NOTICE OF A REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the City of Tracy Planning Commission is hereby called for:

Date/Time: Wednesday, May 12, 2021
7:00 P.M. (or as soon thereafter as possible)

Location: City Hall
333 Civic Center Plaza, Tracy

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Planning Commission on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

THIS REGULAR MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT

RESIDENTS ARE STRONGLY ENCOURAGED TO PARTICIPATE REMOTELY AT THE MAY 12, 2021 MEETING

***Remote Access to City of Tracy Planning Commission Meeting**:*
In accordance with the guidelines provided in Executive Order N-29-20 on social distancing measures, the City of Tracy will allow for remote participation at the upcoming Planning Commission meeting on Wednesday, May 12, 2021.

***Remote Public Comment**:*

*Public comment, limited to 250 words or less, submitted via email **will only be accepted for agendized items before the start of the Planning Commission meeting at 7:00 p.m. Please send an email to** publiccomment@cityoftracy.org and identify the item you wish to comment on in your email's subject line.*

During the upcoming Planning Commission meeting public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
  - **Phone** by dialing (209) 831-6010, or
  - **Online by visiting** https://cityoftracyevents.webex.com and using the following: **Event Number:** 142 827 3941 and **Event Password**: Planning
  - ***If you would like to participate in the public comment anonymously***, you may submit your comment via phone or in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.

- *Protocols for submitting comments by **phone**:*
  - *Identify the item you wish to comment on to staff when calling in. Comments received by phone will be accepted for the "Items from the Audience/Public Comment" and "New Business" portions of the agenda.*

  - *Comments received by phone for the "Items from the Audience/Public Comment" portion of the agenda must be received by the time the Chairperson opens that portion of the agenda for discussion.*
  - *Comments received by phone on each "New Business" will be accepted until the Chairperson announces that public comment for that item is closed.*

- *Protocols for commenting via WebEx:*
  - *If you wish to comment on the "Items from the Audience/Public Comment" or "New Business" portions of the agenda:*
    - *Listen for the Chairperson to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
    - *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*
  - *Comments for the "Items from the Agenda/Public Comment" or "New Business" portions of the agenda will be accepted until the public comment for that item is closed.*

- *The total allotted time for public comment will be as follows:*
  - *Items from the Audience: **15 minutes***
  - *New Business: **10 minutes***

Comments received by publiccomment@cityoftracy.org, phone call, or on Webex outside of the comment periods outlined above will not be included in the record.

REGULAR MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – 04/28/21

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Council Meeting Protocols and Rules of Procedure,* adopted by Resolution 2019-240, a five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Planning Commissioners may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to the Planning Commission.

1. NEW BUSINESS

    A. PUBLIC HEARING TO CONSIDER APPROVAL OF A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT A 3,010 SQUARE FOOT CONVENIENCE STORE AND AUTOMOBILE SERVICE STATION AT 3379 N. TRACY BLVD. APPLICANT IS MICHELLE FEASBY AND PROPERTY OWNER IS LJ REMAINDER LLC. APPLICATION NUMBER D20-0014

    B. PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING INTRODUCTION OF AN ORDINANCE APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS. THE APPLICANT IS JEFF BERBERICH. APPLICATION NUMBER SPA20-0004

    C. PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING THE TRACY HILLS 35-ACRE ANNEXATION PROJECT, WHICH INCLUDES APPROVING A GENERAL PLAN AMENDMENT, INTRODUCTION OF AN ORDINANCE APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT, AND APPROVING THE PRE-ZONING AND ANNEXATION TO THE CITY OF TRACY OF APPROXIMATELY 35 ACRES LOCATED SOUTH OF I-580 IN THE VICINITY OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 253-030-13 AND 253-040-10. APPLICANT IS JOHN PALMER. APPLICATION NUMBERS GPA20-0001, SPA20-0001, AND AP20-0002

2. ITEMS FROM THE AUDIENCE

3. DIRECTOR'S REPORT

4. ITEMS FROM THE COMMISSION

5. ADJOURNMENT

Posted: May 6, 2021

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000) at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection via the City of Tracy website at www.cityoftracy.org.

MINUTES
TRACY CITY PLANNING COMMISSION
MAY 12, 2021, 7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA

Due to the COVID-19 emergency, the regular meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20, which suspends certain requirements of the Ralph M. Brown Act. Residents participated remotely via email, phone and WebEx during the meeting.

CALL TO ORDER

Chair Orcutt called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Chair Orcutt led the pledge of allegiance.

ROLL CALL

Roll Call found Commissioner Atwal, Commissioner Francis, Commissioner Wood, Vice Chair Hudson, and Chair Orcutt present. Also present were: Daniel Doporto, Consulting Attorney; Scott Claar, Senior Planner; Genevieve Federighi, Assistant Planner; Gina Peace, Executive Assistant and Grace Strmiska, Administrative Assistant.

MINUTES

Chair Orcutt introduced the Minutes from the February 24, 2021 meeting.

ACTION: It was moved by Vice Chair Hudson and seconded by Chair Orcutt to approve the February 24, 2021 Planning Commission meeting minutes.
A voice vote found all in favor. Passed and so ordered; 5-0-0-0.

Chair Orcutt introduced the Minutes from the April 14, 2021 meeting.

ACTION: It was moved by Vice Chair Hudson and seconded by Chair Orcutt to approve the April 14, 2021 Planning Commission meeting minutes.
A voice vote found all in favor. Passed and so ordered; 5-0-0-0.

DIRECTOR'S REPORT REGARDING THIS AGENDA

None.

ITEMS FROM THE AUDIENCE

None.

1. NEW BUSINESS

A. PUBLIC HEARING TO CONSIDER A DEVELOPMENT REVIEW PERMIT FOR THE INSTALLATION OF A NEW VACUUM STATION AND RELATED SITE IMPROVEMENTS LOCATED AT 2615 W. GRANT LINE ROAD – THE APPLICANT AND PROPERTY OWNER IS WEST VALLEY AUTO SERVICE, LLC. APPLICATION NUMBER D21-0005

Genevieve Federighi, Assistant Planner, delivered the staff report.

Chair Orcutt opened the Public Hearing at 7:09 p.m.

There were two e-mails received from the public from Hitesh Patel and Rick Branchini; both were in favor of the project.

Commission and Staff discussion followed.

Chair Orcutt closed the Public Hearing at 7:15 p.m.

ACTION: It was moved by Vice Chair Hudson and seconded by Commissioner Wood that the Planning Commission recommend that City Council approve the development review permit for a vacuum station and related site improvements located at 2615 W. Grant Line Road, based on the findings contained in the Planning Commission Resolution dated April 28, 2021.

A roll call vote found all in favor; passed and so ordered; 5-0-0-0.

B. PUBLIC HEARING TO CONSIDER A DEVELOPMENT REVIEW PERMIT FOR THE INSTALLATION OF CARPORTS AND RELATED SITE IMPROVEMENTS, INCLUDING PERIMTER FENCING AND LANDSCAPE MODIFICATIONS, LOCATED AT 2185 W GRANT LINE ROAD - APPLICANT IS ADM GROUP, INC. AND THE PROPERTY OWNER IS KAISER PERMANENTE. APPLICATION NUMBER IS D20-0020

Genevieve Federighi, Assistant Planner, delivered the staff report.

Chair Orcutt opened the Public Hearing at 7:28 p.m.

There were no comments from the Public.

Commission and Staff discussion followed.

Chair Orcutt closed the Public Hearing at 7:40 p.m.

ACTION: It was moved by Chair Orcutt and seconded by Commissioner Wood that the Planning Commission recommend that City Council approve the development review permit for carports and related site improvements located at 2185 W Grant Line Road, based on the findings contained in the Planning Commission Resolution dated April 28, 2021.

A roll call vote found all in favor; passed and so ordered; 5-0-0-0.

2. ITEMS FROM THE AUDIENCE

None.

3. DIRECTOR'S REPORT

None.

4. ITEMS FROM THE COMMISSION

None.

5. ADJOURNMENT

ACTION: It was moved by Chair Orcutt and seconded by Vice Chair Hudson to adjourn.

A voice vote found all in favor. Passed and so ordered; 5-0-0-0.

Time: 7:45 p.m.

_____
CHAIR

_____
STAFF LIAISON

May 12, 2021

AGENDA ITEM 1.A

REQUEST

PUBLIC HEARING TO CONSIDER APPROVAL OF A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT A 3,010 SQUARE FOOT CONVENIENCE STORE AND AUTOMOBILE SERVICE STATION AT 3379 N. TRACY BLVD. APPLICANT IS MICHELLE FEASBY AND PROPERTY OWNER IS LJ REMAINDER LLC. APPLICATION NUMBER D20-0014

DISCUSSION

Site and Project Description

The project site is the former Long John Silver's fast food restaurant which has been unoccupied since the restaurant closed in 2007. The subject property is an approximately 0.67-acre parcel located on the southwest corner of N. Tracy Blvd. and Clover Rd at 3379 N. Tracy Blvd, Assessor's Parcel Number 214-180-21. (Attachment A: Location Map)

The existing restaurant, parking lot, palm trees, and all other site improvements will be demolished. This site is intended to be used by 7-Eleven for an approximately 3,010 square foot convenience store and automobile service station with six fuel dispensers. The convenience store will be located on south end of the site and the fuel canopy will be on the north end of the site.

Site Analysis

The project site is zoned Highway Service (HS) and has a General Plan designation of Commercial. The project site is located within 500 feet of a freeway and requires review by Planning Commission as defined in Tracy Municipal Code, section 10.08.3950, Approval authority. The 3,010 square foot convenience store and automobile service station with six fuel dispensers are principally permitted under the HS Zone. The proposed use would be compatible with the surrounding land uses, which include the existing Arco Gas Station to the north on the opposite corner of Clover Rd. and N. Tracy Blvd. and a mix of retail and other restaurants to the south, east, and west.

The project meets the requirements of the Highway Service Zone, including requirements for parking, landscaping, and setbacks. Based on City parking standards, 12 off-street parking spaces are required for this project. The site will have 13 spaces meeting the off-street parking requirement. During the review of the project City staff recommended that the applicant create a vehicle access connection between the parking area of 7-Eleven and the adjacent shopping center, but the shopping center owner was not agreeable to the connection due to limitations in their tenant leasing agreements.

The recommended conditions of approval include upgrading the Tracy Boulevard and Clover Road intersection to current pedestrian and ADA standards which will consist of the construction of curb ramp modifications, accessible pedestrian signal (APS) modifications, and countdown pedestrian signals at all four corners of the intersection. The recommended conditions of approval also include the applicant being required to

install a street tree in each of the empty three [minimum] tree wells on the project's frontage and repair the existing or construct a new irrigation system to the said tree wells so that they are properly and automatically irrigated.

Architecture

The proposed architecture consists of an attractive design, which includes variation in façade depth and a mix of complementary building materials and colors, and other desirable elements such as brick used on large portions of the façade, and ample use of canopies and wrought iron trellises to break up the façade and add interesting details on all four sides of the building. The 3,010 square foot convenience store and automobile service station with six fuel dispensers have been oriented close to the corner of Tracy Blvd. and Clover Rd. providing a high level of visibility. The proposed architecture also will consist of mission style roof tiles to match with the adjacent Tracy Corners commercial center. Another notable feature is the fuel canopy, which will have pergola style beams on the underside of the fuel canopy that complements the fascia and trim of the convenience store. The proposed architecture is consistent with the City's Design Goals and Standards. (Attachment B: Site Plan, Floor Plan, Elevations, and Landscape Plan)

CEQA Documentation

The project has been determined to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15332 which pertains to certain infill development projects, because the project is consistent with the General Plan and zoning; occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. No further environmental assessment is necessary.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Development Review Permit to construct a 3,010 square foot convenience store and automobile service station at 3379 N. Tracy Blvd. Application Number D20-0014, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated May 12, 2021 (Attachment E: Planning Commission Resolution).

RECOMMENDED MOTION

Move that the Planning Commission approve the Development Review Permit to construct a 3,010 square foot convenience store and automobile service station at 3379 N. Tracy Blvd. Application Number D20-0014, based on the findings and subject to the conditions contained in the Planning Commission Resolution dated May 12, 2021.

Prepared by: Kenny Lipich, Assistant Planner
Reviewed by: Scott Claar, Senior Planner
Approved by: Bill Dean, Development Services Assistant Director

ATTACHMENTS

Attachment A - Location Map
Attachment B - Site Plan, Floor Plan, Elevations, and Landscape Plan
Attachment C - Planning Commission Resolution

TRACY
Think Inside the Triangle™

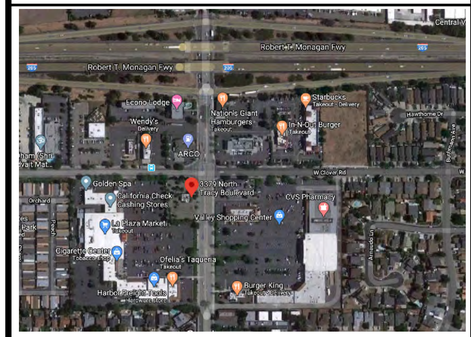
N

0 62.5 125 250 375 500
Feet

7-ELEVEN STORE #41531

NOT TO SCALE

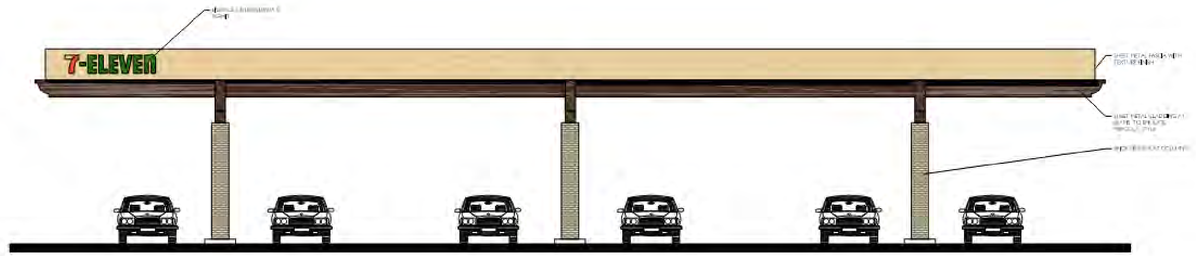
VICINITY MAP

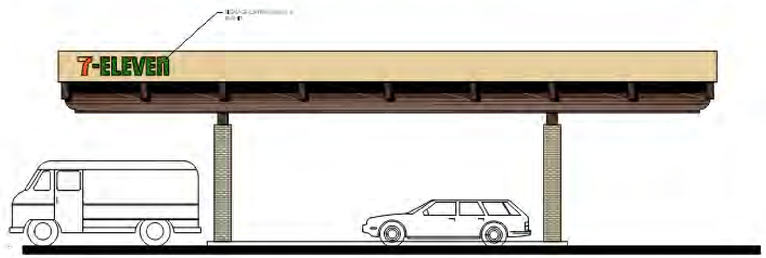


NO SCALE

SHEET INDEX

(1) 1 0f 1 - ALTA Map
(2) SP-1 - PRELIMINARY SITE PLAN
(3) C-1 - PRELIMINARY GRADING PLAN
(4) C-2 - PRELIMINARY CROSS SECTIONS
(5) C-3 - PRELIMINARY STORM WATER PLANS
(6) P-1 - PRELIMINARY LANDSCAPE PLANS
(7) DP2.1 - EXTERIOR ELEVATIONS
(8) CANOPY ELEVATIONS
(9) LAYOUT 1 - FLOOR PLAN
(10) SITE LIGHTING





NOT TO SCALE

Rev. #	Date	Description

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-ELEVEN #41531
3379 N. TRACY BLVD
TRACY, CA 95376

4TH SUBMITTAL ENTITLEMENTS

TAIT
Since 1944
11260 Trade Center Drive
Rancho Cordova, CA 95742
p: 916.632.3444
f: 916.632.7464
www.tait.com
Los Angeles
Anaheim
Ontario
Sacramento
Boise
Dallas
Denver

© "TAIT & ASSOCIATES" 2016 ALL RIGHTS RESERVED

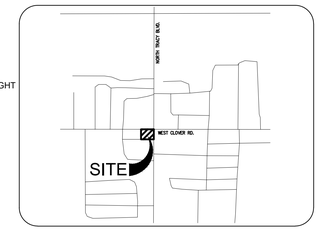
Scale: NO SCALE
Date: 03/11/2021
Drawn By: MF
Checked By: CM

SHEET:
TCS-1

PRINTED BY: MFEASBY
DRAWING NAME: SE12380_CS_TRACY_STORE41531_24X36.DWG PRINT DATE: Jul 30, 2020 - 4:34pm

LEGEND:

APN	ASSESSOR'S PARCEL NUMBER
BOL	BOLLARD
	CENTERLINE
DIA.	DIAMETER
ECAB	ELECTRICAL CABINET
EPB	ELECTRICAL PULL BOX
EVLT	ELECTRICAL VAULT
FD.	FOUND
	GAS METER
INV	INVERT ELEVATION
RIM	RIM ELEVATION
	SANITARY SEWER CLEANOUT
SMH	SANITARY SEWER MANHOLE
	SIGN
SDCB	STORM DRAIN CATCH BASIN
SDMH	STORM DRAIN MANHOLE
	STREET LIGHT
SLPB	STREET LIGHT PULL BOX
TCAB	TELEPHONE CABINET
TVPB	TELEVISION PULL BOX
TOG	TOP OF GRATE ELEVATION
	TRAFFIC SIGNAL
TSPB	TRAFFIC SIGNAL PULL BOX
	TRAFFIC SIGNAL W/ STREET LIGHT
TRANS	TRANSFORMER
	TREE (DECIDUOUS)
	TREE (PALM)
WM	WATER METER
WV	WATER VALVE
	YARD LIGHT
	PROPERTY LINE
E	ELECTRICAL LINE
G	GAS LINE
SS	SANITARY SEWER LINE
SD	STORM DRAIN LINE
W	WATER LINE



VICINITY MAP
NOT TO SCALE

ADJACENT PROPERTIES USE:

NORTH: COMMERCIAL (ARCO/AM-PM)

SOUTH: COMMERCIAL (PARKING LOT)

EAST: COMMERCIAL (SUBWAY)

WEST: COMMERCIAL (O'REILLY AUTO PARTS)

AREA SUMMARY:

29,136 SQ. FT.

PARKING COUNT:

37 STANDARD
2 ADA ACCESSIBLE

ASSESSOR'S PARCEL NUMBER(S):

214-180-210-0

BASIS OF BEARINGS:

THE LINE BETWEEN THE FOUND MONUMENTS ON THE CENTERLINE OF WEST CLOVER RD. BETWEEN NORTH TRACY BLVD (MAG NAIL-NO REFERENCE) AND THE FOUND MAG NAIL AND BRASS WASHER(PER CORNER RECORD CR-15-119) 1319.93' WEST OF THE CENTERLINE INTERSECTION HAVING THE BEARING N 89° 53' 00" E AS SHOWN ON PM 1-16 WAS HELD AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK:

CITY OF TRACY BM#2007 EL=15.22' (NAVD 88)

2" CITY OF TRACY DISC STAMPED 2007
SOUTHEAST CURB RETURN LARCH RD. & TRACY BLVD.

FLOOD ZONE INFORMATION:

ZONE "X":
AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

ZONING:

GENERAL PLAN-TRAVELERS SERVICES

RRENT-HIGHWAY SERVICE

OPOSED CONVENIENCE STORE USE: PERMITTED

PROPOSED RETAIL FUEL FACILITY USE: PERMITTED

PROPOSED 24-HOUR OPERATION: PERMITTED

ADJACENT ZONING:

NORTH: HIGHWAY SERVICE

SOUTH: COMMUNITY SHOPPING CENTER

EAST: COMMUNITY SHOPPING CENTER

WEST: COMMUNITY SHOPPING CENTER

DEVELOPMENT STANDARDS:

MAXIMUM BUILDING HEIGHT:	45 FEET

BUILDING SETBACK:

FRONT	15 FEET
SIDE 1:	15 FEET
SIDE 2:	15 FEET
REAR:	15 FEET

NO OVERHANG ALLOWED IN SETBACK.

CANOPY SETBACK:

FRONT	15 FEET
SIDE 1:	15 FEET
SIDE 2:	15 FEET
REAR:	15 FEET

FAR:	N/A
MINIMUM LOT WIDTH:	150 FEET STREET FRONTAGE
MINIMUM LOT AREA:	22,500 SQUARE FEET
PROPOSED LOT SIZE:	0.66 ACRES = 29,130 SQUARE FEET
MAXIMUM BUILDING HEIGHT:	45 FEET

PROPERTY OWNER(S):

1) LOJON PROPERTY LLC, A DELAWARE LIMITED COMPANY AS TO PARCEL ONE.

2) LJ REMAINDER LLC, A DELAWARE LIMITED COMPANY AS TO PARCEL TWO.

Section 4216/4217 of the Government de requires a Dig Alert Identification Number be issued before a Permit to Excavate will be valid For your Dig Alert ID Number Call

UNDERGROUND SERVICE ALERT

2 Working Days before You Dig

TITLE REPORT:

TITLE COMPANY: REPUBLIC TITLE OF TEXAS, INC.
FIRST AMERICAN TITLE INSURANCE COMPANY
TITLE ORDER NO. : 1002-286136-RTT
DATED: FEBRUARY 21, 2020
TITLE OFFICER: JOY GREEN
PHONE: (214) 855-8888

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF TRACY, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE :

ESTATE FOR YEARS AND IMPROVEMENTS UNTIL MIDNIGHT SEPTEMBER 30, 2019 AS TO THE FOLLOWING :

PORTION OF LOT 16, IN BLOCK 16, AS SHOWN UPON MAP ENTITLED TRACY GARDEN FARMS, FILED FOR RECORD OCTOBER 2, 1913, IN VOL. 8 OF MAPS AND PLATS, PAGE 1, SAN JOAQUIN COUNTY RECORDS, DESCRIBED AS FOLLOWS:

PARCEL TWO OF PARCEL MAP FILED FOR RECORD SEPTEMBER 4, 1969 IN BOOK 1 OF PARCEL MAPS, PAGE 16, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND DEEDED TO CITY OF TRACY, A MUNICIPAL CORPORATION IN GRANT DEED RECORDED DECEMBER 18, 1997, AS SERIES NO. 97125129, SAN JOAQUIN COUNTY RECORDS.

PARCEL TWO :

PORTION OF LOT 16, IN BLOCK 16, AS SHOWN UPON MAP ENTITLED TRACY GARDEN FARMS, FILED FOR RECORD OCTOBER 2, 1913, IN VOL. 8 OF MAPS AND PLATS, PAGE 1, SAN JOAQUIN COUNTY RECORDS, DESCRIBED AS FOLLOWS:

PARCEL TWO OF PARCEL MAP FILED FOR RECORD SEPTEMBER 4, 1969 IN BOOK 1 OF PARCEL MAPS, PAGE 16, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND DEEDED TO CITY OF TRACY, A MUNICIPAL CORPORATION IN GRANT DEED RECORDED DECEMBER 18, 1997, AS SERIES NO. 97125129, SAN JOAQUIN COUNTY RECORDS.

EXCEPT THE ESTATE FOR YEARS AND IMPROVEMENTS UNTIL MIDNIGHT SEPTEMBER 30, 2019 AS SET FORTH IN PARCEL ONE FOR CONVEYANCING PURPOSES ONLY: APN 214-180-210-000

TITLE EXCEPTIONS:

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

THE ONLY EXCEPTION LISTED ON THIS SURVEY ARE FOR THE EASEMENTS. REFER TO TITLE COMMITMENT NO. 1002-286136-RTT FOR ALL OTHER EXCEPTIONS.

THE POLICY WILL NOT INSURE AGAINST LOSS OR DAMAGE RESULTING FROM THE TERMS AND PROVISIONS OF ANY LEASE OR EASEMENT IDENTIFIED IN SCHEDULE A, AND WILL INCLUDE THE FOLLOWING EXCEPTIONS UNLESS CLEARED TO THE SATISFACTION OF THE COMPANY:

9. AN EASEMENT FOR DEVELOPMENT, USE, ETC. OF MINERALS AND INCIDENTAL PURPOSES, RECORDED APRIL 20, 1936 AS VOLUME 534, PAGE 197 OF OFFICIAL RECORDS.

   IN FAVOR OF: MARIE C. MARCH
   AFFECTS: AS DESCRIBED THEREIN

   THIS EXCEPTION IS A BLANKET EASEMENT OVER A LARGER 20 ACRE PARCEL THAT THE SURVEYED PARCEL IS A PORTION OF.

SURVEYOR'S NOTES:

1. OBSERVED NO DISCERNABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR ADDITIONS WITHIN RECENT MONTHS.
2. OBSERVED NO DISCERNABLE EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION OR REPAIR ADJACENT TO SURVEYED PARCEL.
3. OBSERVED NO DISCERNABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SANITARY LANDFILL, CEMETARY OR BURIAL GROUND.
4. OBSERVED NO DISCERNABLE EVIDENCE OF A WETLANDS ON OR NEAR THE SURVEYED PARCEL.
5. ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/NSPS SPECIFICATIONS UNLESS OTHERWISE NOTED.
6. THE SUBJECT PARCEL HAS ACCESS TO WEST CLOVER RD. ON THE NORTH AND NORTH TRACY BLVD. ON THE EAST, BOTH PUBLIC RIGHTS OF WAY.
7. THIS FINAL SURVEY BEARS AN ORIGINAL SIGNATURE AND STAMP, ANY INTENT TO USE COPIES OF THIS SURVEY ALONG WITH REVISIONS DESCRIBED THEREIN FOR ANY PURPOSEMUST BE FIRST VERIFIED BY TAIT AND ASSOCIATES INC.

ANY AND ALL COPIES AND/OR VERSIONS OF THE SURVEY NOT BEARING AN ORIGINAL SIGNATURE AND STAMP ARE NOT OFFICIALLY RELEASED VERSIONS OF THIS SURVEY AND ARE NOT VALID FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN VERIFICATION OF TAIT AND ASSOCIATIES INC.

SURVEYOR'S CERTIFICATION:

THE UNDERSIGNED CERTIFIES TO 7-ELEVEN INC. A TEXAS CORPORATION, ITS AFFILIATES AND SUBSIDIARIES AND THEIR SUCCESSORS, NOMINEES, AND ASSIGNS AND REPUBLIC TITLE OF TEXAS AND FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE FIELD SURVEY ON WHICH IT IS BASED, PERFORMED ON 03-03-2020, WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL AND ACCURACY REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 2,3,4,5,6(a)(b), 7(a)(b1)(c),8,9,11,13,14,15,16,17,18,20,21 OF TABLE A THEREOF.

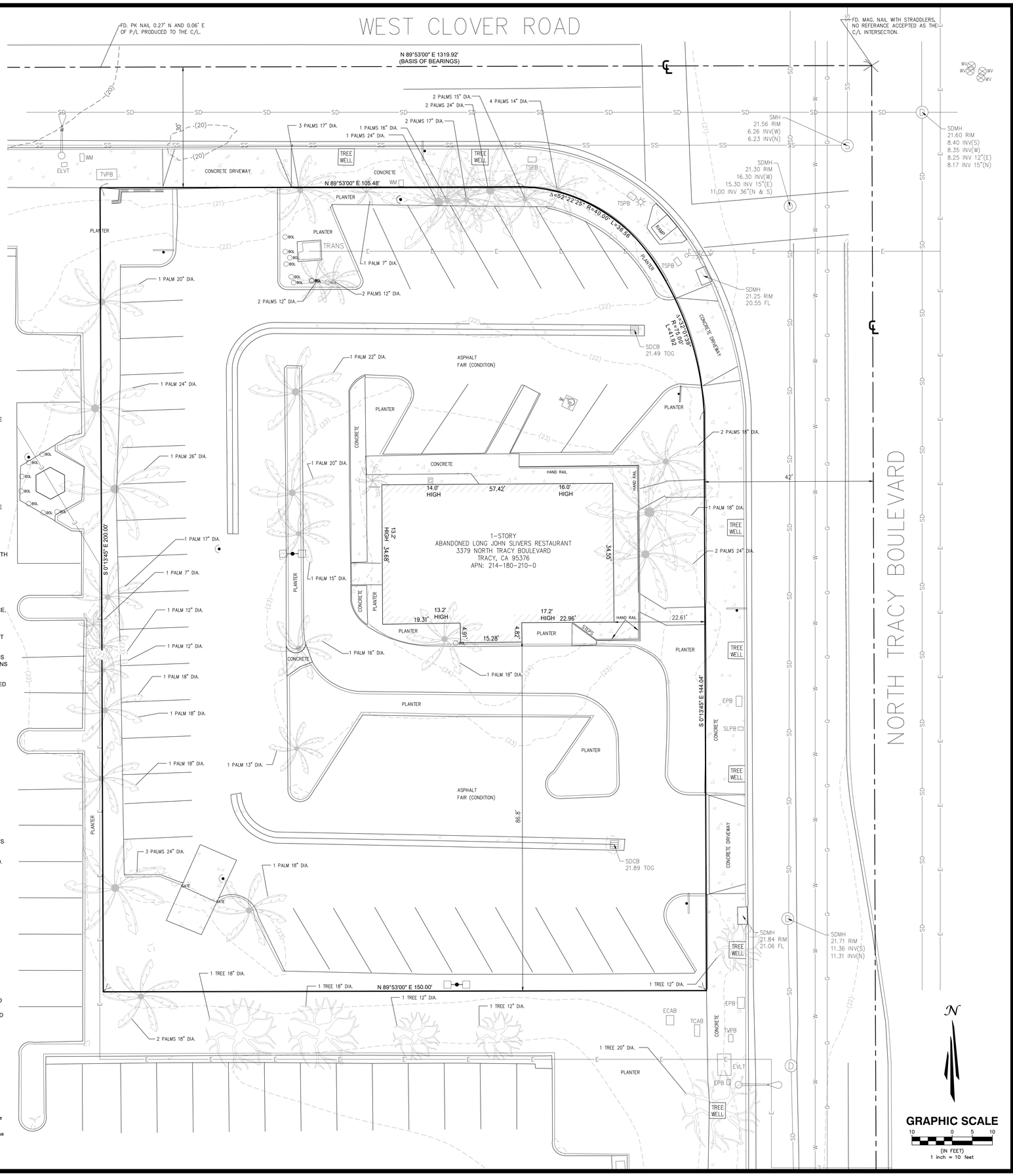
ERIC S. GILBERTSEN PLS 7545 — 04/10/2020
LICENSE EXPIRES 12/31/2021 — DATE

PROFESSIONAL LAND SURVEYOR ERIC S. GILBERTSEN EXP. 12-31-2021 NO. 7545 STATE OF CALIFORNIA

UTILITY STATEMENT:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

Surveyor Note to Contractor:
The existence and location of any underground utilities, pipes, and/or structures shown on these plans were obtained by a search of available RECORDS. To the best of our knowledge, there are no existing utilities except as shown on these plans. The Contractor shall ascertain the true vertical and horizontal location of those underground utilities to be used and shall be responsible for any damage to any public or private utilities, shown or not shown hereon.



GRAPHIC SCALE
10 0 5 10
(IN FEET)
1 inch = 10 feet

NO	DESCRIPTION REVISIONS	BY	DATE	CHK

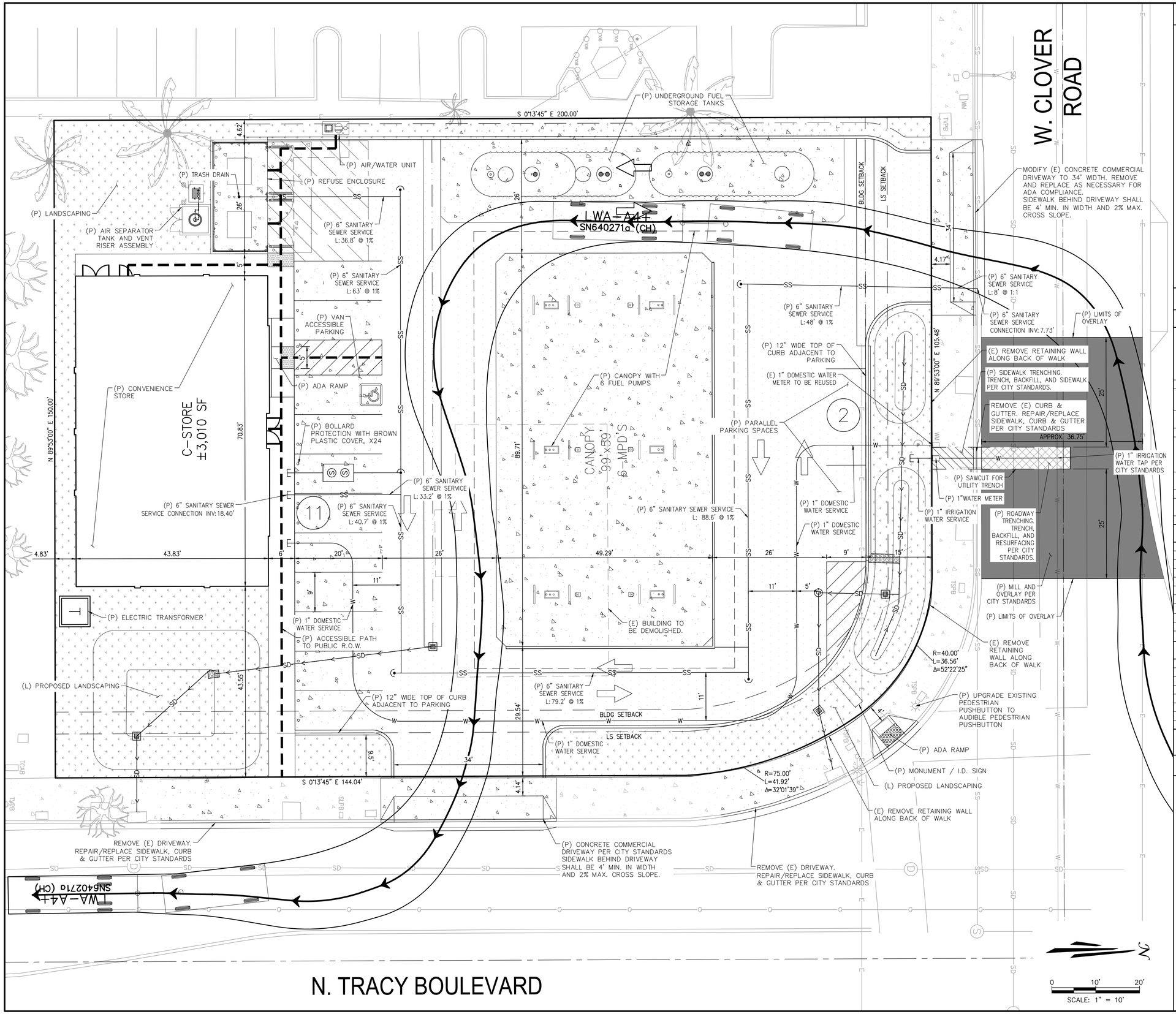
TAIT
Since 1944
1280 Trotter Center Drive
Roseville, CA 95747
p: 916.632.2444 f: 916.632.2606
www.tait.com
Los Angeles
Phoenix
Sacramento
San Diego
Bolas
Hobbs
Houston
Denver

ALTA/NSPS LAND TITLE SURVEY
7-ELEVEN STORE NO.
3379 NORTH TRACY BOULEVARD
TRACY, CA 95376
7-ELEVEN INC.
3200 HACKBERRY ROAD
IRVING, TX 75063

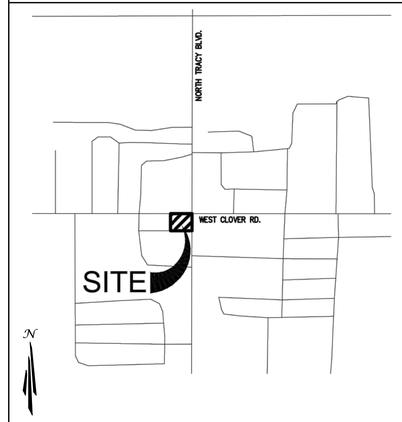
DRAWN: JJ
DATE: 04/07/2020
CHECKED: EG
DATE: 04/07/2020
REVISION #:
DATE:
JOB NO: SE1238C

1 OF 1

Apr 21, 2020 - 11:24am by sbecker G:\CLIENTS\7 Eleven\SE1238C - TRACY, 3379 N. Tracy Blvd\Survey\ALTA\SE1238C_ALTA SURVEY MAP.dwg



VICINITY MAP



PROJECT DATA

PROJECT INFORMATION:	
APPLICANT:	TAIT & ASSOCIATES, INC. ATTN: MICHELLE FEASBY 11280 TRADE CENTER DRIVE RANCHO CORDOVA, CA 95742 TEL: (530) 925-4458 mfeasby@tait.com
ASSESSOR'S PARCEL NUMBER(S):	214-180-210-0
ADDRESS:	7-ELEVEN 3379 N TRACY BLVD. TRACY, CA 95376
PROJECT DESCRIPTION:	NEW CONSTRUCTION- GROUND UP 7-11 CONVENIENCE STORE AND FUEL STATION
CONSTRUCTION TYPE:	V-B NON-RATED
ADJACENT ZONING:	NORTH: HIGHWAY SERVICE SOUTH: COMMUNITY SHOPPING CENTER EAST: COMMUNITY SHOPPING CENTER WEST: COMMUNITY SHOPPING CENTER
EXISTING ZONING:	HIGHWAY SERVICE
EXISTING LAND USE:	COMMERCIAL/NON-OPERATIONAL RESTAURANT
PROPOSED ZONING:	HIGHWAY SERVICE
PROPOSED LAND USE:	COMMERCIAL/RETAIL

BUILDING INFORMATION:	
TOTAL SITE AREA:	±29,136 SF (0.67 ACRES) - EXCLUDING STREET R/W
PROPOSED SITE AREA:	±29,136 SF (0.67 ACRES) - EXCLUDING STREET R/W
PROPOSED BUILDING AREA:	±3,010 SF
PROPOSED FUEL CANOPY AREA:	±5,841 SF
PROPOSED HARDSCAPE AREA:	±21,459 SF
PROPOSED LANDSCAPE AREA:	±6,580 SF
PROPOSED PARKING AREA:	±2,248 SF
PARKING REQUIREMENTS:	
PARKING REQUIRED:	12 SPACES (1 PER 250 SF)
PARKING PROVIDED:	13 SPACES

UTILITY INFORMATION:	
ELECTRICAL:	PACIFIC GAS & ELECTRIC COMPANY
GAS:	PACIFIC GAS & ELECTRIC COMPANY
FIRE DISTRICT	SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY
LOCAL SEWER:	CITY OF TRACY
REGIONAL SEWER:	N/A
STORMWATER:	CITY OF TRACY
TELEPHONE:	AT&T
WATER:	CITY OF TRACY

NOTE: EXISTING BUILDING UTILITY SERVICES WILL BE EVALUATED FOR REUSE AND/OR REMOVAL DURING CONSTRUCTION DRAWING PHASE AND AFTER AVAILABLE ASBUILTS ARE RECEIVED FROM THE CITY.

LEGEND

- PROPERTY LINE
- CENTERLINE OF ROADWAY
- ADA PATH OF TRAVEL
- SETBACK LINE
- (P) PROPOSED CONSTRUCTION
- (E) EXISTING
- (L) LANDSCAPE AREA
- (XX) PARKING COUNT
- CONCRETE PAVING
- ASPHALT PAVING
- TRENCH IN ROADWAY
- MILL & OVERLAY
- TRENCH IN SIDEWALK
- LANDSCAPE AREA

Rev #	Date	Description

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-ELEVEN #41531
3379 NORTH TRACY BLVD.
TRACY, CA 95376

PRELIMINARY SITE PLAN

11280 Trade Center Drive
Rancho Cordova, CA 95742
P: 916.361.1000
F: 916.638.7464
www.tait.com

Orange County
San Diego
Sacramento
Riverside

Denver
Las Vegas
Dallas
Atlanta

TAIT
Since 1964

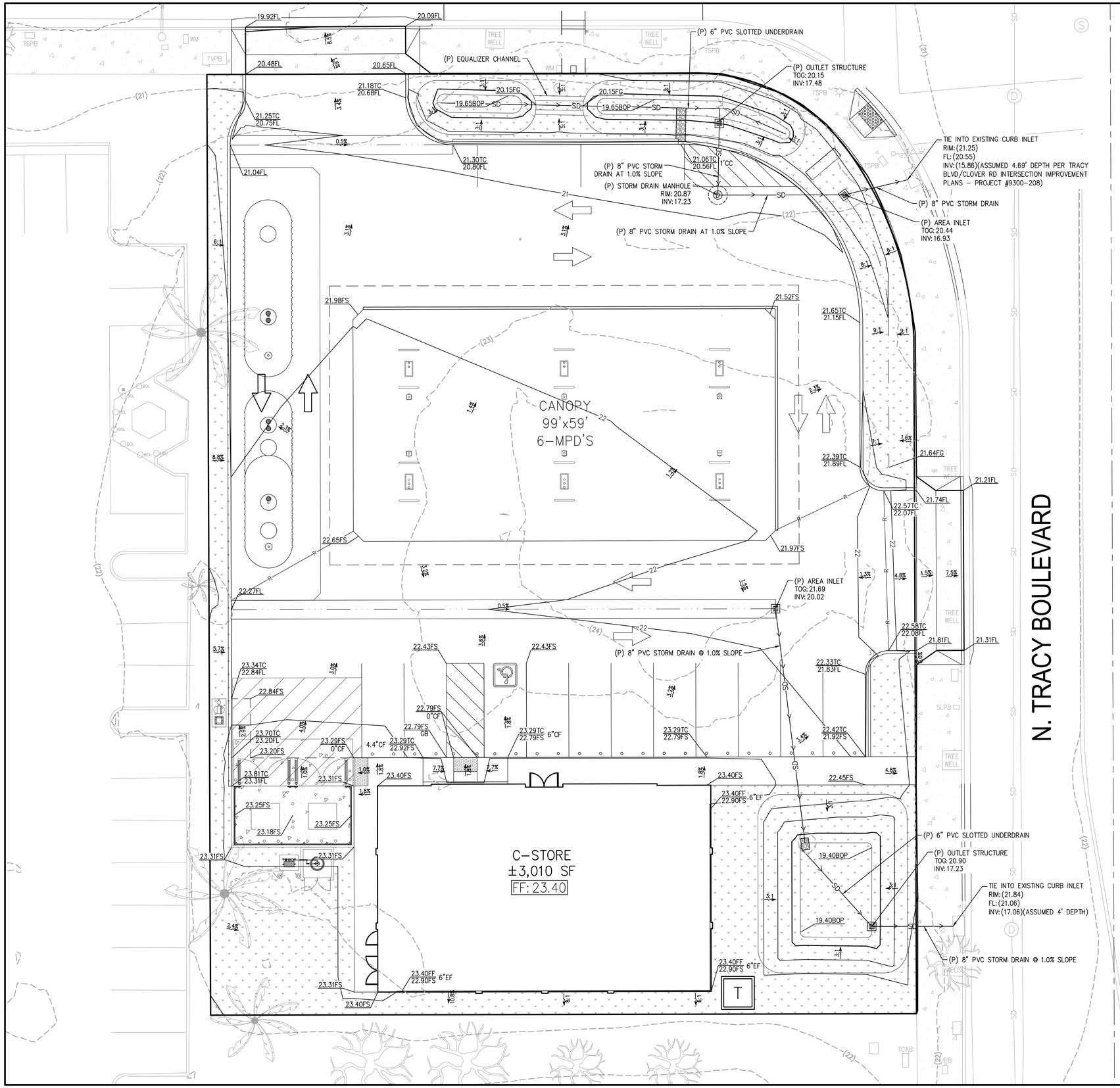
© "TAIT & ASSOCIATES" 2016 ALL RIGHTS RESERVED

Job#:	SE1238C
Scale:	1"=10'-0"
Date:	05/06/2020
Drawn By:	SA
Checked By:	JR

THESE DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF THE SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND/OR 7-ELEVEN, INC. WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THESE DRAWINGS AND SPECIFICATIONS SHALL NOT BE USED BY ANY PERSON OR ENTITY ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT, OR COMPLETION OF THIS PROJECT WHEN PHASED, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT AND/OR 7-ELEVEN INC. Copyright 2017

SHEET:
SP-1

PRINTED BY: JNACCARATO
DRAWING NAME: SE1238C_SP.DWG
PRINT DATE: Feb 24, 2021 - 9:20am



LEGEND

BOP	BOP
CC	CURB CUT
EF	EXPOSED FOUNDATION
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOWLINE
FS	FINISH SURFACE
INV	INVERT ELEVATION
SF	SQUARE FEET
TC	TOP OF CURB
TOG	TOP OF GRATE
	EXISTING SANITARY SEWER CLEANOUT
S	EXISTING SANITARY SEWER MANHOLE
D	EXISTING STORM DRAIN MANHOLE
	EXISTING TRAFFIC SIGNAL
W	EXISTING WATER METER
	EXISTING WATER VALVE
	PROPOSED BACKFLOW DEVICE
	PROPOSED CATCH BASIN
D	PROPOSED STORM DRAIN MANHOLE
W	PROPOSED WATER METER
(000.00 XX±) / (000.00 XX±)	EXISTING ELEVATION
000.00 XX / 000.00 XX	PROPOSED ELEVATION
	DRAINAGE ARROWS
	PROPERTY LINE
	SAWCUT LINE
(000)	EXISTING CONTOUR LINE
SD	EXISTING STORM DRAIN LINE
000	PROPOSED CONTOUR LINE
SD	PROPOSED STORM DRAIN LINE
	CONCRETE PAVING
	ASPHALT PAVING
	LANDSCAPE AREA

N

0 10' 20'

SCALE: 1" = 10'

BENCHMARK:
CITY OF TRACY BM #2007

2" CITY OF TRACY DISC STAMPED 2007, LOCATED ON THE SOUTHEAST CURB RETURN OF LARCH ROAD AND TRACY BLVD.

ELEVATION: 15.22' (NAVD 88)

Rev #	Date	Description

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-ELEVEN #41531
3379 NORTH TRACY BLVD.
TRACY, CA 95376

PRELIMINARY GRADING PLAN

TAIT
11249 Trade Center Drive
Rancho Cordova, CA 95742
p: 916.633.7244
f: 916.633.7265
www.tait.com
Since 1964
Orange County
Los Angeles
Sacramento
Riverside
Denver
San Diego
Dallas
Atlanta

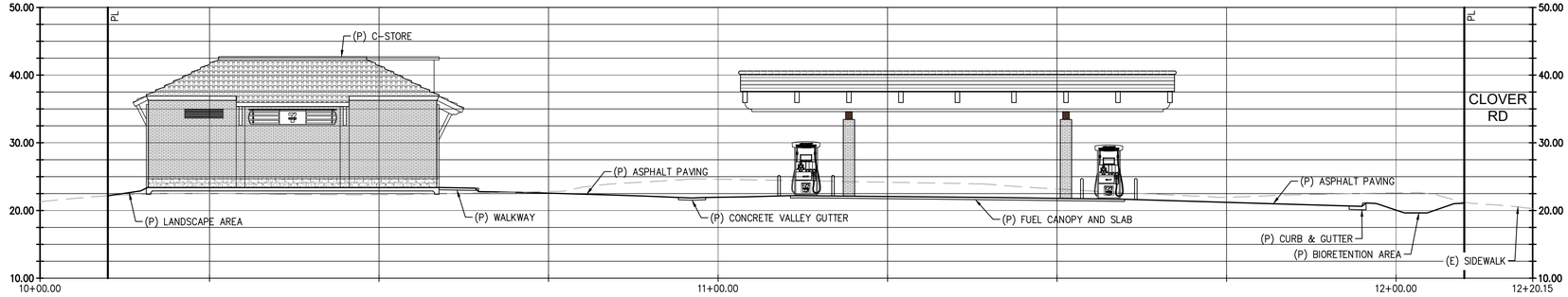
© TAIT & ASSOCIATES® 2016 ALL RIGHTS RESERVED

Job#:	SE1238C
Scale:	1"=10'-0"
Date:	05/06/2020
Drawn By:	JN
Checked By:	JR

THESE DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF THE SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND/OR 7-ELEVEN, INC. WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THESE DRAWINGS AND SPECIFICATIONS SHALL NOT BE USED BY ANY PERSON OR ENTITY ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT, OR COMPLETION OF THIS PROJECT WHEN PHASED, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT AND/OR 7-ELEVEN, INC. Copyright 2017.

