9,270	1.38	F	Same LOS; higher V/C
	West of Tracy Boulevard	6	<u>9,463</u>	<u>1.43</u>	F	<u>9,252</u>	<u>1.40</u>	F	8,576	1.41	F	8,357	1.35	F	Same LOS; higher V/C
	South of Grant Line Road	6	<u>8,940</u>	<u>1.35</u>	F	<u>9,239</u>	<u>1.40</u>	F	7,648	1.36	F	7,335	1.34	F	Same LOS; higher V/C
	West of 11th Street	6	12,730	1.93	F	12,992	1.97	F	12,552	1.78	F	12,706	1.81	F	Same LOS; higher V/C
	West of Patterson Pass Road	6	12,054	1.83	F	12,621	1.91	F	12,109	1.82	F	12,641	1.91	F	Same LOS; higher V/C
I-5	South of State Route 132	4	<u>1,377</u>	<u>0.31</u>	A	<u>1,585</u>	<u>0.36</u>	A	449	0.12	A	665	0.16	A	Same LOS; higher V/C
	South of Grant Line Road	4	<u>1,172</u>	<u>0.27</u>	A	<u>1,865</u>	<u>0.42</u>	A	777	0.19	A	1,128	0.29	A	Lower LOS; higher V/C
	North of I-205	8	13,404	1.52	F	14,112	1.60	F	13,462	1.47	F	14,143	1.55	F	Same LOS; higher V/C

V/C = Volume-to-capacity ratio.
 Note: LOS letters in bold show arterials where the model forecasts show the LOS would exceed the acceptable standard.
 Source: TJKM 2004

Section 4.11, Figure 4.11-13,
 Page 4.11-54 will be revised
 as follows:



Mountain House Community Service District
 College Park Traffic Study
2025 Buildout with Project Lane and Signal Requirements

Figure
4.11-13



Section 4.12, Air Quality, Page 4.12-14 (top) will be revised as follows:

San Joaquin Valley Air Pollution Control District

The SJVAPCD is the agency primarily responsible for assuring that national and state ambient air quality standards are not exceeded and that air quality conditions are maintained in the SJVAB. Responsibilities of the SJVAPCD include the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the CAA and the CCAA. In an attempt to achieve national and state ambient air quality standards and maintain air quality, the SJVAPCD has completed the 1994 Ozone Attainment Demonstration Plan (amended in 2001), 1997 PM₁₀ Attainment Demonstration Plan, 1997–1999 PM₁₀ Progress Report, 2000 Ozone Rate of Progress Report, 2000 Annual Progress Report, and the 2000 Triennial Plan (SJVAPCD 2001).

The SJVAPCD has developed the *Guide for Assessing and Mitigating Air Quality Impacts* (SJVAPCD ~~1998~~2004), which it applies to projects within the SVAB under SJVAPCD Regulation VIII. The guide sets forth Basic, Enhanced, and Additional Control Measures that SJVAPCD requires be implemented during the construction of all projects in the SJVAB to control dust and other emissions during construction. The SJVAPCD considers compliance with these measures as sufficient to avoid significant construction emission impacts within the SJVAB. These control measures are listed below...

[Note – this change in reference citation is a revision intended throughout the entire DEIR document; additional individual pages with this revision are not printed out in the FEIR]

Section 4.12, Air Quality, Page 4.12-15 (top) is revised as follows:

- ▶ **Additional Control Measures** (strongly encouraged at construction sites that cover large areas) are located near sensitive receptors, or which for any other reason warrant additional emissions reductions:
 - Install wheel washers on all trucks and equipment, or wash off all trucks and equipment leaving the site.
 - Install windbreaks at windward side(s) of construction areas.
 - Suspend excavation and grading activity when winds exceed 20 mph. (Regardless of wind speed, an owner/operator must comply with Regulation VIII's 20% opacity limitation.
 - Limit area subject to excavation, grading, and other construction activity at any one time.
 - Require construction equipment used at the site to be equipped with catalysts/particulate traps to reduce particulate and NO_x emissions. These catalysts/traps require the use of ultra-low sulfur diesel fuel (15 ppm). Currently, California Air Resources Board (ARB) has verified a limited number of these devices for installation in several diesel engine families to reduce particulate emissions. At the time bids are made, have the contractors show that the construction equipment used is equipped with particulate filters and/or catalysts or prove why it is infeasible.
 - The District encourages the applicant and fleet operators using the facility to take advantage of the District's Heavy-Duty Engine program to reduce project emissions. The Heavy Duty program provides incentives for the replacement of older diesel engines with new, cleaner, fuel-efficient diesel engines. The program also provides incentives for the re-power of older, heavy-duty trucks with cleaner diesel engines or alternative fuel engines. New alternative fuel heavy-duty trucks also qualify.

- The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling. The applicant should install equipment that provides amenities that would otherwise be powered by idling engines.
- Construction equipment should have engines that are Tier II (if available as certified by the Air Resources Board). Engines built after 1998 are cleaner Tier II engines. Tier I and Tier II (2.5 gram) engines have a significantly less PM and NO_x emissions compared to uncontrolled engines.
- Electrify truck-parking areas to allow trucks with sleeper cabs to use electric heating and cooling to eliminate the need to idle their diesel engines.
- If TRUs (truck refrigeration units) are utilized, provide an alternative energy source for the TRU to allow diesel engines to be completely turned off.
- On days declared as “Spare the Air Days,” construction work should be reduced as much as possible.
- All housing units should include as part of the purchase an electric lawn mower and an electric edger.
- The project should include as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc.
- Rebate and incentive programs are offered for alternative energy equipment.
- The applicant/tenant(s) should require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling.
- Curtail construction during periods of high ambient pollutant concentrations. This may include ceasing construction activity during peak-hour vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.