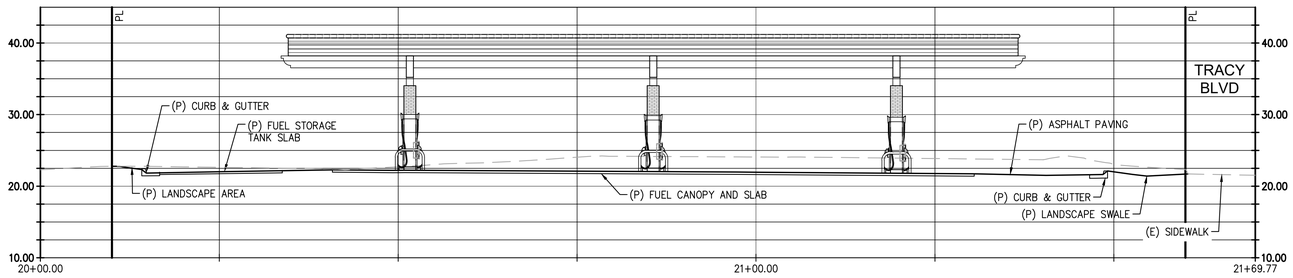
SHEET:
C-1

PRINTED BY: JNACCARATO
DRAWING NAME: SE1238C_COP.DWG
PRINT DATE: Feb 24, 2021 - 9:20am



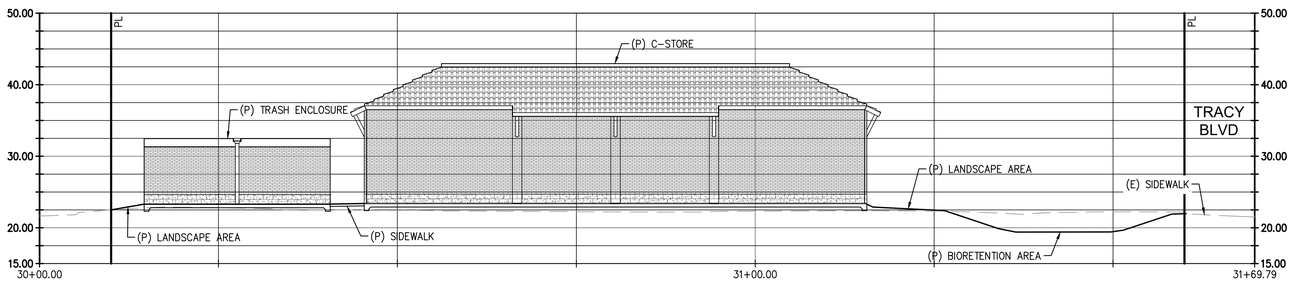
SECTION A-A

SCALE: 1"=10'-0"



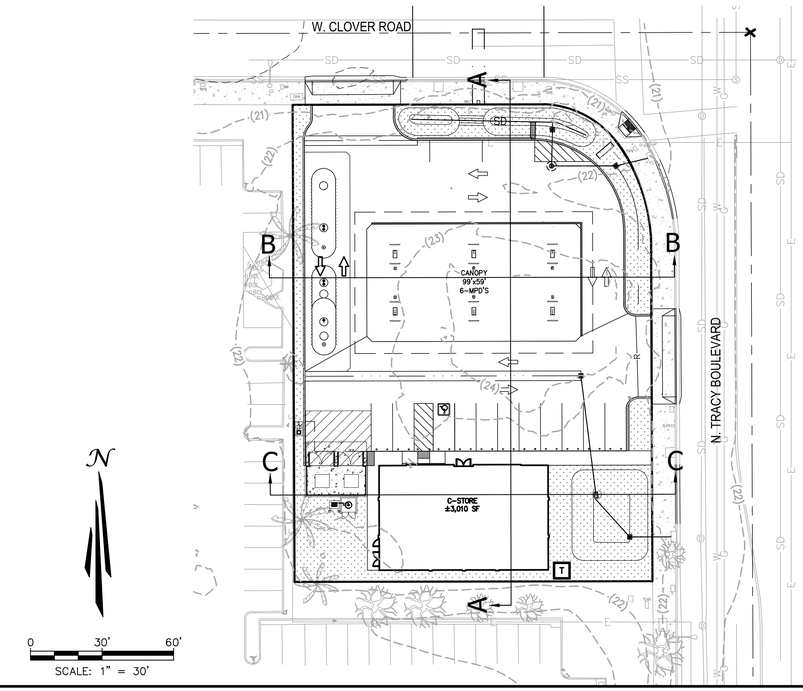
SECTION B-B

SCALE: 1"=10'-0"



SECTION C-C

SCALE: 1"=10'-0"



N

0 30' 60'

SCALE: 1" = 30'

Rev #	Date	Description

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-ELEVEN #41531
3379 NORTH TRACY BLVD.
TRACY, CA 95376

PRELIMINARY CROSS SECTIONS

TAIT
11260 Trade Center Drive
Rancho Cordova, CA 95742
P: 916.633.7244
F: 916.633.7265
www.tait.com
Since 1964
Orange County
Los Angeles
Sacramento
Riverside
Denver
Bakersfield
Dallas
Atlanta

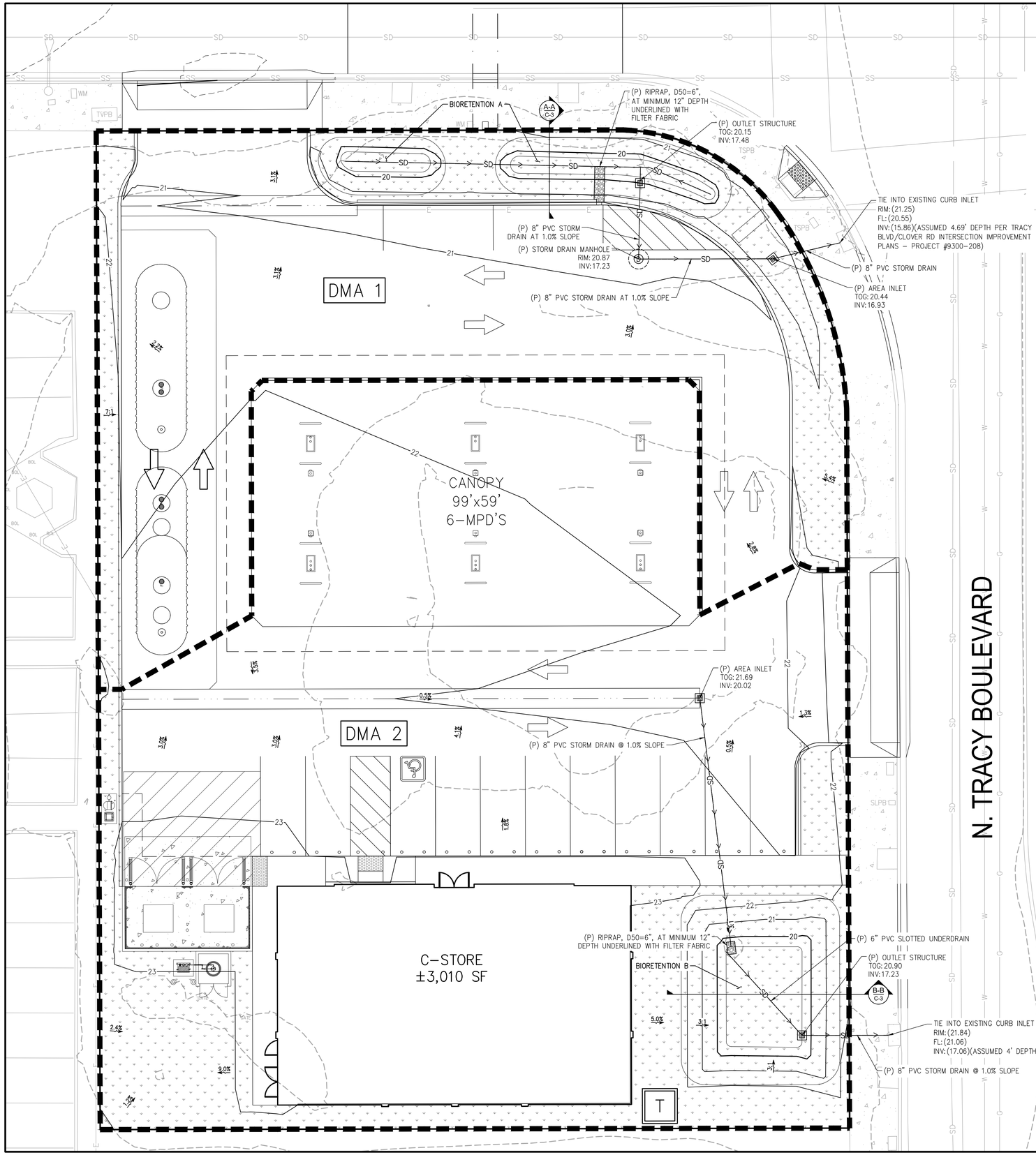
© TAIT & ASSOCIATES® 2016 ALL RIGHTS RESERVED

Job#:	SE1238C
Scale:	1"=10'-0"
Date:	05/06/2020
Drawn By:	JN
Checked By:	JR

THESE DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF THE SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND/OR 7-ELEVEN, INC., WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THESE DRAWINGS AND SPECIFICATIONS SHALL NOT BE USED BY ANY PERSON OR ENTITY ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT, OR COMPLETION OF THIS PROJECT WHEN PHASED, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT AND/OR 7-ELEVEN, INC. Copyright 2017

SHEET:
C-2

PRINTED BY: JNACCARATO
DRAWING NAME: SE1238C_COP.DWG PRINT DATE: Feb 24, 2021 - 9:40am



STORMWATER CALCULATIONS

LOT SIZE: 29,130 SF
IMPERVIOUS AREA: 22,551 SF
PERVIOUS AREA: 6,579 SF
IMPERVIOUSNESS RATIO: 0.77

DMA 1
TOTAL AREA: 9,850 SF
IMPERVIOUS AREA: 7,246 SF
IMPERVIOUSNESS RATIO: 0.74

C = 0.53
PO = 0.35 INCHES
SDV = 284 CF

BIORETENTION REQUIRED
BOTTOM SURFACE AREA: 192 SF

BIORETENTION A
BOTTOM SURFACE AREA: 197 SF
FREEBOARD: 6"

CALCULATIONS ASSUME:
0.5 FT – DEPTH OF PONDING
25% POROSITY OF PLANTING MEDIA
1.5 FT – DEPTH OF PLANTING MEDIA
40% POROSITY OF GRAVEL LAYER
1.5 FT – DEPTH OF GRAVEL LAYER

DMA 2
TOTAL AREA: 18,770 SF
IMPERVIOUS AREA: 15,889 SF
IMPERVIOUSNESS RATIO: 0.85

C = 0.66
PO = 0.43 INCHES
SDV = 671 CF

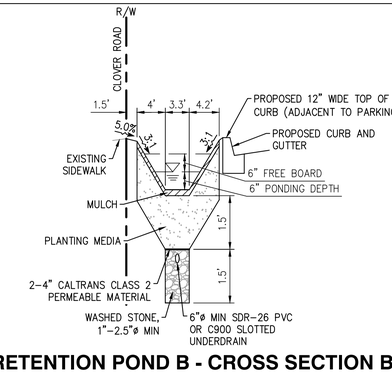
BIORETENTION REQUIRED
BOTTOM SURFACE AREA: 295 SF

BIORETENTION B
BOTTOM SURFACE AREA: 304 SF
FREEBOARD: 1'

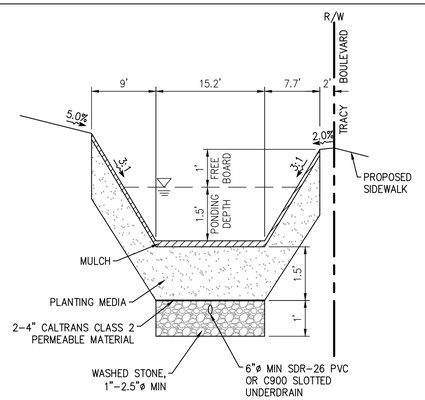
CALCULATIONS ASSUME:
1.5 FT – DEPTH OF PONDING
25% POROSITY OF PLANTING MEDIA
1.5 FT – DEPTH OF PLANTING MEDIA
40% POROSITY OF GRAVEL LAYER
1 FT – DEPTH OF GRAVEL LAYER

NOTE: THE STORMWATER RUNOFF CREDITS HAVE NOT BEEN ANALYZED OR APPLIED TO THE ABOVE CALCULATIONS.

BIORETENTION POND A - CROSS SECTION A-A



BIORETENTION POND B - CROSS SECTION B-B



Rev #	Date	Description

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-ELEVEN #41531
3379 NORTH TRACY BLVD.
TRACY, CA 95376

PRELIMINARY STORMWATER PLAN

11080 Trade Center Drive
Rancho Cordova, CA 95742
P: 916.633.7444
F: 916.633.7464
www.tait.com

TAIT
Since 1964

Orange County
San Diego
Sacramento
Riverside
Denver
Kansas City
Dallas
Atlanta

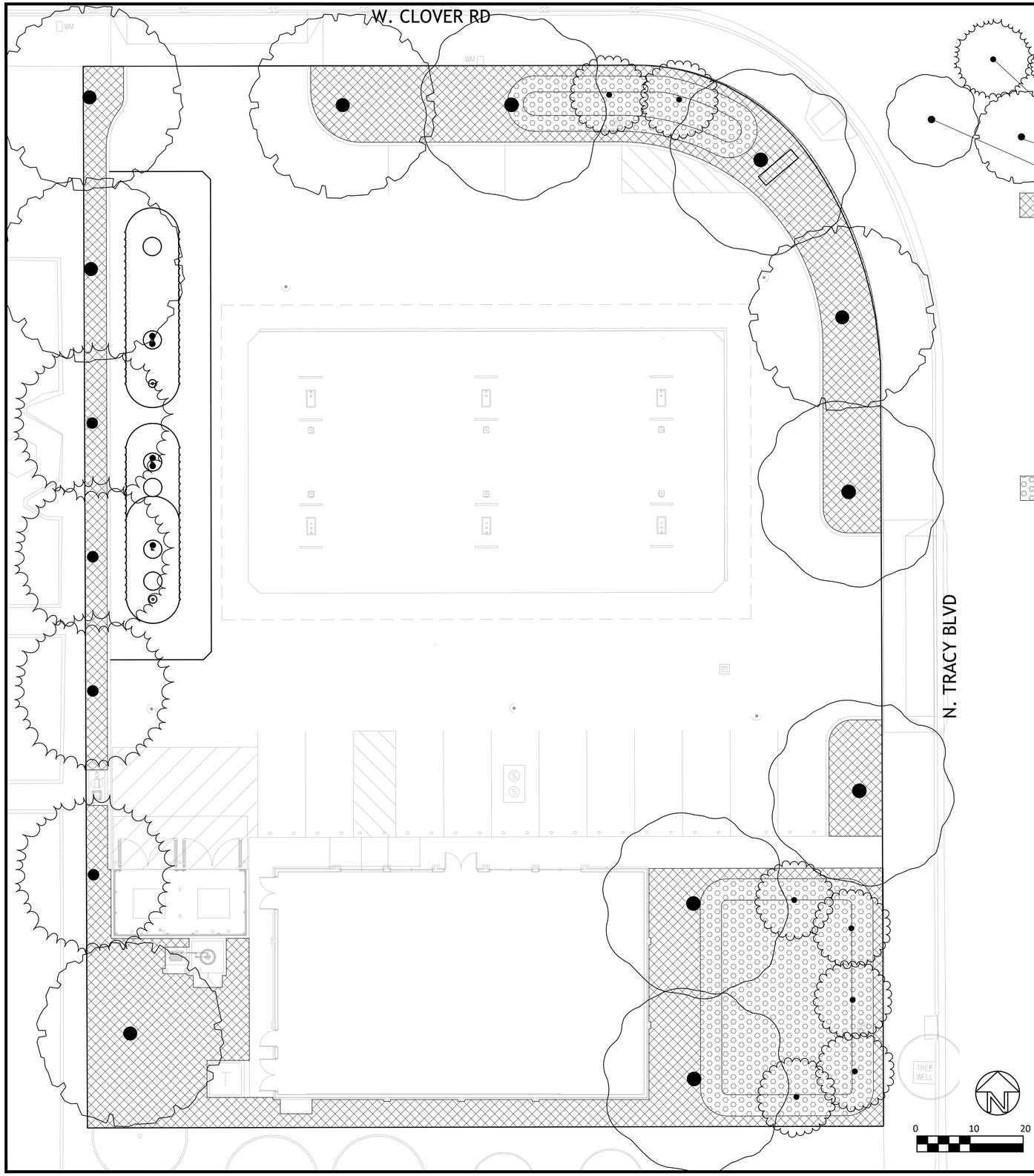
© "TAIT & ASSOCIATES" 2016 ALL RIGHTS RESERVED

Job#:	SE1238C
Scale:	1"=10'-0"
Date:	07/20/2020
Drawn By:	SA
Checked By:	JR

THESE DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF THE SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND/OR 7-ELEVEN, INC. WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THE DRAWINGS AND SPECIFICATIONS SHALL NOT BE USED BY ANY PERSON OR ENTITY ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT, OR COMPLETION OF THIS PROJECT WHEN PHASED, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT AND/OR 7-ELEVEN INC. Copyright 2017

SHEET:
C-3

PRINTED BY: JNACCARATO
DRAWING NAME: SE1238G_SWP.DWG
PRINT DATE: Feb 24, 2021 - 9:22am



PLANTING LEGEND

CODE	SCIENTIFIC NAME	COMMON NAME	SIZE	QUANTITY	GROWTH RATE	WATER USE	MATURE HEIGHT AND SPREAD	HEIGHT IN 3-5 YEARS
TREES								
CER OCC	CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL	7	MODERATE	LOW	12-20' X 10-15'	8-13'
ULM PRO	ULMUS WILSONIANA 'PROSPECTOR'	PROSPECTOR ELM	15 GAL	4	FAST	LOW	40-50' X 25-30''	14-16'
QUE WIS	QUERCUS WISLIZENII	INTERIOR LIVE OAK	15 GAL	5	MODERATE	VERY LOW	30-75' X 30-80'	9-15'
ZEL SER	ZELKOVA SERRATA 'VILLAGE GREEN'	VILLAGE GREEN ZELKOVA	15 GAL	6	FAST	LOW	45-55' X 40-50'	15-20'
SHRUBS & GROUNDCOVER - TOTAL AREA = 4,541 SF								
ARC HOW	ARCTOSTAPHYLOS DENSIFLORA 'HOWARD MCMINN'	SONOMA MANZANITA	5 GAL		MODERATE	LOW	5-6' X 7'	
BUL FRU	BULBINE FRUTESCENS	BULBINE	5 GAL		MODERATE	LOW	1-2' X 1-2'	
HES PAR	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL		MODERATE	LOW	3-4' X 3-4'	
LAV LAT	LAVANDULA STOECHAS 'OTTO QUAST'	LAVENDER	5 GAL		MODERATE	LOW	2-3' X 3'	
MUH RIG	MUHLENBERGIA RIGENS	DEERGRASS	5 GAL		FAST	LOW	4-5' X 4-6'	
SAL GRE	SALVIA GREGGII 'FURMANS RED'	RED SALVIA	5 GAL		MODERATE	LOW	2-4' X 2-3	
BAC PIL	BACCHARIS PILILARIS 'PIGEON POINT'	COYOTE BRUSH	1 GAL		MODERATE	LOW	1-2' X 8-10'	
CEA MAR	CEANOTHUS MARITIMUS 'VALLEY VIOLET'	CALIFORNIA LILAC	1 GAL		SLOW	LOW	2-3' x 3-4'	
EPI CAN	EPILOBIUM CANUM 'EVERETT'S CHOICE'	CALIFORNIA FUCHSIA	1 GAL		MODERATE	LOW	1' X 4-5'	
BIOSWALE - TOTAL AREA = 1916 SF								
CAR BAR	CAREX BARBERAE	SANTA BARBARA SEDGE	1 GAL		MODERATE	MODERATE	1-3' X 1-3'	
CHO TEC	CHONDROPETALUM TECTORUM	CAPE RUSH	1 GAL		SLOW	MODERATE	4-6' X 4-6'	
JUN EFF	JUNCUS EFFUSES	PACIFIC RUSH	1 GAL		MODERATE	MODERATE	1-2' X 1-2'	
JUN PAT	JUNCUS PATENS	CALIFORNIA RUSH	1 GAL		FAST	MODERATE	1-2' X 1-2'	
MIM AUR	MIMULUS AURANTIACUS	MONKEY FLOWER	1 GAL		MODERATE	LOW	4-5' X 5'	
CRO SPP	CROCOSMIA SPP.	MONTBRETIA	1 GAL		MODERATE	LOW	2-3' X 3'	
ACH MIL	ACHILLEA MILLEFOLIUM	YARROW	1 GAL		FAST	LOW	1-3' X .5-1.5'	

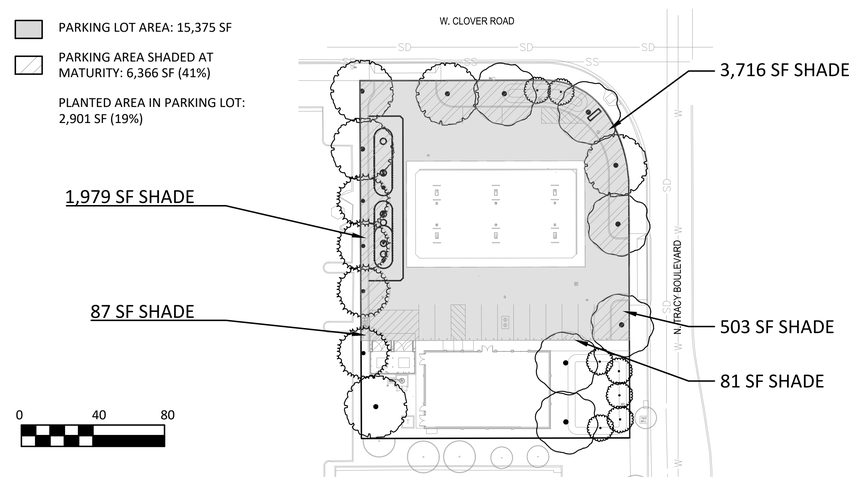
NOTE: SHRUBS AND GROUNDCOVERS ARE EXPECTED TO REACH MATURE SIZE WITHIN 3-5 YEARS.

STATEMENT OF LANDSCAPE OBJECTIVES
THE PLANT PALETTE WAS DESIGNED TO ACHIEVE THE FOLLOWING OBJECTIVES:
SHADE TO THE PARKING LOT AND SIDEWALKS ADJACENT TO THE SITE.
PROVIDE SEASONAL COLOR AND INTEREST.
PROVIDE SUITABLE PLANTS FOR BIOSWALE AREAS.
UTILIZE LOW-WATER USE PLANTS.

PARKING LOT AREA: 15,375 SF

PARKING AREA SHADED AT MATURITY: 6,366 SF (41%)

PLANTED AREA IN PARKING LOT: 2,901 SF (19%)



REVISION/ISSUE	BY

PRELIMINARY PLANTING PLAN

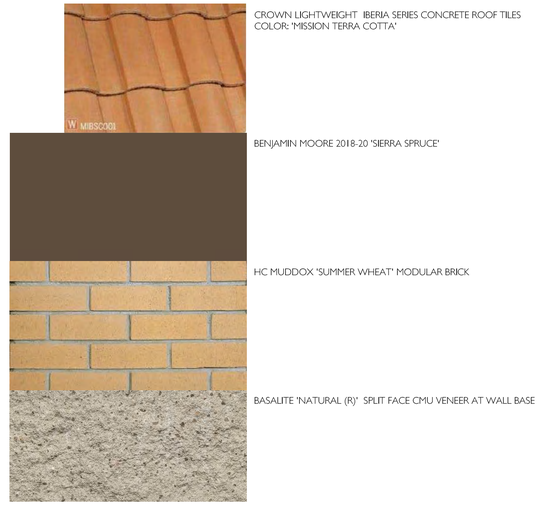
7-ELEVEN #41531
3379 N. TRACY BLVD

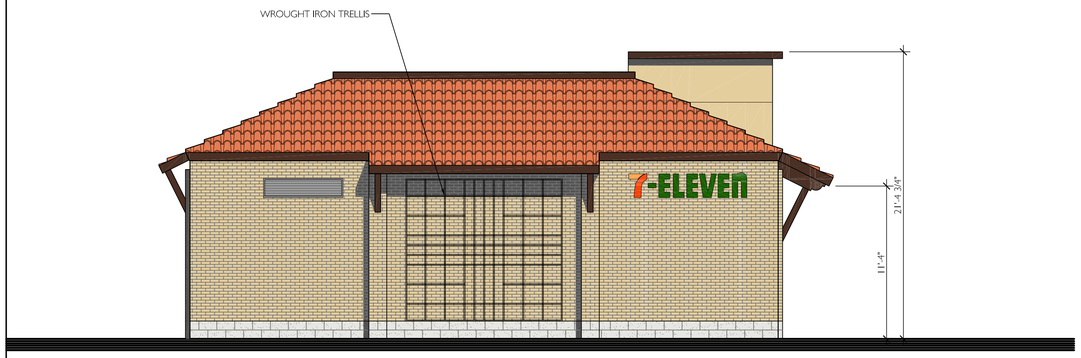
LANDSCAPE ARCHITECT OF RECORD
LICENSED LANDSCAPE ARCHITECT
REGISTERED PROFESSIONAL
MICHAEL M. BENCH
No. 5749
Planning Date 7/31/2020
Date 7/20/2020
STATE OF CALIFORNIA
NOT FOR CONSTRUCTION
PRELIMINARY

HELIX Environmental Planning
11 NATOMA STREET, SUITE 155
FOLSOM, CALIFORNIA 95630
(916) 365-8700
© 2020

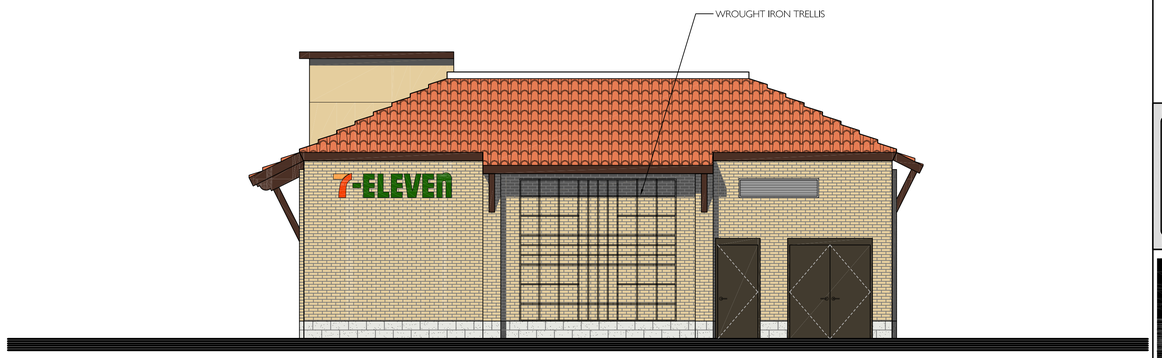
DRAWN BY	CBH, MMB
DATE	9/4/2020
SCALE	AS SHOWN
JOB NAME	TTA-13
SHEET	P1
	1 of 1

1 DP2.1 NORTH ELEVATION (W. CLOVER ROAD)
3/16" = 1'-0"

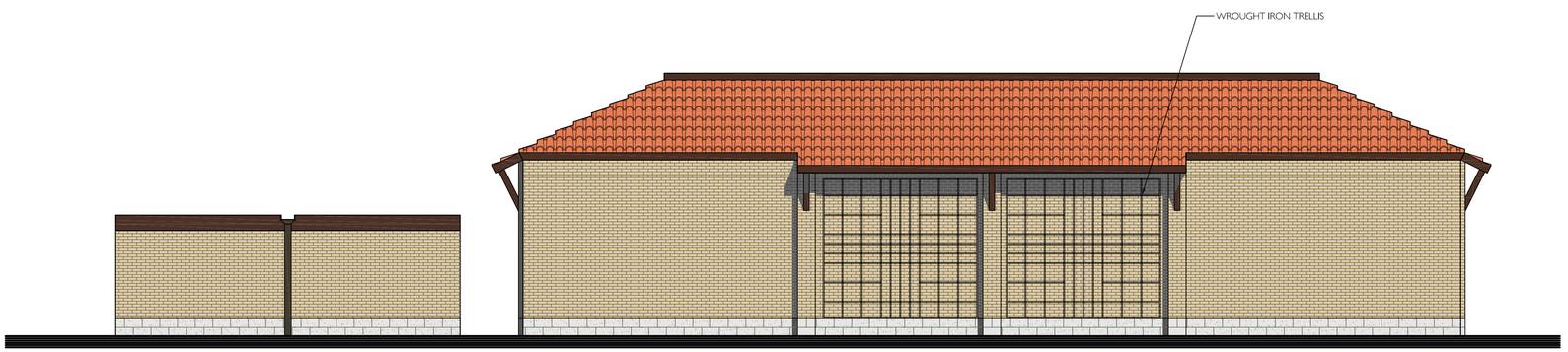




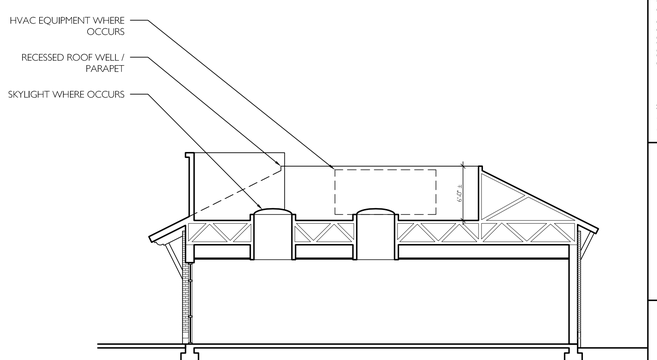
2 DP2.1 EAST ELEVATION (N. TRACY BOULEVARD)
3/16" = 1'-0"



3 DP2.1 WEST ELEVATION
3/16" = 1'-0"



4 DP2.1 SOUTH ELEVATION
3/16" = 1'-0"



5 DP2.1 BUILDING PROFILE SECTION
1/8" = 1'-0"

Rev. #	Date	Description

PROTO 02-28-2019

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-ELEVEN #1046254
N. TRACY BOULEVARD AT W. CLOVER ROAD
TRACY, CA 95376

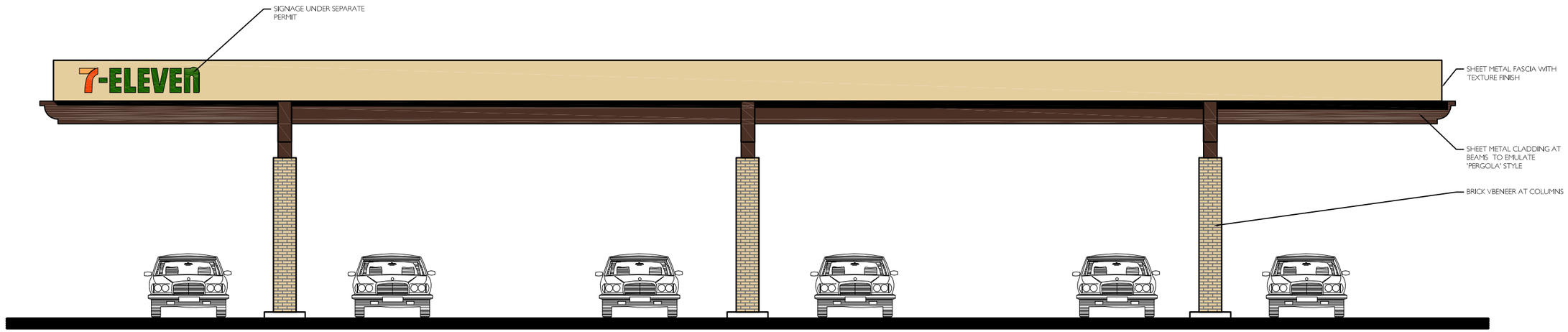
CIDA
ARCHITECTURE
ENGINEERING
PLANNING
INTERIORS
15895 SW 72ND AVE SUITE 200
PORTLAND, OREGON 97224
TEL: 503.226.1285
FAX: 503.226.1670
WWW.CIDAINC.COM

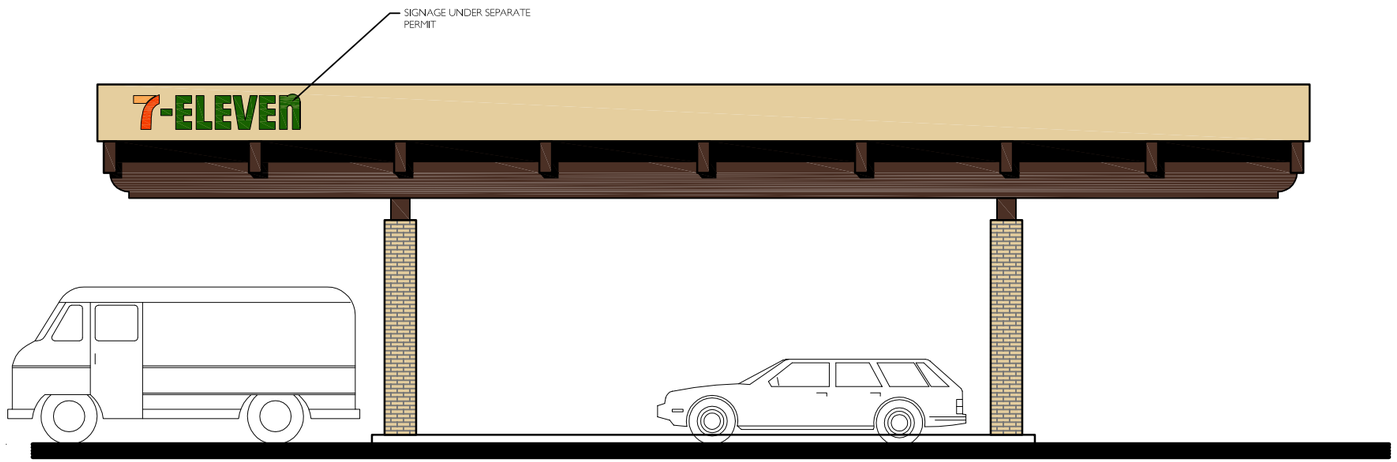
Job#:	20Y033.01
Scale:	AS NOTED
	03.13.2020
Drawn:	
Check:	

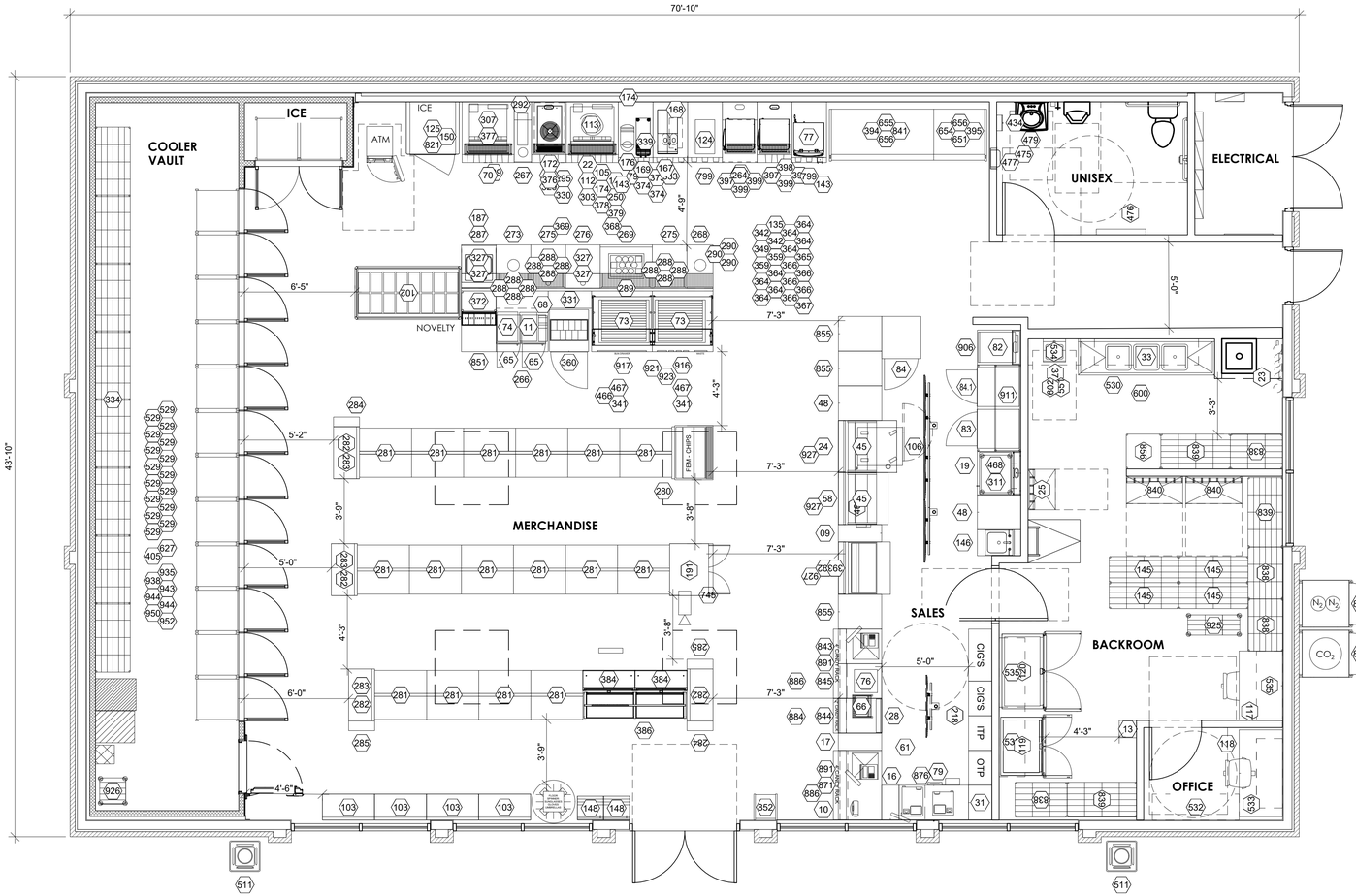
PRELIMINARY DRAWINGS
DESIGN DEVELOPMENT
NOT FOR CONSTRUCTION

SHEET:
DP2.1

PRINTED BY: RICHB
DRAWING NAME: DP2.1.DWG
PRINT DATE: Sep 17, 2020 - 2:45pm


SIGNAGE UNDER SEPARATE PERMIT
7-ELEVEN
SHEET METAL FASCIA WITH TEXTURE FINISH
SHEET METAL CLADDING AT BEAMS TO EMULATE 'PERGOLA' STYLE
BRICK VBENEER AT COLUMNS


SIGNAGE UNDER SEPARATE PERMIT
7-ELEVEN



1046254 TRACY, CA - GROUND UP

☒ APPROVED 07.30.2020 ☐ NOT APPROVED

N

LAYOUT INFORMATION

GENERAL

• ROLLER GRILLS	02
• SANDWICH CASE	9' OAC
• VAULT DOORS	12
• LOW TEMP DOORS	02
• ICE MERCH DOORS	01
• NOVELTY CASE	01
• BAKERY CASE	01
• SLURPEE BARRELS	04
• FUELING	Y
• BEER	Y
• WINE	Y
• LIQUOR	N
• FOOD PROGRAM	N

MERCHANDISE

• GONDOLA UNITS	32
• END CAPS	09
• LOW WALLS	04
• HIGH WALLS	00
•• TOTAL	45
•• POWER WINGS	04

BACKROOM

• OVERHEAD SHELVING	30'
• FLOOR SHELVING	32'

BUILDING

• TOTAL AREA	3,010 SQFT	
• SALES FLOOR	282 SQFT	= 05 PERSONS
• MERCHANDISE	1,579 SQFT	= 27 PERSONS
• BACKROOM	383 SQFT	= 02 PERSONS
• OFFICE	43 SQFT	= 01 PERSONS
• RESTROOM	84 SQFT	= 00 PERSONS
• OCCUPANCY LOAD	35 PERSONS	
• TRAVEL DISTANCE (<200')	93'	
• COMMON PATH (<75')	56'	
• RESTROOMS REQ'D	02	
• EXITS REQ'D	02	
• DRINKING FOUNTAINS	N	

DEVIATIONS

- 9' CIGARETTE DISPLAY
- ONE 4 BARREL SLURPEE
- ROOF ACCESS
- STAND ALONE LOW TEMP

WALL TYPES

- NEW INTERIOR WALL CONSTRUCTION
- COOLER VAULT WALL
- NEW EXTERIOR WALL (NICHIHA & SIPS)

DISCLAIMER
THIS FLOOR PLAN HAS BEEN PREPARED WITH THE ASSUMPTION THAT ALL REFRIGERATED EQUIPMENT IS REMOTE-COOLED PER 7-ELEVEN PROTO. THE AOR "ARCHITECT OF RECORD" / EOR "ENGINEER OF RECORD" IS RESPONSIBLE FOR NOTIFYING THE CONCEPT PLAN COMPANY (CORE STATES GROUP) IF REFRIGERATION DESIGN WILL BE NON-PROTYPICAL SO THAT FLOOR PLAN MAY BE REVISED ACCORDINGLY.

Rev. #	Date	Description

PROTO 2019.01: 02.28

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-11 #1046254
3379 TRACY BLVD.
TRACY, CA 95376

FLOOR PLAN LAYOUT

CORE STATES GROUP
CORESTATES, INC.
12700 Hillcrest Road
Suite 240
Dallas, TX 75230
214.739.7300
corestates.com

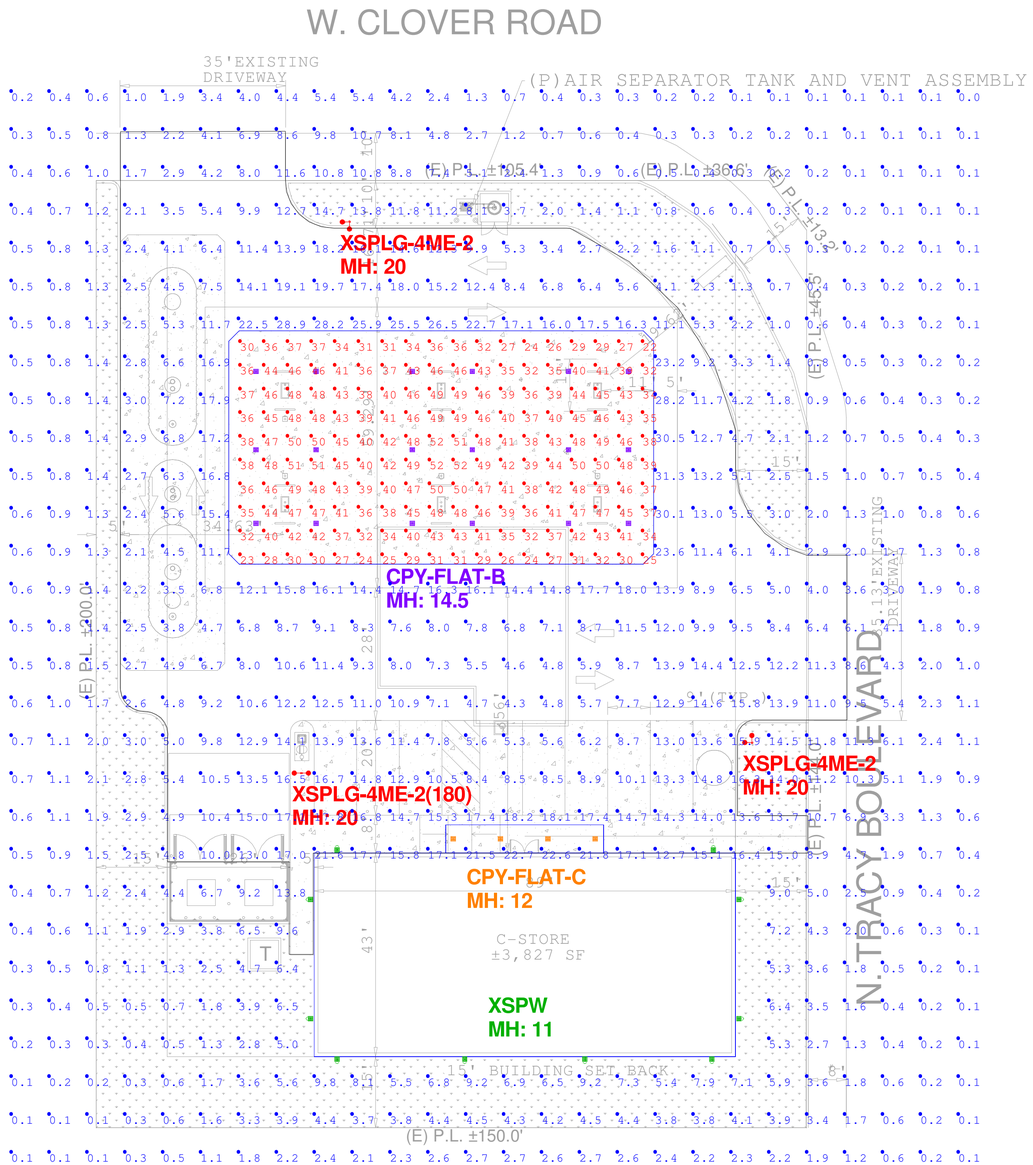
Job#:	SEI.27970
Scale:	1/4" - 1'-0"
Date:	07/21/2020
Drawn By:	J.TOOKE
Checked By:	K.YERRY

Documents prepared by Core States Group are intended only for the specific project and specific use for which they are intended. Any extension of use to other projects, by owner or any other party, without the expressed, written consent of Core States Group is done at the user's own risk. If used in a way other than that specifically intended, user will hold Core States Group harmless from all claims and losses.

LAYOUT # 2

PRINTED BY: KYERRY
DRAWING NAME: APPROVED 2020 0730 - 1046254 TRACY, CA - LAYOUT 2.DWG PRINT DATE: JUL 30, 2020 - 8:50am

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	LMF	Lum. Lumens	Lum. Watts	Part Number
	18	CPY-FLAT-B	SINGLE	1.000	12860	96	CPY250-B-DM-F-B-UL-WH-57K-HZ
	4	CPY-FLAT-C	SINGLE	1.000	4520	31	CPY250-B-DM-F-C-UL-BZ-57K-HZ
	2	XSPLG-4ME-2	2 @ 90°	1.000	23600	184	XSPLG-D-HT-4ME-24L-57K7-UL-BZ-N
	1	XSPLG-4ME-2(180)	2 @ 180°	1.000	23600	184	XSPLG-D-HT-4ME-24L-57K7-UL-BZ-N
	10	XSPW	WALL MOUNT	1.000	4270	31	XSPW-B-WM-3ME-4L-57K-UL-BZ



Calculation Summary; 1.00 LLF						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
All Calc Points	Fc	5.69	31.3	0.0	N.A.	N.A.
Gas Canopy	Fc	40.11	52	22	1.82	2.36
Paved Area	Fc	24.08	52.0	1.7	14.16	30.59

FIXTURE MOUNTING HEIGHTS AS SHOWN
POLES MOUNTED ON 3' BASE

ADDITIONAL EQUIPMENT REQUIRED:
(3) SSS-4-11-17-CW-BS-OT-N-BZ (17' x 4" x 11ga STEEL SQUARE POLE, TENON)
(2) PD-2H4(90)BZ HORIZONTAL TENON 2@90
(1) PD-2H4(180)BZ HORIZONTAL TENON 2@180

PROPOSED POES MEET 120MPH SUSTAINED WIND LOADS

*** CUSTOMER TO VERIFY ORDERING INFORMATION AND CATALOGUE NUMBER PRIOR TO PLACING ORDER ***

Bill Of Material
18 CPY250-B-DM-F-B-UL-WH-57K-HZ
04 CPY250-B-DM-F-C-UL-BZ-57K-HZ
06 XSPLG-D-HT-4ME-24L-57K7-UL-BZ-N
10 XSPW-B-WM-3ME-4L-57K-UL-BZ
03 SSS-4-11-17-CW-BS-OT-N-BZ
02 PD-2H4(90)BZ
01 PD-2H4(180)BZ

CREE LIGHTING
A COMPANY OF IDEAL INDUSTRIES, INC.
9201 Washington Ave, Racine, WI 53406 https://creelighting.com - (800) 236-6800

Illumination results shown on this lighting design are based on project parameters provided to Cree Lighting used inconjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting,or energy code.

Project Name: 7-Eleven #41531 - 3379 N. Tracy Blvd. Tracy, CA - EXT

SR-40917 | Footcandles calculated at grade | Filename: 711-200225TRCACW.AGI

Layout By: Collin Witherow
Date:2/25/2020

Scale 1" = 16'
0 32 64

RESOLUTION 2021-_____

APPROVING OF A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT A 3,010 SQUARE FOOT CONVENIENCE STORE AND AUTOMOBILE SERVICE STATION AT 3379 N. TRACY BLVD. APPLICATION NUMBER D20-0014

WHEREAS, On May 12, 2020, Michelle Feasby representing 7-Eleven submitted an application for a Development Review Permit for construction of a 3,010 square foot convenience store and automobile service station at 3379 N. Tracy Blvd, Assessor's Parcel Number 214-180-21, Application number D20-0014, and

WHEREAS, The subject property is zoned Highway Service and designated Commercial by the General Plan; and

WHEREAS, Convenience stores and automobile service stations are principally permitted within the Highway Service Zone; and

WHEREAS, The proposed architecture is consistent with the City's Deign Goals and Standards; and

WHEREAS, The Tracy Municipal Code, Chapter 10.08.3590, Approval authority, requires a project site located within 500 feet of a freeway to be reviewed by Planning Commission, and

WHEREAS, The project has been determined to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15332 which pertains to certain infill development projects, because the project is consistent with the General Plan and zoning; occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. No further environmental assessment is necessary, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the Development Review Permit application number D20-0014 on May 12, 2020;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission approves Development Review Permit Application No. D20-0014, subject to the conditions contained in Exhibit "1" and based on the following findings:

1. The proposal increases the quality of the project site, and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy as the proposed new construction of a convenience store and automobile service station is compatible to the surrounding uses and consists of an attractive design, which includes a mix of complementary building materials and colors, including brick building exterior, ample use of canopies and wrought iron trellises, and pergola style beams on the underside of fuel canopy.

2. The proposal conforms to the City of Tracy General Plan, any applicable specific plan, the Design Goals and Standards, any applicable Infrastructure Master Plans, and other City regulations.

* *

The foregoing Resolution 2021-_____ was adopted by the Planning Commission of the City of Tracy on the 12th day of May 2021, by the following vote:

AYES: COMMISSION MEMBERS:
NOES: COMMISSION MEMBERS:
ABSENT: COMMISSION MEMBERS:
ABSTAIN: COMMISSION MEMBERS:

_____
CHAIR

ATTEST:

_____
STAFF LIAISON

Development Review Permit
Conditions of Approval
7-Eleven Convenience Store & Automobile Service Station at 3379 N. Tracy Blvd.
Assessor's Parcel Number 214-180-21
Application Number D20-0014
May 12, 2021

These Conditions of Approval shall apply to the Development Review Permit to construct a 3,010 square foot convenience store and automobile service station at 3379 N. Tracy Blvd., Assessor's Parcel Number 214-180-21, Application Number D20-0014 (hereinafter "Project"), proposed by Michelle Feasby on behalf of 7-Eleven (hereinafter "Applicant") and LJ Remainder LLC (hereinafter "Property Owners").

1. The following definitions shall apply to these Conditions of Approval:

    a. "Applicant" means any person, or other legal entity, defined as a "Developer".

    b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.

    c. "City Regulations" mean all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Cordes Ranch Specific Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).

    d. "Conditions of Approval" shall mean these conditions of approval, applicable to Development Review Permit Application Number D20-0014.

    e. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Developer" shall include all successors in interest.

    f. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.

    g. "Project" means construction of a 3,010 square foot convenience store and automobile service station, located at 3379 N. Tracy Blvd., Assessor's Parcel Number 214-180-21, Application Number D20-0014.

2. Compliance with submitted plans. Except as otherwise modified herein, the project shall be developed in substantial compliance with the site plan and

elevations received by the Development Services Department on March 15, 2021.

3. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, building permit fees, plan check fees, inspection fees, or any other City or other agency fees or deposits that may be applicable to the project.

4. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:
    a. Planning and Zoning Law (Government Code sections 65000, et seq.),
    b. California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
    c. Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").

5. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and Design Goals and Standards.

6. Protest of fees, dedications, reservations, or other exactions. Pursuant to Government Code section 66020, including section 66020(d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.

B. Planning Division Conditions

1. Except as modified herein, the project shall be developed in substantial compliance with the site plan and elevations received by the Development Services Department on March 15, 2021, to the satisfaction of the Development Services Director.

2. Prior to final inspection or certificate of occupancy, the back side of any visible roof parapets shall consist of the same material and be painted the same color as the front side of the roof parapets, to the satisfaction of the Development Services Director.

3. Prior to issuance of a building permit, the applicant shall submit landscape plan details that demonstrate climbing vines underneath the wrought iron trellises on the south and east elevation, to the satisfaction of the Development Services Director.

4. Prior to issuance of a building permit, the applicant shall submit site plans and construction details that demonstrate 12-inch wide concrete curbs along the perimeter of landscape planters where such planters are parallel and adjacent to vehicular parking spaces to provide access to vehicles without stepping into the landscape planters, to the satisfaction of the Development Services Director.

5. Prior to the approval of a building permit, the applicant shall submit detailed landscape and irrigation plans consistent with the Department of Water Resources' Water Efficient Landscape Ordinance to the satisfaction of the Development Services Director. Said plans shall demonstrate no less than 40% of the total parking area be shaded by canopy trees at tree maturity. Trees shall be a minimum of 24" box size, shrubs shall be a minimum size of 5 gallon, and groundcover shall be a minimum size of 1 gallon.

6. Prior to the issuance of a building permit, the Developer shall execute a two-year landscape and irrigation maintenance agreement and submit financial security, such as a performance bond, to ensure the success of all on-site landscaping for the term of the agreement. The security amount shall be equal to $2.50 per square foot of the landscaped area or equal to the actual labor and material installation cost of all on-site landscaping and irrigation.

7. Prior to issuance of a building permit, the construction documents shall comply with California Building Standards Commission (Cal Green Code Emergency Standards; Title 24, Part 11) regarding landscaping and irrigation water efficiency, to the satisfaction of the Utilities Director.

8. Prior to the issuance of a building permit, the developer shall comply with all applicable Stormwater Quality Regulations, to the satisfaction of the Water Resources Division in the Utilities Department.

9. Prior to the issuance of a building permit, the applicant shall submit detailed plans that demonstrate a minimum of one foot candle throughout the parking area as defined in TMC Section 10.08.3450.

10. Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light into the public rights-of-way and onto any adjacent private property, to the satisfaction of the Development Services Director.

11. Prior to final inspection or certificate of occupancy, no roof mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, sky lights and dishes, whether proposed as part of this application, potential future equipment, or any portion thereof, shall be visible from any public right-of-way to the

satisfaction of the Development Services Director. Plans to demonstrate such compliance shall be submitted to the City prior to the issuance of a building permit.

12. Prior to the issuance of a building permit, the developer shall submit plans demonstrating that the trash enclosure shall be a masonry enclosure at a minimum height of seven feet, exterior materials and colors to match the proposed building, solid metal doors painted to match the proposed building colors, a roof designed with complementary materials and design, and a concrete apron in front of the enclosure where the dumpsters, loading/transport equipment, or vehicles will maneuver, to the satisfaction of the Development Services Director.

13. Prior to final inspection or certificate of occupancy, all PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures or landscaping, to the satisfaction of the Development Services Director.

14. Prior to final inspection or certificate of occupancy, all vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match the adjacent building surface or otherwise designed in harmony with the building exterior, to the satisfaction of the Development Services Director.

15. Prior to final inspection or certificate of occupancy, the Healy Tank and any accessory visible components shall be painted to match adjacent building surfaces, to the satisfaction of the Development Services Director.

16. No signs are approved as a part of this development application. Approval of a separate sign permit application by the Development Services Department is necessary prior to the installation of any signs.

17. Outdoor vending machines such as newspaper racks or beverage dispensing machines are not permitted.

18. Prior to issuance of a building permit, the Developer shall submit construction documents, plans, specifications, and/or calculations to the Building Safety Division, which meet all applicable requirements of Title 24 California Code of Regulations, to the satisfaction of the Chief Building Official.

19. Prior to issuance of a building permit, the Developer shall submit plans that clearly depict an accessible route per California Building Code (CBC) 11B-206.2.2 from each building to the trash enclosure and all facilities on-site, to the satisfaction of the Chief Building Official.

20. Prior to issuance of a building permit, the Developer shall conform with all requirements of the California Fire Code as amended by the Tracy Municipal Code, to the satisfaction of the South County Fire Authority.

21. Prior to issuance of a building or grading permit, the developer shall demonstrate compliance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and the Incidental Take Minimization Measures prepared by San Joaquin Council of Government (SJCOG), to the satisfaction of the Development Services Director.

22. Prior to issuance of a building permit, the Developer shall comply with all applicable requirements of the San Joaquin Valley Air Pollution Control District (APCD), including District Rule 9510, Regulation VIII, and payment of all applicable fees, to the satisfaction of the APCD.

C. Engineering Division Conditions of Approval

C.1. General Conditions

Developer shall comply with the applicable sections of approved documents and/or recommendations of the technical analyses/reports prepared for the Project listed as follows:

1) Traffic Memorandum prepared by Kimley Horn and Associates dated March 23, 2021.
2) Storm Drain Memorandum by Wood Rodgers dated March 16, 2021.

C.2. RESERVED
C.3. RESERVED

C.4. Grading Permit

All grading work (on-site and off-site) shall require a Grading Plan. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Registered Geotechnical Engineer. Prior to release of a Grading Permit, Developer shall provide all documents related to said Grading Permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.4.1 Developer has completed all requirements set forth in this section.

C.4.2 Developer has obtained the approval (i.e. recorded easements for slopes, drainage, utilities, access, parking, etc.) of all other public agencies and/or private entities with jurisdiction over the required public and/or private facilities and/or property. Written permission from affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit.

C.4.3 Developer has obtained a demolition permit to remove any existing structure located within the project's limits.

C.4.4 All existing on-site water well(s), septic system(s), and leech field(s), if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. Developer shall be responsible for all costs associated with the abandonment or removal of the existing well(s), septic system(s), and leech field(s) including the cost of permit(s) and inspection. Developer shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit.

C.4.5 The Improvement Plans for all improvements to serve the Project (on-site and off-site) including the Grading and Drainage Plans shall be prepared in accordance with the City's Subdivision Ordinance (Tracy Municipal Code (TMC) Chapter 12.36), City Design Documents as defined in Title 12 of the TMC, and these Conditions of Approval.

C.4.6 On-site Grading/Drainage Plans and Improvement Plans shall be prepared on a twenty-four (24) inch x thirty-six (36) inch size four (4) millimeter thick polyester film (mylar). These plans shall use the City's Title Block. Improvement Plans shall be prepared under the supervision of, stamped and signed by a Registered Civil Engineer and Registered Geotechnical Engineer. Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by the Fire Marshal prior to submitting the mylars to Engineering Division for City Engineer's signature. Erosion control measures shall be implemented in accordance with the Improvement Plans approved by the City Engineer for all grading work. All grading work not completed before October 15 may be subject to additional requirements as applicable. Improvement Plans shall specify all proposed erosion control methods and construction details to be employed and specify materials to be used during and after the construction.

C.4.7 Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.

C.4.8 For Projects on property larger than one (1) acre: Prior to the issuance of the Grading Permit, Developer shall submit to the Utilities Department (stephanie.hiestand@cityoftracy.org) one (1) electronic copy and one (1) hard copy of the Storm Water Pollution Prevention Plan (SWPPP) as submitted in Stormwater Multiple Applications and Reporting Tracker System (SMARTS) along with either a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID) or a copy of the receipt for the NOI. After the completion of the Project, the Developer is responsible for filing the Notice of Termination (NOT) required by SWQCB, and shall provide the City, a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Developer. Developer shall comply with all the requirements of the SWPPP, applicable Best Management Practices (BMPs) and the Stormwater Post-Construction Standards adopted by the City in 2015 and any subsequent amendment(s).

For Projects on property smaller than one (1) acre: Prior to the issuance of the Grading Permit, the Developer shall submit to the Utilities Department

(stephanie.hiestand@cityoftracy.org) one (1) electronic copy and 1 hard copy of the City of Tracy Erosion and Sediment Control Plan (ESCP) for approval. Cost of preparing the ESCP including any annual storm drainage fees shall be paid by the Developer. Developer shall comply with all the requirements of the ESCP, applicable BMPs and the Post-Construction Stormwater Standards adopted by the City in 2015 and any subsequent amendment(s).

C.4.9 Developer shall provide a PDF copy of the Project's Geotechnical Report signed and stamped by a Registered Geotechnical Engineer. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, compaction recommendations, retaining wall recommendations, if necessary, paving recommendations, paving calculations such as gravel factors, gravel equivalence, etc., slope recommendations, and elevation of the highest observed groundwater level.

C.4.10 Minor Retaining – Developer shall use reinforced or engineered masonry blocks for retaining soil at property lines when the grade differential among the in-tract lots exceeds twelve (12) inches. Developer will include construction details of these minor retaining walls with the on-site Grading and Drainage Plan. Developer may use slopes among the lots to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical) unless a California licensed geotechnical engineer signs and stamps a geotechnical report letter that supports a steeper slope gradient. Slope easements may be required and will be subject to approval by the City Engineer.

Minor Retaining along Project Perimeter – Developer shall use reinforced or engineered masonry blocks for retaining soil along the Project boundary and adjacent property(s) when the grade differential exceeds 12-inches. Developer will include construction details for these minor retaining walls with the on-site Grading and Drainage Plan. Developer may use slopes to address the grade differential but said slope shall not exceed a slope gradient of 3 (horizontal) to 1 (vertical). Slope easements may be subject to approval by the City Engineer and if adjacent and affected property(s) owner(s) grants said easements.

Slopes are an acceptable option as a substitute to engineered retaining walls, where cuts or fills do not match existing ground or final grade with the adjacent property or public right of way, up to a maximum grade differential of two (2) feet, subject to approval by the City Engineer.

Slope easements will be recorded, prior to the issuance of the Grading Permit. The Developer shall be responsible to obtain and record slope easement(s) on private properties, where it is needed to protect private improvements constructed within and outside the Project, and a copy of the recorded easement document must be provided to the City, prior to the issuance of the Grading Permit.

Walls - Developer shall show proposed retaining walls and masonry walls on the on-site Grading and Drainage Plan. The Developer is required to submit improvement plans, construction details, and structural calculations for retaining walls and masonry

walls to Building and Safety. Retaining wall and masonry wall design parameters will be included in the geotechnical report.

C.4.11 Developer shall provide a copy of the approved Incidental Take Minimization Measures (ITMM) habitat survey [San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)] from San Joaquin Council of Governments (SJCOG).

C.4.12 Developer shall provide a copy of the approved Air Impact Assessment (AIA) with an Indirect Source Review (ISR) from San Joaquin Valley Air Pollution Control District (SJVAPCD).

C.4.13 Developer shall abandon or remove all existing irrigation structures, channels and pipes, if any, as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, if any, are required to remain to serve existing adjacent agricultural uses, the Developer will design, coordinate and construct required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted to the City prior to the issuance of the Grading Permit. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Developer.

C.4.14 RESERVED

C.4.15 If at any point during grading that the Developer, its contractor, its engineers, and their respective officials, employees, subcontractor, and/or subconsultant exposes/encounters/uncovers any archeological, historical, or other paleontological findings, the Developer shall address the findings as required per the General Plan Cultural Resource Policy and General Plan EIR; and subsequent Cultural Resource Policy or mitigation in any applicable environmental document.

C.5. Improvement Agreement(s)

All construction activity involving public improvements will require a fully executed improvement agreement (Off-site, Subdivision, and/or Inspection). Any construction activity involving public improvements without a fully executed improvement agreement is prohibited. All public improvements shall be performed and completed in accordance with the recommendation(s) of the Project's Registered Civil Engineer. Prior to the consideration of City Council's approval of said improvement agreement, the Developer shall provide all documents related to said improvements required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.5.1. Off-site and/or Public Infrastructure Improvement Plans prepared on a twenty-four (24) inch x thirty-six (36) inch size four (4) millimeter thick mylar that incorporate all requirements described in the documents described in these Conditions of Approval, the City's Design Documents as defined in Title 12 of the Tracy Municipal

Code. Developer shall use the latest title block and, if necessary, contain a signature block for the Fire Marshal. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work. Developer shall obtain all applicable signatures by City departments and outside agencies (where applicable) on the mylars including signatures by Fire Marshal to submitting the mylars to Engineering Division for City Engineer's signature. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:

C.5.1.a. All existing and proposed utilities such as domestic water line, irrigation service, fire service line, storm drain, and sanitary sewer, including the size and location of the pipes.

C.5.1.b. All supporting engineering calculations, materials information or technical specifications, cost estimate, and technical reports. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers such as benchmarks.

C.5.1.c. A PDF copy of the Project's approved Geotechnical/Soils Report that was prepared for the grading permit submittal.

C.5.1.d. Storm Water - The Project's on-site storm water drainage connection to the City's storm water system shall be approved by the City Engineer. Drainage calculations for the sizing of the on-site storm drainage system. Improvement Plans to be submitted with the hydrology and storm water.

Storm drainage release point is a location at the boundary of the Project adjacent public right-of-way where storm water leaves the Property, in a storm event and that the Property's on-site storm drainage system fails to function or it is clogged. Site grading shall be designed such that the Project's storm drainage overland release point will be directly to an adjacent public street with a functional storm drainage system and the existing storm drainage line has adequate capacity to drain storm water from the Property. The storm drainage release point is recommended to be at least 0.70-feet lower than the building finish floor elevation and shall be designed and improved to the satisfaction of the City Engineer.

The Project's permanent storm drainage connection(s) shall be designed and constructed in accordance with City Regulations. The design of the permanent storm drainage connection shall be shown on the Grading and Drainage Plans with calculations for the sizing of the storm drain pipe(s), and shall comply with the applicable

requirements of the City's storm water regulations adopted by the City Council in 2012 and any subsequent amendments.

The storm water treatment system shall be located on private property and shall be at least off-set from the right-of-way by one (1) foot. Developer shall also construct the recommended mitigations from the storm water technical memorandum.

C.5.1.e. Sanitary Sewer - It is the Developer's responsibility to design and construct the Project's permanent on-site sanitary sewer (sewer) improvements including the Project's sewer connection in accordance with the City's Design Standards, City Regulations and Standard Specifications. Sewer improvements shall include but not limited to, replacing asphalt concrete pavement, reconstructing curb, gutter and sidewalk, restoring pavement marking and striping, and other improvements that are disturbed as a result of installing the Project's permanent sewer connection. Developer shall submit improvement plans that include the design of the sewer line from the Property to the point of connection.

Developer is hereby notified that the City will not provide maintenance of the sewer lateral within the public right-of-way unless the sewer cleanout is located and constructed in conformance with Standard Plans. The City's responsibility to maintain on the sewer lateral is from the wye/onsite sewer manhole at the right-of-way line/property line/wye fitting to the point of connection with the sewer main.

C.5.1.g. Water Distribution - Developer shall design and construct domestic and irrigation water service that comply with the City Regulations. Water line sizing, layout and looping requirements for this Project shall comply with City Regulations. During the construction of the Project, the Developer is responsible for providing water infrastructure (temporary or permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as approved by the Fire Marshal.

Interruption to the water supply to the existing businesses and other users will not be allowed to facilitate construction of improvements related to the Project. Developer shall be responsible for notifying business owner(s) and users, regarding construction work. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least seventy-two (72) hours before start of work. Prior to starting the work described in this section, the Developer shall submit a Work Plan acceptable to the City that demonstrates no interruptions to the water supply, and Traffic Control Plan to be used during the installation of the off-site water mains and connections.

The Project's water service connections shall use a remote-read (radio-read) master water meter (the water meter to be located within City's right-of-way) and a Reduced Pressure Type back-flow protection device in accordance with City Regulations. The domestic and irrigation water service connection(s) must be completed before the inspection of the building. The location of the meters shall be approved by the City Engineer.

After final inspection of the improvements constructed via an encroachment permit, repair and maintenance of the water service from the water meter to the point of connection with the water distribution main in the street shall be the responsibility of the City. Water service repairs after the water meter is the responsibility of the Developer or individual lot owner(s).

Prior to improvement acceptance, repair and maintenance of all on-site water lines, laterals, sub-water meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer or the individual lot owner(s).

All costs associated with the installation of the Project's water connection(s) including the cost of removing and replacing asphalt concrete pavement, pavement marking and striping such as crosswalk lines and lane line markings on existing street or parking area(s) that may be disturbed with the installation of the permanent water connection(s), or domestic water service, and other improvements shall be paid by the Developer.

C.5.1.h. Streets – Developer shall construct the project's frontage improvements. Frontage improvements include but are not limited to the following: curb, gutter, sidewalk, street widening, landscaping, street lighting, undergrounding of overhead utilities and other improvements. All streets and utilities improvements within City right-of-way shall be designed and constructed in accordance with City Regulations, and City's Design Standards including the City's Facilities Master Plan for storm drainage, roadways, wastewater, and water as adopted, amended, and updated by the City, or as otherwise specifically approved by the City.

Tracy Boulevard and Clover Road
Developer will construct two (2) new commercial driveways per Standard Detail 130. Developer shall dedicate a ten (10) feet wide Public Utility Easement (P.U.E.) along the project frontage.

Developer shall construct driveways that conform to Section 3.08(F) of the 2020 Design Standards. Driveways shall have one and half (1.5) feet of full-height (i.e. six (6) inches) of vertical curb from the driveway's edge. Driveways shall be fire truck accessible to the satisfaction of the City Engineer.

Developer shall also construct the recommended mitigations from the traffic technical memorandum.

Developer shall upgrade the Tracy Boulevard and Clover Road intersection to current pedestrian and ADA standards. The said upgrades will require the construction of curb ramp modifications, accessible pedestrian signal (APS) modifications, and countdown pedestrian signals at all four (4) corners of the intersection.

In terms of the Project's utility connections, Developer shall use existing utility stubs. If the stubs are not present or additional utility connections are required, the pavement restoration shall conform to C.8.1 of these Conditions.

Along the project frontage, Developer shall landscape and irrigate the existing parkways per current adopted City landscape standards. Landscape and irrigation plans shall be prepared on a 24-inch x 36-inch size 4-millimeter thick mylar that incorporate all requirements described in the documents described in these Conditions of Approval, the City's Design Documents as defined in Title 12 of the Tracy Municipal Code. Developer shall use the latest title block. Said landscape and irrigation plan shall be prepared by a California licensed landscape architect. Developer can either protect-in-place the existing sidewalk and repair any cracked, settled, and/or damaged sidewalk or remove and replace the sidewalk so long as the replacement sidewalk is similar to the current sidewalk, i.e. similar width, meanders, etc. Developer shall also install a street tree in each of the empty three (3) [minimum] tree wells on the project's frontage. Developer shall also repair the existing or construct a new irrigation system to the said tree wells so that they are properly and automatically irrigated. The landscaping and irrigation shall conform to MWELO standards. If recommended, Developer shall use structural soil if the street trees' well is narrower than five (5) feet wide. Developer shall also remove existing sign monument and its appurtenances, and any other existing items such as bollards, mailboxes, etc.

C.5.2. Joint Trench Plans and Composite Utility Plans, prepared on a twenty-four (24) inch x thirty-six (36) inch size four (4) millimeter thick mylar for the installation of dry utilities such as electric, gas, TV cable, telephone, and others that will be located within the twenty-four (24) feet wide to forty-six (46) feet wide [the width varies) PUE to be installed to serve the Project. All private utility services to serve Project must be installed underground or relocated to be underground, and to be installed at the location approved by the respective owner(s) of the utilities from the street or an existing or proposed utility easement to the building(s). If necessary, the Developer shall dedicate ten (10) feet wide PUE for access to these new utilities for re-installation, replacement, repair, and maintenance work to be performed by the respective utility owner(s) in the future.

C.5.3. Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans. The cost estimate shall show the cost of designing the public improvements.

Payment of applicable fees required by these Conditions of Approval and City Regulations, including but not limited to, plan checking, grading and encroachment permits and agreement processing, construction inspection, and testing fees. The engineering review fees will be calculated based on the fee rate adopted by the City Council on September 2, 2014, per Resolution 2014-141 and on May 16, 2017, per

Resolution 2017-098. Developer shall submit payment in the form of a check for the aforementioned fees.

C.5.4. Traffic Control Plan - Prior to starting the work for any work within City's right-of-way, the Developer shall submit a Traffic Control Plan (TCP). TCP can be split among the different construction phases. TCP will show the method and type of construction signs to be used for regulating traffic at the work areas within these streets. TCP shall conform to the Manual on Uniform Traffic Control Devices as amended by the State of California, latest edition (MUTCD-CA). TCP shall be prepared under the supervision of, signed and stamped by a Registered Civil Engineer or Registered Traffic Engineer.

Access and Traffic Circulation to Existing Businesses/Residents - Developer shall take all steps necessary to plan and construct site improvements such that construction operations do not impact safety and access (including emergency vehicles) to the existing businesses and residents throughout the duration of construction. Developer shall coordinate with the owners and cooperate to minimize impacts on existing businesses. All costs of measures needed to provide safe and functional access shall be borne by the Developer.

C.5.5. No street trench shall be left open, uncovered, and/or unprotected during night hours and when the Developer's contractor is not performing construction activities. Appropriate signs and barricades shall be installed on the street and on all trenches during such times. If the Developer or its contractor elects to use steel plates to cover street trenches, said steel plates will be skid-resistance, and shall be ramped on all sides. Ramps will be a minimum two-foot wide and will run the entire length of each side.

C.5.6 If at any point during utility installation or construction in general that the Developer, its contractor, its engineers, and their respective officials, employees, subcontractor, and/or subconsultant exposes/encounters/uncovers any archeological, historical, or other paleontological findings, the Developer shall address the findings as required per the General Plan Cultural Resource Policy and General Plan EIR; and subsequent Cultural Resource Policy or mitigation in any applicable environmental document.

C.5.7 Improvement Security - Developer shall provide improvement security for all public facilities, as required by the Improvement Agreement. The form of the improvement security may be a bond, or other form in accordance with the Government Code, and the TMC. The amount of the improvement security shall be in accordance with Title 12 of the TMC.

Insurance – Developer shall provide written evidence of insurance coverage that meets the terms of the Improvement Agreement.

C.6. Building Permit

Prior to the release of a building permit within Project boundaries, the Developer shall demonstrate, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

C.6.1 Developer has completed all requirements set forth in Condition C.1, through C.5, above.

C.6.2 Developer pays the applicable development impact fees as required in the TMC, these Conditions of Approval, and City Regulations.

C.6.3 RESERVED

C.6.4 Developer has completed all requirements set forth Condition C.8

C.7 Acceptance of Public Improvements

Prior to the consideration of City Council's acceptance of public improvements, the Developer shall demonstrate to the reasonable satisfaction of the City Engineer, completion of the following:

C.7.1 Developer has satisfied all the requirements set forth in these Conditions of Approval.

C.7.2 Developer submitted the Storm water Treatment Facilities Maintenance Agreement (STFMA) to the Utilities Department.

C.7.3 Developer has satisfactory completed construction of all required/conditioned improvements. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Developer shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities required to serve the Project, and the Developer shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).

C.7.4 Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Developer, the City, at its sole discretion, temporarily release the original mylars of the Improvement Plans to the Developer so that the Developer will be able to document revisions to show the "As-Built" configuration of all improvements.

C.7.5 Developer shall be responsible for any repairs or reconstruction of street pavement, curb, gutter and sidewalk and other public improvements along the frontage of the Project, if determined by the City Engineer to be in poor condition or damaged by construction activities related to the Project.

C.7.6 Developer has completed the ninety (90) day public landscaping maintenance period.

C.7.7 Per Section 21107.5 of the California Vehicle Code, Developer shall install signs at all entrance(s) of the Project stating that the streets are privately owned and maintained and are not subject to the public traffic regulations or control. Said signs must be conspicuously placed, plainly visible, and legible during daylight hours from a distance of one hundred (100) feet.

C.7.8 Survey Monuments – Any altered, damaged, or destroyed survey monuments and/or benchmarks shall be re-established. Developer shall submit centerline tie sheets or a record of survey for the following: new public streets; re-established survey monuments, and/or benchmarks. If the Developer destroyed, altered, and/or reconstructed any existing curb returns, Developer shall also submit corner records. Any survey document will be submitted the City and to the San Joaquin County Surveyor to comply with California Business and Professions Code Section 8771(c). Said work shall be executed by a California licensed Land Surveyor at the Developer's sole expense.

C.8 Special Conditions

C.8.1 When street cuts are made for the installation of utilities, the Developer shall conform to Section 3.14 of the 2020 Design Standards and is required install a two (2) inch thick asphalt concrete (AC) overlay with reinforcing fabric at least twenty-five (25) feet from all sides of each utility trench. A two (2) inch deep grind on the existing AC pavement will be required where the AC overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. This pavement repair requirement is when cuts/trenches are perpendicular and parallel to the street's direction.

C.8.2 Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or other public agency having jurisdiction. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the improvement plans, prior to the City Engineer's signature on the improvement plans, and prior to issuance of Grading Permit, Encroachment Permit, Building Permit, if the City Engineer finds it necessary due to public health and safety reasons, and it is in the best interest of the City. The Developer shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.

C.8.3 Prior to the release of the Grading Permit, if water is required for the project, the Developer shall obtain an account for the water service and register the water meter with the Finance Department. Developer shall pay all fees associated with obtaining the account number for the water service.

C.8.4 Prior to the release of the Certificate of Occupancy, Developer shall obtain an account for the water service to the Project and register the water meter with the

Finance Department. Developer shall prepare and submit a map depicting the location of the water meter on an 8.5-inch X 11-inch sheet to Finance Department.

C.8.5 Prior to the release of the Grading Permit, if required, Developer shall design or purchase and then construct or install a storm water treatment device and shall be located entirely within private property. Said installation shall be in a manner that does not impose any additional downstream maintenance burdens to the City. Said design and construction methods shall be to the satisfaction of the City Engineer.

C.8.6 Prior to the release of temporary or permanent occupancy, whichever is first, the Developer shall construct all APS modifications and shall be fully operational at the intersection of Tracy Boulevard and Clover Road

May 12, 2021

AGENDA ITEM 1.B

REQUEST

PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING INTRODUCTION OF AN ORDINANCE APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS. THE APPLICANT IS JEFF BERBERICH. APPLICATION NUMBER SPA20-0004

BACKGROUND

On September 3, 2013, City Council certified the Final Revised Environmental Impact Report for the Cordes Ranch Project and approved a General Plan Amendment, annexation, development agreement, and the Cordes Ranch Specific Plan. The Cordes Ranch Specific Plan Area consists of approximately 1,780 acres located in the general vicinity of International Parkway and Hansen Road, south of Interstate 205 and north of W. Schulte Road. Annexation of the Cordes Ranch site to the City of Tracy was completed by LAFCo on November 21, 2013. Similar to other master-planned developments, project implementation often involves evaluating changes to development standards, land uses, and phasing. Accordingly, over the past years, the City Council has approved multiple Specific Plan Amendments and a General Plan Amendment related to implementation of the Cordes Ranch project. Additional amendment proposals are likely to occur as the project continues to buildout.

DISCUSSION

This agenda item involves the Planning Commission making a recommendation to the City Council regarding an ordinance approving an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, maximum floor area ratio for hotels, and signs. The proposed changes occur in Chapters 3 and 5 of the Specific Plan (Attachment A – Cordes Ranch Specific Plan Amendment). The entire Chapter 3 and Chapter 5 are included for context, but the proposed amendment only involves the text shown in red.

Mobile Food Vendors

The City Council adopted an ordinance on November 7, 2017 regarding mobile food vendors (Tracy Municipal Code Section 10.08.3193). The City's mobile food vendor ordinance only permits mobile food vendors to operate in the industrial zones of the City. A mobile food vendor's operation is limited to three hours at single location in a 24-hour period. Exceptions to these limitations on location and duration of operation are only available to those with a City facility permit, special event permit, temporary use permit, or a peddler permit or vendor permit, which each have their own separate limitations.

The applicant is requesting an amendment to the Cordes Ranch Specific Plan in order to broaden the areas that permit mobile food vendors, as well as lengthen the amount of time that a mobile food vendor could stay at a single location within a 24-hour period. Currently, the City's ordinance would restrict mobile food vendors within the Cordes Ranch Specific Plan area to the Business Park Industrial (BPI) Zone and the I-205 Overlay Zone, both of which are industrial zones.

The proposed Specific Plan Amendment would add a new use of "mobile food vendors" to Table 3.1, Permitted and Conditionally Permitted Uses. The proposed amendment would allow mobile food vendors as a permitted use in the General Office (GO) Zone, Business Park Industrial (BPI) Zone, I-205 Overlay Zone, and the Parks Zone, subject to all requirements for mobile food vendors in the Tracy Municipal Code, except as modified by the Specific Plan. The proposed Specific Plan Amendment also states that a mobile food vendor's operation (not including set up and take down) would be allowed for up to a maximum of twelve hours at a single location within a 24-hour period.

The applicant is requesting this amendment in order to accommodate the needs of the business park's tenants, who typically operate shifts on a 24-hour basis and have only 30-minute lunch breaks for employees. Staff considers the proposed amendment to be reasonable considering that the whole of the Cordes Ranch Specific Plan area is expected to function as part of the industrial business park, known as International Park of Commerce (IPC), including the GO Zone and the Parks Zone. Also, the Specific Plan area is located distant from the core of the City, which creates separation from existing restaurants within the City. The General Commercial (GC) Zone is expected to eventually provide restaurants within the Cordes Ranch Specific Plan area, but due to short lunch breaks for employees, it will likely not be practical for many employees to leave the job site during lunch, which makes mobile food vendors a reasonable option.

The Parks Zone is anticipated to be an integral part of the overall industrial business park and is expected to be the host site for many corporate/ business events and activities, which could benefit from the service of mobile food vendors. The proposed amendment includes the addition of note "10" to Table 3.1, which provides clarification to the type of uses permitted in the Parks Zone. Note 10 specifies that permitted passive or active recreational uses include, but are not limited to, events and activities such as exercise classes, health/fitness events, cooking demonstrations and food tastings, farmer's market, beer and wine tasting events, arts and crafts fairs, live music/music festivals, corporate trainings/presentations, movie screenings, environmental/nature classes, weddings, car club/concourse, and performing arts/theater. The park itself is anticipated to be an attractive draw on its own with expansive open space areas, lush landscaping, and walking/exercise trails. Therefore, in addition to mobile food vendors being located at business sites throughout the Specific Plan area, the general attraction and focal point of the park makes mobile food vendors a welcome addition there as well.

Maximum Floor Area Ratio (FAR) for Hotels

The proposed Specific Plan amendment also involves a change to maximum floor area ratio (FAR) for hotels. Floor area ratio is calculated as the floor area of all buildings on a lot divided by the area of the lot. Maximum FAR is one of many zoning tools that can be used to limit the amount of development intensity allowed on a lot. Maximum FAR is also used in Specific Plans to forecast development totals, which is useful for environmental studies and traffic analysis.

The Cordes Ranch Specific Plan includes a maximum FAR of 0.3 in the GC Zone and 0.45 in the GO Zone. The proposed amendment would create an exception to maximum FAR for hotels. The proposed amendment would add note "3" to Table 3.3 to create an exception that would allow a maximum FAR of 1.0 for hotels in the GC and GO Zones.

Staff considers this proposed amendment for hotels to be a reasonable request considering that development intensity would still be limited by parking requirements and building height limits. Hotels are required one off-street parking space per guest room, which is what typically limits the amount of development intensity on a lot. Additionally, the maximum building height limit in the GC and GO Zones without a conditional use permit is 80 feet. Most other zones in the City do not have a maximum FAR. As mentioned above, maximum FAR in Specific Plans is typically used to forecast development totals. The projected development totals for the Cordes Ranch Specific Plan are not changed by this proposed amendment because the amount of anticipated hotel development is minimal and the projected development totals are only an estimate.

Signs

The proposed Specific Plan amendment also includes clarifying revisions related to signs. The proposed amendment would add language in Section 3.8 to specify that a freeway sign may identify any tenants within the GC Zone of the Cordes Ranch Specific Plan area. The GC Zone area is located in close proximity to the I-205 interchange with International Parkway. Staff considers the proposed amendment reasonable given that the Cordes Ranch Specific Plan only allows a total of two freeway signs for the entire Specific Plan area and both signs are intended for commercial uses in the GC Zone.

The proposed amendment would also revise Section 5.6 to allow project entry signs (Sign Type C) at the northeast and southeast corners of International Parkway and Daylight Road. These project entry signs are of a similar design to other project entry signs throughout the Specific Plan area. Details of the conceptual sign design are shown in Figure 5.15. The related Section 5.7 would also be revised to include these two intersection corners in the conceptual landscape design for major intersections, which coincide with the use of Sign Type C.

In addition to the changes described above regarding signs, maximum FAR for hotels, and mobile food vendors, the proposed amendment would remove references to Street Section “J” in Table 3.3 and Table 3.4 because Street “J” does not exist as a planned street in the Cordes Ranch Specific Plan. Street “J” has not been shown on any of the Specific Plan figures that show conceptual street layouts since the earliest versions of the Specific Plan, and hence, this is an update for clarification purposes.

Environmental Document

An Environmental Impact Report (EIR) was certified by the City Council on September 3, 2013 for the Cordes Ranch Specific Plan. An Initial Study has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15168 of the CEQA Guidelines, exist in connection with the proposed amendment to the Cordes Ranch Specific Plan, and therefore, pursuant to Section 15168(c)(2), no further environmental review is required (Attachment B: CEQA Initial Study).

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council introduce and adopt an ordinance approving an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, maximum floor area ratio for hotels, and signs, as specified in the Planning Commission Resolution dated May 12, 2021 (Attachment C: Planning Commission Resolution).

SUGGESTED MOTION

Planning Commission recommends that the City Council introduce and adopt an ordinance approving an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, maximum floor area ratio for hotels, and signs, as specified in the Planning Commission Resolution dated May 12, 2021.

Prepared by: Scott Claar, Senior Planner
Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

Attachment A - Cordes Ranch Specific Plan Amendment
Attachment B - CEQA Initial Study
Attachment C - Planning Commission Resolution

CHAPTER 3
LAND USE, ZONING, AND DEVELOPMENT STANDARDS

3.1 INTRODUCTION

The Specific Plan Area is divided into four zoning districts: General Commercial, General Office, Business Park Industrial, and Parks. Permitted uses in the General Commercial Zone include retail and commercial uses intended primarily to provide goods and services to the immediate Project as well as the broader region." The General Office Zone is intended to provide office space for professional services, research, and development. The Business Park Industrial Zone permits, among other things, warehouse, distribution, manufacturing, storage, industrial flex, and distribution related uses. Permitted uses within the Park Zones are limited to open space areas, park facilities, and detention basins, flood control improvements, and certain other public improvements.

In addition to the four zoning designations described above, parcels zoned Business Park Industrial and within 500' of I-205 are included within the I-205/ Business Park Industrial Overlay. Property within the I

Figure 3.1, Project Concept

-205 Overlay is subject to heightened development and design standards with emphasis on building orientation, architectural design, and landscape planting and screening.

Development flexibility is created through a wide range of permitted and conditionally permitted uses, which anticipate the current and future development market, and development standards which guide the design of buildings to meet the requirements of users with a commitment to sustainability and quality architecture.

3.2 ZONING DISTRICTS

As explained above, the Specific Plan incorporates four zoning districts and an overlay zone with a variety of allowed uses. The zoning districts allow for flexibility to accommodate the future needs of the Project and the City of Tracy.

The following sections describe the zone districts and the intent of each, permitted and conditionally permitted uses, allowable floor area ratios, and other development standards. Chapters 4 and 5, Design Guidelines and Master Landscape Plan, will further guide development within the Project Area and will be used in conjunction with the development standards in this chapter.

General Commercial (GC)

The General Commercial Zone will include highway and retail commercial uses and business services designed to serve the immediate Project, as well as the broader region.

General Office (GO)

The General Office Zone includes office, office/warehouse, research, light industrial, manufacturing and other service-related business services. This zone can also contain a limited amount of supportive and compatible commercial uses (such as restaurants) or other small-scale business-serving retail uses.

Business Park Industrial (BPI)

The Business Park Industrial Zone includes warehouse, distribution logistic facilities, manufacturing, assembly, and production uses.

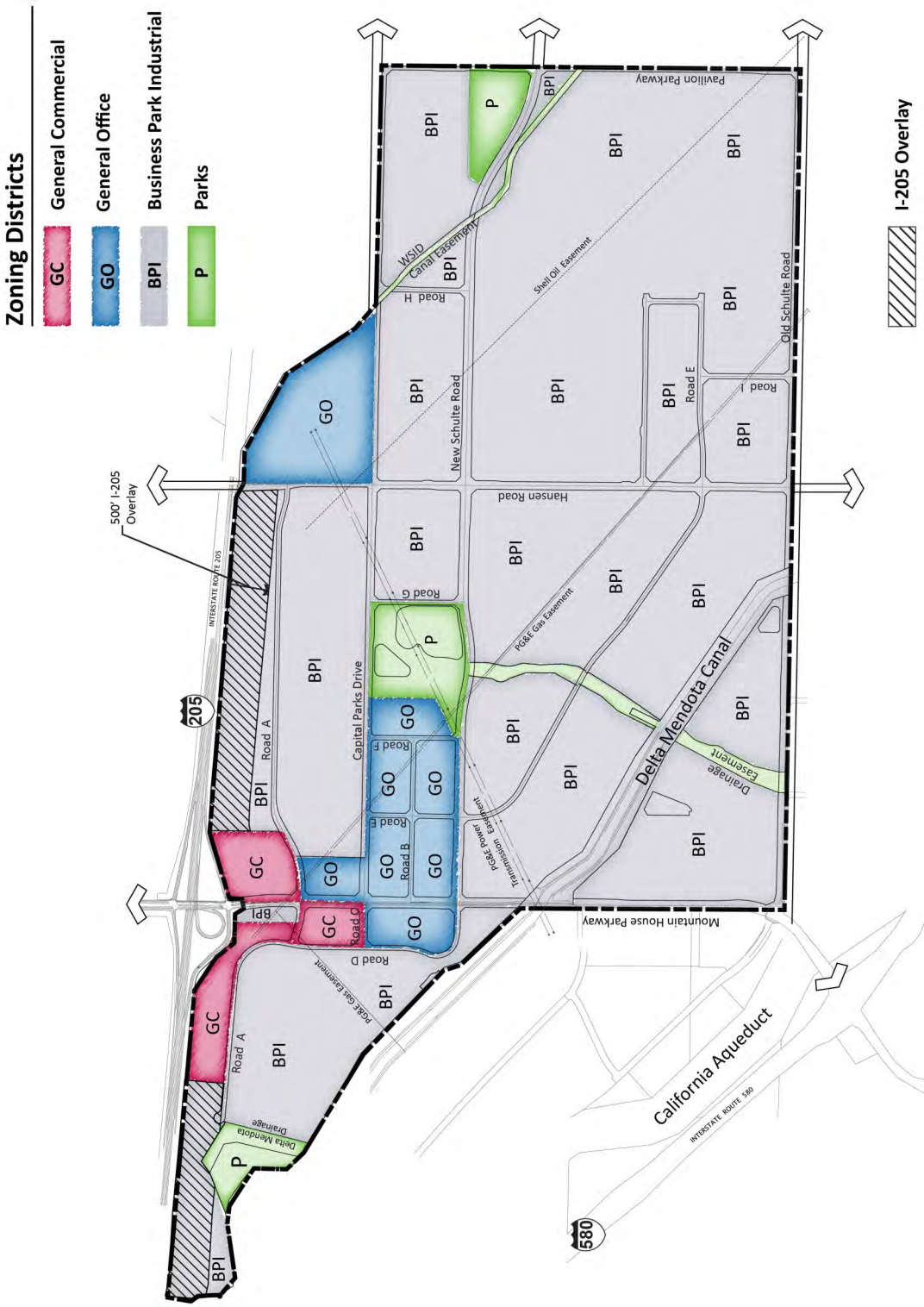


Figure 3.2, Cordes Ranch Specific Plan Zoning Districts

Permitted and Conditionally Permitted Uses

Uses	General Commercial (GC)	General Office (GO)	Business Park Industrial (BPI)	I-205 Overlay	Parks (P)
Agricultural Processing, Sales, and Services Includes: Packing and shipping of agricultural products. Processing, including canning freezing and dehydrating. Wine grape processing and making, wine bottling and packing, shipping.	NP	NP	P[1]	C[1]	NP
Business Services (e.g., reproduction, delivery, repair services, postal store, and restaurant supply.)	P	C	P	P	NP
Contract Construction	NP	NP	P	NP	NP
Construction Equipment & Material Storage	NP	NP	P[2]	NP	NP
Day Care Centers (e.g., community care facilities)	C	P	C	C	NP
Eating and/or drinking establishment without a bar.	P	P	P	P	NP
Eating and/or drinking establishment (with or without entertainment) without serving alcohol and providing entertainment[7] after 11:00 p.m.	P	NP	NP	NP	NP
Eating and/or drinking establishment that serves alcohol and provides entertainment[7] after 11:00 p.m.	C	NP	NP	NP	NP
Equipment Rental and Sales	NP	NP	P	NP	NP
Gas & Service Stations with Accessory Retail Market	P	C	P	P	NP
Lodging (e.g., hotels, motels)	P	C	C	C	NP
Manufacturing, Processing, Assembly, Business Industrial Flex, including storage and shipping uses.	NP	NP	P[1,3]	P[1, 3, 4]	NP
Mobile Food Venders	NP	P[9]	P[9]	P[9]	P[9]
Offices (e.g., Business, professional, laboratories, medical/ dental, financial services)	P[5]	P[5]	P[5]	P[5]	NP
Off-site Truck and Trailer Parking and Storage	NP	NP	C	NP	NP
Park & Ride or Off-site Parking Facilities	C	C	C	C	NP
Places of Assembly (e.g., places of worship, private clubs and related uses)	C	C	C	C	NP
Public Facilities	P	P	P	P	P
Recreational, Educational & Instructional Uses (e.g., miniature golf, bowling alley, instructional or educational performing arts, gymnastics, post-secondary education (including school campus), vocational training, tutoring services, etc).	C	C	C	C	NP
Recycling Collection Facilities	NP	NP	P[1]	NP	NP
Retail & Consumer Services (e.g., building materials and hardware stores, garden center, clothing and shoe stores, department stores, drug stores and grocery stores, and personal services such as nail, hair and tanning salons).	P	NP	NP	C	NP
Retail & Consumer Services as ancillary uses oriented to serve the daily needs of workers in the GO and BPI	P	C	C	C	NP
Truck Stops, Truck Fuel Stations, Truck Wash Facilities, and Truck Repair services	NP	NP	C[6]	NP	NP
Vehicle Sales, Service, & Rental	P	NP	C[8]	C	NP
Warehouse & Distribution	NP	NP	P[3]	NP	NP
Passive or active recreational uses	NP	NP	NP	NP	P[10]
Pedestrian trails,and bicycle paths	P	P	P	P	P
Public Utilities	P	P	P	P	P

P = Permitted
C = Conditionally Permitted
NP = Not Permitted

Table 3.1, Permitted and Conditionally Permitted Uses

Parks (P)

The Parks Zone is designed to provide for open space areas and park facilities which offer recreational, cultural, entertainment, community gardens, and similar uses. In addition, the Parks Zone allows for the construction of certain types of flood control infrastructure to implement the citywide Storm Drainage Master Plan.