Section 4.14, Visual Quality, Pages 4.14-16 and 4.14-17, are revised as follows:

IMPACT Visual Quality—Alteration of Visual Character along Grant Line Road from Tree Removal. *The proposed*
4.14-1 *project would result in the removal of approximately 188 mature trees along Grant Line Road, altering the*
visual character along this roadway. A significant and unavoidable impact would occur.

As discussed in Chapter 3, “Project Description,” Grant Line Road is planned under the MHMP and proposed under the College Park project to be widened from two to four lanes, and curb, gutter, and sidewalk improvements are to be provided along the roadway, from Hansen Road to I-205. These improvements would require the removal of approximately 188 mature trees which currently grow on both sides of Grant Line Road for an approximately 4,000 foot stretch extending west from Mountain House Parkway (Figure 4.10-2 in Section 4.10, “Biological Resources,” and Viewpoint No. 1, Figure 4.14-2).

The MHMP and the MHCS Design Manual set forth landscaping and edge treatment design requirements along Grant Line Road. Section 4.5(h) of the MHMP requires that roadway improvements to Grant Line Road occur consistent with the cross sections identified for this roadway in the MHMP (Chapter 9, Figure 9.20), and requires the provision of East/West Arterial Landscape treatments, including large canopy trees on either side and down the center median of Grant Line Road. Section 4.5, Implementation h, of the MHMP requires that landscaping plans that include walls, fences, trails, sidewalks, and a conceptual layout of trees, shrubs, and ground cover be submitted for this roadway in the context of each specific plan. The MHCS Design Manual, Chapter 3, requires ~~the plantings along Grant Line Road to be reminiscent of the native Oak Savannah of the San Joaquin Valley, with evergreen canopy trees on sculptured berms with shrub masses on both sides and down the center median of~~

~~the roadway. Figures 4-6 and 4-7 of the *College Park at Mountain House Specific Plan III* indicate typical cross-section sets for the landscaping of Grant Line Road. As indicated, three rows of large canopy evergreen trees 30 feet apart are proposed, one each along either side of the roadway and down the center median, with flowering accent trees 15 feet apart proposed along either side of the north and south side sidewalks (i.e., seven rows of trees overall). The trees to be planted shall be in conformance with the MHCS Design Manual, Chapter 3 for Grant Line Road.~~

MHMP Section 7.3.7, “Tree Mapping and Conservation Policy” indicates that, “Existing healthy mature trees, particularly those located along Mountain House Parkway and Grant Line Roads, shall be preserved and incorporated into the landscape design of the community to the greatest extent practical. Land uses should be compatible with the preservation program for mature trees.” The design of major roadways, widening, or reconstruction of existing major roadways shall address the preservation of mature trees in good condition. Based on a tree survey conducted by EDAW, 200 trees, primarily mature walnut trees along both sides Grant Line Road, represent mature trees in good condition and thus are encouraged to be preserved under MHMP Section 7.3.7. These trees currently represent a visual feature along this stretch of Grant Line Road, and provide a tree-lined, canopy-covered environment.

The trees along Grant Line Road were surveyed in accordance with MHMP Section 7.3.7. The MHCS Design Manual has determined that preservation of the trees is not “practical” under Section 7.3.7 because the only way to preserve the trees would be to relocate the Grant Line Road alignment either north or south so as to avoid the trees. The MHCS Design Manual has also determined that relocation of Grant Line Road under the proposed project, such that removal of the trees would be avoided, is infeasible. Relocations to the north would be infeasible because:

- ▶ the northern properties are not owned by the College Park developers or the County;
- ▶ bridges over the California Aqueduct and Delta–Mendota Canal, combined with the location of Grant Line Village and the new improvements at the Grant Line Road and Mountain House Parkway intersection, tie the roadway to its present location; and
- ▶ existing residential and agricultural uses north of Grant Line Road would require removal.

Relocation to the south would be infeasible for the latter two reasons. Therefore, a **significant and unavoidable** impact would occur.

Mitigation Measure 4.14-1: Visual Quality—Alteration of Visual Character along Grant Line Road from Tree Removal.

The College Park developers shall provide new trees on both sides of Grant Line Road and in the median strip, from Mountain House Parkway to the Alameda County line, at a 3:1 ratio to the trees to be removed, or as required by the MHCS Design Manual, whichever is greater. ~~The trees to be planted shall be 50 gallons in size each, shall be fast growing, and shall be a variety approved by the County that will provide an eventual tree lined appearance similar to what currently exists.~~ The trees to be planted shall be in conformance with the MHCS Design Manual, Chapter 3, for Grant Line Road.

Implementation of the above mitigation measure would reduce the alteration of the visual character along Grant Line Road, but not to a less-than-significant impact. A **significant and unavoidable** impact would remain.

Chapter 8, References, will include the following additional personal communication citation:

Martin, Chandler. Planner. San Joaquin County Community Development Department, Stockton, CA. June 1, 2005 – telephone conversation with John Hope of EDAW regarding Williamson Act agricultural preserves.

Revision Throughout the EIR

~~No mitigation is required.~~ No additional mitigation is required.

[Note – this revision is made to render the distinction between prior and related environmental reviews versus this review; prior reviews, in most case, do have mitigation measures that apply to this project. However, due to the pervasive use of the phrase in the DEIR, individual pages with this change have not been revised/reprinted as part of the FEIR. Rather, the revision is considered incorporated by this explanation.]