I-205 Overlay

The I-205 Overlay applies to property within 500 feet of I-205 to take advantage of the high visibility of properties adjacent to I-205. This area includes a refined range of uses from the BPI Zone to promote high visibility development opportunities that allow a blend of office with light assembly, manufacturing, and business industrial flex uses. The Overlay requires higher development standards with emphasis on building orientation, architectural design, and landscape planting and screening.

Table 3.1 Notes:

1. All of these uses must be conducted wholly within a building, including storage.
2. These outdoor storage uses must be completely screened from view from I-205 and public streets.
3. Includes accessory space for showrooms/sales.
4. Permitted only in buildings 75,000 square feet or smaller.
5. These uses shall be allowed to include interior warehousing and interior storage as an accessory use.
6. Truck stops are not permitted north of Capital Parks Drive or west of International Parkway (formerly Mountain House Parkway).
7. "Entertainment" means such uses as live music, disc jockeys, dancing, karaoke, comedy shows, modeling, or live performances.
8. Only in I-205 Overlay with a Conditional Use Permit.
9. Mobile food vendors are permitted in the GO Zone, BPI Zone, I-205 Overlay Zone, and the Parks Zone subject to all requirements for mobile food vendors in the Tracy Municipal Code, except as modified by this Specific Plan. A mobile food vendor's operation (not including set up and take down) shall be allowed for up to a maximum of twelve (12) hours at a single location within a 24-hour period. The requirement in the Tracy Municipal Code that a mobile food vendor must be an accessory use to a business conducted within a building on a site is not applicable In the Parks zone, where a mobile food vendor is permitted as an accessory use to a park.
10. Passive or active recreational uses include, but are not limited to, events and activities such as exercise classes, health/fitness events, cooking demonstrations and food tastings, farmer's market, beer and wine tasting events, arts and crafts fairs, live music/music festivals, corporate trainings/presentations, movie screenings, environmental/nature classes, weddings, car club/concourse, and performing arts/theater. No overnight activities are permitted without a Temporary Use Permit (TUP). Any individual activity may require a building permit and/or fire permit, as applicable under the Building and Fire Codes.

3.3 PERMITTED AND CONDITIONALLY PERMITTED USES

Table 3.1 presents the permitted and conditionally permitted land uses within the Project Area. In addition, accessory uses and temporary uses shall be allowed as provided in the Tracy Municipal Code, including temporary construction activities and on-site construction staging areas with concrete and/or asphalt batch facilities.

Prohibited Uses (All Categories)
Uses
Adult Businesses or Adult Uses as defined in the T.M.C.
Massage Parlors
Trash Transfer Stations
Outdoor Recycling Facilities
Composting Facilities
Junk Yards and Automobile Wrecking Yards
Explosives Handling
Funeral and Interment Services
Animal, Poultry, and Fish Farming, Including Breeding, Raising, Maintaining, or Slaughtering
Any Use Prohibitted by State or Federal Law
Any Use Not Listed in Table 3.1.

Table 3.2, Prohibited Uses

Nonconforming agricultural uses existing and operating at the date of Cordes Ranch Specific Plan adoption within the Project Area shall be broadly interpreted to allow continued agricultural operations until development in conformance with this Specific Plan occurs. Agricultural crops or operations may change to another, such as row crops to orchards, without the property losing its nonconforming status. Unless otherwise established herein, all definitions and land use terms shall be as stated in the Tracy Municipal Code. Table 3.2 presents the prohibited uses which will not be allowed to develop within any zoning district within the Cordes Ranch Specific Plan.

Development Standards by Zoning District

	General Commercial (GC)	General Office (GO)	Business Park Industrial (BPI)	I-205 Overlay
Building Coverage and Height				
Floor Area Ratio (F.A.R.) maximum[3]	30%[3]	45%[3]	50%	40%
Maximum Building Area	N/A	N/A	N/A	See Table 3.1 for building size limitations
Maximum Building Height[1]	80'	80'	100'	80'
Maximum Freestanding Light Pole Height[2]	40'	30'	40'	40'
Minimum Building Setbacks (as measured from property line)				
Front Yard/Street Setback	See Private Frontage Landscaping for minimum building setbacks	See Private Frontage Landscaping for minimum building setbacks	See Private Frontage Landscaping for minimum building setbacks	See Private Frontage Landscaping for minimum building setbacks
Side Yard Setback (non street)	10'	10'	10'	10'
Rear Yard Setback (non street)	10'	10'	10'	10'
I-205 Setback	30'	30'	N/A	100'
Minimum Private Frontage Landscaping (as measured from property line)				
Mountain House Parkway	30'	30'	30'	30'
Capital Parks Drive	N/A	25'	25'	25'
New Schulte Road	30' @ Class 1 bike path 25' @ sidewalk	30' @ Class 1 bike path 25' @ sidewalk	30' @ Class 1 bike path 25' @ sidewalk	N/A
Old Schulte Road	25'	25'	25'	N/A
Hansen Road	25'	25'	25'	25'
Pavilion Parkway	25'	25'	25'	N/A
Street Section E	15' At Class 1 bike path 25' at sidewalk	15' At Class 1 bike path 25' at sidewalk	15' At Class 1 bike path 25' at sidewalk	15' At Class 1 bike path 25' at sidewalk
Street Section F	15'	15'	15'	15'
Street Section G	15'	15'	15'	15'
Street Section H	15'	15'	15'	15'
Street Section I	15'	15'	15'	N/A
~~Street Section J~~	~~N/A~~	~~0'~~	~~N/A~~	~~N/A~~
I-205 Setback	30'	30'	30'	30'

Notes:

1. Structures in the Project Area may exceed the maximum height limit upon approval of a Conditional Use Permit.

2. This height may be increased up to a maximum total height of 60 feet upon approval of a Conditional Use Permit by the Planning Commission, which can take the form of a separate application.

3. Maximum FAR shall be 1.0 for hotels in the General Commercial (GC) and General Office (GO) zones.

Table 3.3, Development Standards

3.4 DEVELOPMENT STANDARDS

Development standards have been prepared for each of the zoning districts outlined in Section 3.2. Table 3.3 presents the standards for development which include minimum setback requirements, maximum building heights, and landscape setbacks. No lot shall be created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

Modifications in these standards may be necessary to respond to unique site characteristics and/or changes in development requirements to respond to market conditions. Modifications to these standards will require Planning Commission and City Council review through a Specific Plan amendment per the City of Tracy Municipal Code requirements. Unless otherwise established herein, all definitions and land use terms shall be as stated in the Tracy Municipal Code.

Required Off-Street Parking

Use	Required Parking based on use
Retail Commercial	One space per 250 square feet of gross floor area.
Vehicle Sales and rentals including RV's and mobile homes.	One space per 250 square feet of gross floor area, plus one space per vehicle for sale or stored on lot.
Offices: businesses, professional (not including medical or dental), and banks.	One space per 250 square feet of gross floor area.
Dental or medical clinics or offices	One space per 200 square feet of gross floor area.
Motor vehicle repair garages	One space per 600 square feet of gross floor area; repair stalls not counted as parking spaces.
Cafes, restaurants and other establishments for the sale and consumption of food and beverages	Dining: one space per 45 square feet of customer area and one space per 250 square feet of all other areas.
Hotels and motels	One space per guest room.
Warehouse and storage buildings	One space per 1,000 square feet of the first 20,000 square feet of gross floor area, plus one space per 2,000 square feet of the second 20,000 square feet of gross floor area, plus one space per 4,000 square feet of the remaining square feet of gross floor area.
Manufacturing, processing, and assembly	One space per 600 square feet of grosss floor area, or if the number of employees on the maximum work shift can be verified, one space per one employee on the maximum work shift.
Auditoriums, churches, sports arenas, theaters and other places of assembly	One space per five (5) fixed seats or, if the assembly does not have fixed seats, one space per 60 square feet of assembly area. If the number of parking spaces required for the sum of all accessory uses does not exceed the number of parking spaces required for the assembly area no additional parking is required. Uses which are not accessory to the assembly use, shall provide additional off-streetparking in accordance with City parking regulations.
~~Street Section J~~	~~On-street diagonal parking on Street Section J, along the parcel frontage of Streets B, E and F may be counted as part of the off-street parking requirement.~~

Table 3.4, Required Off-site Parking

Landscape Standards for Off-Street Parking Areas	
a. Landscaping Shall Be Installed at the Following Rate:	
Number of Required Auto Spaces	**Percent of Parking Area in Landscaping**
1 through 15	5%
16 through 30	10%
31 through 60	15%
Over 60	20%
b. Landscaping shall consist of plant materials and shall include a combination of trees, shrubs, and ground cover.	
c. Trees shall be of a type approved by the Development Services Director. Trees shall be required at the rate of one tree per each five required auto parking spaces. Such trees shall be a minimum 24" box in size. Canopy trees shall be evenly distributed throughout the parking area so that 40 percent of the area shall be shaded at tree maturity. Canopy trees shall be the type that normally achieves a minimum canopy diameter of 25 feet, as approved by the Development Services Director.	
d. Trees shall be planted according to the City of Tracy Standard Specifications for street trees.	
e. The requirements for parking lot landscaping for industrial development, as indicated in this section, may be decreased by a maximum of 50% provided a corresponding minimum increase in perimeter landscaping of fifty (50%) percent is provided.	
f. Screening of the parking area from public rights-of-way shall be provided at a minimum height of two and one-half feet and a maximum height of three feet measuring from the top of the parking area pavement. Parking area screening from public rights-of-way may consist of one or a combination of the following: 1. Berms landscape with ground cover, trees, and shrubs; 2. Solid, low profile, decorative masonry walls; 3. Evergreen shrubbery which, when solely used as screening, shall be continuously maintained to provide solid screening.	
g. Trash receptacles/enclosures and loading areas shall be screened on all sides, with a gate provided for access, and shall be landscaped.	
h. All landscaping shall be protected with a six inch raised concrete curb.	
i. Landscaped areas and planters shall be serviced by a permanent automatic irrigation system approved by the Development Services Director.	
j. All parking areas, landscaping and screening shall be continuously maintained by the property owner. Landscaping and screening shall be free of weeds, debris, litter, and dead plants. Any dead plant material shall be replaced with similar type of living plant material.	
k. Parking area and perimeter landscaping shall be installed or secured as required prior to any authorization to occupy any building(s) served by required parking areas.	
l. Landscaping shall be designed to obscure views of loading and other service areas, including trash storage areas, from rights of way and adjoining property containing such loading facilities.	
m. 40% canopy tree coverage.	

Table 3.5, Landscape Requirements for Parking Areas

Vegetated bioswales in planting islands

3.5 OFF-STREET PARKING

The Tracy Municipal Code off-street parking requirements shall apply to the Cordes Ranch Specific Plan except as modified herein. On-street diagonal parking on , along the parcel frontage of Streets B, E, and F may be counted as part of the off-street parking requirement for adjacent development.

3.6 LANDSCAPE STANDARDS FOR OFF-STREET PARKING AREAS

Off-street parking areas will require landscaping per the standards established by the Tracy Municipal Code. Parking area landscaping shall be provided in accordance with Tracy Municipal Code standards unless otherwise provided herein.

3.7 ADDITIONAL LANDSCAPING STANDARDS

Parking Area Landscape

- When located adjacent to the freeway or other right-of-way frontage, parking should be screened by use of landscaping, berming, low decorative walls or combination of these.
- To the extent feasible, parking lot planting islands and tree placement should be coordinated with freeway edge planting and views into signage and any special architectural detailing.
- Parking lot trees should be provided at a minimum of one tree per 5 spaces. Large scale, high branching shade trees should be used in all parking areas.
- Vegetated bioswales are encouraged in parking lot planting islands to treat on-site stormwater. Pedestrian circulation should be carefully coordinated with bioswales.
- Landscaping shall be integrated with the building frontage.
- There shall be a minimum 10 foot wide (inside dimension) landscaped strip along property lines adjacent to the public rights-of-way and private streets. The landscaped strip shall be continuous except at required access to the site or parking area.

3.8 SIGN STANDARDS

Wall, monument, directory, and directional signs are the sign types allowed in the BPI Zone and shall be allowed in accordance with Tracy Municipal Code standards, except as modified herein. Signs in the GC and GO Zones shall comply with the Tracy Municipal Code standards, except as modified below. ~~for Freeway Signs in the GC Zone.~~

Total sign area allowed on each parcel shall be calculated as the sum of the sign areas of all types of signs, not to exceed one square foot of sign area for each lineal foot of building frontage of business being advertised.

Freeway Sign

A total of two Freeway Signs are allowed within the Cordes Ranch Specific Plan. They are allowed to be located within the General Commercial zone parcels adjacent to I-205. Figure 3.3 depicts the approximate location for each, and Figure 3.4 depicts the design and dimensions examples for a Freeway Sign.

A Freeway sign requires Development Review approval as outlined in Chapter 8. The Freeway Signs should be creatively designed and should add to, and not detract from, the aesthetic appeal of the Cordes Ranch Specific Plan Area, as illustrated in Figure 3.4, Freeway Sign Design Example. The design example shown in Figure 3.4 is not intended to preclude other design alternatives that may emerge through the Development Review process. A Freeway Sign may identify any tenant(s) located within the General Commercial (GC) Zone of the Cordes Ranch Specific Plan area.

Freeway Sign Design Standards

1. Maximum height: 70'
2. Maximum width: 22'
3. Maximum number of sign panels is 8 per sign face.
4. Height of the lowest sign panel shall be 8 feet min.
5. Maximum number of signs permitted: 2 within the Cordes Ranch Specific Plan area.

Figure 3.3, Freeway Sign Locations

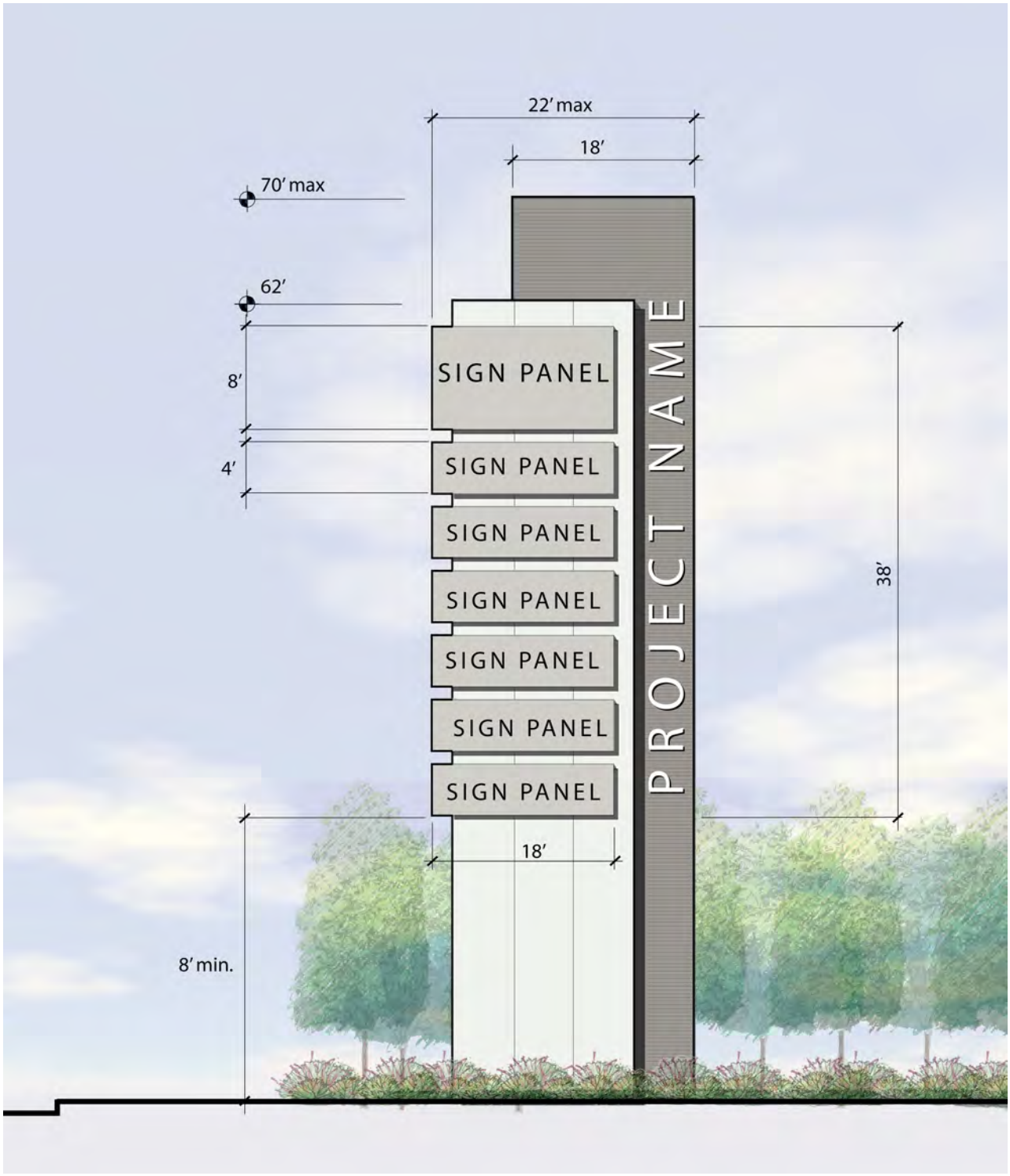


Figure 3.4, Freeway Sign Design Example

Freeway Sign - West Vantage Point Example

Freeway Sign - East Vantage Point Example

Wall Signs within the Business Park Industrial Zone
It is important that wall signs be proportional to the building scale and mass. Due to the size, building mass, and building setbacks from the street frontages, wall signs within the BPI zoning designation will be allowed as follows:

<u>Wall Sign A</u> Design Standards within the Business Park Industrial Zone

1. Wall Sign A shall not exceed 300 square feet per individual sign and the combined total of all Wall Sign A's placed on each building frontage shall not exceed 600 square feet.
2. Wall Sign A shall consist of individually mounted letters and logo elements only.
3. Maximum wall sign width including logo shall be a maximum of 80% of the width of the architectural element that the sign is placed on. See Figure 3.5.
4. See Figures 3.6 and 3.7 for typical building signage locations.

<u>Wall Sign B</u> Design Standards within the Business Park Industrial Zone

1. Wall Sign B shall not exceed 30 square feet per individual sign and shall be limited to no more than two Wall Signs B's placed on each building frontage.
2. Wall Sign B shall consist of individually mounted letters and logo elements only.

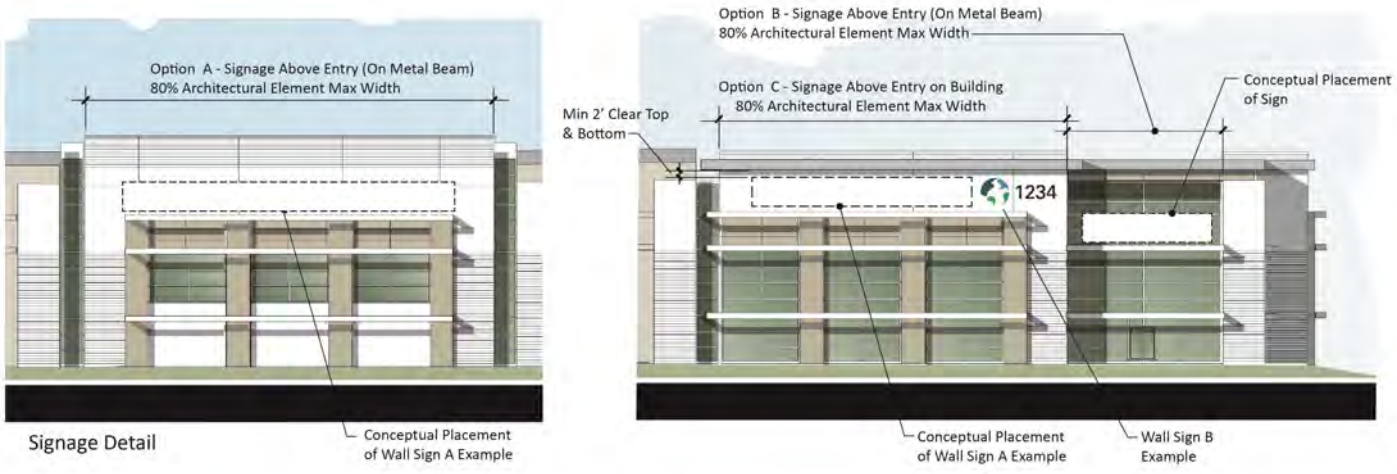


Figure 3.5, Wall Signs

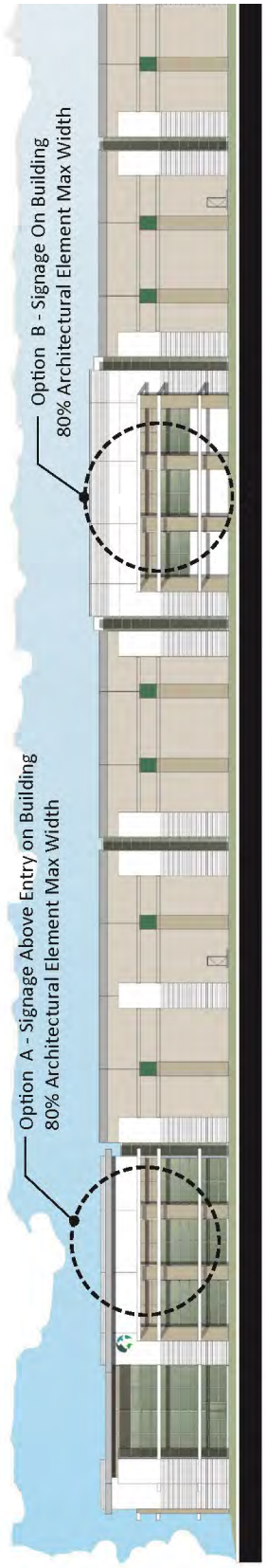


Figure 3.6, Typical Wall Sign Locations

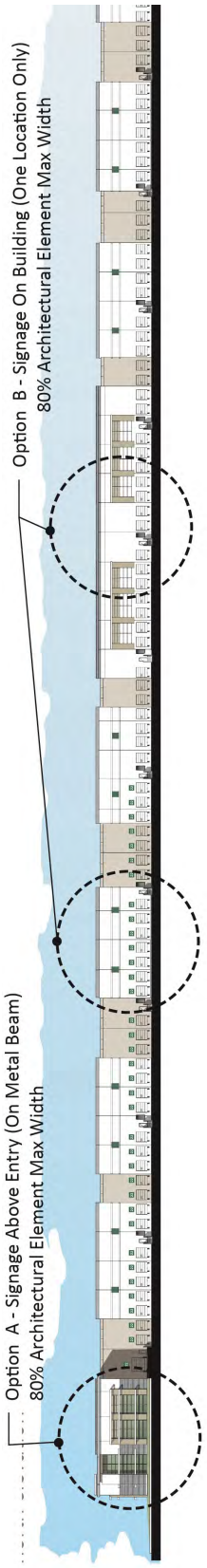


Figure 3.7, Typical Wall Sign Locations

Figure 3.8, Monument Sign
Single Tenant Example

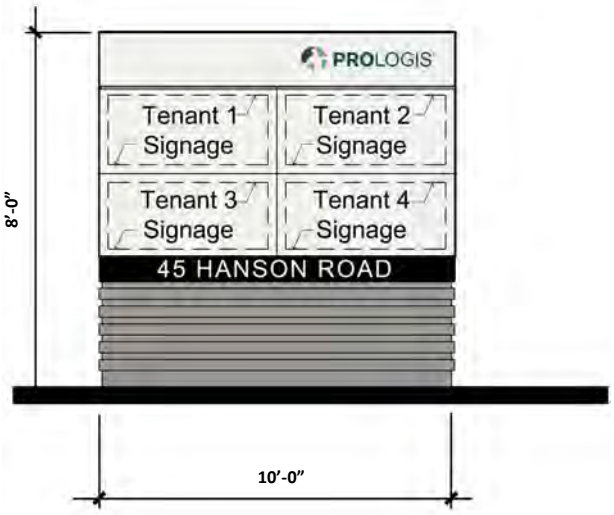


Figure 3.9, Monument Sign
Multi-Tenant Example

Monument Signs within the Business Park Industrial Zone

Monument signs will assist visitors in wayfinding at Cordes Ranch and to denote the vehicle entry points to businesses. With the wide street corridors and landscape setbacks within Cordes Ranch, it will be important to provide monument signage scaled appropriately, see Figure 3.8 and 3.9 for typical monument sign design. Monument signage will be allowed as follows;

Monument Sign Design Standards within the Business Park Industrial Zone

1. The maximum number of monument signs per parcel shall be one per driveway approach (known as a "curb cut") with no more than two monument signs located on each parcel street frontage. The minimum distance between monument signs located on the same parcel street frontage is 700 feet. Two separate parcels with a shared curb cut may both have a monument sign.
2. Monument signs shall not exceed 80 square feet maximum per sign face.
3. Maximum monument sign height shall not exceed 8', except that any monument sign within 10 feet of a public right-of-way shall not exceed 6 feet in height.
4. Maximum monument sign width shall not exceed 10'.
5. Monument signs shall not obstruct vehicular sight lines, as set forth in the Tracy Municipal Code.

Directory and Directional Signage within the Business Park Industrial Zone

Directory and Directional signs will assist visitors with on-site wayfinding and to denote the location of business entries and to assist with on-site vehicle circulation. Directory and directional signage will be allowed per the Tracy Municipal Code requirements, except that a directory sign shall not be permitted within 50 feet of a public right-of-way and must be oriented to serve on-site visitors.

CHAPTER 5
MASTER LANDSCAPE PLAN

5.1 LANDSCAPE CONCEPT

The Cordes Ranch Specific Plan includes a thoughtfully planned set of landscape treatments and open space areas designed to create a unique and aesthetically appealing development that promotes environmental and personal health. The landscape design is contemporary and sustainable, in reference to the architectural style and detailing of the building with the Specific Plan boundary and forward-thinking nature of the City of Tracy. The Project Area is visually unified through contemporary landscape elements including project signage, plant palette and coordinated furnishings and fixtures, creating a strong sense of place. The scale and location of design features reinforce the circulation hierarchy.

These private landscape elements are generally located outside of the right-of-way and will be privately maintained. Implementation of the Master Landscape Plan is further addressed in Chapter 6, which describes specific triggers for these improvements and maintenance responsibilities. In some cases the right-of-way extends several feet beyond the back of walk. In these cases, the portion of right-of-way beyond the back of walk may be privately maintained for simplicity and to ensure maintenance consistency. Where certain features extend into the right-of-way, maintenance easements or other arrangements acceptable to the City, will be established to allow for private maintenance.

Sustainable design of the landscape will include the use of native and climate adapted plant species, high-efficiency irrigation systems and lighting, locally sourced and recycled materials and stormwater best management practices. This approach to the design will create a contemporary California landscape that is attractive, yet resource-efficient and relatively low-maintenance.

The design concepts and illustrations depicted within the Master Landscape Plan are intended to be conceptual only and were envisioned to provide only a guideline for development of the final design. These illustrations include conceptual design elements, a listing of suggested plant species, proposed plant spacing, and suggested plant container sizes. Final landscape designs for each of these design elements in both the public right of way and private parcels including but not limited to the design and layout, plant species, plant spacing, and container sizes will be reviewed and approved by the City of Tracy as part of individual development applications for each parcel or as part of the public road improvement plan approval process.

Conceptual Streetscape Planting

5.2 I-205 LANDSCAPE CORRIDOR

Two alternating landscape themes along the I-205 corridor will enhance the freeway edge and create visual interest. See Figure 5.2. One theme is more formal consisting of evergreen trees in angled rows inspired by windrows seen in the San Joaquin Valley. The second theme is informal tree groupings arranged to allow openings for views into the Plan Area. The use of these alternating concepts reflects a contemporary aesthetic. Groupings of shrubs, fescues, and grasses will be planted as understory for trees. Detention basins along the freeway frontage will be planted with hydroseeded grasses and enhanced with trees planted along the perimeter, see Figure 5.4. The detention basins have the benefit of adding to the landscape setback while functioning as storm water detention and treatment. The landscaped frontage setback along I-205 will maintain a minimum of 30' in width. Figures 5.1—5.10 depict the conceptual design for the I-205 frontage.

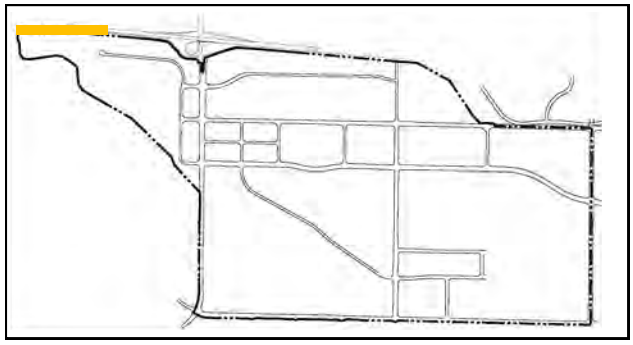
Design Elements for Freeway Edge, Western Portion

A. *West City Gateway*
- see Section 5.3 City Gateway for details and enlargement . See Figure 5.8.

B. *Trees Informal Planting (Grouping)*
- species: Quercus ilex (Holly Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Quercus wislezenii (Interior Live Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Cedrus deodora (Deodar Cedar)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.



Key Map

Design Elements for Freeway Edge, Western Portion

C. *Freeway Planting Understory, typ.*
- See Figure 5.3.
- 30' min. landscape
- species: native and drought tolerant shrubs closely spaced, e.g. Coffeeberry, Santa Barbara Sage, Howard McMinn Manzanita, Rockrose, Toyon and Rosemary.
- height: 3' to 15'
- size: 5 to 15 gal.
- spacing: maintain and allow plants to grow to natural form.
- species: Ornamental Grasses closely spaced, e.g. Atlas Festuca, Carex, Pennisetum and Lomandra
- height: 2' to 4'
- size: 1 to 5 gal.
- spacing: maintain and allow plants to grow to natural form.

D. *Detention Basin*
- hydroseed with native grasses
- Bank planting: Groupings of Arroyo and Upland Willow, California Wild Rose.
- size: 5 and 15 gal.
- spacing: 12' on center, min. 3 shrubs (similar species) per grouping.

E. *Freeway Fence, typ.*
- Approved fencing by Caltrans
- See Figure 5.3

F. *Trees Formal Planting*
- species: Olea europaea (Fruitless Olive)
- size: 36" box
- row spacing: 25' (diagonal to freeway fence line)

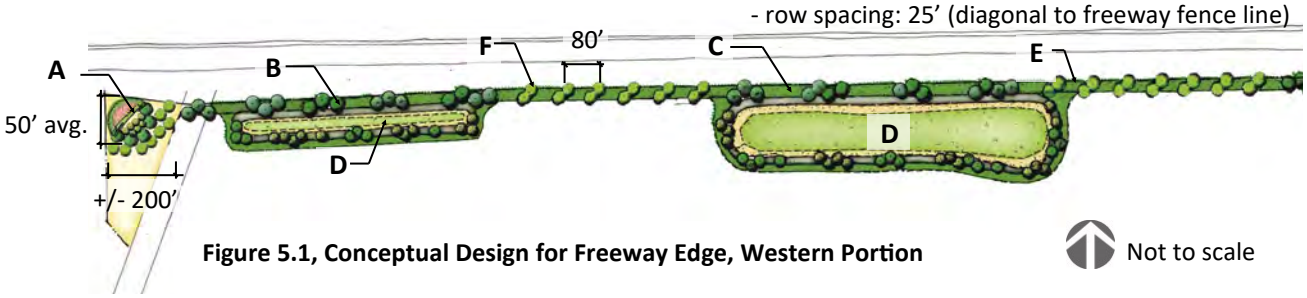
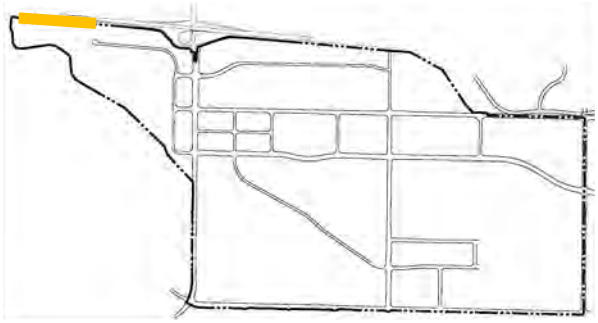


Figure 5.1, Conceptual Design for Freeway Edge, Western Portion

Not to scale



Key Map

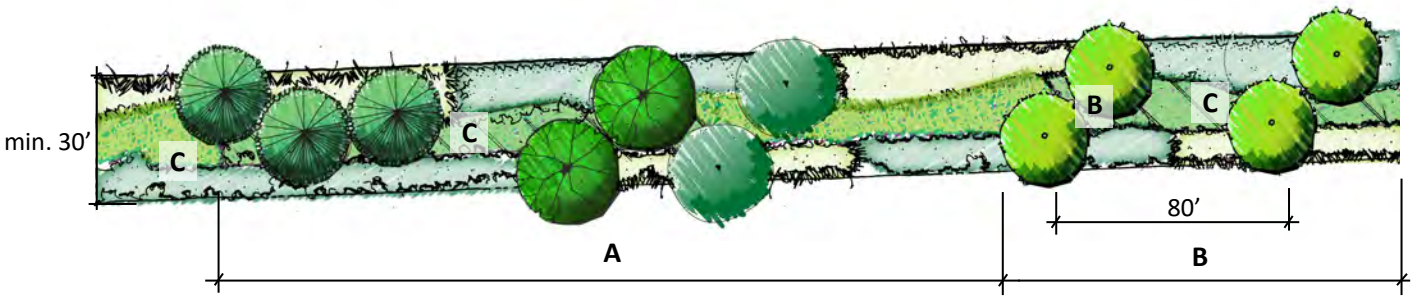


Figure 5.2, Freeway Edge Enlargement

Not to scale

Design Elements for Freeway Edge Planting

A. Trees Informal Planting (Grouping)
- species: Cedrus deodora (Deodor Cedar) Quercus Ilex (Holly Oak), Quercus wislezenii (Interior Live Oak)
- size: 24" box
- spacing; 30' on center, min. 3 trees (similar species) per grouping.

B. Trees Formal Planting
- species: Olea europaea (Fruitless Olive)
- size: 36" box
- row spacing: 25' (diagonal to freeway fenceline)

C. Freeway Planting Understory (typ.)
- species: native and drought tolerant shrubs closely spaced, e.g. Coffeeberry, Santa Barbara Sage, Howard McMinn Manzanita, Rockrose, Toyon and Rosemary.
- height: 3' to 15'
- size: 5 to 15 gal.
- spacing: maintain and allow plants to grow to natural form.

- species: Ornamental Grasses closely spaced, e.g. Atlas Festuca, Carex, Pennisetum and Lomandra
- height: 2' to 4'
- size: 1 gal.
- spacing: maintain and allow plants to grow to natural form.

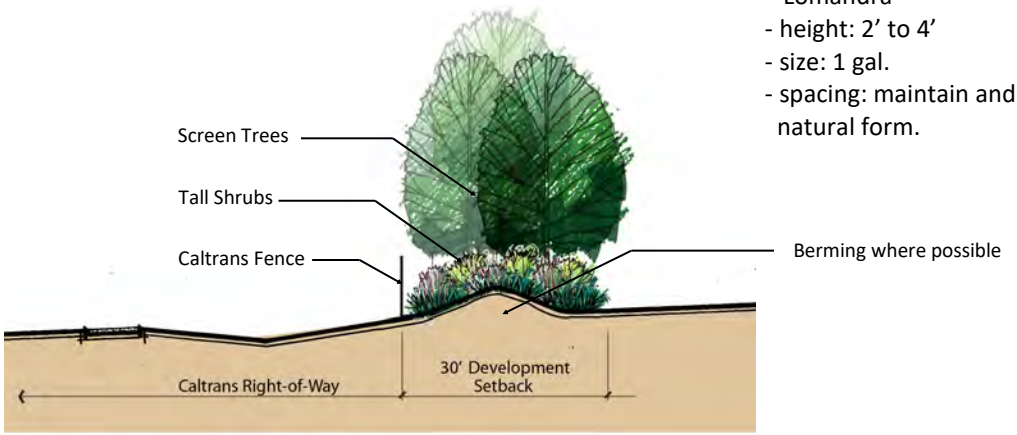


Figure 5.3, Section

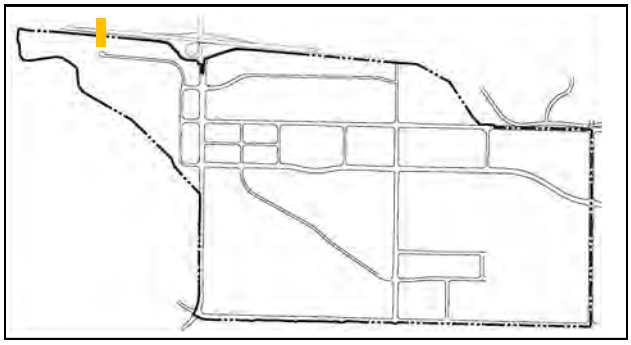
Design Elements for Freeway Edge Detention Basin Frontage

A. *Tree Rows*
- species: Quercus ilex (Holly Oak)
- size: 24" box
- tree spacing: 30' on center, min. 2 trees
- row spacing: 80' on center

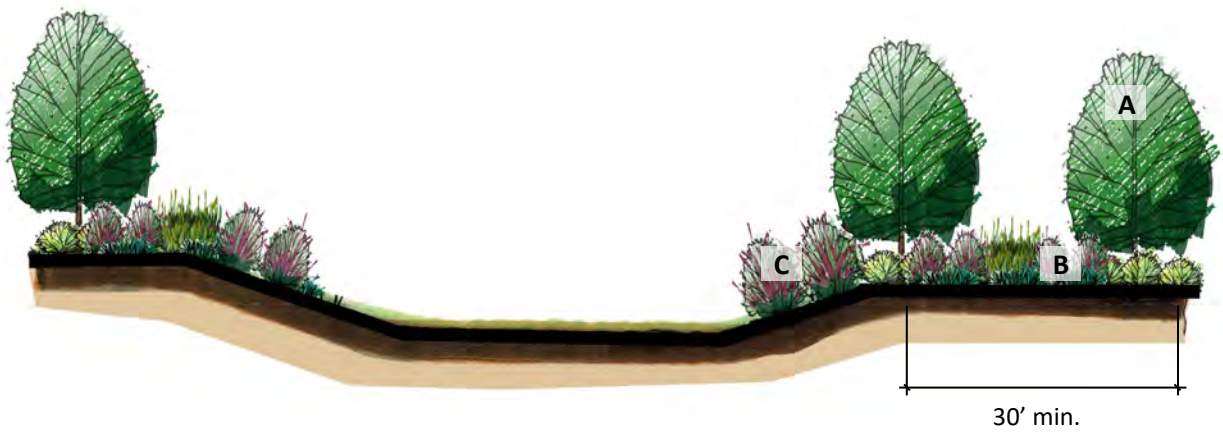
B. *Freeway Planting Understory, typ.*
- 30' min landscape
- hydroseeded no-mow native grasses and wild flower mix

- species: native and drought tolerant shrubs closely spaced, e.g. Coffeeberry, Santa Barbara Sage, Howard McMinn Manzanita, Rockrose, Toyon and Rosemary.
- height: 3' to 15'
- size: 5 to 15 gal.
- spacing: maintain and allow plants to grow to natural form.

C. *Detention Basin*
- hydroseed with native grasses
- Bank planting: Groupings of Arroyo and Upland Willow, California Wild Rose
- size: 5 and 15 gal.
- spacing: 12' on center, min. 3 shrubs (similar species) per grouping.



Key Map



Not to scale

Figure 5.4, Section, Conceptual Design for Freeway Edge Detention Basin Frontage

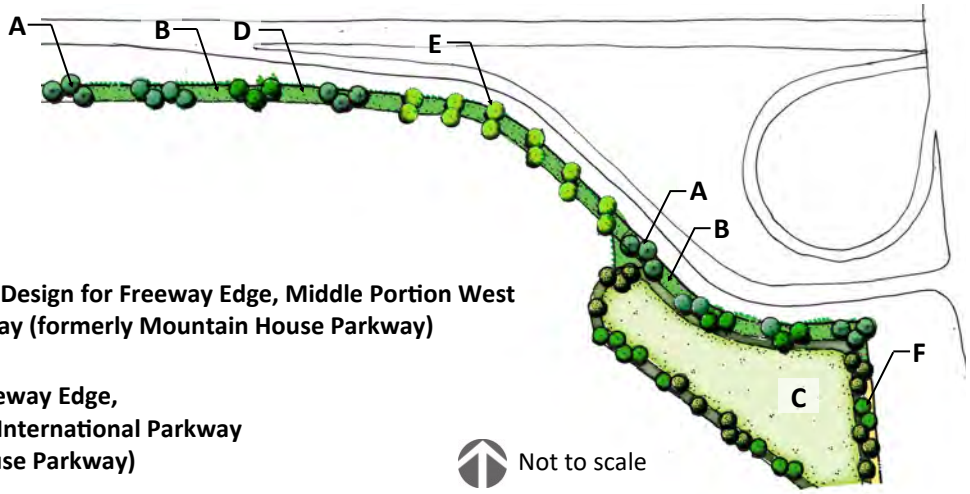


Figure 5.5, Conceptual Design for Freeway Edge, Middle Portion West of International Parkway (formerly Mountain House Parkway)

Design Elements for Freeway Edge, Middle Portion West of International Parkway (formerly Mountain House Parkway)

A. *Trees Informal Planting (Grouping)*
- species: Quercus ilex (Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Quercus wislezenii (Interior Live Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Cedrus deodora (Deodar Cedar)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

B. *Freeway Planting Understory, typ.*
- 30' min. landscape
- species: native and drought tolerant shrubs closely spaced, e.g. Coffeeberry, Santa Barbara Sage, Howard McMinn Manzanita, Rockrose, Toyon and Rosemary.
- height: 3' to 15'
- size: 5 to 15 gal.
- spacing: maintain and allow plants to grow to natural form.

- species: Ornamental Grasses closely spaced, e.g. Atlas Festuca, Carex, Pennisetum and Lomandra
- height: 2' to 4'
- size: 1 gallon
- spacing: maintain and allow plants to grow to natural form.

C. *Detention Basin*
- hydroseed with native grasses
- Bank planting: Groupings of Arroyo and Upland Willow, California Wild Rose.

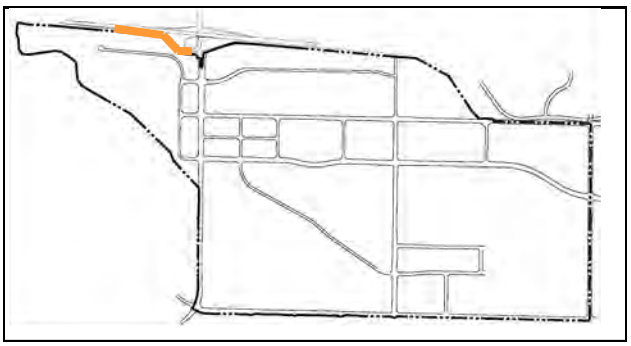
- size: 5 and 15 gal.
- spacing: 12' on center, min. 3 shrubs (similar species) per grouping.

D. *Freeway Fence, typ.*
-Approved fencing by Caltrans.
-height: 4'
-color: black
- see Figure 5.3 for detail

E. *Trees Formal Planting*
- species: Olea europaea (Fruitless Olive)
- size: 36" box
- row spacing: 25' (diagonal to freeway fenceline)

F. *PG and E Screening*
- species: Quercus wislezenii (Interior Live Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Cedrus deodora (Deodar Cedar)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.



Key Map

**Design Elements for Freeway Edge,
Middle Portion East of International Parkway
(formerly Mountain House Parkway)**

A. *Trees Informal Planting (Grouping)*
- species: Quercus ilex (Holly Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Quercus wislezenii (Interior Live Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Cedrus deodora (Deodar Cedar)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

B. *Freeway Planting Understory, typ.*
- 30' min. landscape
- species: native and drought tolerant shrubs closely spaced, e.g. Coffeeberry, Santa Barbara Sage, Howard McMinn Manzanita, Rockrose, Toyon and Rosemary.
- height: 3' to 15'
- size: 5 to 15 gal.
- spacing: maintain and allow plants to grow to natural form.

- species: Ornamental Grasses closely spaced, e.g. Atlas Festuca, Carex, Pennisetum and Lomandra
- height: 2' to 4'
- size: 1 gallon
- spacing: maintain and allow plants to grow to natural form.

Key Map

**Design Elements for Freeway Edge,
Middle Portion East of International Parkway
(formerly Mountain House Parkway)**

C. *Detention Basin*
- hydroseed with native grasses
- Bank planting: Groupings of Arroyo and Upland Willow, California Wild Rose.
- size: 5 and 15 gal.
- spacing: 12' on center, min. 3 shrubs (similar species) per grouping.

D. *Freeway Fence, typ.*
- Approved fencing by Caltrans

E. *Trees Formal Planting*
- species: Olea europaea (Fruitless Olive)
- size: 36" box
- row spacing: 25' (diagonal to freeway fence line)

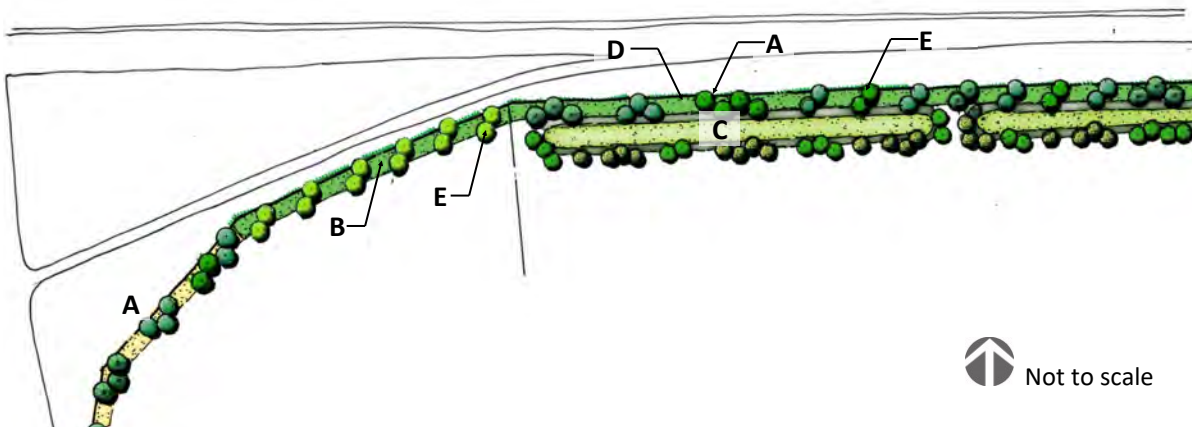


Figure 5.6, Conceptual Design for Freeway Edge, Middle Portion East of International Parkway (formerly Mountain House Parkway)

Design Elements for Freeway Edge, Eastern Portion

A. *East City Gateway*
- see Figure 5.9 for enlargement

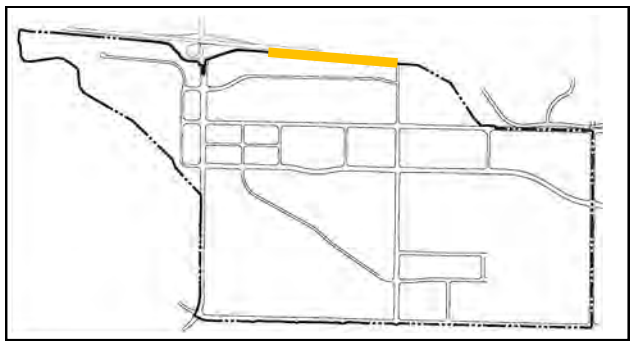
B. *Trees Informal Planting (Grouping)*
- species: Quercus ilex (Holly Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Quercus wislezenii (Interior Live Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

- species: Cedrus deodora (Deodar Cedar)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

C. *Freeway Planting Understory, typ.*
- 30' min. landscape
- species: native and drought tolerant shrubs closely spaced, e.g. Coffeeberry, Santa Barbara Sage, Howard McMinn Manzanita, Rockrose, Toyon and Rosemary.
- height: 3' to 15'
- size: 5 to 15 gal.
- spacing: maintain and allow plants to grow to natural form.

- species: Ornamental Grasses closely spaced, e.g. Atlas Festuca, Carex, Pennisetum and Lomandra
- height: 2' to 4'
- size: 1 gallon
- spacing: maintain and allow plants to grow to natural form.



Key Map

Design Elements for Freeway Edge, Eastern Portion

D. *Detention Basin*
- hydroseed with native grasses
- Bank planting: Groupings of Arroyo and Upland Willow, California Wild Rose.
- size: 5 and 15 gal.
- spacing: 12' on center, min. 3 shrubs (similar species) per grouping.

E. *Freeway Fence, typ.*
- Approved fencing by Caltrans

F. *Trees Formal Planting*
- species: Olea europaea (Fruitless Olive)
- size: 36" box
- row spacing: 25' (diagonal to freeway fenceline)

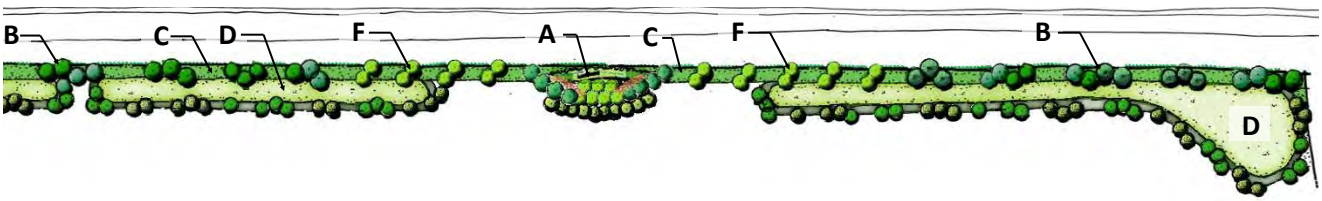
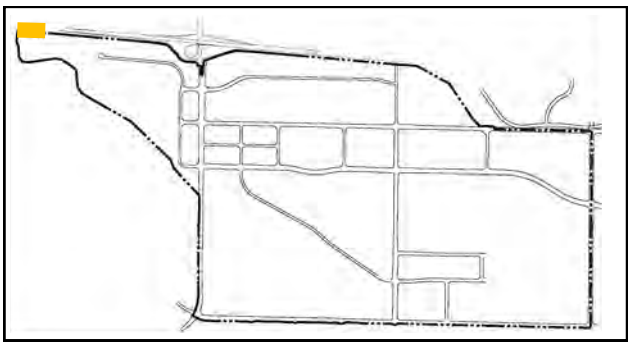


Figure 5.7, Conceptual Design for Freeway Edge, Eastern Portion

Not to scale

5.3 CITY GATEWAYS

The northwest corner of Cordes Ranch Specific Plan area features a gateway to the City of Tracy, and the Cordes Ranch development. The landscape concept is illustrated in Figure 5.8 and Figure 5.9. The landscape concept consists of colored accent planting with varying textures and heights to create a visual layering appearance to the design of the planting. A backdrop of both horizontal and vertical canopy trees will anchor the signage and provides another layer of color and textures. A majority of plant palette will be evergreen species to provide a year around landscape and appearance for the Gateway signage element.



Key Map

Design Elements for City Gateway West

A. *Sign Type A*
- concept design per Figure 5.10

B. *Accent Planting*
- species: native and drought tolerant perennials, succulents, and ground covers closely spaced, e.g. Aloe, Lomandra, Manzanita and Phormium
- height: 2' to 4'
- size: 1, 5 and 15 gal.
- spacing: maintain and allow plants to grow natural form.

C. *Shade Tree Backdrop*
- species: Ulmus x 'Frontier' (Frontier Elm)
- size: 36" box
- spacing: 30' on center, min. 5 trees

D. *Columnar Accent Tree*
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 36" box
- spacing: 18' on center, min. 7 trees

E. *Understory Planting*
- species: native and drought tolerant shrubs closely spaced, e.g. Ceanothus, Manzanita, Rosemary and Salvia.
- size: 5 and 15 gal.
- height: 2' to 6'
- spacing: maintain and allow plants to grow natural form.

F. *Background Tree*
- species: Olea europaea (Fruitless Olive)
- size: 36" box
- row spacing: 25'

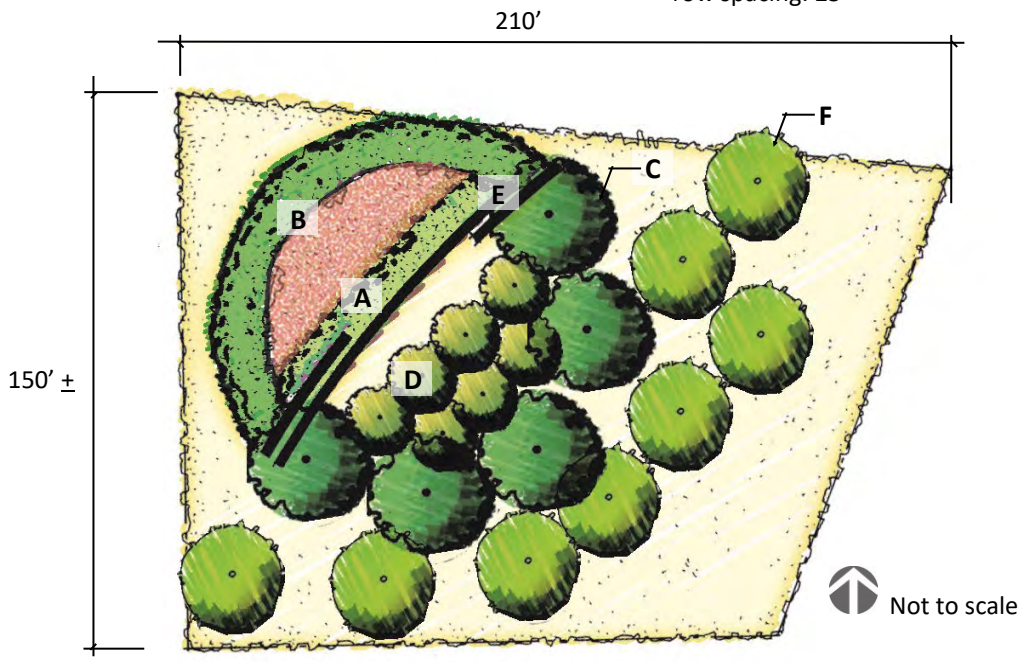


Figure 5.8, Conceptual Design for City Gateway West Enlargement (See Figure 5.1)

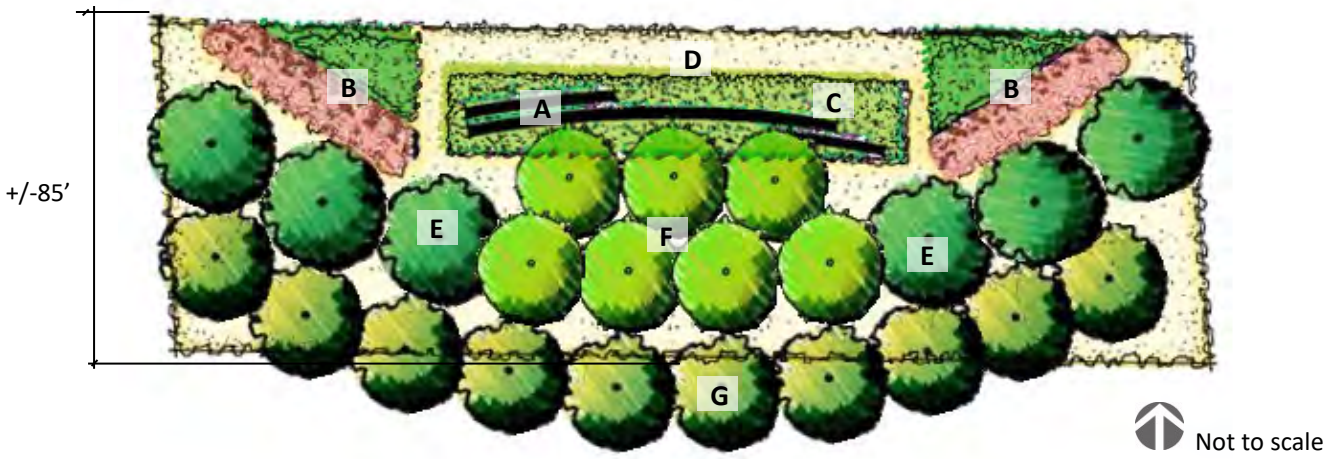


Figure 5.9, Conceptual Design for City Gateway East Enlargement (and See Figure 5.7)

A second City Gateway is located along I-205 at the mid point between International Parkway (formerly Mountain House Parkway) and Hansen Road and will be designed similarly to the gateway at the northwest corner of the site. The design concept as well as the plant and tree palette will be similar to continue a similar design theme along the freeway edge.

Key Map

Design Elements for City Gateway

A. *Sign Type A*
- concept design per Figure 5.10

B. *Accent Planting*
- species: native and drought tolerant perennials and succulents closely spaced, e.g. Aloe and Phormium.
- height: 2' - 6'
- size: 1, 5 and 15 gal.

C. *Accent Planting below Gateway Sign*
- species: ornamental grasses closely spaced, e.g. Atlas Festuca, Carex, Pennisetum and Lomandra
- size: 1 gallon.
- height: 2' to 3'
- spacing: maintain and allow plants to grow natural form.

D. *Understory*
- species: native and drought tolerant shrubs closely spaced, e.g. Ceanothus, Manzanita, Rosemary and Salvia
- size: 5 and 15 gal.
- height: 2' to 6'
- spacing: maintain and allow plants to grow natural form.

E. *Shade Tree Backdrop*
- species: Ulmus x 'Frontier' (Frontier Elm)
- size: 36" box
- spacing: 30' on center, min. 6 trees

F. *Accent Tree*
- species: Olea europaea (Fruitless Olive)
- size: 36" box
- row spacing: 25' (triangulate), min. 7 trees

G. *Columnar Accent Tree*
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 36" box
- spacing: 18' on center, min. 10 trees

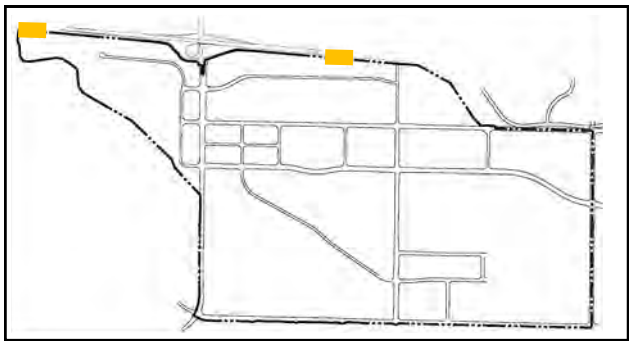
5.4 SIGN TYPE A

Sign Type A will be located along the freeway edge will be placed to announce entry to the project and to act as a gateway to and from the City of Tracy. Sign Type A sign will be oriented to face I-205 to identify the business park. The signs can be characterized as contemporary with clean horizontal lines. The signs will utilize similar materials and color pallet as the building designs within the business park.

Sign Type A will consist of three individual curved horizontal walls that will be offset, see Figure 5.10. The first wall includes a taller white vertical elementprovides a high contrast design element to the dark color box ribbed horizontal metal walls.

Sign Type A Design Standards

1. Height: 12’
2. Wall length: 80’



Key Map

Figure 5.10, Sign Type A Example

Sign Type A - West Example

Sign Type A - East Example

5.5 SIGN TYPE B

Project entries will signify the main project intersections providing entry into the business park from I-205, I-580 and the existing Mountain House residential north of the project. Project entry designs will be similar in design and materials with the City Gateway sign, Sign Type A, creating a unified aesthetic theme for the project.

The primary project entries will be at Mountain House Parkway and Capital Parks Drive as you exit from I-205 from the north, and Mountain House Parkway and Old Schulte road as you exit from 1-580 from the southern entry to the project. The signs will be similar in design to the Sign Type A in the use of materials and color pallet and will feature a more horizontal appearance. A 12' high white horizontal monument element will frame the intersection and anchor the signage.

The streetscape and landscape up to the back of walk will be publicly maintained. All landscaping and improvements beyond the back of walk will be privately maintained including, in some cases, up to 4' of right-of-way on one or both sides of the street.

Sign Type B Design Standards

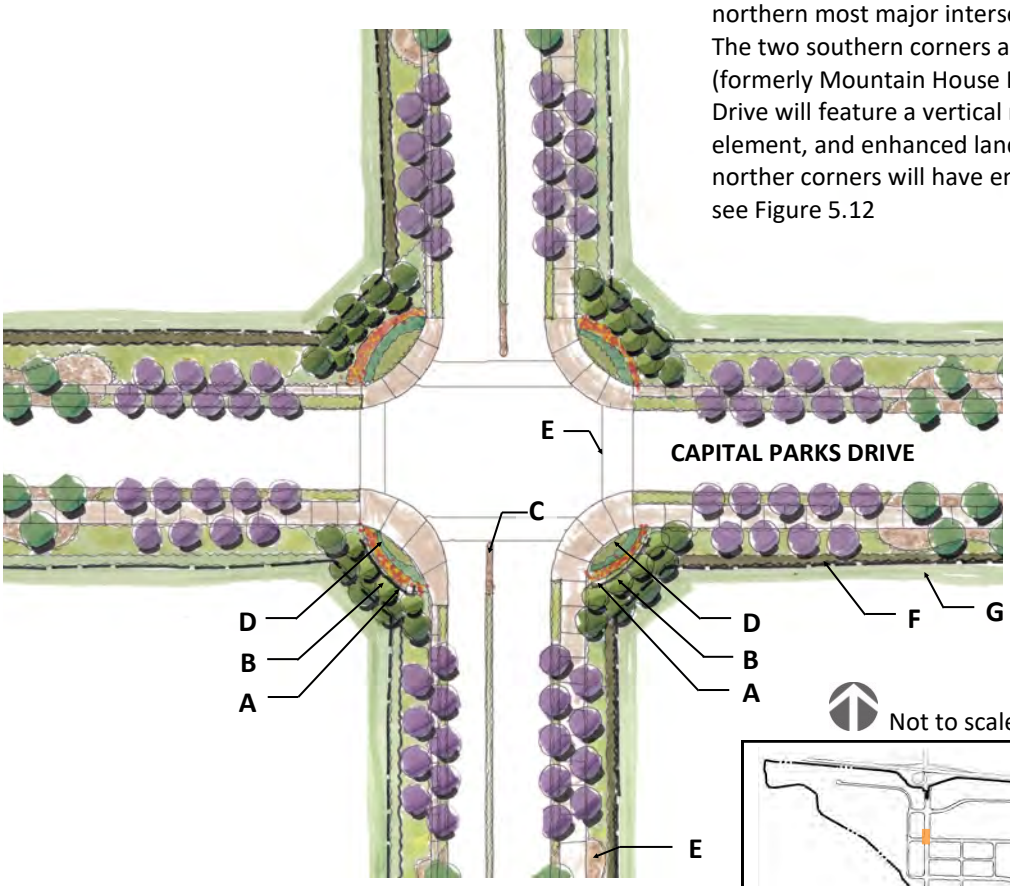
1. Height: 12'
2. Wall Length: 60'
3. Number of signs: as noted in the following figures.

Key Map

Figure 5.11, Sign Type B Example

Capital Parks Drive Project Entry

This gateway creates the Project Entry experience at the northern most major intersection as you exit from I-205. The two southern corners at International Parkway (formerly Mountain House Parkway) and Capital Parks Drive will feature a vertical monument, a curved wall element, and enhanced landscaping, and the two norther corners will have enhanced landscaping only, see Figure 5.12



Not to scale

Key Map for Project Entries

Figure 5.12, Conceptual Design for Project Entry Intersection

Design Elements for International Parkway Project Entry

A. Sign Type B
- height: 12'
- wall length: 60'
- materials and design per Figure 5.11

B. Columnar and Evergreen Trees, typ. (Backdrop)
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 24" box
- spacing: 18' on center

- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

C. Decorative Accent Rock (typ.)

D. Corner Planting, typ.
- Alternating low accent color accent massings and evergreen ornamental grasses and Succulents, e.g. Festuca glauca 'Elijah Blue' (Elijah Blue Fescue), Aloe x 'Always Red' (Always Red Aloe), Agave 'Blue Glow' (Blue Glow Agave), Lomandra longifolia 'Breeze' (Breeze Dwarf Mat Rush)
- succulent size: 5 gallon
- ornament grass size: 1 gal.
- maximum height: 3'

E. Crosswalks, typ.

F. Property Line, typ.

G. Landscape Setback, typ.

Sign Type B Example vertical element left

Sign Type B Example vertical element right

Old Schulte Road Project Entry

This gateway creates the Project Entry experience at the southwest corner of the Project as you exit from 1-580. The northeast corner of the intersection is the only portion within the Project boundary and will feature a vertical monument, a curved wall element with lettering, and enhanced landscaping. See Figure 5.13.

Key Map for Old Schulte Road Project Entry

Design Elements for Old Schulte Road Project Entry

A. Sign Type B
- height: 12'
- wall length: 60'
- materials and design per Figure 5.11

B. Columnar and Evergreen Trees, typ. (Backdrop)
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 24" box
- spacing: 18' on center

- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

C. Corner Planting, typ.
- Alternating low accent color accent massings and evergreen ornamental grasses and Succulents, e.g. Festuca glauca 'Elijah Blue' (Elijah Blue Fescue), Aloe x 'Always Red' (Always Red Aloe), Agave 'Blue Glow' (Blue Glow Agave), Lomandra longifolia 'Breeze' (Breeze Dwarf Mat Rush)
- succulent size: 5 gallon
- ornament grass size: 1 gal.
- maximum height: 3'

D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

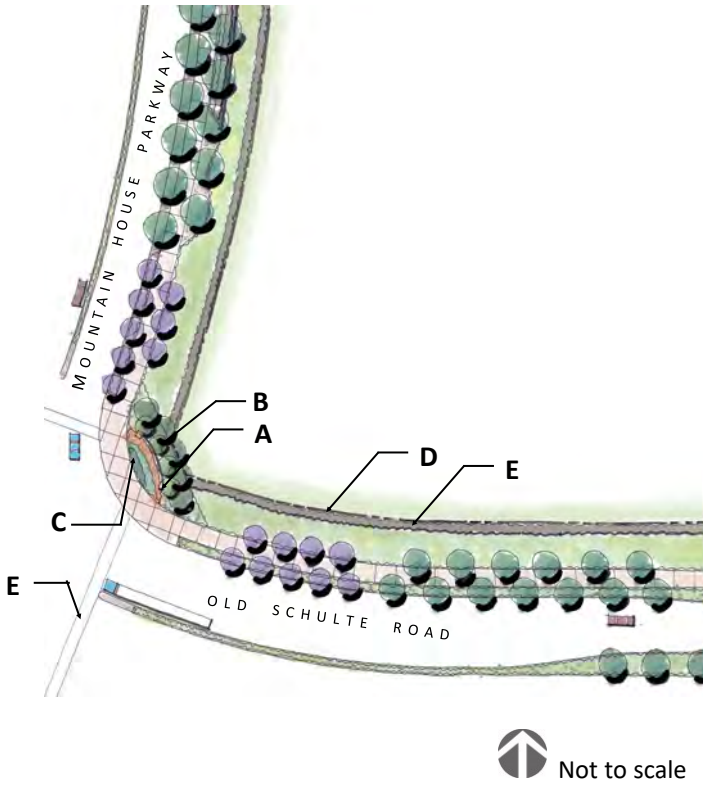
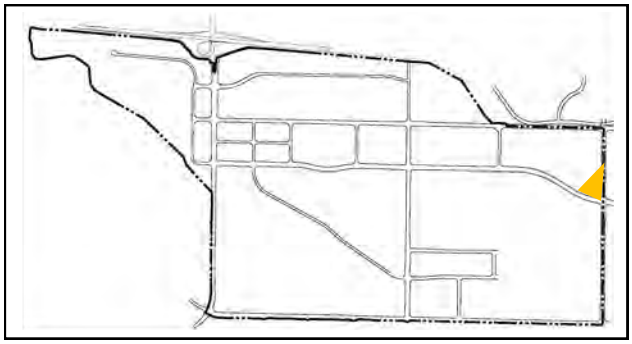


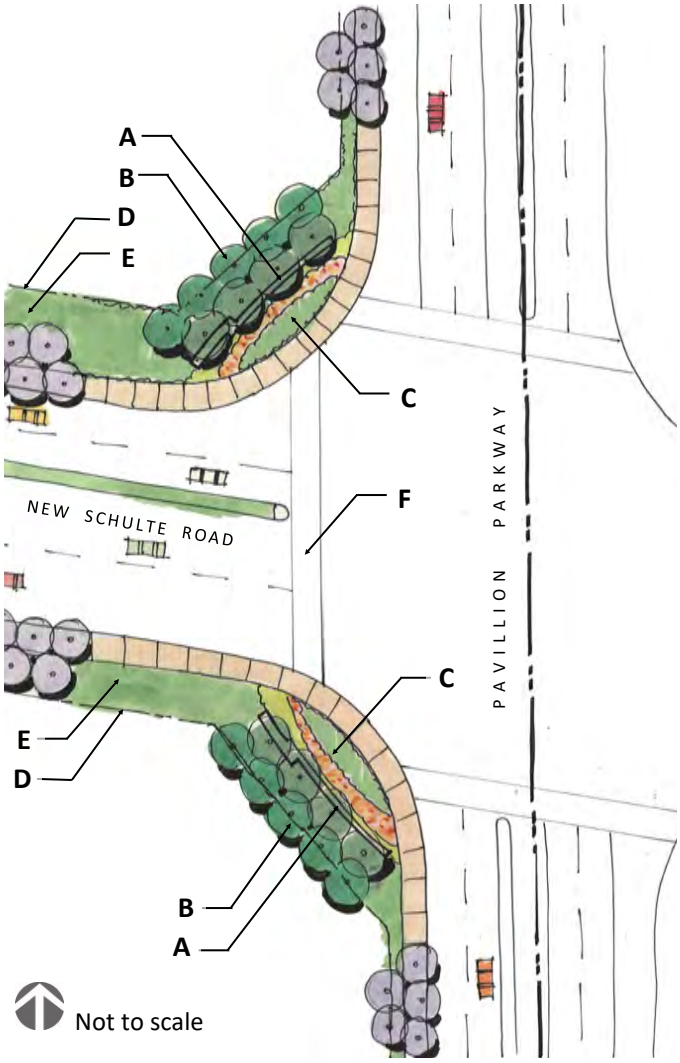
Figure 5.13, Conceptual Design for Old Schulte Road Project Entry

New Schulte Road Project Entry

This Project Entry occurs at the Eastern entrance to the Plan Area on New Schulte Road providing future access from the existing residential neighborhoods to the east. The north side makes up a corner of the Eastside Park and will feature a vertical monument, a curved wall element, and enhanced landscaping. The southern portion of the entry will be developed similarly, see Figure 5.14.



Key Map for New Schulte Road Eastern Project Entry



Design Elements for New Schulte Road Eastern Project Entry

A. Sign Type B
- height: 12'
- wall length: 60'
- materials and design per Figure 5.11

B. Columnar and Evergreen Trees, typ. (Backdrop)
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 24" box
- spacing: 18' on center

- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

C. Corner Planting, typ.
- Alternating low accent color accent massings and evergreen ornamental grasses and Succulents, e.g. Festuca glauca 'Elijah Blue' (Elijah Blue Fescue), Aloe x 'Always Red' (Always Red Aloe), Agave 'Blue Glow' (Blue Glow Agave), Lomandra longifolia 'Breeze' (Breeze Dwarf Mat Rush)
- succulent size: 5 gallon
- ornament grass size: 1 gal.
- maximum height: 3'

D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

Figure 5.14, Conceptual Design for New Schulte Road Eastern Project

5.6 SIGN TYPE C

Sign Type C will feature a 9' white horizontal monument element to frame the intersection and anchor the sign. The white horizontal design element will contrast with the curved dark color box ribbed horizontal metal panel wall design feature.

A total of four major intersections will be constructed to include signage on each corner of the intersection. The major intersections will be located at the following locations:

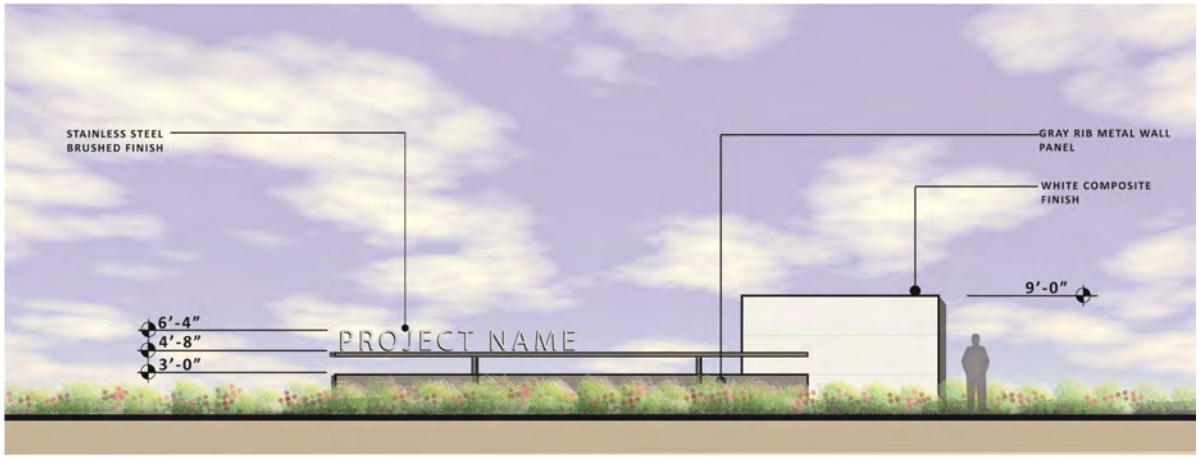
1. International Parkway at Daylight Road (two corners, Northeast and Southeast only);
2. Old Schulte Road at Hansen Road (two corners);
2. Old Schulte Road at Pavilion Parkway (one corner);
3. Capital Parks Drive at Pavilion Parkway (one corner).

Sign Type C Design Standards

1. Height: 9'
2. Wall Length: 46'
3. Number of Signs: as noted in the following figures

Key Map (revised)

Figure 5.15, Sign Type C Example (General Office - Southeast Corner International Parkway & Daylight Road)



Sign Type C Example (General Commercial - Northeast Corner International Parkway & Daylight Road)

5.7 MAJOR INTERSECTIONS

Major intersections are the second tier of intersection and circulation-hierarchy and will utilize a similar vertical monument, horizontal wall, and landscape and design features as the Project Entry. They have been designed as both placemaking and wayfinding elements.

Design Elements for International Parkway and New Schulte Road Eastern Project Entries

A. Sign Type C
- height: 12'
- wall length: 46'
- materials and design per Figure 5.15

B. Columnar and Evergreen Trees, typ. (Backdrop, not included at the Northeast Corner of International Parkway & Daylight Road)
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 24" box
- spacing: 18' on center

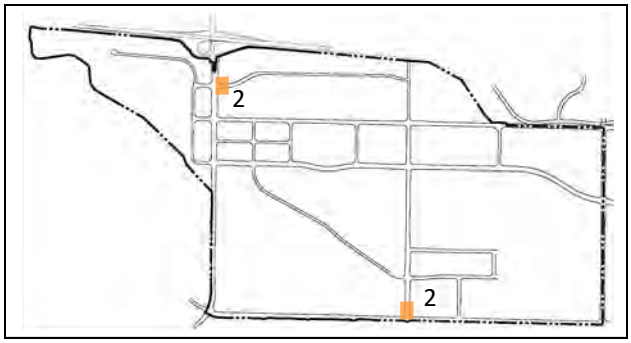
- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

C. Corner Planting, typ.
- Alternating low accent color accent massings and evergreen ornamental grasses and Succulents, e.g. Festuca glauca 'Elijah Blue' (Elijah Blue Fescue), Aloe x 'Always Red' (Always Red Aloe), Agave 'Blue Glow' (Blue Glow Agave), Lomandra longifolia 'Breeze' (Breeze Dwarf Mat Rush)
- succulent size: 5 gallon
- ornament grass size: 1 gal.
- maximum height: 3'

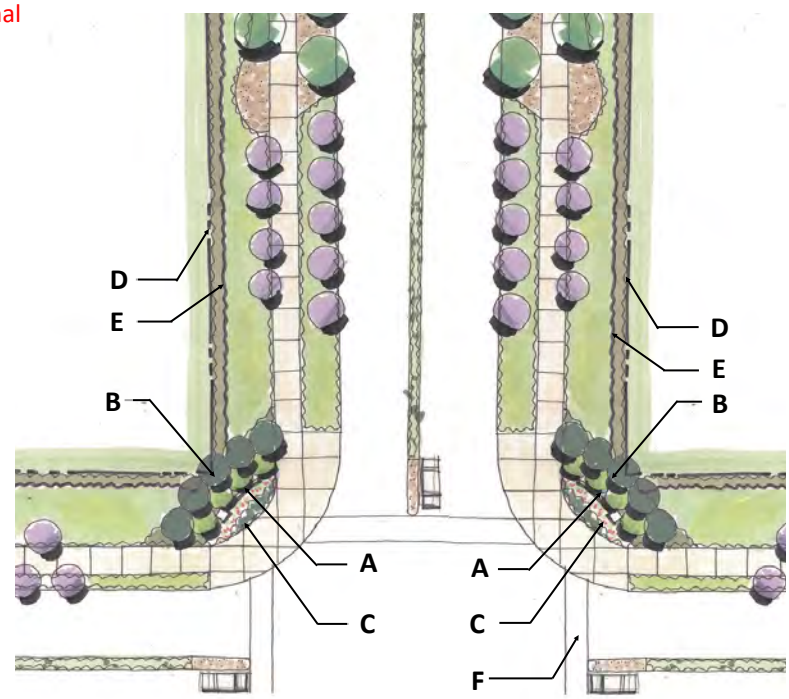
D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

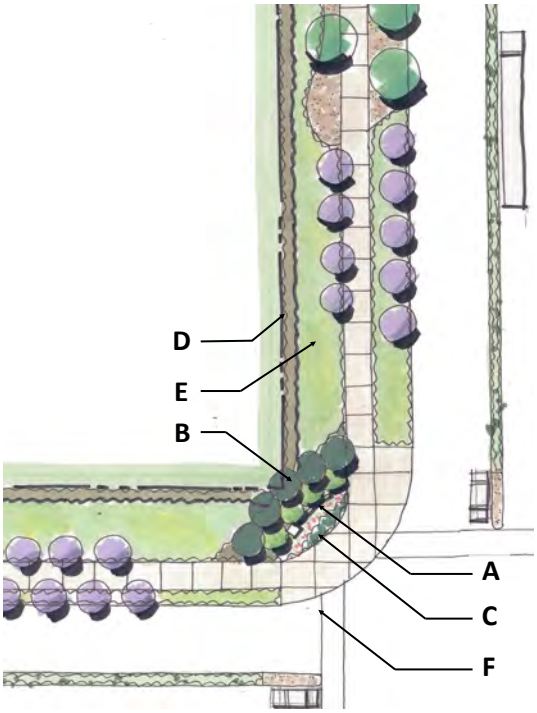


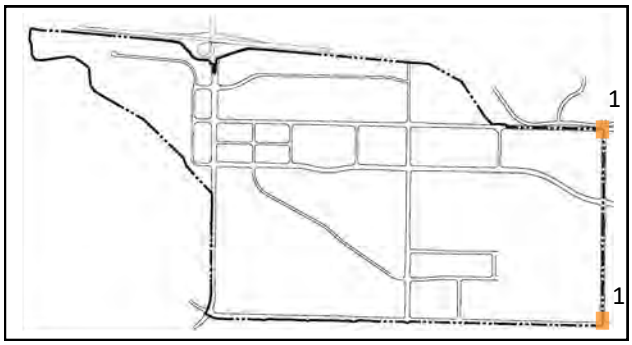
Key Map All Major Intersections (revised)



Not to scale

Figure 5.16, Conceptual Design for Major Intersections - T Intersection





Key Map Major intersection "1/2" Intersection configuration

Not to scale

Figure 5.17, Conceptual Design for Major Intersection—1/2 Intersection

Design Elements for Major Intersection

A. Sign Type C
- height: 12'
- wall length: 46'
- materials and design per Figure 5.15

B. Columnar and Evergreen Trees, typ. (Backdrop)
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 24" box
- spacing: 18' on center

- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

C. Corner Planting, typ.
- Alternating low accent color accent massings and evergreen ornamental grasses and Succulents, e.g. Festuca glauca 'Elijah Blue' (Elijah Blue Fescue), Aloe x 'Always Red' (Always Red Aloe), Agave 'Blue Glow' (Blue Glow Agave), Lomandra longifolia 'Breeze' (Breeze Dwarf Mat Rush)
- succulent size: 5 gallon
- ornament grass size: 1 gal.
- maximum height: 3'

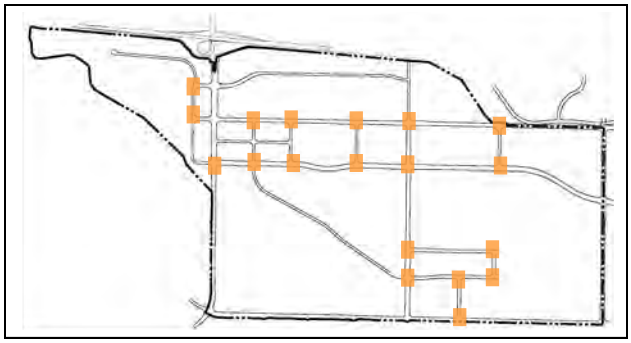
D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

5.8 TYPICAL INTERSECTIONS

Reinforcing the intersection circulation and hierarchy, typical intersections receive a similar landscape treatment to the major intersection without the wall element but at a smaller scale. They are enhanced with accent planting and columnar trees as background. The design concept is illustrated in Figure 5.18.



Key Map (revised)

Design Elements for Typical Intersections

A. Columnar and Evergreen Trees, typ. (Backdrop)
- species: Quercus macrocarpa 'Urban Pinnacle' (Columnar Bur Oak)
- size: 24" box
- spacing: 18' on center

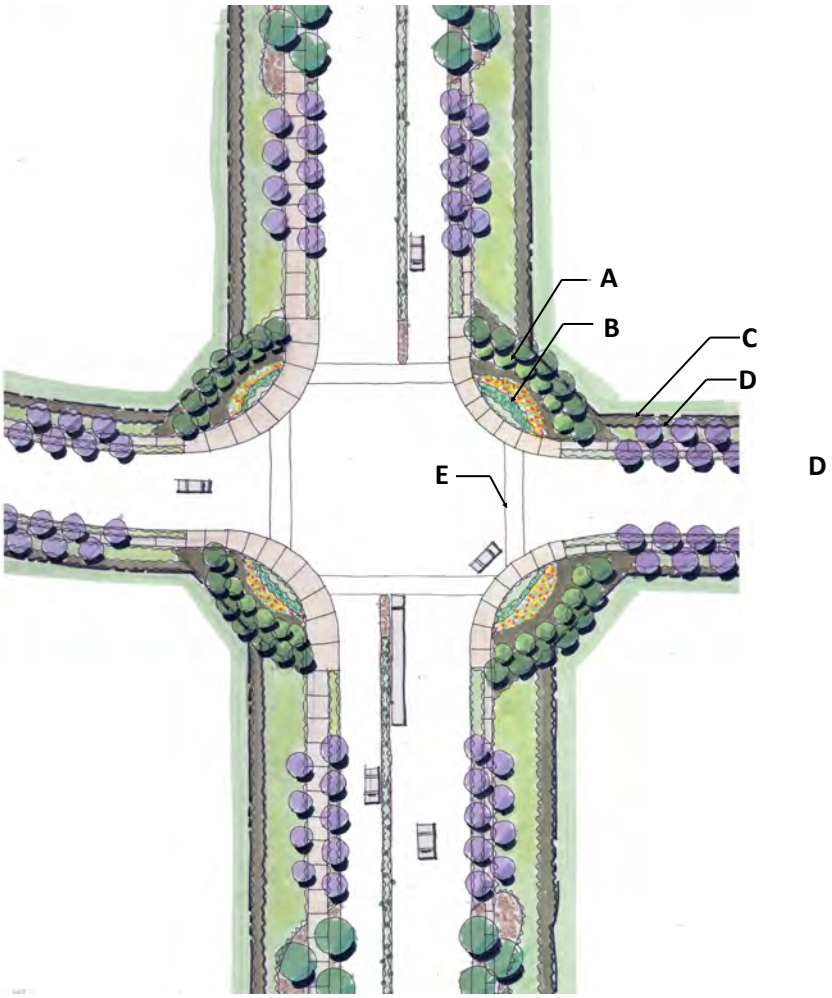
- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

B. Corner Planting, typ.
- Alternating low accent color accent massings and evergreen ornamental grasses and Succulents, e.g. Festuca glauca 'Elijah Blue' (Elijah Blue Fescue), Aloe x 'Always Red' (Always Red Aloe), Agave 'Blue Glow' (Blue Glow Agave), Lomandra longifolia 'Breeze' (Breeze Dwarf Mat Rush)
- succulent size: 5 gallon
- ornament grass size: 1 gal.
- maximum height: 3'

C. Property Line, typ.

D. Landscape Setback, typ.

E. Crosswalk, typ.



Not to scale

Figure 5.18, Conceptual Design for Typical Intersections

5.9 PARKS

Two joint use park and storm water detention features will provide access to open space within walking distance from most businesses within the project. These parks will be designed with varied grades so that much of the area will be usable throughout most of the year, while a minimum of area will remain inundated for longer periods of time.

Detention basin with nearby shade trees

In total, there are approximately 85 acres of parks, open space and trails as part of Cordes Ranch. The open space, parks and trail system will provide the employees of the development and the citizens of the City of Tracy with recreational opportunities, both active and passive. The trail systems will be developed as set forth herein and in accordance with the Citywide Transportation Master Plan.

As part of the Project's park and open space amenities, it is anticipated that an approximately 35-acre Central Green will be created in the central portion of the Project Area. The Central Green will contain a series of detention basins that will retain storm water for a portion of the year and when dry will allow for active uses, see Figure 5.19. Pathways will provide for pedestrian and bicycle circulation to benches and other passive use areas within the Central Green.

Eastside Park, a second approximately 18-acre park at the eastern property boundary will function similarly to the Central Green. This park will serve dual purposes by providing an open space area with pathways for pedestrian and bicycle circulation to picnic areas, benches and other passive uses. The park will also provide for storm water detention during storm events. See Figure 5.20 for the Eastside Park design concept.

A 30' linear park/open space corridor with a 12' Class I bike/pedestrian path will parallel New Schulte Road to provide a link between the two park areas. This path is part of the system of Class I and II bike paths that will connect throughout the project and will provide employees an alternative to vehicle trips to access the uses within the Project Area.

Conceptual Design for Central Green

A. Detention Basin
   - sod quality seed with willow masses on banks
   - Chilopsis linearis (Desert Willow)

B. Use Areas
   - picnic and/or seating/viewing areas under shade trees
   - species: Quercus rubra (Red Oak)
   - size: 24" box to provide substantial canopy upon installation
   - spacing: in clusters

C. Park Arrival Area

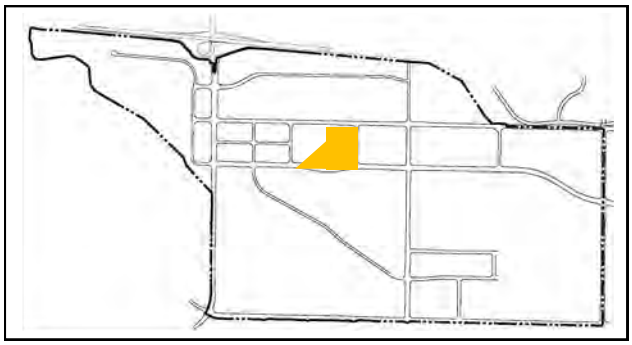
D. Allée of Trees

E. Focal Point and Plaza

F. Trail
   -10' wide decomposed granite

Central Green

The Central Green, an approximately 35-acre open space area in the middle of the Plan Area, will contain walking trails, picnic areas and enhancement of the natural habitat area. Open lawn in stormwater detention areas provides flexible space for both active and passive activities. The park features a strong pedestrian connection to the commercial zone with a tree-lined allée culminating in a focal element. The landscape design concept for the Central Green is shown in Figure 5.19.

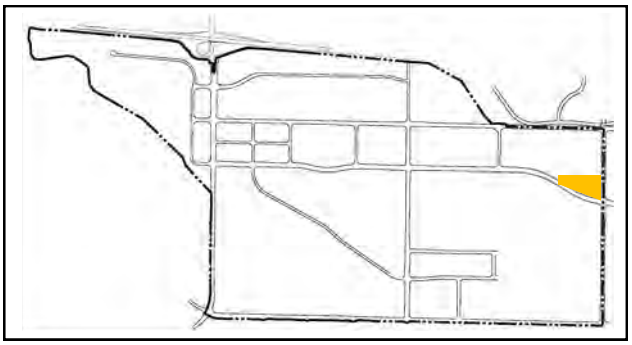


Key Map

Figure 5.19, Conceptual Design for Central Green Concept

Conceptual Design for Eastside Park

The 18-acre Eastside Park at the eastern property boundary will offer a similar program to the Central Green. This park will provide open space area with pathways for pedestrian and bicycle circulation to picnic areas, benches and other uses. Open lawn will provide a flexible space for active and passive uses and will also provide for storm water detention during storm events, see Figure 5.20.



Key Map

Conceptual Design for Eastside Park

A. Park Entry Plaza
- low walls
- permeable paving

B. Allée of Trees
- large shade trees
- size: 24" box
- spacing: 30' on center

C. Detention Basin
- sod quality seed with willow masses on banks
- Chilopsis linearis (Desert Willow)

D. Use Areas
- picnic and/or seating/viewing areas under shade trees
- species: Quercus rubra (Red Oak)
- size: 24" box to provide substantial canopy upon installation
- spacing: in clusters

E. Detention Access
- 10' wide decomposed granite

F. Project Entry
- See Figure 5.14

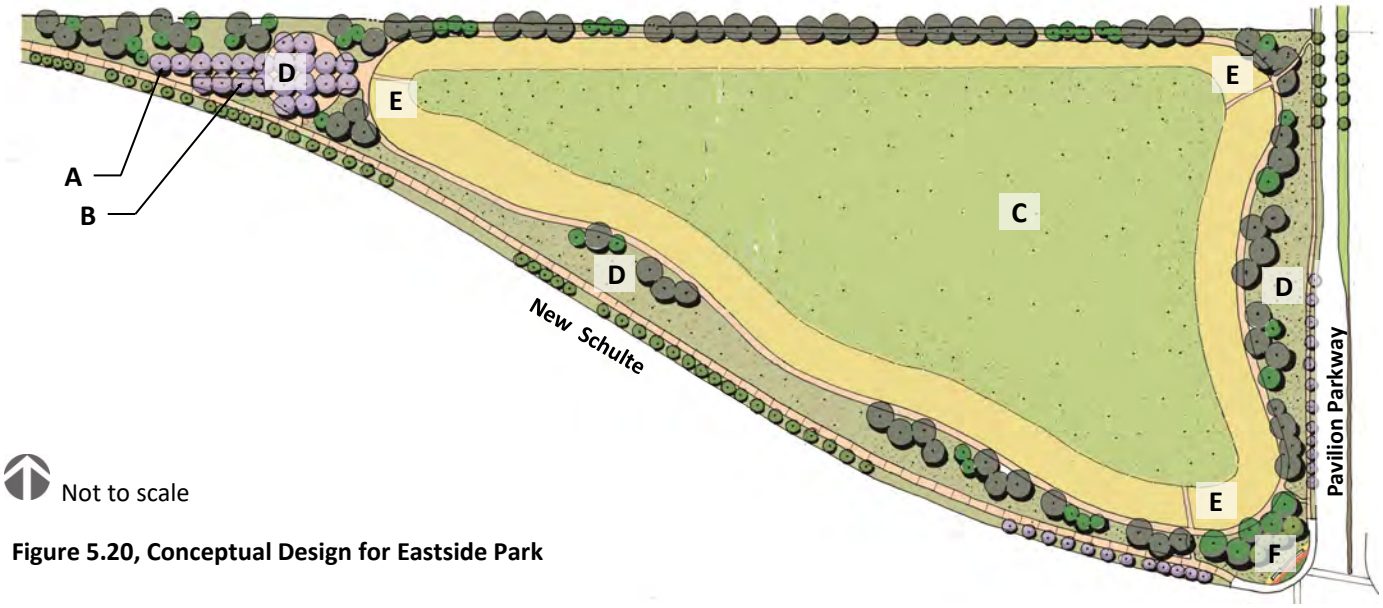


Figure 5.20, Conceptual Design for Eastside Park

5.10 DRAINAGE EASEMENT

The existing drainage easement that extends from the southwest edge of the Project toward the center of the Plan Area and Central Green is enhanced as a riparian corridor with habitat areas, detention basins, and passive use areas that may include seating and picnic tables. A decomposed granite path will be provided between the Central Green and the Delta Mendota Canal, creating a recreation and circulation opportunity. Planting will be natural and riparian in character. Access roads will run the perimeter of detention basins for maintenance and monitoring purposes. A minimum 25' setback is provided from the top of bank to the trail or any seating or use area in order to protect the corridor.

Conceptual Design for Drainage Easement

A. Trail
- 10' wide decomposed granite

B. Riparian Planting, typ.

C. Detention Basin
- hydroseeded no-mow native grasses with willow masses on banks

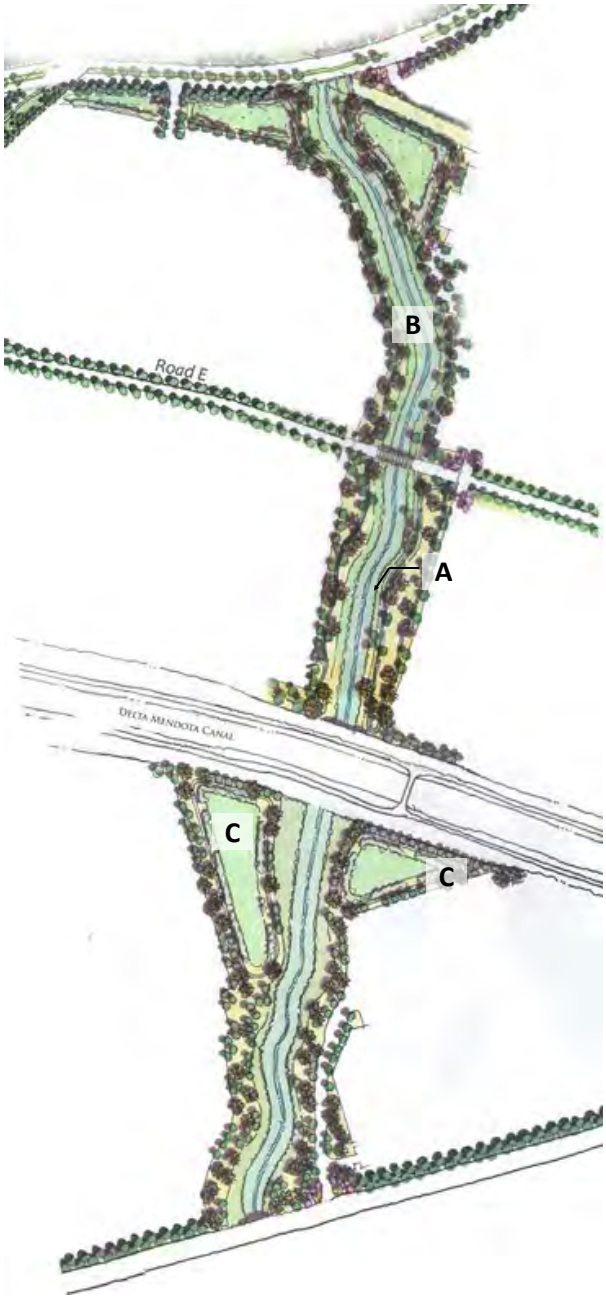
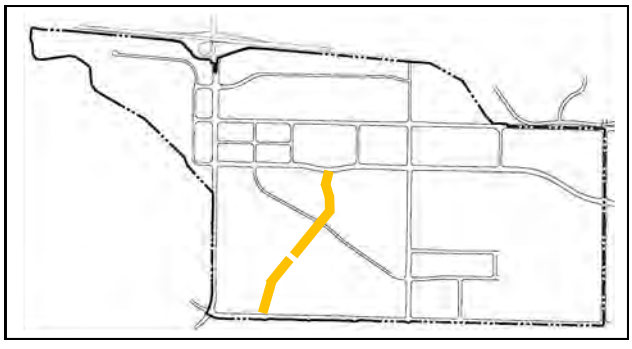


Figure 5.21, Conceptual Design for Drainage Easement

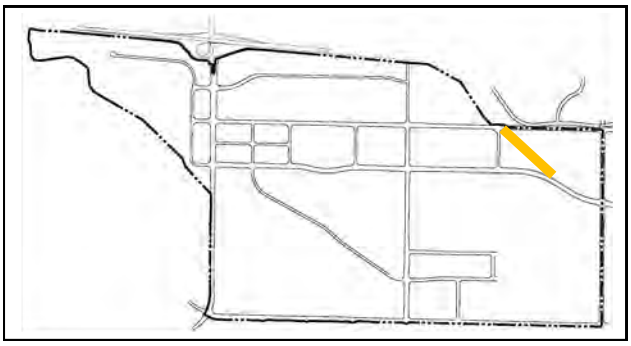
Trail and seating



Key Map

5.11 WSID EASEMENT

The existing West Side Irrigation District (WSID) easement Between Capital Parks Drive and New Schulte Road will include pedestrian and bicycle paths to connect to the Eastside Park. The ultimate location for the open space corridor will be refined as part of the Project's subdivision map process. If the open space corridor is relocated outside the WSID easement to accommodate adjacent development, then a Class I bikeway shall be incorporated into the east side of Road H.



Key Map

Conceptual Design for WSID Easement

A. Trail, typ.
- 10' wide decomposed granite

B. Trees, typ.
- large stature shade trees and accent trees, such as Quercus rubra (Red Oak) and Quercus virginiana (Southern Live Oak)
- size: 24" box

C. Meadow Planting
- hydroseeded no-mow native grasses and wildflowers

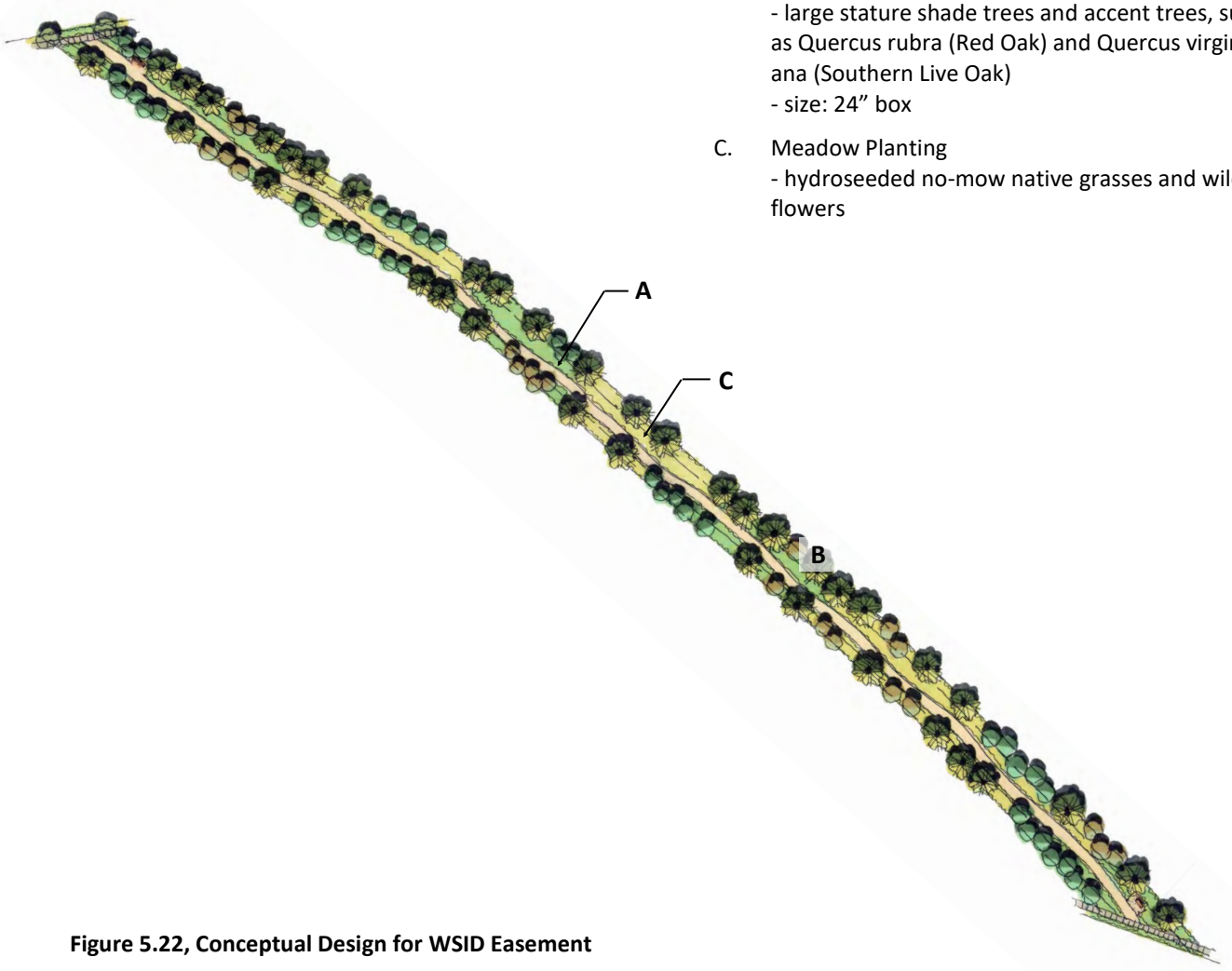


Figure 5.22, Conceptual Design for WSID Easement

Conceptual Design for WSID Easement

A. Trail, typ.
- 10’ wide decomposed granite

B Trees, typ.
- large stature shade trees and accent trees, such as Quercus rubra (Red Oak) and Quercus virginiana (Southern Live Oak)
- size: 24” box

C. Meadow Planting
-hydroseeded no-mow native grasses and wildflowers

Decomposed granite trail, no-mow grasses, seating

Figure 5.23, WSID Easement – Section

Landscape strip, multi-use path, landscape setback

5.12 STREETSCAPES

The streetscape design will provide visual structure to the project by reinforcing roadway hierarchies, emphasizing key intersections, creating pedestrian and bicycle zones and highlighting open space.

Streetscapes will feature native and climate adapted planting, street trees, and landscape strips. Thematic site furnishings and fixtures including benches, public transit shelters, trash receptacles, lighting, and signage will support the design character.

Each major road type will have unique, yet coordinated, landscape treatment with varying levels of pedestrian and bicycle amenities, depending on scale and function. For example, streets in the commercial/retail core will include pedestrian scaled street lights, benches, trash receptacles and enhanced planting suitable for more intensive use by pedestrians. Larger arterials will have simpler low-maintenance landscape designs appropriate to facilitate the circulation of vehicular and bicycle traffic. The visual organization of the project will be reinforced with unique tree palettes for each major street/street type.

All roads will include a landscape strip on both sides planted with street trees. Landscape setbacks beyond the right-of-way, ranging from 15-30 feet, provide for screening of large architecture. Landscape setbacks will generally be planted with no-mow grasses, evergreen shrubs and double rows of large screen trees. Setbacks may be bermed up to 5’ to minimize the perceived scale of building facades, or slope down away from streets at a maximum 3:1, depending on the grades at a given location.

Landscape setbacks from back-of-curb will be privately maintained. In some cases this includes a portion of right-of-way. Roadway sections indicate privately maintained landscape areas. All road sections are shown in Chapter 6.

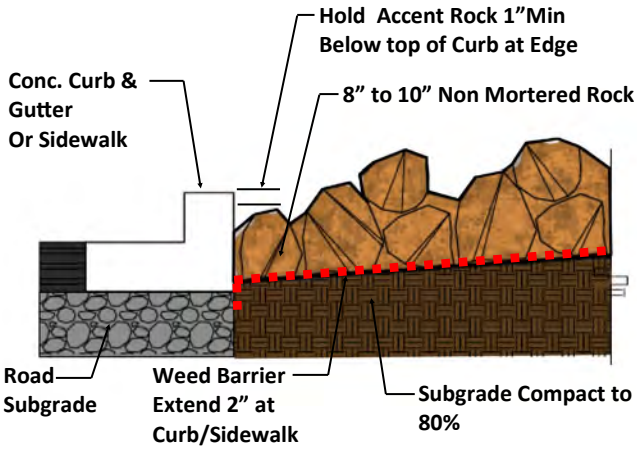
Accent rock surfacing will be used as a design and visual accent element in both the public right of way as well as private landscaping areas within Cordes Ranch Specific Plan boundary. Furthermore, this design element will help the project comply with the water conservation requirements mandated by the Model Water Efficient Landscape Ordinance (MWELO) to reduce water use for landscape irrigation and to also decrease maintenance and create a more sustainable landscape.

The accent rock surfacing can be generally described as 8” to 10” brown in color fractured angular rock that will be placed un-mortared over a weed barrier to help with the control of weeds and pests, see Accent Rock Detail on page 5-29. The purpose of the rock design concept is to create a varied experience to the streetscape by breaking up the landscape planting with a pattern of “swaths” of rock.

The accent rock will generally consist of up to 250’ lengths of rock in the medians and planting strips broken up with approximately 250’ of landscaping planting in a pattern that will continue the lengths of the north-south streets and the industrial roads within Cordes Ranch.

A similar pattern of generally 250’ lengths of accent rock surfacing alternating with 250’ of landscape planting in a more curvilinear shape will generally occur within the private landscape located at the back of the sidewalk. The accent rock surfacing within the private landscape area will complement the public street landscape and reinforce the design concept and enhance the overall visual character of the streetscape.

Typical 8" to 10" Brown Fractured Angular Rock



Typical Accent Rock Detail

International Parkway (formerly Mountain House Parkway) and Old Schulte Road

Four Lane Parkway

The portion of International Parkway (formerly Mountain House Parkway) south of New Schulte Road to the Delta Mendota Canal is a four lane parkway. The east side of the roadway includes a 7-foot landscape strip at the street edge planted with grasses and street trees, a 12-foot Class I Bikeway, and a 3' landscape strip within the right of way. The opposite side has an 8-foot landscape strip, 5-foot sidewalk and 4-foot landscape strip within the right of way. Beyond the right-of-way, additional 30-foot landscape setbacks on both sides expand the planted area along the roadway to provide additional screening of parking and large buildings. The road includes a 16-foot median/turn lane strip. Medians are planted with grasses, evergreen shrubs and trees. Old Schulte Road east of the Delta Mendota Canal is also a four lane parkway with the same dimensions as International Parkway (formerly Mountain House Parkway). The Class I Bikeway is on the north side of Old Schulte Road. See Figure 5.24.

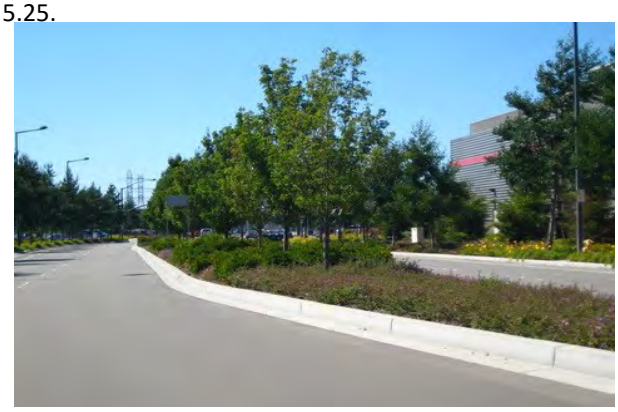
South of the Delta Mendota Canal, International parkway (formerly Mountain House Parkway) has already been improved on the west side, therefore the Project will install the east portion of the street section. See Figure 6.24.

Similarly, west of the Delta Mendota Canal, Old Schulte Road has been improved on the south side, therefore the Project will install the north portion of the street section. See Figure 6.25.

Depending on grades, in some areas the screening in landscape setbacks will be accomplished with 5' berms planted with grasses and a double row of trees. In other areas landscape setbacks slope downward at a maximum 3:1 slope and are planted with grasses and a double row of trees.

Six and Eight Lane Parkways

International Parkway (formerly Mountain House Parkway) north of New Schulte Road is a six lane parkway between New Schulte Road and Capital Parks Drive and is an eight lane parkway between Capital Parks Drive and the Project Entry from I-205. Aside from an additional travel lane, dimensions and landscape character are the same for these portions of International Parkway (formerly Mountain House Parkway). See Figure 5.25.



Median with trees and low evergreen and color

Key Map

Conceptual International Parkway (formerly Mountain House Parkway) Tree Palette

Right of Way Planters	Spacing
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*

Landscape Setback	Spacing
Quercus ilex (Holly Oak)	*30'-0" o.c.*
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*

Median	Spacing
Arbutus x Marina (Marina Strawberry Tree)	*30'-0" o.c.*
Quercus macracarpa 'Urban Pinnacle' (Urban Pinnacle Oak)	*30'-0" o.c.*

Conceptual Old Schulte Road Tree Palette

Right of Way Planters	Spacing
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*

Landscape Setback	Spacing
Querus wislizenii (Interior Live Oak)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*

Median	Spacing
Olea europaea 'Swan Hill' (Swan Hill olive)	*30'-0" o.c.*
Quercus macracarpa 'Urban Pinnacle' (Urban Pinnacle Oak)	*30'-0" o.c.*

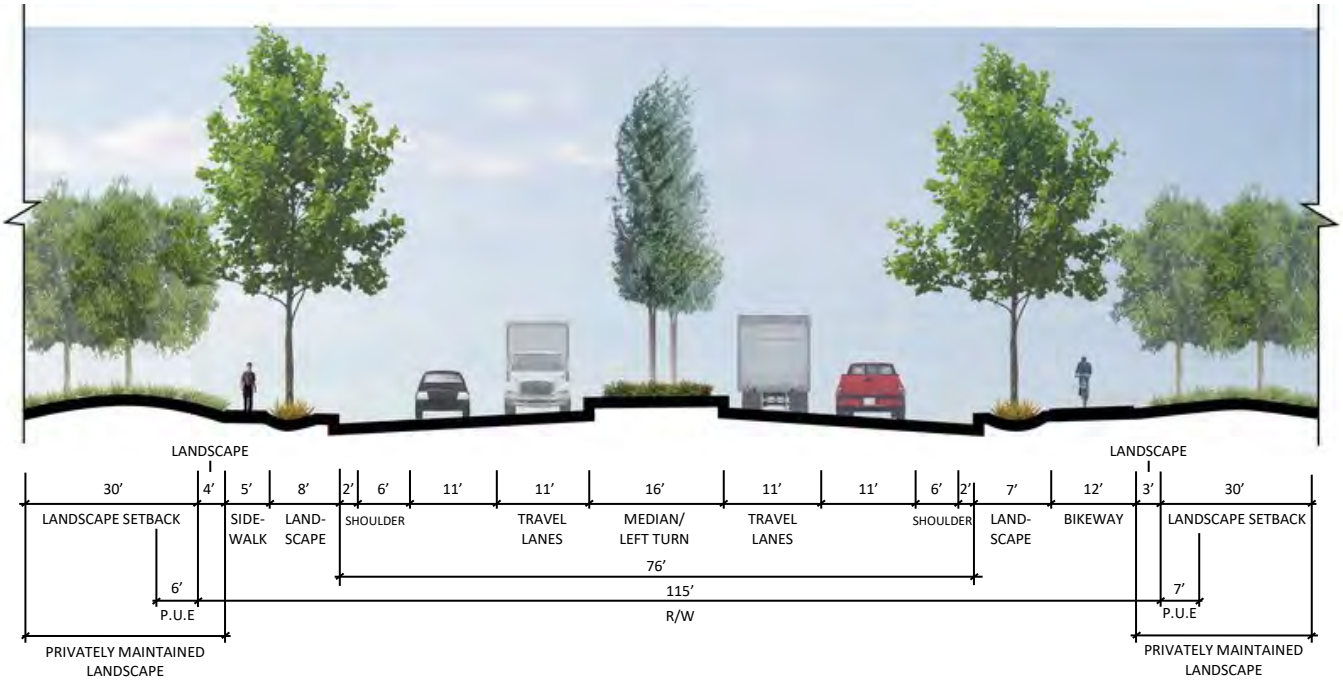


Figure 5.24, Conceptual Design for Four Lane Parkway

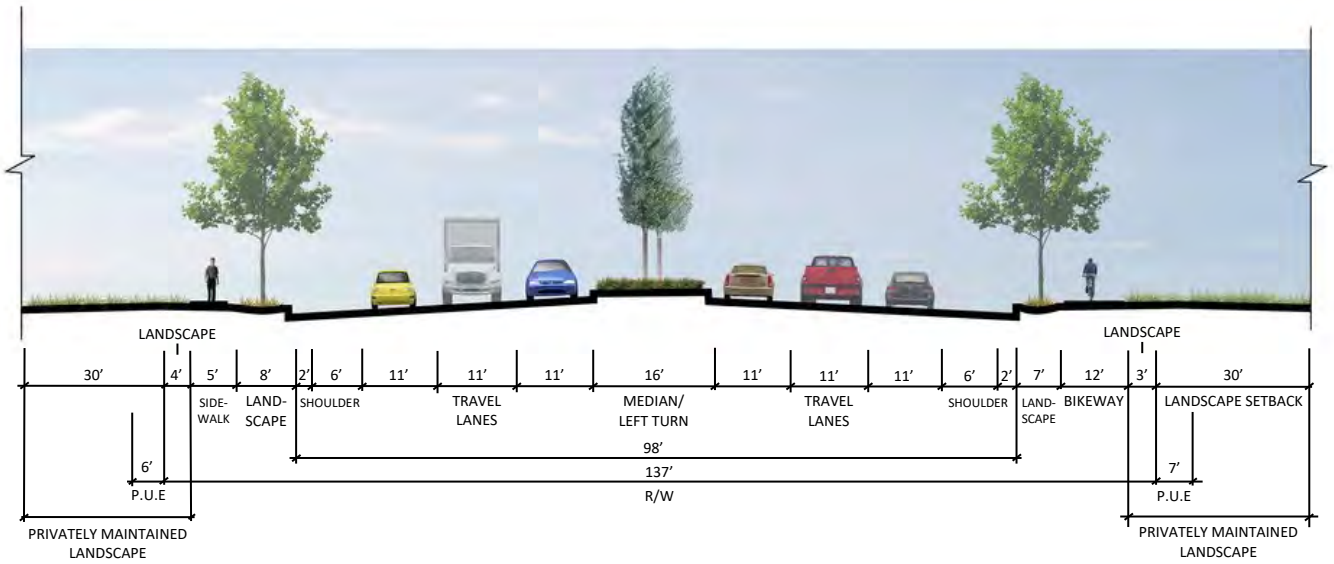


Figure 5.25, Conceptual Design for Six Lane Parkway

Capital Parks Drive, Hansen Road and Pavilion Parkway

Capital Parks Drive, Pavilion Parkway and Hansen Road are four lane major arterials with medians. On the east sides they have 12-foot Class I Bikeways with 7-foot landscape strips at the street edge and 3' landscape strips at the back of walk within the right of way. On the west side they will have 8-foot landscape strips at the street edge, five 5-foot sidewalks and 4-foot landscape strips within the right-of-way. Additional 25-foot landscape setbacks are provided on both sides. Setbacks are planted with no-mow grasses and screen trees and bermed or sloped where appropriate to minimize the perceived scale of building facades. Sixteen-foot medians are planted with grasses, evergreen shrubs, and flowering trees.

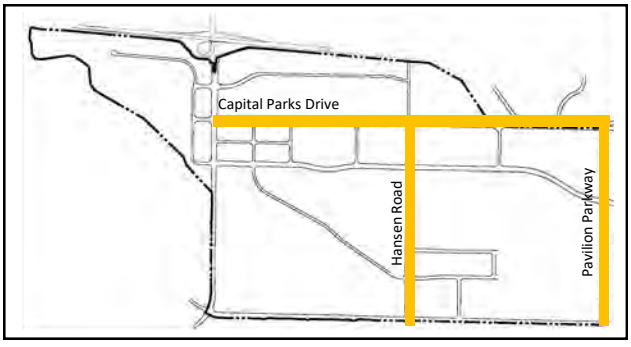
Conceptual Pavilion Parkway Tree Palette

Right of Way Planters	**Spacing**
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*

Landscape Setback	**Spacing**
Quercus ilex (Holly Oak)	*30'-0" o.c.*
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*

Median	**Spacing**
Arbutus x Marina (Marina Strawberry Tree)	*30'-0" o.c.*
Quercus macracarpa 'Urban Pinnacle' (Urban Pinnacle Oak)	*30'-0" o.c.*

Street tree, screen tree, 5' sidewalk



Key Map

Conceptual Capital Parks Drive Tree Palette

Right of Way Planters	Spacing
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*

Landscape Setback	Spacing
Querus wislizenii (Interior Live Oak)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*

Median	Spacing
Olea europaea 'Swan Hill' (Swan Hill olive)	*30'-0" o.c.*
Quercus robur 'Pyramich' (Skymaster Oak)	*30'-0" o.c.*

Conceptual Hansen Road Tree Palette

Right of Way Planters	Spacing
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*

Landscape Setback	Spacing
Quercus ilex (Holly Oak)	*30'-0" o.c.*
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*

Median	Spacing
Arbutus x Marina (Marina Strawberry Tree)	*30'-0" o.c.*
Quercus macracarpa 'Urban Pinnacle' (Urban Pinnacle Oak)	*30'-0" o.c.*

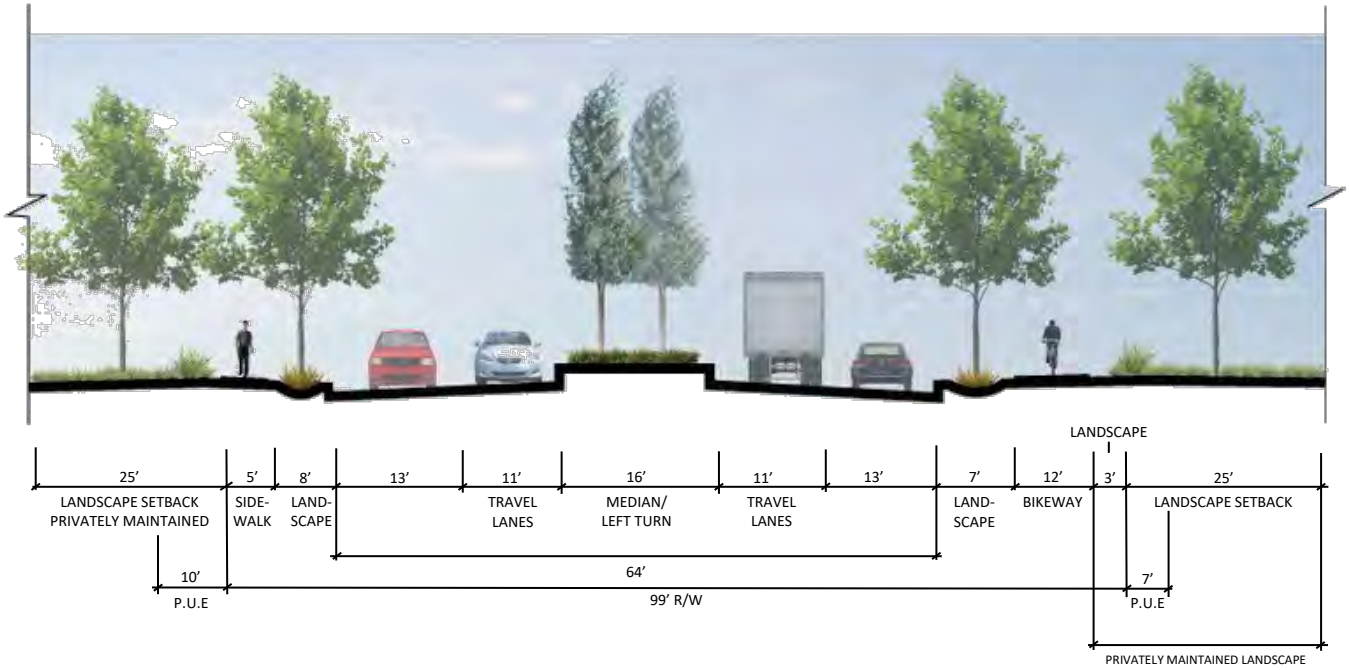


Figure 5.26, Conceptual Design for Four Lane Major Arterial with Median

New Schulte Road

New Schulte Road is a six lane arterial with intermittent pull outs. The north side contains a 7-foot landscape strip at the street edge, a 12-foot Class I Bikeway and 3-foot landscape strip, adjacent to a 30-foot landscape setback beyond the right of way. The opposite side has an 8-foot landscape strip at street edge planted with grasses and street trees, 5-foot sidewalk within the right of way adjacent to the 25-foot landscape setback outside of the right of way. Landscape setbacks are planted with grasses and screen trees to soften large architecture and are bermed or sloped, as needed.

Trees, walk and low planting in retail area

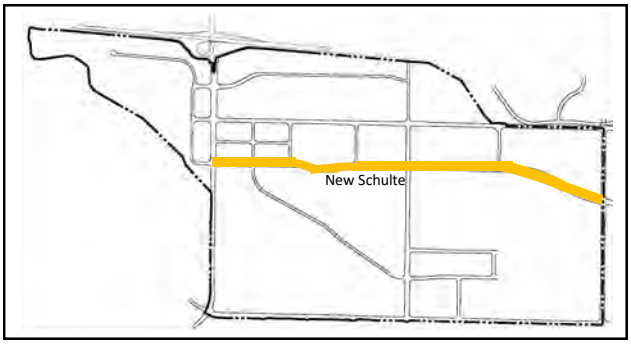
Planted berms as screen in industrial area

Conceptual New Schulte Road Tree Palette

Right of Way Planters	**Spacing**
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*

Landscape Setback	**Spacing**
Querus wislizenii (Interior Live Oak)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*

Median	**Spacing**
Olea europaea 'Swan Hill' (Swan hHll olive)	*30'-0" o.c.*
Quercus macracarpa 'Urban Pinnacle' (Urban Pinnacle Oak)	*30'-0" o.c.*



Key Map

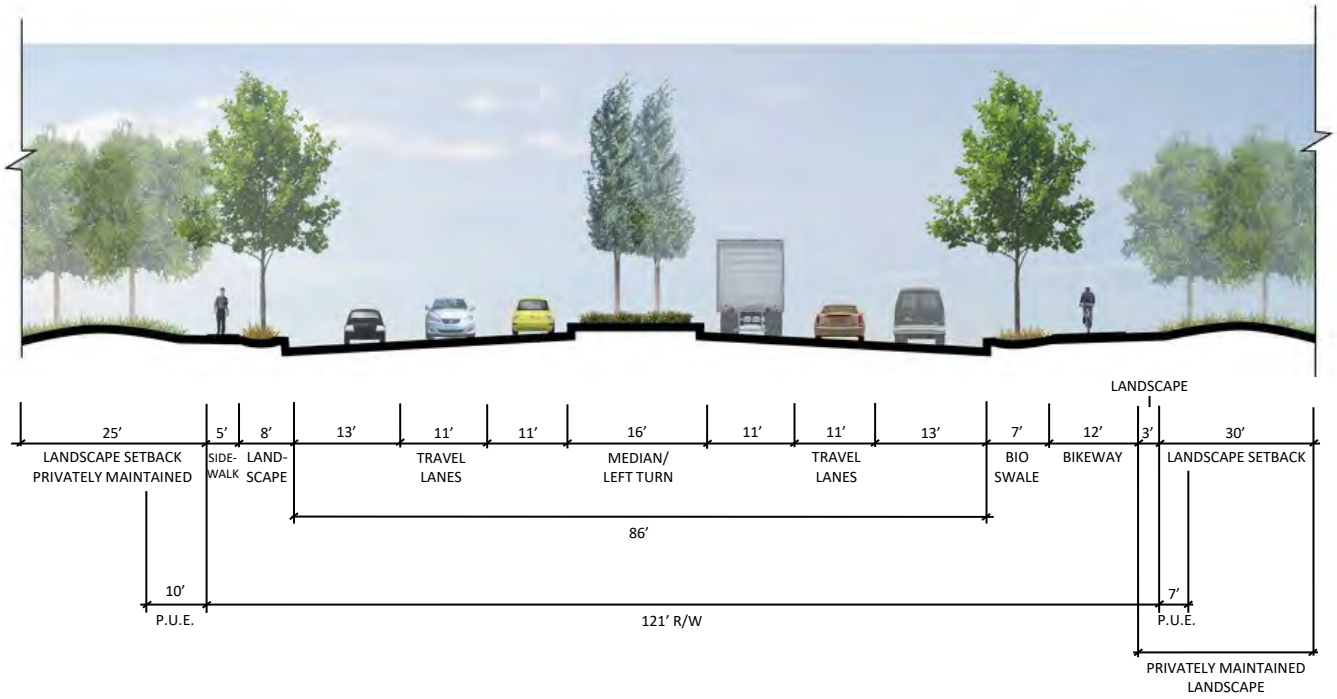
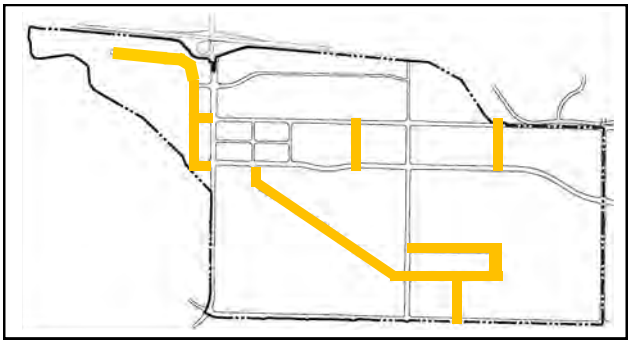


Figure 5.27, Conceptual Design for Six Lane Major Arterial with Intermittent 8-Foot Pull-outs

Street trees, screen trees, low planting in median

Industrial Streets

Several configurations of industrial streets occur throughout the project. These are the smaller scale streets and have not been assigned tree palettes. Trees selected for these streets will accommodate the needs of truck circulation. The section shown below is one of the possible configurations as an example.



Key Map

Conceptual Industrial Streets Tree Palette

Right of Way Planters	**Spacing**
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Laurus nobilis 'Saratoga' (Saratiga Sweet Bay)	*30'-0" o.c.*

Landscape Setback	**Spacing**
Olea europaea 'Swan Hill' (Swan Hill olive)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Quercus shumardii (Shumard Red Oaks)	*30'-0" o.c.*

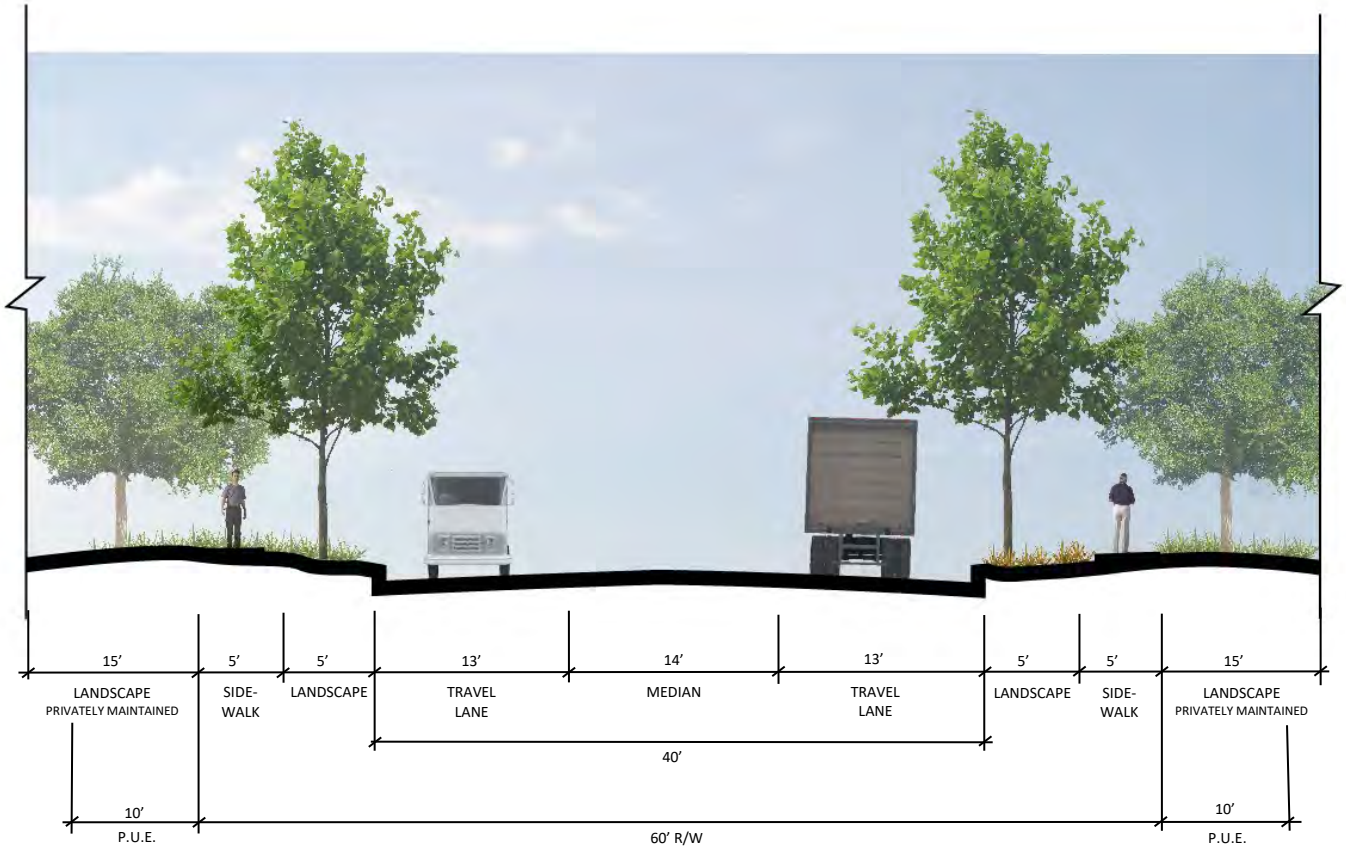


Figure 5.28, Conceptual Design for Industrial Streets (Section I-I)

Street Tree List

The following Street Tree list provides suggested species suitable for the design aesthetic desired for the project right of way planters, medians, and landscape setback areas. See Chapter 4 Design Guidelines for Onsite Tree

Right of Way Planters

Botantical Name (Common Name)	Spacing
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Laurus nobilis 'Saratoga' (Saratoga Sweet Bay)	*30'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*

Medians

Botantical Name (Common Name)	Spacing
Arbutus x Marina (Marina Strawberry Tree)	*30'-0" o.c.*
Olea europaea 'Swan Hill' (Swan Hill olive)	*30'-0" o.c.*
Quercus macracarpa 'Urban Pinnacle' (Urban Pinnacle Oak)	*30'-0" o.c.*

Landscape Setback Area

Botantical Name (Common Name)	Spacing
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*
Olea europaea 'Swan hill' (Swan hill olive)	*30'-0" o.c.*
Quercus ilex (Holly Oak)	*30'-0" o.c.*
Querus shumardii (Shumard Red Oaks)	*30'-0" o.c.*
Querus wislizenii (Interior Live Oak)	*30'-0" o.c.*
Ulmus parvifolia 'True Green' (True Green Chinese Evergreen Elm)	*30'-0" o.c.*
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*

INITIAL STUDY

PROPOSED AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN - Central Green Park Project and Specific Plan Amendment

May 2021

Prepared For:

City of Tracy
Department of Development Services
333 Civic Center Plaza
Tracy, CA 95376

Prepared By:

Kimley-Horn and Associates, Inc.
100 West San Fernando Street, Suite 250
San Jose, CA 95113

TABLE OF CONTENTS

Introduction....1
Project Overview....1
Project Location....1
Existing and Surrounding Land Uses....1
General Plan and Zoning....1
Project Characteristics....2
Pedestrian and Site Access....2
Parking....2
Wetlands....2
Landscape Design....2
Grading and Infrastructure....3
Construction and Operation....3
Previous Environmental Analysis of the Project Site....3
California Environmental Quality Act....4
Proposed Amendment to the Approved CRSP Project....5
Specific Plan Amendment....5
CRSP Environmental Impact Analysis Summary....1
Environmental Evaluation....12
i. Aesthetics....13
ii. Air Quality....18
iii. Biological Resources....26
iv. Cultural Resources....34
v. Geology and Soils....40
vi. Greenhouse Gas Emissions....45
vii. Hazards and Hazardous Materials....49
viii. Hydrology and Water Quality....57
ix. Land Use and Planning....67
x. Mineral Resources....70
xi. Noise....71
xii. Population and Housing....79
xiii. Public Services, Recreation, and Utilities....81
xiv. Transportation/Traffic....90
xv. XIX. Mandatory Findings of Significance....95
Determination of Appropriate CEQA Documentation....96
Section 15162 – Subsequent EIRs and Negative Declarations....96
Conclusion....97
Mitigation, Monitoring, and Reporting Program....98

LIST OF FIGURES

Figure 1: Regional Location Map 4
Figure 2: Project Vicinity Map....5
Figure 3: Preliminary Site Plan....6
Figure 4: Landscape Plan 7
Figure 5: Lighting Plan 8
Figure 6: Stormwater Quality 9
Figure 7: Erosion Control Plan 10
Figure 8: Food Truck Plan 11

INTRODUCTION

This document has been prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA") and its implementing regulations (the "CEQA Guidelines"), to assess whether or not further environmental review is required to support the City of Tracy's approval of proposed amendment to the Cordes Ranch Specific Plan (CRSP). Since certification of the CRSP EIR and subsequent adoption of the CRSP, the project applicant for the Central Green Park Project (Project) has submitted plans to develop a 31-acre park within the CRSP Area and to amend the CRSP to allow mobile food truck vendors in certain areas, as well as an FAR of 1.0 for hotel uses in certain areas. The proposed Project's consistency with the previously approved CRSP, a comparison of the potential impacts associated with the proposed Project compared to the previously approved CRSP EIR analysis, and any site-specific environmental impacts or cumulative impacts that may result from Project implementation are addressed in this document.

PROJECT OVERVIEW

Project Location

The Project site is located within the mid-portion of the International Park of Commerce business development within the CRSP Area in the City of Tracy (City) in San Joaquin County, California. More specifically, the site is bounded by Capital Parks Drive to the north, Huntington Way to the east, and Promontory Parkway to the south. The CRSP Area is located between the crossroads of Interstate-205, Interstate-580 and Interstate-5 in west Tracy near the base of the Altamont Pass, approximately an hour and a half east of San Francisco. Refer to Figure 1, *Regional Location Map*.

Existing and Surrounding Land Uses

As shown in Figure 2, *Project Vicinity Map,* the Project site is relatively flat and undeveloped land that may have previously been used as a construction staging area for various development within the International Park of Commerce business area. Surrounding uses include undeveloped agricultural land to the west, north, and southeast; and warehouses to the east and southwest.

General Plan and Zoning

The CRSP designates the Project site as Parks (P) which allows for open space areas and park facilities which offer recreational, cultural, entertainment, community gardens, and similar uses designed to serve the immediate CRSP Area, as well as the broader region. The proposed uses and amenities, as described below, are consistent with the Parks land use designations in the CRSP.

As currently proposed, the Project is requesting approval to allow General Office (GO), Business Park Industrial (BPI), and Parks (P) land use designations and the I-205 Overlay within the current boundaries of the CRSP to permit for food truck use, consistent with the City's existing municipal code guidance for mobile food vendors. In addition, the Project would include modifications to the General Commercial (GC) and General Office (GO) land use designations to allow for a maximum Floor Area Ratio (FAR) of 1.0 for hotel uses. Currently, the CRSP does not have development standards for hotel uses within the GC and

GO land use designations. This FAR inclusion in the CRSP would allow GC and GO land uses to better define standards for future hotel uses.

Project Characteristics

The proposed Project would result in development of a 31-acre park envisioned to be the principal open space and recreational amenity for the International Park of Commerce business park. For the purposes of this analysis, the proposed Project is broken down into three main elements: Food Truck/Multi-Use Area to the west side of the site, Detention Basin/Muti-Use Area to the east of the site, and Sports Courts/Picnic Area to the southwest of the site. See Figure 3, *Preliminary Site Plan*.

Pedestrian and Site Access

Primary park access will be provided by Promontory Parkway to the south, and Capitol Parks Drive to the north, with secondary access from Huntington Road to the east. The business park's "grid" street pattern will provide additional vehicle and pedestrian access.

Pedestrian access to the park will be provided by a Class 1 bike/pedestrian path located on the north side of Promontory Parkway and the south side of Capitol Parks Drive. Additional non-vehicular park access will be provided by the Arroyo trail system which runs north/south at the mid-portion of the business park and terminates at Central Green Park, the Huntington Way pedestrian sidewalk and Class 1 bike/pedestrian paths and pedestrian only sidewalks incorporated throughout the remaining street system. See Figure 3.

Parking

Surface parking for the Project site will be available in the northwest corner of the site, northeast corner of the site, and southwest corner of the site. See Figure 3 for locations of the proposed parking lots. Access to the parking lot will be available from Capital Parks Drive. A total of 157 parking spaces are proposed.

Wetlands

The existing Arroyo and Wetlands restoration area crosses the midportion of the proposed Project site. This passive use area will include trails on each side, overlook areas with benches, and small picnic areas. Restoration efforts is currently undergoing review and approval by various federal and State resource agencies.

Landscape Design

The planting design includes a mix of climate-adapted shrubs and grasses, and a variety of shade trees that will be planted throughout the park areas, within the parking lots, and along the project perimeter. The planting design and plant palette have been selected to complement the surrounding International Park of Commerce building development and streetscape. The stormwater detention features will be planted with a variety of grasses and trees to enhance the appearance and create the joint use of the storm drainage improvements. See Figure 4, *Landscape Plan*. The total landscaped area of the project site will be 1,089,000 square feet.

As shown in Figure 5, *Lighting Plan*, lighting fixtures will be located throughout the park. All exterior light fixtures are "dark sky-friendly" and will be oriented downwards to minimize spill-over of light into adjacent properties. The light fixtures range from 15 feet to 30 feet tall. There will be free-standing light fixtures located throughout the Project site, specifically in the surface parking lots, along pedestrian pathways, and within sport courts.

Grading and Infrastructure

Utilities/Wastewater/Solid Waste

Pacific Gas & Electric (PG&E) 80 feet and 40 feet transmission line easements cross the proposed Project site from the northeast corner to the southwest corner of the site.

Restrooms are located throughout the Project site next to all surface parking lots.

Stormwater

Stormwater detention basins will be located on site, draining from a west to east direction. Storm drain catch basins will also be located on site in northwest, northeast, and southwest portions of the Project Site. See Figure 6, *Stormwater Quality Control Plan* for locations of the storm drain catch basins.

Erosion Control

During construction activities, straw wattle will be installed on site to trap sediment and reduce erosion by reducing slope gradient. See Figure 7, *Erosion Control Plan* for location of installations.

Construction and Operation

Construction of the Central Green Park will be phased with the two detention basins, which will be the first improvements to be installed. The remaining park improvements will be based on buildout of the International Park of Commerce business park. Arroyo and Wetlands restoration is currently undergoing review and approval by various Federal and State resource agencies. The approval schedule is unknown at this time. Upon approval of the wetlands restoration, construction documents will be prepared and submitted to the City for review and approval.

PREVIOUS ENVIRONMENTAL ANALYSIS OF THE PROJECT SITE

The City approved the CRSP Project and certified the corresponding CRSP EIR on September 3, 2013. The CRSP EIR evaluates the potential environmental impacts resulting from the approval and implementation of the CRSP Project. The CRSP EIR is a "program" EIR as described in Section 15168 of CEQA's implementing regulations (the "CEQA Guidelines"). The CRSP Project involves the development of approximately 1,780 acres of land with commercial, office, business park industrial, and park and recreational uses. The CRSP Project involves the adoption and implementation of a General Plan amendment and the CRSP (Specific Plan); the approval and implementation of a development agreement covering a portion of the Specific Plan Area; prezoning and zoning for the Specific Plan Area; annexation of the Specific Plan Area into the

City of Tracy; and development of the Specific Plan Area consistent with the Specific Plan. The Specific Plan contains land use, landscaping, circulation, sustainability, design, and infrastructure related development standards and design guidelines, to guide investment and development in the approximately 1,780-acre Specific Plan Area.

California Environmental Quality Act

This Initial Study has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §§ 21000 et seq.); the State CEQA Guidelines (Title 14, California Code of Regulations [CCR] §§ 15000 et seq.); and the rules, regulations, and procedures for implementing CEQA as set forth by the City of Tracy (City).

Under Section 15168(c) of the CEQA Guidelines, when a program EIR has been certified for a development program such as a general plan or specific plan, "later activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared." Section 15168(c)(2) further states, "if the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being with the scope of the project covered by the program EIR, and no new environmental document would be required."

Section 15162(a) of the State CEQA Guidelines states the following:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one of more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant environmental effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Pursuant to Section 15168, the City has prepared this Initial Study to determine whether any of the conditions described in Section 15162(a) would occur, or whether any changes or additions would be required to the THSP SEIR, if the proposed Project is approved.

Based on the analysis and evaluation provided in this Initial Study, no new significant impacts would occur because of the proposed Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the CRSP EIR would substantially reduce one or more significant effects on the environment. Therefore, no conditions described in Section 15162(a) of the CEQA Guidelines have occurred or would occur with approval of the proposed Project. In addition, no changes or additions to the certified CRSP EIR were or are required for review and approval of the Project. Therefore, based on Section 15168(c)(2) of the CEQA Guidelines, the City can approve the proposed Project as within the scope of the development program evaluated in the CRSP EIR and no further environmental document is required.

PROPOSED AMENDMENT TO THE APPROVED CRSP PROJECT

Specific Plan Amendment

An amendment to the previously approved CRSP (proposed Project) has been submitted to the City of Tracy for consideration. The following provides a description of the proposed revisions:

Food Truck Use

The proposed Project would allow the General Office (GO) zone, Business Park Industrial (BPI) zone, and Parks (P) zone and the I-205 Overlay within the current boundaries of the CRSP to permit for food truck use.

The amendment would allow mobile food vendors to be permitted in the GO Zone, BPI Zone, I-205 Overlay Zone, and the Parks Zone, subject to all requirements for mobile food vendors in the Tracy Municipal Code, except as modified by the CRSP. A mobile food vendor's operation (not including set up and take down) would be allowed for up to a maximum of 12 hours at a single location within a 24-hour period. The requirement in the Tracy Municipal Code that a mobile food vendor must be an accessory use to a

business conducted within a building on a site would not applicable in the Parks zone, where a mobile food vendor is permitted as an accessory use to a park.

Park Uses

The amendment would include clarifications to allowed passive or recreational uses within the Parks Zone. Passive or active recreational uses would include, but not be limited to events and activities such as exercise classes, health/fitness events, cooking demonstrations and food tastings, farmer's market, beer and wine tasting events, arts and crafts fairs, live music/music festivals, corporate trainings/presentations, movie screenings, environmental/nature classes, weddings, car club/concourse, and performing arts/theater. No overnight activities would be permitted without a Temporary Use Permit (TUP). Any individual activity may require a building permit and/or fire permit, as applicable under the Building and Fire Codes.

Floor Area Ratio for Hotel Uses

Currently, the CRSP does not have a Floor Area Ratio (FAR) standard for hotel uses within the GC and GO land use designations. The amendment would include revisions to development standards for the General Commercial (GC) and General Office (GO) zoning districts to allow a maximum FAR of 1.0 for hotel uses.

Project Signage

The amendment would include minor modifications to sign standards in the CRSP. Revisions to signs would allow freeway signs to identify any tenant(s) located within the GC Zone of the CRSP area. Modifications to Sign Type C would be revised to add one additional location at International Parkway at Daylight Road (two corners, Northeast and Southeast only) to allow for this sign type at a major intersection. Additional text revisions to Sign Type C include minor clarifications for this new location.

CRSP ENVIRONMENTAL IMPACT ANALYSIS SUMMARY

The 2013 CRSP Final EIR certified on September 3, 2013, found the following effects to be characterized as follows:

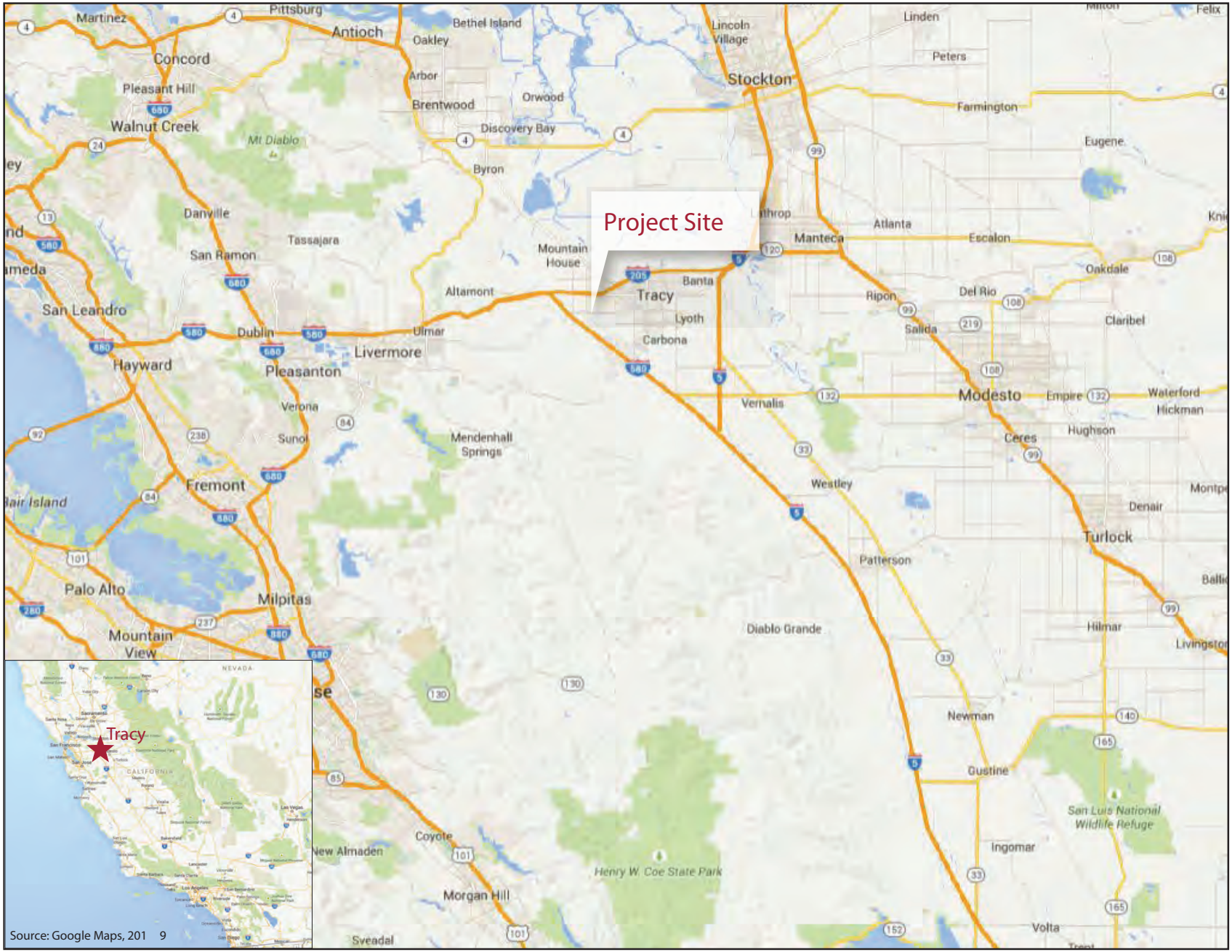
	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
Aesthetics	• Visual aspect of and views in the Specific Plan Area (Project and Cumulative Impact); • Adverse effects on a state-designated scenic highway; • Adverse change in the character of the site	• New sources of light and glare;
Agriculture	• Conversion of Prime Farmland and other Important Farmland (Project and Cumulative);	• Incompatible with adjacent agricultural activity;
Air Quality	• Inconsistency with adopted Air Quality Management Plan; • Cumulative construction emissions (ROG, NOx and PM10); • Cumulative operational emissions (ROG, NOx, CO and PM10); • Emission of ozone precursors and particulate matter; • Exposure of sensitive receptors to pollutant concentrations;	• Exposure of sensitive receptors to substantial pollutant concentrations;
Biological Resources	• Adverse impact on wildlife movement;	• Impact on special-status animal species • Construction during bird nesting season;
Cultural Resources	N/A	• Damage to cultural resources (buried archeological deposits); • Damage to paleontological resources; • Human remains encountered during construction;

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
Greenhouse Gas Emissions	• Generation of GHG emissions during construction and operation;	N/A
Geology and Soils	N/A	• Erosion during construction and operation;
Hazards and Hazardous Materials	N/A	• Routine use, transport, and disposal of hazardous materials; • Exposure to hazardous materials sites;
Hydrology and Water Quality	N/A	• Storm water discharge requirements and water quality; • Soil erosion and sedimentation; • Storm water runoff volumes; • Pollutants (associated with non-residential storm water runoff);
Noise	• Exposure of persons to noise levels in excess of established standards; • Traffic noise level increases (Project and Cumulative);	• Expose persons or generate excessive groundborne vibration; • Excessive noise associated with construction;
Traffic	• Freeway segments during construction (Phase 1); • Impact to the existing roadway and freeway network (Build-out); • Level of service at intersections during construction (Phase 1); • Impact to the 2035 roadway and freeway network (Phase 1); • Impact to the 2035 roadway and freeway network (Build-out); • Inadequate emergency access (Build-out);	• Level of service at intersections (Phase I); • Level of service at intersections during construction (Phase 1); and

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
Utilities	• Need for yet to be constructed City Wastewater Master Plan (WWMP) facilities; and • Environmental impacts associated with construction of Specific Plan storm water drainage facilities.	• Need for yet to be constructed City Water System Master Plan (WSMP) facilities.

Implementation of mitigation measures identified in the CRSP Final EIR would reduce the severity of potentially significant and unavoidable impacts as well as mitigate aforementioned impacts to a level of less than significant. Where applicable, mitigation measures stemming from the previously certified Specific Plan EIR and adopted as conditions of Specific Plan approval would be incorporated into the proposed Project.

The CRSP Final EIR found that build-out of the CRSP would have a less than significant impact or no impact to remaining topical areas evaluated pursuant to the *CEQA Guidelines*.



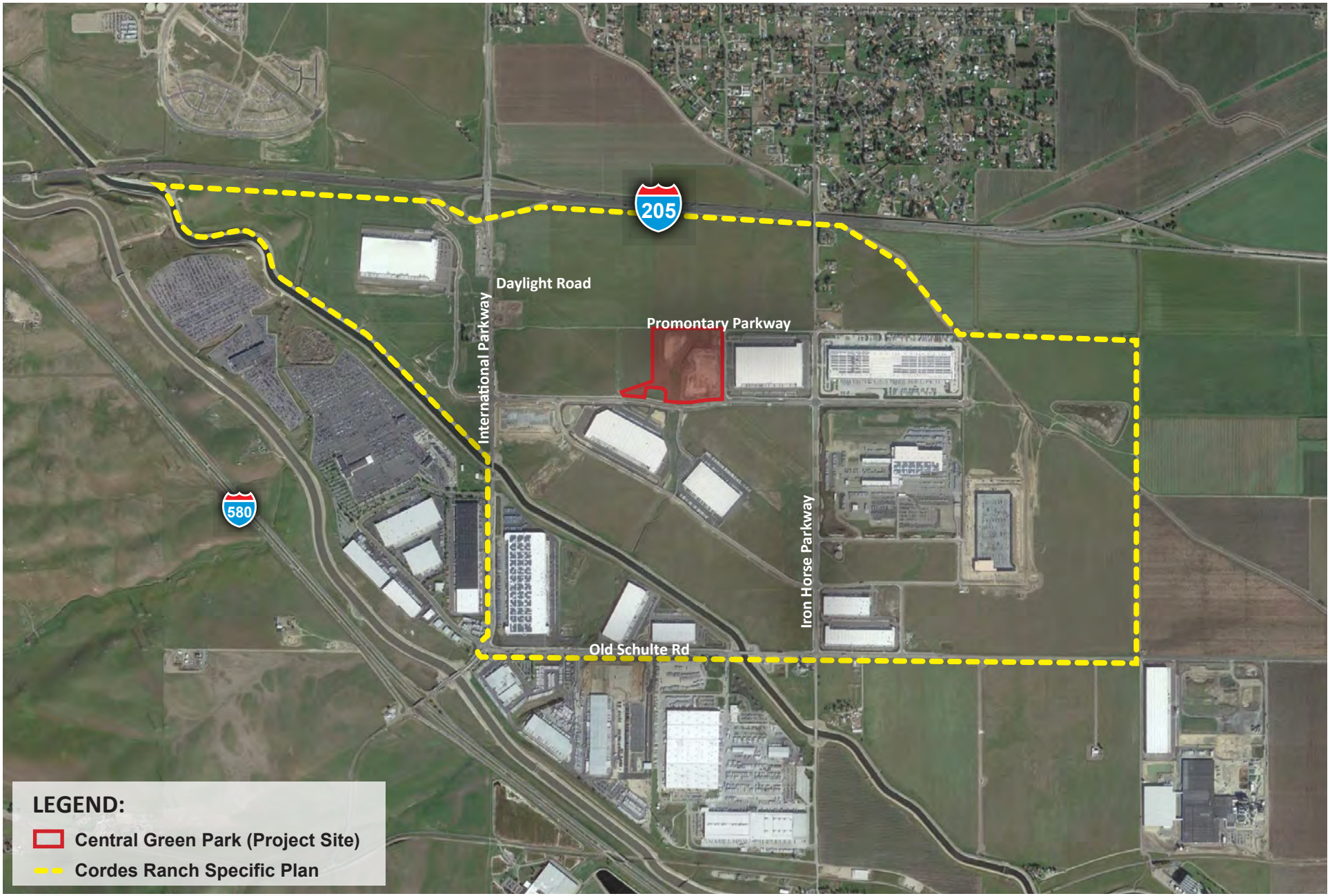
Source: Google Earth, 2020

Figure 1: Regional Location Map

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

Kimley»Horn
Expect More. Experience Better.



Source: Google Earth, 2020

Figure 2: Project Vicinity Map

Cordes Ranch Central Green Park Project

City of Tracy

Not to scale

Kimley»Horn

Expect More. Experience Better.

Source: Google Earth, 2020

Figure 3: Preliminary Site Plan

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

Kimley»Horn
Expect More. Experience Better.

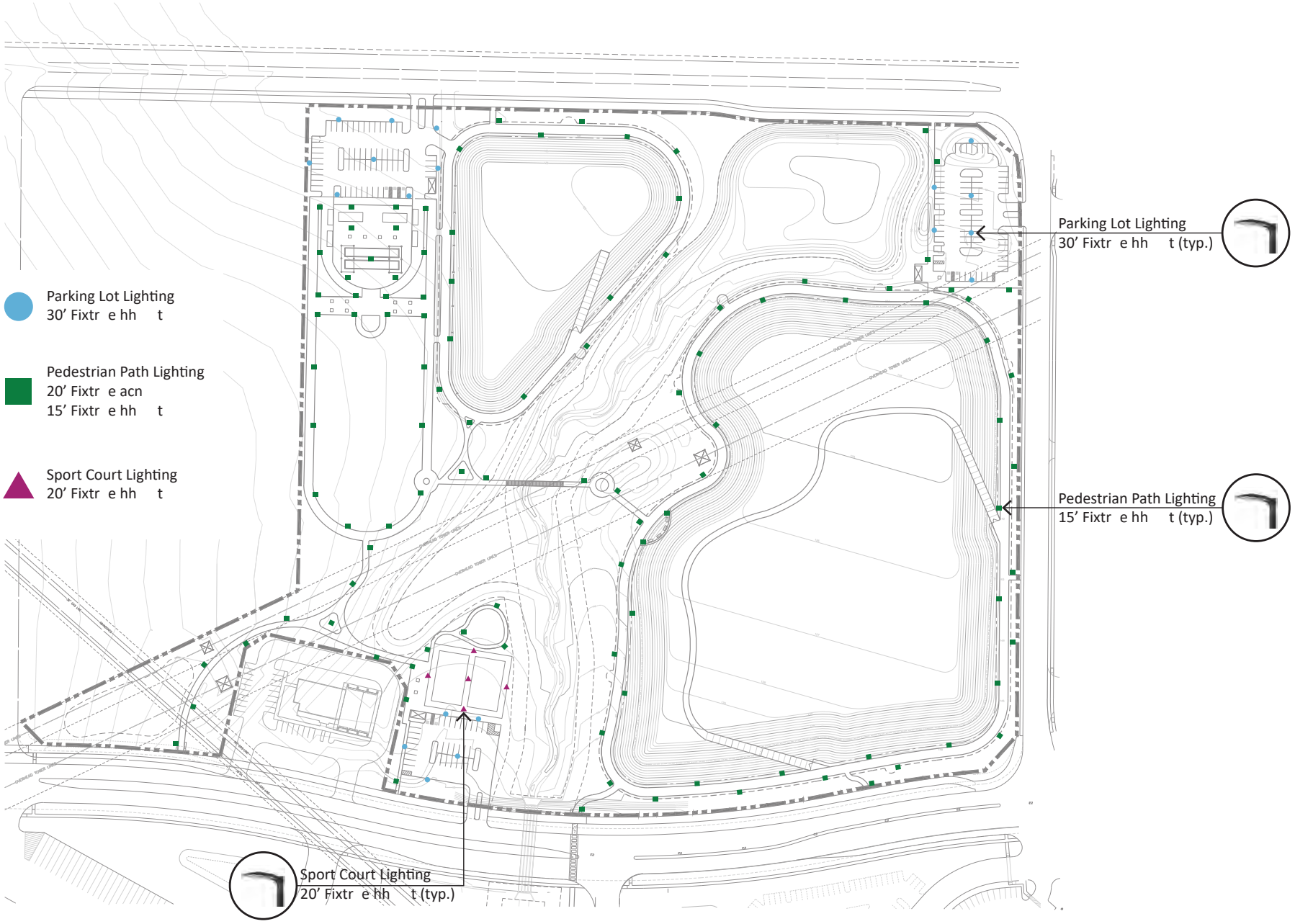
Source: Application Plan Set for SPA20-0004, CUP20-0001, D20-0015, 2021

Figure 4: Landscape Plan

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

Kimley»Horn
Expect More. Experience Better.



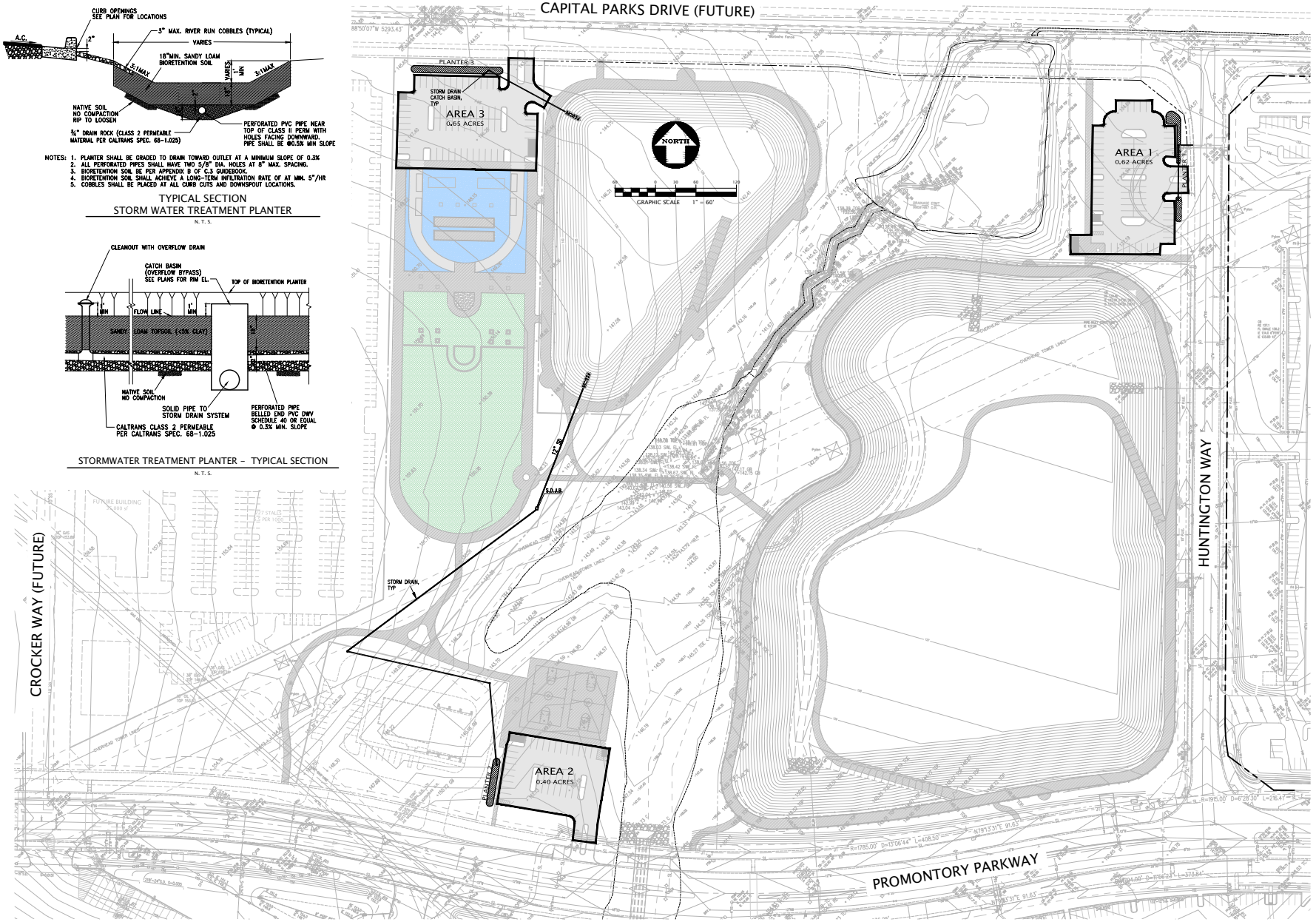
Source: Application Plan Set for SPA20-0004, CUP20-0001, D20-0015, 2021

Figure 5: Lighting Plan

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

Kimley»Horn
Expect More. Experience Better.



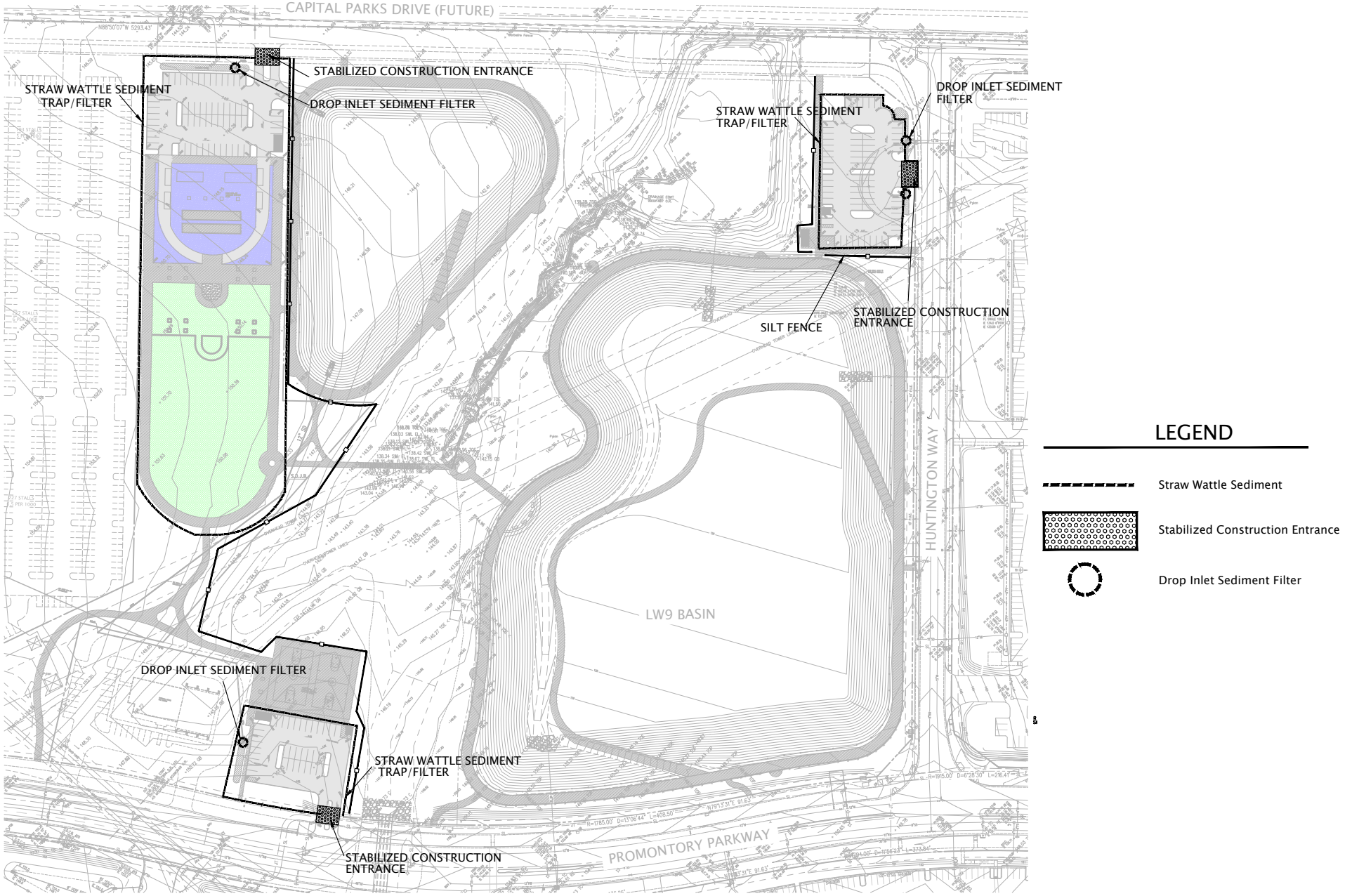
Source: Application Plan Set for SPA20-0004, CUP20-0001, D20-0015, 2021

Figure 6: Stormwater Quality

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

Kimley»Horn
Expect More. Experience Better.



Source:Application Plan Set for SPA20-0004, CUP20-0001, D20-0015, 2021

Figure 7: Erosion Control Plan

Cordes Ranch Central Green Park Project

City of Tracy

Not to scale

Kimley»Horn

Expect More. Experience Better.

Source: Application Plan Set for SPA20-0004, CUP20-0001, D20-0015, 2021

Figure 8: Food Truck Plan

Cordes Ranch Central Green Park Project
City of Tracy

Kimley»Horn
Expect More. Experience Better.

ENVIRONMENTAL EVALUATION

This section evaluates the potential environmental effects of the proposed Project using a modified version of the environmental checklist from the State *CEQA Guidelines*. The definitions of the response column headings include:

A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant after the implementation of feasible mitigation measures. The impact may warrant additional analysis within a Subsequent or Supplemental EIR or the Impact would be within the scope of analysis in the THSP SEIR and require no additional analysis to identify additional mitigation measures.

B. "Less than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measure has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." Mitigation measures from the THSP SEIR will be cross-referenced when applicable.

C. "Less Than Significant Impact" applies where the project creates no significant impacts, only Less than Significant Impacts. These impacts are within the scope of Less Than Significant Impacts identified and evaluated within the THSP SEIR and below thresholds considered significant.

D. "No Impact" applies where the project does not create an impact in that category.

E. "Reviewed Under Previous Document" indicates the impact created by the proposed Project would be the same as that identified in the THSP SEIR for the corresponding threshold. Where this finding is made, both are so noted herein and the corresponding boxes are checked in the Environmental Checklist.

I. AESTHETICS

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	☐	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the Project have a substantial adverse effect on a scenic vista?

The proposed Project site is generally surrounded by flat grassland that allows expansive views of distant mountains south of Tracy. Since adoption of the CRSP, the CRSP Area has been in the process of being built out with commercial, office, business park industrial, and park and recreational uses. Several large single-story industrial/warehouse style buildings have been constructed in the vicinity of the Project, east of the site along Promontory Parkway and south of the site, along Hopkins Road. The City's General Plan does not identify protected scenic vistas across the proposed Project site. However, the City's General Plan EIR listed the City's scenic resources and vistas considered to be local assets. Of those listed resources, the following are relevant to the proposed Project:

- Public views from expansive agricultural lands within and immediately adjacent to the existing Specific Plan Area; and
- Public views of the Diablo Range from the highway.

These views are primarily available to motorists traveling along the major transportation corridors at highway speed. In addition, these views are also characteristic of San Joaquin County, and exist throughout the region. The Project would result in the development of a 31-acre park with amenities including a Food Truck/Multi-Use Area on the western portion of the site, Detention Basin/Multi-Use Area on the eastern portion of the site, and Sports Courts/Picnic Area on the southwestern portion of the site. The Project does not include the construction of structures or other improvements that would substantially impede views beyond the Project site. The proposed SPA would modify the General Commercial (GC) and General Office (GO) zoning districts to allow for a FAR of 1.0 for hotel uses. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA

would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. Because the proposed SPA is a clarification to what has already been permitted, and hotel uses will still be subject to the same design guidelines outlined in the CRSP (ex. heights and setbacks), any potential development related to hotel uses within the GO or GC zoning districts would not result in a greater impact to a scenic vista than what was evaluated in the CRSP EIR.

The proposed SPA would also result in minor modifications to the previously adopted signage regulation, specifically allowing a new freeway sign at the intersection of International Parkway at Daylight Road. This new sign would be required to comply with the freeway sign design standards identified in the CRSP to maintain consistency with other freeway signs within the CRSP. While a new sign would be allowed within the CRSP, it would not reduce the scenic quality of the aforementioned scenic vistas as it would be along a major corridor frontage with associated landscaping to soften the appearance of industrial buildings within the GC zone. Further, the scenic quality of these views is already compromised by a number of factors, including the highly limited duration that views are available to motorist due to the high speed of travel in the transportation corridors, limited travel along the proposed Project frontage, and the existing urban development in the area. There are no distinguishing visual features, aside from the proposed Projects' open space nature that is framed by a visual backdrop of the Diablo Range.

Impacts related to scenic vistas were considered significant and unavoidable in the previously certified CRSP EIR. Mitigation for impacts to scenic vistas was included as a condition of the CRSP project approval. The proposed Project would have a potentially negative effect on public views from expansive agricultural lands within and immediately adjacent to the existing Specific Plan Area. Additionally, the City's scenic resources and vistas which are considered local assets would be impacted. Therefore, mitigation identified in the CRSP EIR would be required as part of the proposed Project to reduce the severity of aesthetic impacts. Because the proposed Project would allow for development that is consistent with the development evaluated in the CRSP EIR, the proposed Project's impact relative to scenic vistas would be similar to those identified in the CRSP EIR. No greater impacts and no change to the disposition of impacts on the build-out of the Project site would occur as a result of the proposed Project. The proposed Project's impact on a scenic vista remains significant and unavoidable consistent with the effects of implementation of the CRSP. Thus, additional environmental review is not required.

The following mitigation measure incorporated herein from the previously certified CRSP EIR are applicable to the proposed Project:

> ***Mitigation Measure Aesthetics-1:*** *The Specific Plan contains numerous design and landscaping requirements intended to beautify the Project, which shall be imposed on individual, site-specific developments under the Specific Plan. Beyond these measures, there is no feasible mitigation. [This is Mitigation Measure AES-1 in the CRSP EIR].*

Threshold (b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

The views to the proposed Project site from Interstate 580, a State-designated scenic highway, are limited because of small hills and commercial buildings along Interstate 580 as well as the position of the proposed Project to the northeast of these features. The area between Interstate 580 and the proposed Project is already surrounded by several large single-story industrial/warehouse style buildings, just southwest of the CRSP Area. Impacts to views of the CRSP Area from Interstate 580 were considered significant and unavoidable in the previously certified CRSP EIR. Because the proposed Project would allow for development that is consistent the development evaluated in the CRSP EIR, no greater impacts and no change to the disposition of impacts generated by build-out of the proposed Project would occur. As discussed in Threshold (a), the proposed SPA would result in minor modifications to the previously adopted signage regulation, specifically allowing a new freeway sign at the intersection of International Parkway at Daylight Road. This new sign would be required to comply with the freeway sign design standards identified in the CRSP to maintain consistency with other freeway signs within the CRSP. While a new sign would be allowed within the CRSP, it would not reduce any scenic views greater than already analyzed in the CRSP EIR. Therefore, the change in views of the proposed Project site from Interstate 580 would be significant and unavoidable. Mitigation Measure Aesthetics-1, above, was incorporated herein from the previously certified CRSP EIR and is applicable to the proposed Project. However, with mitigation incorporated, impacts would remain significant and unavoidable. This finding is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

The proposed Project would change the site appearance from undeveloped land to a park with amenities including a Food Truck/Multi-Use Area on the western portion of the site, Detention Basin/Multi-Use Area on the eastern portion of the site, and Sports Courts/Picnic Area on the southwestern portion of the site. The proposed SPA would modify the GC and GO zoning districts to allow for a maximum FAR of 1.0 for hotel uses. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. Because the proposed SPA is a clarification to what has already been permitted, any potential development related to hotel uses within the GO or GC zoning districts would not result in a greater impact to the existing visual character. The aesthetic appearance of the site would be consistent with the overall CRSP. Additionally, the project would be consistent with the design guidelines, which are intended to create a uniform and consistent theme within the overall Specific Plan Area.

Landscaping would include a mix of climate-adapted shrubs and grasses, and a variety of shade trees that would be planted throughout the park areas, within the parking lots, and along the project perimeter. The planting design and plant palette have been selected to complement the surrounding International Park of Commerce building development and streetscape. The stormwater detention features would be

planted with a variety of grasses and trees to enhance the appearance and create the joint use of the storm drainage improvements.

Impacts related to degrading the visual character of the Specific Plan Area were considered significant and unavoidable in the previously certified CRSP EIR. This impact would be mitigated but would remain significant and unavoidable with implementation of Mitigation Measure Aesthetics-1. Given that the proposed Project would change the site appearance from an undeveloped area to a 31-acre park , the proposed Project's impact on the area's visual character would be significant. With implementation of the Specific Plan's development standards, design guidelines and other design-related goals, policies and objectives, impacts on visual character or quality would be minimized, however the effect would remain significant as what was previously concluded in the CRSP EIR. Implementation of Mitigation Measure Aesthetics-1, identified above, would apply to the Project and help to reduce the impact, however impacts would still remain significant and unavoidable. Therefore, the implementation of the proposed Project would result in an impact that is consistent with that already identified in the previously certified CRSP EIR.

Threshold (d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

The existing sources of light and glare surrounding the proposed Project site include glare from vehicle windshields, and light from a number of commercial and industrial buildings. The proposed Project would introduce new sources of light coming from free-standing light fixtures located throughout the Project site, specifically in the surface parking lots, along pedestrian pathways, and within sport courts. The CRSP includes standards, guidelines and policies that require shielding of lighting to minimize uplighting and to prevent light splay from shining directly onto adjacent properties, and also requires that street lights be subdued and focused to reduce light pollution. Accordingly, all exterior light fixtures would be "dark sky-friendly" and will be oriented downwards to minimize spill-over of light into adjacent properties.

The proposed Project would be required to comply with the policies and standards identified in the previously certified CRSP EIR to reduce impacts associated with light and glare to less than significant. While the proposed Project would introduce new forms of light and glare to the surrounding vicinity, no greater impacts under the CRSP EIR would result from the proposed Project. The proposed SPA would allow food truck uses within GO, BPI, P zoning districts and the I-205 overlay of the CRSP that were not previously considered in the CRSP EIR. Food trucks allowed within the Park zone would likely emit some new light and glare sources, but they would be required to operate in existing developed areas that already have applicable lighting requirements appropriate to location. Food trucks that would serve the Project's nearby business park employees are anticipated to operate during the day time, where additional lighting would not be needed.

Impacts related to light and glare in the CRSP EIR were considered less than significant with the implementation of Mitigation Measure Aesthetics-2, identified below. With implementation of Mitigation Measure Aesthetics-2 below, the proposed Project would result in impacts that are less than significant with mitigation incorporated. This finding is supported by the previously certified EIR prepared for the

CRSP. Because the proposed Project is consistent with the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

> ***Mitigation Measure Aesthetics-2:*** *To decrease light spillage and glare to the maximum extent practicable, all individual developments under the Specific Plan shall be required to:*
>
> *Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light on to public rights-of-way or adjacent residential property, consistent with City standards. [This is Mitigation Measure AES-4 in the CRSP EIR].*

Cumulative Impacts

The potential aesthetic impacts related to views, aesthetics, and light and glare are site specific. While impacts are minimized with implementation of mitigation measures, impacts related to aesthetics across the Specific Plan Area were considered cumulatively significant and unavoidable in the previously certified CRSP EIR. As discussed above, the proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Proposed Project-related impacts are consistent with the environmental effects previously identified certified CRSP EIR. The project site was analyzed in the CRSP EIR, and although minor modifications to the acreage and uses are included in the proposed Project, the Project is consistent with the land use designation and development regulations contained in the CRSP. Thus, while the proposed Project would change the appearance of the site and surrounding area, so long as the proposed Project abides by the Specific Plan guidelines, no additional cumulatively considerable impacts related to the proposed Project would occur. This finding is supported by the previously certified EIR prepared for the CRSP because the proposed Project is consistent with the CRSP. Therefore, the proposed Project would not cause either a new impact to occur, nor an increase in the severity of an impact previously disclosed.

II. AIR QUALITY

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☐	☒
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☐	☒
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☐	☒
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The proposed Project lies within the central portion of the San Joaquin Valley Air Basin (SJVAB). The San Joaquin Valley Air Pollution Control District (SJVAPCD) has jurisdiction over most air quality matters in the Basin and is tasked with implementing programs and regulations required by the federal and State Clean Air Acts. If a project is found to interfere with the region's ability to comply with federal and State air quality standards, local governments then need to consider project modifications or provide mitigation measures to eliminate the inconsistency of the project plans. In order for a project to be considered "consistent" with the latest Air Quality Plan (AQP), the project must be consistent with the goals, objectives, and assumptions in the respective plan to achieve Federal and State air quality standards. Additionally, both construction-related and long-term emissions are required to be quantified and compared to the SJVAPCD significance thresholds.

Emissions from the construction and operational phase of the proposed Project were included as part of the emissions estimate for buildout conditions of the CRSP Area as evaluated in the previously certified CRSP EIR. The CRSP EIR found that buildout of the CRSP would generate a substantial increase in (both

construction and operational-related) criteria air pollutants that would exceed the SJVACPD's significance thresholds. As such, build out of the CRSP Area would be inconsistent with the SJVAPCD's air quality plans and impacts were considered significant and unavoidable within the previously certified EIR prepared for the CRSP. Mitigation from the certified CRSP EIR is applicable to the proposed Project and would be expected to reduce the severity of the significant and unavoidable impact. However, even with mitigation incorporated, impacts from buildout of the CRSP Area would remain significant and unavoidable.

The following mitigation measures incorporated herein from the CRSP EIR are applicable to the proposed Project:

> ***Mitigation Measure AQ-1:*** *Implement Mitigation Measures AQ-2a and AQ-2b and Mitigation Measures GHG-1b through 1d. [This is Mitigation Measure AQ-1 in the CRSP EIR]*
>
> ***Mitigation Measure AQ-2a:*** *Each applicant for individual, site-specific developments under the Specific Plan shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations, including, without limitation, Indirect Source Rule 9510. The applicant shall document, to the City's reasonable satisfaction, its compliance with this mitigation measure. [This is Mitigation Measure AQ-2a in the CRSP EIR]*
>
> ***Mitigation Measure AQ-2b:*** *Prior to issuance of a grading permit by the City of Tracy, the applicant for an individual, site-specific development under the Specific Plan shall be required to develop and obtain approval of a fugitive dust and emissions control plan to mitigate, as feasible, the identified impacts, which satisfies the requirements set forth under then-applicable SJVAPCD Rules and Regulations, including, without limitation, Regulation VIII. Depending on the size, location and nature of the individual development at issue, the fugitive dust and emissions control plan shall consider the following mitigation measures, for example:*
>
> - *All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover;*
> - *All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant;*
> - *All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking;*
> - *When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inched of freeboard space from the top of the container shall be maintained;*
> - *All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.);*

- *Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant;*
- *Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday;*
- *Any site with 150 or more vehicle trips per day shall prevent carryout and trackout;*
- *Limit traffic speeds on unpaved roads to 15 mph;*
- *Install sandbags or other erosion control measures to prevent silt run-off to public roadways from sites with a slope greater than one per-cent.*
- *Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the Specific Plan Area;*
- *Adhere to Regulation VIII's 20 percent opacity limitation, as applicable;*
- *Use of construction equipment rated by the United States Environ-mental Protection Agency (US EPA) as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower that are onsite for more than 5 days, if available and feasible. Tier 3 engines be-tween 50 and 750 horsepower are available for 2006 to 2008 model years. After January 1, 2015, encourage the use of equipment over 50 horsepower that are on-site for more than 5 days to meet the Tier 4 standards, if available and feasible. A list of construction equipment by type and model year shall be maintained by the construction contractor on-site, which shall be available for City review upon request.*
- *Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible; and*
- *Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g. 5-minute maximum). [This is Mitigation Measure AQ-2b in the CRSP EIR]*

The proposed Project would not extend the CRSP Area beyond the boundaries analyzed in the CRSP EIR. Project implementation would result in development of a 31-acre park with associated recreational amenities planned for in the CRSP EIR. The proposed SPA provides clarification for the types of passive and active recreational uses allowed within the Parks Zone. These allowed uses, such as exercise classes, health/fitness events, farmer's market, etc., are not anticipated to generate substantial emissions that would be greater than emissions estimated for buildout conditions of the CRSP Area as evaluated in the previously certified CRSP EIR. In addition, any overnight or individual activity outside from the allowed uses would be required to go through City review for appropriate permits.

While the proposed SPA would allow food truck uses that were not previously considered in the CRSP EIR, food trucks uses would only be allowed within GO, BPI, P zoning districts and the I-205 overlay of the CRSP. All mobile food vendors would be subject to all requirements for mobile food vendors as identified in the Tracy Municipal Code, except as modified in the CRSP. Mobile food vendors would be allowed for up to a maximum of 12 hours at a single location within a 24-hour period in the Parks Zone. It is anticipated

that mobile food vendors would serve nearby business park employees during lunch time, who's trips have been accounted for in the CRSP EIR, and thus would not generate any greater traffic than what was previously analyzed in the CRSP EIR. For these reasons, the impact of the proposed Project would not create a new specific impact or an increase in the severity of an impact that was identified in the CRSP EIR and would therefore be consistent with the effects of implementation of the CRSP.

Threshold (b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Construction

Construction emissions for buildout of the CRSP were estimated in the previously certified CRSP EIR using the California Emissions Estimator Model (CalEEMod). Based on the CRSP EIR, buildout of the CRSP would result in construction emissions that would exceed SJVAPCD's 10 tons per year threshold for reactive organic gases (ROG) and nitrogen oxides (NOx). Impacts from the CRSP would be considered significant and unavoidable. Mitigation from the certified CRSP EIR is applicable to the proposed Project that would reduce the severity of the significant and unavoidable impact. Even with mitigation incorporated, impacts would remain significant and unavoidable. Because the proposed Project is consistent with the CRSP, the proposed Project's impact relative to construction air emissions would be similar to those identified in the CRSP EIR and no new impact or increase in the severity of a previously identified impact would occur. Mitigation measures AQ-1, AQ-2a, and AQ-2b, above, are applicable to the proposed Project. However, even with mitigation incorporated, impacts would remain significant and unavoidable but would not be greater than the impact analyzed in CRSP EIR. *Operations*

Long-term operational emissions would be generated from the day-to-day operations of the buildout of the CRSP. Operational emissions for land use development projects are typically distinguished as mobile, energy, and area sources of emissions. Operational emissions for buildout of the CRSP were estimated using CalEEMod and analyzed in the CRSP EIR. According to the CRSP EIR, buildout of the CRSP Area would result in operational emission in exceedance of SJVAPCD thresholds for ROG, NO_X, carbon monoxide (CO), and particulate matter with a diameter smaller than 10 microns (PM_{10}). The proposed SPA includes clarification on the types of passive and active recreational uses allowed in parks, which would apply to the proposed park. As discussed above in Threshold (a), any individual or individual activity outside from the allowed uses would be required to go through City review for appropriate permits.

The proposed SPA would allow for food truck uses within GO, BPI, P zoning districts and the I-205 overlay of the CRSP. As discussed above in Threshold (a), the Central Green Park is located within the Parks Zone, where mobile food vendors in this zone would be subject to all requirements for mobile food vendors as identified in the Tracy Municipal Code, except as modified in the CRSP. Mobile food vendors would be allowed to operate for a limited time (e.g. maximum of 12 hours) each day at a single location within 24-hour period. Per the Tracy Municipal Code, mobile food vendors would be required to comply with the California Vehicle Code and obtain applicable permits from the San Joaquin County Environmental Health Department. Because mobile food vendors would be required to meet compliance with the Tracy Municipal Code, California Vehicle Code, and secure appropriate permits prior to operation, the proposed Project would not result in an exceedance of SJVAPCD thresholds for ROG, NO_X, CO, and PM_{10}. For these reasons, no new impact or increase in the severity of a previously identified impact would occur, and a

significant and unavoidable impact would result. Although a significant and unavoidable impact would occur, implementation of Mitigation Measures AQ-1, AQ-2a, and AQ-2b, (in the CRSP EIR) would reduce the severity of this impact to the maximum extent feasible. Additional environmental review is not required since this impact was addressed and is consistent with the findings of the CRSP EIR.

Threshold (c) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The region of the proposed Project site is classified as nonattainment for ozone, PM_{10}, and particulate matter with a diameter smaller than 2.5 microns ($PM_{2.5}$). Buildout of the CRSP Area would generate emissions of ROG, PM_{10}, and NO_X during construction and operation that would be above the SJVACPD's regional thresholds of significance. This was identified as a significant and unavoidable impact within the CRSP EIR.

The proposed Project would not extend the CRSP Area beyond the boundaries analyzed in the CRSP EIR. Project implementation would result in development of a 31-acre park with associated recreational amenities planned for in the previously approved CRSP. The proposed SPA would allow food truck uses within GO, BPI, P zoning districts and the I-205 overlay of the CRSP that were not previously considered in the CRSP EIR. As discussed in Threshold (a), food truck uses would be required to comply with City and State requirements for mobile food vendors prior to operation. Compliance with these requirements would ensure operation of these vehicles are to Code and would not generate emissions operation that would be above the SJVACPD's regional thresholds of significance. In addition, it is anticipated that mobile food vendors would serve nearby business park employees during lunch time, who's trips have been accounted for in the CRSP EIR, and thus would not generate any greater traffic than what was previously analyzed in the CRSP EIR. Thus, impacts related to construction and operation of the proposed Project would be consistent with the CRSP EIR, which was identified as a significant and unavoidable impact. Implementation of Mitigation Measures AQ-1 and AQ-2a and AQ-2b from the CRSP EIR, and Mitigation Measure GHG-1 through GHG-4 in Section VII (Mitigation Measures GHG-1a through 1d from the CRSP EIR) would be applicable to the proposed Project and would further reduce the severity of the impact. This would not be a new specific impact or an increase in the severity of an impact that was identified in the CRSP EIR and would therefore be consistent with the effects of implementation of the CRSP.

Threshold (d) Would the project expose sensitive receptors to substantial pollutant concentrations?

The *CEQA Guidelines* indicate that a potentially significant impact could occur if the proposed Project would expose sensitive receptors to substantial pollutant concentrations. Exposure of toxic air contaminants was assessed in the previously certified CRSP EIR by evaluating diesel particulate matter (DPM) emissions on nearby sensitive receptors. A Health Risk Assessment conducted for the previously certified CRSP EIR (Phase 1 and build out) addressed the potential contribution of public exposure to DPM emitted from diesel trucks. The Health Risk Assessment determined that Phase 1 operations would not exceed the 10 cases per million that is considered significant by the SJVAPCD and CARB. Under the same combined scenario, cancer risk at sensitive receptors adjacent to the Specific Plan Area during Phase 1

operations would have a risk up to 7.6 new cases per million persons and would not exceed the SJVAPCD significance threshold. However, for full buildout analyzed in the Health Risk Assessment, as identified in Appendix D in the previously certified EIR prepared for the CRSP, the increased cancer risk for off-site residential receptors would be 10.2 per million. According to the Health Risk Assessment, full build out of the CRSP would have a significant impact. Individually, however, the Health Risk Assessment determined that site-specific development projects (including the proposed Project) would not result in excess cancer risk above the SJVAPCD threshold.

Impacts associated with the CRSP (including the proposed Project) related to criteria pollutant emissions during construction was identified as a significant and unavoidable impact within the CRSP EIR. The proposed Project would develop a 31-acre park with associated recreational amenities planned for in the previously approved CRSP. As discussed in Threshold (a), food truck uses would be required to comply with City and State requirements for mobile food vendors prior to operation. Compliance with these requirements would ensure operation of these vehicles are to Code and would not generate emissions operation that would be above the SJVACPD's regional thresholds of significance. In addition, it is anticipated that mobile food vendors would serve nearby business park employees during lunch time, who's trips have been accounted for in the CRSP EIR, and thus would not generate any greater traffic than what was previously analyzed in the CRSP EIR. Thus, the impact relative to exposure of toxic air contaminants would be similar to that identified in the CRSP EIR. Consistent with the CRSP EIR, with mitigation incorporated (Mitigation Measures AQ-3), the resulting impact from the proposed Project would be less than significant. No new impact or increase in the severity of a previously identified impact in the certified CRSP EIR would occur as a result of the proposed Project.

The primary mobile-source pollutant of localized concern is carbon monoxide (CO). Localized CO concentrations near roadway intersections are a function of traffic volumes, speed, and delay. Under specific metrological conditions, CO concentrations near roadways and/or intersections may reach unhealthy levels with respect to sensitive receptors, often referred to as a "CO hotspot". CO hotspots are high, localized CO concentrations and are generally caused by congested intersections with a large volume of traffic.

CO hot spot modeling was performed for the CRSP EIR. As shown in Table 4.3-10 in the CRSP EIR, the three highest volume intersections in the CRSP Area under full buildout would be well below the established standard for CO. The proposed Project is consistent with the planned land use analyzed in the CRSP EIR. Therefore, the impact of the proposed Project related to ambient air quality CO concentrations would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the CRSP EIR and would therefore be consistent with the effects of implementation of the CRSP and no further analysis is required.

Threshold (e) Would the project create objectionable odors affecting a substantial number of people?

The CRSP EIR found impacts associated with odors to be considered less than significant. SJVAPCD has identified a list of common types of facilities that have been known to produce odors in the Basin along with a reasonable distance from the source within which, the degree of odors could be significant. These land uses include the following: wastewater treatment facilities, sanitary landfills, transfer stations, composting facilities, petroleum refinery, asphalt batch plant, chemical manufacturing, fiberglass

manufacturing, painting/coating operations, food processing facilities, feed lot/dairies and rendering plants. The proposed Project would include the development of a 31-acre park with associated recreational amenities. The proposed SPA provides clarification for the types of passive and active recreational uses allowed within the Parks Zone. These allowed uses, such as exercise classes, health/fitness events, farmer's market, etc., are not anticipated to generate any odor inducing uses on the site. Minor odor-generating activities from maintenance activities, such as lawn mower exhaust and application of exterior paints for building improvement may occur, but would be temporary instances. In addition, the CRSP EIR had previously analyzed these potential impacts and determined these types and concentrations not to be significant air quality impacts. As discussed throughout this document, the proposed SPA would also allow for food truck uses within GO, BPI, P zoning districts and the I-205 overlay of the CRSP. With respect to the proposed Project, food trucks would be allowed to operate at designated areas, specifically in the northwestern portion of the Project site, and would be required to comply with City regulations to control smoke and odors generated caused by food preparation to avoid public nuisances. See Figure 3. Compliance with local regulations would reduce impacts to a less than significant level. This finding is supported by the previously certified EIR prepared for the CRSP. This would not be a new specific impact or an increase in the severity of an impact that was identified in the CRSP EIR and would therefore be consistent with the effects of implementation of the CRSP and no further analysis is required.

Cumulative Impacts

A project that has a significant impact on air quality with regard to emissions of PM_{10}, $PM_{2.5}$, NO_X and/or ROGs as determined above would have a significant cumulative effect. In the event direct impacts from a project are less than significant, a project may still have a cumulatively considerable impact on air quality if the emissions from the project, in combination with the emissions from other proposed, or reasonably foreseeable future projects are in excess of screening levels identified above, and the project's contribution accounts for more than an insignificant proportion of the cumulative total emissions. With regard to past and present projects, the background ambient air quality, as measured at the monitoring stations maintained and operated by the SJVAPCD, measures the concentrations of pollutants from existing sources. Past and present project impacts are therefore included in the background ambient air quality data.

The proposed Project would contribute to cumulative impacts from construction and operational emissions since regional thresholds are exceeded for buildout of the CRSP Area. The CRSP EIR found full buildout of the Project would exceed SJVAPCD threshold for ROG, NO_x, CO, PM_{10}, and $PM_{2.5}$. The proposed Project would not contribute to cumulative health risk effects since background excess cancer risks are below the threshold of 10 in a million. Cumulative impacts to health risks were identified in the previously certified CRSP EIR.

As discussed above, the proposed Project would not cause a new air quality impact to occur, nor an increase in the severity of an air quality impact previously disclosed in the CRSP EIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause

either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

III. BIOLOGICAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Potential impacts to biological resources for the proposed Project are based primarily on data contained within the previously certified EIR prepared for the CRSP and associated technical studies appended thereto.

Threshold (a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Special Status Species (Plant species, Animal Species, Nesting Birds)

Plants

The proposed Project is not expected to affect any populations of special status plant species. No specific occurrences of special-status species have been reported from the proposed Project site, according to records maintained by the California Natural Diversity Database (CNDDB). Participation in the San Joaquin Multi-Species Habitat Conservation and Open Space (SJMSCP) would address any potential impacts on special status plant species, in the remote instance that one or more occurrences are present in the proposed Project area. This would include compliance with Incidental Take Minimization Measures defined in Section 5.2 of the SJMSCP, which would include conducting preconstruction surveys and salvage measures in the unlikely event of any occurrences of special status plant species being present in the area. For the above reasons, potential impacts of the proposed Project on special-status plant species would be considered less than significant.

Wildlife Species

Development of the proposed Project site would result in the conversion of existing grassland and agricultural habitat to urban uses, eliminating the suitable habitat for numerous special status animal species. Suitable habitat within the CRSP Area includes foraging habitat for Swainson's hawk, burrowing owl and numerous other bird species, possible nesting habitat for burrowing owl, and possible foraging and dispersal habitat for San Joaquin kit fox, among others. The CRSP EIR previously acknowledged that tree, shrub, and groundcover plantings would eventually become established as part of enhancements for development of the future Central Green park. Birds and other wildlife adapted to urbanized areas would eventually utilize the nesting and foraging substrate provided by new landscaping as it matures. These areas were determined to be unsuitable for continued use by existing wildlife species that currently occupy the CRSP Area dependent on large, open areas of grassland and agricultural cover as habitat.

The proposed Project site is located within the Central/Southwest Transition Zone of the San Joaquin County Multi-Species Habitat Conservation and Open Space (SJMSCP). The SJMSCP compensates for conversions of open space to urban development and the expansion of existing urban boundaries, among other activities for public and private activities. All of the special-status animal species known or suspected to possibly occur in the proposed Project vicinity are covered under the take and compensatory mitigation

provisions of the SJMSCP. Applicants for site specific development have two options if their project is located in a jurisdiction participating in the SJMSCP and would have significant impacts on special-status species: (1.) mitigating through participation under the SJMSCP, or (2.) negotiating directly with the State and/or federal permitting agencies to secure incidental take authorizations.

If a project applicant opts for coverage through participation in the SJMSCP, then the following options are available, unless their activities are otherwise exempted: pay the applicable fee; dedicate, as conservation easements or fee title, habitat lands; purchase approved mitigation bank credits; or, propose an alternative mitigation plan. Participation in the SJMSCP under the fee payment option would require payment of fees based on valuation of each acre of land converted to urban use as well as compliance with Incidental Take Minimization Measures defined in Section 5.2 of the SJMSCP. The Incidental Take Minimization Measures pertinent to the proposed Project area include pre-construction surveys for covered species, as well as measures to prevent and control ground squirrel occupation of the area early in the planning process. If participating in the fee payment option, the applicant would be required to pay fees when permits for ground disturbance (such as grading and/or issuance of building permits) are issued, as set forth in the SJMSCP, and to implement recommendations (called "minimization measures") as required by an SJCOG appointed qualified biologist on a case-by-case basis throughout the proposed Project area prior to ground disturbance of that area. For the above reasons, mitigation would be required to reduce impacts to special-status animal species to less than significant.

The following mitigation measure incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> ***Mitigation Measure Bio-1***: *To mitigate the potential adverse impacts on special-status species, and provide for the incidental take of State and/or federally listed species, the applicant shall either: 1) participate in the SJMSCP and comply with all required Incidental Take Minimization Measures or 2) secure incidental take authorizations for State and/or federally-listed species directly from the CDFW and USFWS, respectively. Participation in the SJMSCP shall include compliance with all relevant Incidental Take Minimization Measures pertinent to the proposed Project Area, including pre-construction surveys for covered species to confirm presence or absence and provide for their relocation, if necessary. Issuance of grading and construction permits shall be contingent on providing evidence of either 1) compliance with the SJMSCP or 2) a 2081 Permit from the CDFW and Biological Opinion from the USFWS to the City of Tracy Development Services Director to ensure compliance with applicable regulations and ensure adequate compensatory mitigation has been provided. [This is Mitigation Measure BIO-1 in the CRSP EIR].*

With implementation of Mitigation Measure Bio-1, the proposed Project would result in less than significant impacts on special-status animal species. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified CRSP EIR.

Threshold (b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

As determined in the CRSP EIR, no riparian habitat was observed within the CRSP Area. The scattered areas of jurisdictional waters are regulated by State and/or federal resource agencies, but are not considered sensitive natural communities as defined by the California Natural Diversity Database (CNDDB). Therefore, associated impacts would not occur.

Given the Project site is within the same development boundary as the analyzed in the CRSP EIR, the proposed Project site is not within any riparian habitat. Thus, the proposed Project would not have an adverse effect on any riparian habitat or other sensitive natural community than what was previously analyzed in the CRSP EIR. This is consistent with the impact conclusions of the CRSP EIR. This would not be a new specific impact, or a substantial increase in the severity of an impact that was identified in the CRSP EIR and would therefore be consistent with the effects of implementation of the CRSP.

Threshold (c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Direct modifications to potential jurisdictional wetlands and other waters of the U.S. were identified in the previously certified CRSP EIR as part of a preliminary wetland assessment. The CRSP EIR had determined that an estimated 2.86 acres of jurisdictional wetlands and other waters of the U.S. would be filled or modified as a result of buildout of the CRSP. According to Figure 4.4-1 in the CRSP EIR, the proposed Project site was previously delineated and verified in 2001 and identified jurisdictional "other waters of the U.S." mapped along the central drainage channel and continues to the east along a man-made ditch that then turns north at Hansen Road and eventually passes under I-205. The CRSP EIR had concluded that any proposed modification to jurisdictional wetlands and waters would require authorization from the Corps, RWQCB, and CDFW. Because authorizations are still required from jurisdictional agencies and no plans have been prepared to address direct impacts on potential jurisdictional wetlands and other waters of the US at the time the CRSP EIR was prepared, this is considered a significant impact in the previously certified CRSP EIR.

The following mitigation measures incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> *Mitigation Measure Bio-3: To mitigate potential impacts on jurisdictional wetlands and other waters, the following measures shall be implemented.*
>
> - *A formal wetland delineation shall be prepared by a qualified wetland consultant and submitted to the Corps for verification to con-firm the extent of jurisdictional wetlands and other waters of US on the Specific Plan Area.*
>
> - *Where verified waters of the US are present and cannot be avoided, authorization for modifications to these features shall be obtained from the Corps through the Section 404 permitting process. Similarly, a Section 401 Certification shall be obtained from the RWQCB where waters of the US are directly affected by the Project. All conditions required as part of the authorizations by the Corps and RWQCB shall be implemented as part of the Project.*

- A CDFW Streambed Alteration Agreement shall also be obtained where necessary under applicable laws and regulations, for any pro-posed Project activities that would affect the bed or banks of the central drainage and other features regulated by the CDFW in the Specific Plan Area. The applicant who is proposing to construct these improvements as part of an individual site-specific development proposal shall submit a notification form to the CDFW, shall obtain all legally required agreements, and implement any conditions contained within that agreement.

- The acreage of waters of the US and any riparian scrub habitat along the central drainage that would be removed by the Project shall be replaced or restored/enhanced on a "no-net loss basis" in accordance with Corps, RWQCB, and CDFW regulations, to the extent required by applicable laws and regulations.

- A detailed mitigation plan shall be prepared by a qualified wetland consultant for any jurisdictional wetlands or waters of the US affected by proposed development, with replacement provided at a mini-mum 1:1 ratio or as required by the regulatory agencies. The plan shall clearly identify the total wetlands and other jurisdictional areas affected by proposed improvements, as well as wetlands to be created, restored, or enhanced as part of the wetland mitigation. This shall preferably be accomplished on-site through adjustments to the proposed limits of grading, with any replacement wetlands consolidated to the degree possible to improve existing habitat values. The plan shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures, and shall adhere to all applicable requirements and conditions imposed by the regulatory agencies.

- Consultation or incidental take permitting may be required under the California and federal Endangered Species Acts (as discussed above under Mitigation Measures BIO-1). To the extent required under applicable laws and regulations, an applicant for an individual site-specific development shall obtain all legally required permits or other authorizations from the USFWS and CDFW for the potential "take" of protected species under the Endangered Species Acts, either though participation in the SJMSCP or through separate incidental take authorizations.

- Temporary orange construction fencing shall be installed around the boundary of all delineated jurisdictional waters to the extent they are being preserved so that they are not disturbed during construction. The fencing shall be placed a minimum of 25 feet out from the boundary of the wetland but may need to be adjusted if construction and/or restoration activities are to be conducted within this area. Grading, trail construction and restoration work within the wetland buffer zones shall be conducted in a way that avoids or minimizes disturbance of existing wetlands to be preserved in accordance with any mitigation measures imposed by the regulatory agencies.

- Written evidence shall be provided to the City of Tracy Development Services that the applicant has secured all authorizations required by the Corps, RWQCB, and CDFW in connection with the individual, site-specific development proposal prior to issuance of a grading permit for that individual development at issue to ensure compliance with applicable regulations.

Mitigation Measure BIO-3 would reduce impacts to jurisdictional wetlands and other waters to a less than significant level. As shown in Figure 3, the proposed Project will incorporate the central drainage channel into the project design and preserve its existing use. Because the Project is not proposing any fill or modification, and would preserve the central drainage channel's existing use, Mitigation Measure Bio-3 would not apply. Similar to the approved CRSP, there is the potential for runoff to occur during construction phases of the Project and potential for urban pollutants to be discharged. However, implementation of adequate erosion control measures typically required as part of the Regional Water Quality Control Board (RWQCB) Water Quality Certification would serve to address potential indirect impacts on wetlands and water quality. Please see required water quality mitigation measures in Section VII of this document, which the Project would be required to comply with. Therefore, less than significant impacts would occur. This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would it be a substantial increase in the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

As determined in the CRSP EIR, buildout of the CRSP Area would have a substantial impact on the existing agricultural and grassland cover on the CRSP Area, and the associated wildlife habitat functions and values. Trees, shrubs and groundcover plantings would eventually become established as part of enhancement along the central drainage and other park and opens space features throughout the CRSP Area. The CRSP EIR determined that vegetation provided in larger park areas, such as the proposed Project site would be fragmented by roadways and structures, with limited opportunities for wildlife to move between these features and other enhanced areas on the CRSP Area. For these reasons, wildlife movement was identified as a significant and unavoidable impact in the previously certified EIR prepared for the CRSP.

The following mitigation measures incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> ***Mitigation Measure Bio-2***: *To avoid the potential for disturbance of nesting birds on or near the Project area, schedule the initiation of any vegetation removal and grading for the period of September 1 through February 15. If construction work cannot be scheduled during this period, a qualified biologist shall conduct pre-construction surveys for nesting birds according to the following guidelines:*

- *The preconstruction surveys shall be conducted by the qualified biologist no later than 14 days prior to the start of vegetation removal or initiating project grading.*
- *If birds protected under the Migratory Bird Treaty Act are found nesting, then appropriate construction buffers shall be established to avoid disturbance of the nests until such time that the young have fledged. The size of the nest buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. Typically, these buffers range from 75 to 250 feet from the nest location.*
- *Nesting activities shall be monitored periodically by a qualified biologist to determine when construction activities in the buffer area can resume.*
- *Once the qualified biologist has determined that young birds have successfully fledged, a monitoring report shall be prepared and submitted to the City of Tracy Development Services for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until the written authorization is received by the applicant from the Development Services Director. The above provisions are in addition to the preconstruction surveys to confirm presence or absence of nesting Swainson's hawk, burrowing owl, and other special-status species as required under the Incidental Take Minimization Measures of the SJMSCP. [This is Mitigation Measure BIO-2 in the CRSP EIR].*

The Project site is within the same development boundary as the analyzed in the CRSP SEIR and Project implementation would result in the conversion of undeveloped land to urban uses, eliminating non-native vegetation and low-grade habitat for any native wildlife species. Similar to the approved CRSP, the proposed Project would have the potential to interfere with the movement of any native resident or migratory fish or wildlife species. With implementation of the above mitigation measure, the proposed Project's impact on the movement of any native resident or migratory fish or wildlife species would be less than significant. This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (e) Would the project conflict with any local policies or ordinances related to protecting biological resources, such as a tree preservation policy or ordinance?

As determined in the CRSP EIR, buildout of the CRSP Area would urbanize the CRSP Area. Trees, shrubs and groundcover plantings would eventually become established as part of enhancement along the central drainage and other park and opens space features throughout the CRSP Area. As shown in Figure 4, the Project proposes a variety of trees throughout the site. Trees would be required to be planted in accordance with the City's list of approved trees. All impacts regarding conflicts with relevant plans and

ordinances were considered at the time the previously certified CRSP EIR was adopted. Potential impacts to special status species as a result from buildout of the CRSP would be mitigated by the Mitigation Measures Bio-1 and Bio-2 in the CRSP EIR. Consistent with the conclusion identified in the previously certified CRSP EIR, the proposed Project's impacts in this regard would be less than significant.

Threshold (f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The proposed Project area is located within the sphere of influence of the SJMSCP. As set forth in Mitigation Measure Bio-1, applicants for individual development sites would have the option to participate in the SJMSCP to address potential impacts on special-status species associated with the conversion of existing habitat to urban uses. By participating in the SJMSCP, applicants would be required to comply with all relevant conditions of the use agreement, including the Incidental Take Minimization Measures defined in Section 5.2 of the SJMSCP. As a result, no impacts relative to conservation plans would occur. This finding is supported by the previously certified EIR prepared for the CRSP. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

Mitigation measures were identified in the certified CRSP EIR and are incorporated above (Mitigation Measures Bio-1 and Bio-2) that would serve to reduce the severity of biological impacts. Similar to the proposed Project and the CRSP, all cumulative projects would be subject to individual project review and conformance with conservation plans and standard provisions for compliance with State and federal protection laws. Since project-related impacts would be minimized by mitigation and cumulative projects would also be required to follow suit, the cumulative impact from other past, present, and reasonably foreseeable projects, would be expected to be less than significant. Therefore, cumulative impacts would be less than significant. This finding is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

IV. CULTURAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Cultural resources, which are protected under the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resources Protection Act of 1979, include the non-renewable remains of past human use of an area. Cultural resources can include both archaeological resources and ethnographic resources. Archaeological resources consist of architectural remains, isolated features such as rock piles, hearths (fire pits), or scatters of artifacts (pottery or rock fragments). Ethnographic resources are often less tangible as they define materials, places, or things used by living communities.

Historic structures and sites are generally defined by local, State, and Federal criteria. A site or structure may be historically significant if it is protected through a local general plan or historic preservation ordinance. In addition, a site or structure may be historically significant if it meets certain State or Federal criteria even if the locality does not recognize such significance. The State of California, through the State Historic Preservation Office (SHPO), also maintains an inventory of those sites and structures that are considered to be historically significant. Finally, the U. S. Department of the Interior has established specific guidelines and criteria that indicate the manner in which a site, structure, or district is to be identified as having historic significance.

Significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives of people who were important in the past, or represents significant architectural, landscape, or engineering elements. Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. Buildings and properties will qualify for a listing on the National Register if they are integral parts of districts that meet certain criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;

- A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.

Information in this section was derived from the previously certified EIR prepared for the CRSP. As part of that EIR, a Cultural Resources Assessment and Paleontological Review was performed by Tom Origer & Associates and encompassed the proposed Project site. The results and conclusions are summarized herein.

Threshold (a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

The CRSP Area does not contain any sites that are listed on National Register or California Register, are State Landmarks, or are California Points of Interest. The site-specific field assessment of the CRSP Area also found that extant buildings and building complexes within the CRPS Area also lacked the potential for inclusion on the California Register of Historical Resources. As such, the proposed Project would not have an impact to known historic resources because the Project site is within the footprint of the previously analyzed CRSP Area. This finding is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Although no ethnographic camps or villages were reported within the CRSP Area, there is potential that additional prehistoric sites may exist in the CRSP Area or vicinity. As such, build-out of the proposed Project has the potential to impact unknown archaeological resources because of its grading and construction activities. However, construction of the proposed Project would be required to comply with federal and State regulations and the existing Tracy General Plan policies, which would reduce any potential impacts to archaeological resources, if any archaeological resources were discovered during the implementation. Specifically, Tracy General Plan Policies P4 and P5 require immediate cessation of

construction activity upon discovery of archaeological or paleontological resources and the protection of cultural resources. However, inadvertent damage to unique, buried archaeological deposits during construction would result in a significant impact prior to mitigation.

To reduce this potentially significant impact to a less than significant level, all construction- related impacts of soil shall be monitored in accordance with Mitigation Measure Cult-1 and to the satisfaction of the Development Services Director.

The following mitigation measure incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> ***Mitigation Measure Cult-1****: If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations.*
>
> *If avoidance is infeasible, other appropriate measures (e.g. data recovery) shall be instituted. Work may proceed on other parts of the Specific Plan Area while mitigation for historical resources or unique archaeological resources is being carried out. [This is Mitigation Measure CUL-1 in the CRSP EIR].*

The procedures and provisions of the above mitigation measure would ensure that impacts to unanticipated archaeological discoveries are reduced to less than significant levels. This determination s supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

According to the previously certified CRSP EIR, several fossils were found in the CRSP Area in 1948 during construction of the Delta Mendota Canal. As such, the proposed Project and surrounding vicinity has the potential to impact unknown paleontological resources during grading and construction activities. However, the proposed Project would be required to comply with applicable federal and state regulations and the existing Tracy General Plan Policies, which would reduce any potential impacts to paleontological resources, if any resources were discovered during construction. Particularly, Tracy General Plan Policies

P4 and P5 require immediate cessation of construction activity upon discovery of archaeological or paleontological resources and the protection of cultural resources. While fossils are not expected to be discovered during construction, it is possible that significant fossils could be discovered during excavation activities, even in areas with a low likelihood of occurrence. Fossils encountered during excavation could be inadvertently damaged. If a unique paleontological resource is discovered, the impact to the resource could be substantial. This would result in a significant impact without mitigation.

The following mitigation measure incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> ***Mitigation Measure Cult-2***: *In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval and the Project proponent shall implement the approval plan. [This is Mitigation Measure CUL-2 in the CRSP EIR].*

Mitigation Measure Cult-2 would require all construction related impacts of fossils or fossil-bearing deposits be monitored accordingly and to the satisfaction of the Development Services Director. With implementation of this mitigation measure, the proposed Project would not disturb paleontological resources, any greater than already analyzed in the CRSP EIR, as the changes would develop a park previously considered for in the CRSP EIR. Although there is the potential to disturb previously undiscovered paleontological resources, this potential was previously disclosed and mitigated for in the certified CRSP EIR. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the CRSP EIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project disturb any human remains, including those interred outside of formal cemeteries?

According to the previously certified EIR prepared for the CRSP, four Native American burial sites were recorded in the Tracy Area in 1939. While the burial sites were not located in the CRSP Area or vicinity, there is still a possibility that undiscovered human remains may exist within the proposed Project area. As such, grading and construction activities in the proposed Project Area have the potential to impact unknown human remains. However, this risk is considered low given the historical agricultural use of the proposed Project Area, and the fact that no ethnographic camps or villages have been reported. Thus, the likelihood of undiscovered human remains is remote.

State law and the Tracy General Plan provide guidance should human remains be discovered during construction. The California Health and Safety Code and Tracy General Plan Policy P4, P5, and P6 require that if human remains are inadvertently discovered during excavation or construction activities, all construction affecting the discovery site must halt, the contractor must contact the appropriate professionals, and the county coroner must examine the remains within 48 hours of discovery. Additionally, if the remains are determined to be Native American, the City would work with local Native American representatives to ensure that the remains and any associated artifacts are treated in a respectful and dignified manner. Despite the applicable regulatory framework and the relatively low likelihood of discovery, it remains possible that the proposed Project would discover human remains during subsurface activities, which could then result in the remains being inadvertently damaged. To reduce this potentially significant impact to a less than significant level, all construction related impacts of human remains shall be monitored in accordance with Mitigation Measure Cult-3 and to the satisfaction of the Development Services Director.

The following mitigation measure incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> ***Mitigation Measure Cult-3****: If human skeletal remains are uncovered during construction, the contractor (depending on the Project component) shall immediately halt work within 50 feet of the find, contact the San Joaquin County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the CEQA Guidelines. If the county coroner determines that the remains are Native American, the Project proponent shall contact the NAHC, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the human remains are located, is not damaged or disturbed by further development activity until the contractor has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. [This is Mitigation Measure CUL-3 in the CRSP EIR].*

As such, Project build-out has the potential to impact unknown human remains during grading and construction activities. With implementation of the above mitigation measure, the proposed Project's impact on human remains would be less than significant. This determination is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new cultural resources impact to occur, nor an increase in the severity of a cultural resources impact previously disclosed in the CRSP EIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project

would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

V. GEOLOGY AND SOILS

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Information in this section was derived from the previously certified EIR prepared for the CRSP. As part of that EIR, a Geotechnical Investigation Report was prepared by KC Engineering Company (2000) and encompassed the proposed Project site. The results and conclusions are summarized herein.

Threshold (a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Primary fault rupture occurs along the traces of active earthquake faults. The proposed Project area is not located within an Alquist-Priolo Earthquake Fault Zone nor have any such zones been identified in the vicinity. No active earthquake faults have been identified in the proposed Project area, and fault rupture is unlikely to occur. Therefore, the proposed Project area is not considered susceptible to the risk of loss, injury, or death due to fault rupture and the associated impacts would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

ii. Strong seismic ground shaking?

Considering the proximity of active faults within the region, and the proximity of those faults to the nearest proposed Project site (approximately 8 miles west of the Project site), strong seismic ground shaking could potentially occur within the proposed Project Area during a major seismic event. Ground shaking nonetheless, the City of Tracy's existing building permit process, together with adherence to the California Building Code requirements (adopted by reference in the City's Municipal Code), would help ensure that any new buildings within the proposed Project would incorporate appropriate seismic design criteria, thereby affording the building occupants an added measure of safety. The City's building permit process would ensure that the proposed Project would proceed in adherence to the applicable requirements. In light of these requirements, development of the proposed Project would result in a less than significant impact related to the risk of loss, injury, or death due to strong seismic ground shaking. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

iii. Seismic-related ground failure, including liquefaction?

The Seismic Hazards Zonation Program of the California Geological Survey (CGS) has not identified any seismically-induced liquefaction zones in the City or in the proposed Project site. A detailed geotechnical investigation of the CRSP Area was included as part of the previously certified CRSP EIR, and concluded that the soils within the CRSP Area did not meet the criteria for liquefiable soils and the potential for liquefaction was considered "low to nil." Considering the findings of the geotechnical study, the proposed Project site is not considered susceptible to the risk of loss, injury, or death due to seismic-related ground failure including liquefaction and impacts would be considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

iv. Landslides?

The proposed Project site is on fairly flat topography, thus impacts from naturally occurring landslides are considered negligible. Some limited potential for slope instability risk could arise during grading and construction activities, where slopes could be over-steepened. However, this risk is mitigated by adhering to relevant California Building Code requirements for grading as well as adhering to the CRSP Geotechnical Report recommendations regarding maximum steepness for cut and fill slopes. Given these safeguards, the risk of loss, injury, or death due to landslides is considered very low and the impacts would be considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Result in substantial soil erosion or the loss of topsoil?

The CRSP EIR concluded that construction activities associated with buildout of the proposed Project could result in the loss of topsoil and soil. However, construction activities in the CRSP Area would be required to adhere to applicable grading requirements in the current California Building Code. Furthermore, such construction would be regulated under a construction-related stormwater control permit, generally administered by the State Water Resources Control Board (SWRCB), as described more fully in Chapter IX (Hydrology and Water Quality). The SWRCB's Construction General Permit (CGP) requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that describes the Best Management Practices (BMP's) that would be used to prevent erosion and protect storm water runoff.

Construction of the new park and associated recreational amenities as part of the proposed Project would create new impervious areas, such as walkways, driveways, parking lots, and rooftops. These impervious areas often result in increased stormwater runoff which can exacerbate soil erosion. As discussed more fully in Chapter IX (Hydrology and Water Quality), the proposed Project would be subject to the City of Tracy's Storm Water Management Program and the City's Stormwater Quality Control Standards that require the design and implementation of a range of stormwater control measures that include: general site design control measures, site-specific source control measures, treatment measures, and other controls. Mitigation Measures Hydro-1, Hydro-2, Hydro-3, Hydro-4 and Hydro-5 as described in Chapter IX (Hydrology and Water Quality) would ensure the appropriate measures are taken to reduce impacts related to soil erosion and topsoil to less than significant with mitigation. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

According to the geotechnical investigation performed for the CRSP Area, it was concluded that soils were not compressible or otherwise prone to settlement. Typically, subsidence occurs in areas underlain by soils that are highly compressible, such as soft clays or silts and unconsolidated sand or fill material. Thus, development of the proposed Project would have a less than significant impact relative to geologically unstable soils because the Project site is within the footprint of the previously analyzed CRSP EIR. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

As discussed in the CRSP EIR, the CRSP Area contains soils that are highly expansive and subject to significant volume changes due to moisture fluctuations. The CRSP EIR concluded that, with compliance with California Building Code (CBC) requirements and geotechnical recommendations, implementation of the CRSP would have a less than significant impact related to expansive soils.

The proposed Project is within the same development footprint covered by the adopted CRSP and would also have the potential to be located in highly expansive soils. Thus, compliance with the CBC and implementation of the CRSP geotechnical recommendations would ensure that proposed Project impacts related to expansive soils would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Buildout of the CRSP would be served by the City's wastewater treatment plant, which is managed by the City's Utilities Division in the Public Works Department and their wastewater facilities. No septic tanks would be used as part of the buildout of the CRSP. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. As a result, no impacts associated with the use of septic tanks would occur as part of the proposed Project's implementation.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new geologic impact to occur, nor an increase in the severity of a geologic impact previously disclosed in the CRSP EIR, with implementation of the existing laws and regulations discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

VI. GREENHOUSE GAS EMISSIONS

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Global climate change refers to changes in average climatic conditions on Earth as a whole, including temperature, wind patterns and precipitation. Global temperatures are moderated by naturally occurring atmospheric gases, including water vapor, carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), as well as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These "greenhouse" gases allow solar radiation (sunlight) into the Earth's atmosphere, but prevent radiative heat from escaping; thus, warming the Earth's atmosphere. GHG's are emitted by both natural processes and human activities. Concentrations of GHG have increased in the atmosphere since the industrial revolution. Human activities that generate GHG emissions include combustion of fossil fuels (CO_2 and N2O); natural gas generated from landfills, fermentation of manure and cattle farming (CH_4); and industrial processes such as nylon and nitric acid production (N_2O).

GHGs have varying global warming potential (GWP). The GWP is the potential of a gas or aerosol to trap heat in the atmosphere; it is the "cumulative radiative forcing effect of a gas over a specified time horizon resulting from the emission of a unit of mass of gas relative to a reference gas". The reference gas for GWP is CO_2; therefore, CO_2 has a GWP factor of 1. The other main greenhouse gases that have been attributed to human activity include CH4, which has a GWP factor of 25, and N_2O, which has a GWP factor of 298. When accounting for GHGs, all types of GHG emissions are expressed in terms of CO_2 equivalents (CO_2e) and are typically quantified in metric tons (MT) or million metric tons (MMT).

Assembly Bill (AB) 32, the California Global Warming Solutions Act, established a state goal of reducing GHG emissions to 1990 levels by the year 2020, which would require a reduction of approximately 28 percent from "business as usual" or forecasted emission levels. Senate Bill (SB) 97, a companion bill, directed the California Natural Resources Agency (Resources Agency) to certify and adopt guidelines for the mitigation of GHG or the effects of GHG emissions. SB 97 was the State Legislature's directive to the Resources Agency to specifically establish that GHG emissions and their impacts are appropriate subjects for CEQA analysis.

Executive Order B-30-15, which was issued in April 2015, requires statewide GHG emissions to be reduced 40 percent below 1990 levels by 2030. SB 32 (SB 32), signed into law in September 2016, codifies the 2030 GHG reduction target in Executive Order B-30-15. SB 32 authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions. With SB 32, the California Legislature passed companion legislation AB 197, which provided additional direction for developing an updated Scoping Plan. CARB released the second update to the Scoping Plan to reflect the 2030 target set by Executive Order B-30-15 and codified by SB 32 in November 2017.

Additionally, signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Threshold (a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The CRSP EIR found that GHG emissions generated by the proposed Specific Plan (both construction and operational-related) would exceed the applicable threshold set forth in SJVAPCD's guidance because the proposed Project's GHG emissions cannot feasibly be reduced to a less than significant level despite the incorporation of numerous sustainability measures. The impact was identified as significant and unavoidable. Mitigation Measures GHG-1 through GHG-4 in the CRSP EIR would reduce but would not eliminate the significant impact.

The following mitigation measure incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> ***Mitigation Measure GHG-1****: Applicants for individual, site-specific developments shall conform to the then-applicable requirements of the California Building Code, including the Green Code's provisions relating to "solar readiness." Applicants will be encouraged to utilize or otherwise facilitate the use of alternative energy generation technologies, as feasible, to offset their energy consumption, by, for example, ensuring that roof structures are built such that they can accommodate the weight of solar panels in accordance with the California Building and Energy Standards; providing for energy storage within their buildings; and installing electrical switch gears to facilitate solar usage. [This is Mitigation Measure GHG-1a in the CRSP EIR].*
>
> ***Mitigation Measure GHG-2****: Prior to issuance of a building permit for an individual, site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions. [This is Mitigation Measure GHG-1b in the CRSP EIR].*
>
> ***Mitigation Measure GHG-3****: Applicants for individual, site-specific developments with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit*

idling of vehicles while parked for loading/unloading in accordance with California Air Re-sources Board Rule 2845 (13 CCR Chapter 10 §2485). [This is Mitigation Measure GHG-1c in the CRSP EIR]

***Mitigation Measure GHG-4**: Applicants for individual, site-specific developments shall identify in the grading plans that non-essential idling of construction equipment and vehicles shall be restricted to no more than 5 minutes in accordance with California Air Resources Board Rule 2485 (13 CCR Chapter 10 §2485). [This is Mitigation Measure GHG-1d in the CRSP EIR].*

The proposed Project would be consistent with the land use and zoning designations analyzed for the Project site in the CRSP EIR. GHG emissions resulting from construction and operation of the proposed projects were previously considered as part of buildout in the CRSP EIR. Accordingly, Project implementation would not result in additional, unplanned, infrastructure or development within the CRSP Area that could increase vehicle trips or on-site population. While the proposed SPA would allow food trucks within the Parks zone, no new trips from this use are anticipated for buildout of the CRSP. The generated trips are anticipated to come from existing business uses (e.g. warehouse, distribution logistic facilities, manufacturing, assembly and production uses) surrounding the Project site that have been considered for in the CRSP EIR. For these reasons, no new trips are anticipated from the proposed Project. Further, the above mitigation measure from the CRSP EIR is applicable to the proposed Project. Therefore, the proposed Project would not result in new or more severe GHG impacts based on vehicle emissions than was evaluated and addressed in the CRSP EIR. Despite the implementation of the above mitigation measures, the impact would remain significant and unavoidable, similar to the CRSP. Thus, the proposed Project would not result in a new specific impact or an increase in the severity of an impact that was identified in the CRSP EIR and would therefore be consistent with the effects of implementation of the CRSP.

Threshold (b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

According to the CRSP EIR, full buildout of the project would potentially conflict with or otherwise interfere with achievement of CARB's Scoping Plan, the City's Sustainability Action Plan, the California Attorney General's Office, or the California Air Pollution Control Officer's Association (CAPCOA) applicable measures.[1] The proposed Project is consistent with the land uses designated in the CRSP and thus would be consistent with local and regional plans designed to reduce GHG emissions. Therefore, the proposed Project would not conflict or interference with the achievement of an applicable GHG emissions reduction plan.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new greenhouse gas impact to occur, nor an increase in the severity of a greenhouse gas impact previously disclosed in the CRSP EIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project

[1] CRSP Draft EIR, page 4.7-32.

would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

VII. HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	*Reviewed Under Previous Document*
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Information in this section was derived from the previously certified EIR prepared for the CRSP. The EIR included the preparation of a Phase I Environmental Site Assessment. The results and conclusions are summarized herein.

Threshold (a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

According to the CRSP EIR, the routine transport, use, or disposal of hazardous materials by development within the CRSP Area could create a significant hazard to the public or the environment. Major transportation routes in proximity to the CRSP Area are Interstate 580 (I-580) and Interstate 205 (I-205). Local transportation routes within and adjacent to the CRSP Area include Capital Parks Drive, Promontory Parkway, International Parkway, Old Schulte Road, Hopkins Road, Hansen Road/Iron Horse Parkway, Bud Lyons Way, and Hood Way. All of these transportation routes may be used to transport hazardous materials. Transportation accidents involving hazardous materials could occur on any of the routes that would be utilized in the CRSP and by the proposed Project. The previously certified EIR prepared for the CRSP determined this impact to be significant requiring implementation of Mitigation Measure Hazard-1.

The following mitigation measure incorporated herein from the previously certified CRSP EIR is applicable to the proposed Project:

> ***Mitigation Measure Hazard-1****: The project applicant shall fully implement the provisions of the San Joaquin County Hazardous Material Area Plan and the Tracy General Plan, including but not limited to:*
>
> - *Ensuring that any business locating in the Specific Plan Area which stores particular quantities of hazardous materials (e.g. larger than 55 gallons of liquid, 500 pounds of solid or 200 cubic feet of some compressed gases) as stipulated under Chapter 6.95 of the California Health and Safety Code annually files a hazardous materials business plan establishing incident prevention measures, hazardous material protocols, and emergency response and evacuation procedures;*
> - *Providing adequate separation between areas where hazardous materials are present and sensitive uses; and*
> - *Submitting an emergency response plan for any large generators of hazardous waste located or proposed to be located in the Specific Plan Area. [This is Mitigation Measure HAZ-1 in the CRSP EIR].*

The proposed Project would include the development of a 31-acre park and associated recreational uses and amenities that are not expected to transport, use, or dispose of significant amounts of hazardous materials. Once the proposed Project is constructed, hazardous materials would be limited to those associated with property maintenance and park facilities maintenance. Hazardous materials would be limited to those associated with common household fertilizers, pesticides, paint, solvent, and petroleum products for restroom maintenance and landscaping. Because these materials would be used in very limited quantities, they are not considered a significant hazard to the public. With Implementation of the

above mitigation measure, the proposed Project's impact on creating significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant. This is consistent with the impact conclusions of the CRSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

As identified in the CRSP EIR, implementation of the CRSP would have a less than significant impact related to release of hazardous materials into the environment. The CRSP EIR identified four natural gas pipelines and one crude oil pipeline within the CRSP Area. However, easements are in place for these facilities and development setbacks have been established based on land uses planned along the pipeline alignments. In addition, PG&E has an inspection and monitoring to ensure safety of its natural gas transmission lines, and Chevron implements protection, testing and monitoring procedures to minimize potential corrosion or damage and maintain integrity of its oil pipeline. The CRSP EIR concluded that implementation of industry monitoring and safety programs, and compliance with federal, State and local laws and regulations, would minimize the risks associated with upset or accident conditions affecting these pipelines.

The CRSP EIR had identified a potential for electrocution or exposure to electric and magnetic fields (EMFs) with electrical transmission lines. However, similar to natural gas pipelines, there are easements for all such transmission lines in the CRSP Area where structures would not be built. Additionally, PG&E has policies in place intended to minimize EMF exposure. The CRSP EIR concluded that these policies and activities by PG&E would be sufficient to minimize the risks associated with potential exposure to EMFs.

In regard to hazardous materials sites within the CRSP Area, a review of regulatory databases maintained by County, State, and federal agencies was conducted for the CRSP EIR. Results revealed seven "hazardous materials sites" identified on or within one-half mile of the CRSP Area.[2] Given much of the CRSP Area has historically been used for agricultural purposes, a Pesticide Use Report (PUR) public records requests evaluated in the CRSP EIR. The PUR records revealed periodic routine use of herbicides, insecticides, and rodenticides on the agricultural land encompassing most of the CRSP Area over most of the five-year period reviewed. However, the categories of pesticides indicated did not include any routine use of organochlorine insecticides (e.g. DDT, Dieldrin, etc.), which is the category of pesticide most persistent in the environment. Previous Environmental Site Assessments (ESAs) for portions of the CRSP Area have included Phase I assessments of potential past use of pesticides, as well as limited Phase II soil sampling programs to screen for residual pesticide contamination.[3] Although there could be residual agricultural chemicals still in existence in the CRSP Area, based on available data, the potential presence and related

[2] CRSP Draft EIR, page 4.8-10.
[3] CRSP Draft EIR, page 4.8-20.

risks of these constituents generally is considered de minimis across the CRSP Area as a whole, particularly under a planned industrial setting.[4]

The most recent guidance from DTSC states "…the only pesticide class requiring analyses at agricultural properties are OCPs [organochlorine pesticides], such as DDT, toxaphene, dieldrin, etc.," due to the persistence of OCPs in the environment. As noted above, records reviewed for the past five years do not indicate the use of these OCPs at the agricultural lands on the Specific Plan Area. In addition, available records do not indicate the area has routinely had intensive management for orchard, nursery, or other high-value crops, which would be associated with significant use of pesticides and irrigation.
Nevertheless, given the long agricultural history of the CRSP Area, and the possibility that pesticides, including possibly OCPs, were or are likely to have been stored, mixed, or disposed of on the property, or pesticide equipment was cleaned there – activities which potentially could lead to isolated hot spots – it is possible that OCPs may be present in soil at these isolated locations. In order to address this possibility, the CRSP EIR concluded implementation of the following mitigation measures, which require a limited soil sampling program be completed for the land around existing structures or other areas where pesticides may have been stored or mixed on the CRSP Area, prior to development of these areas.

The following mitigation from the EIR prepared for the CRSP is applicable to the proposed Project:

> ***Mitigation Measure Hazard-2****: A Soil Management Plan and companion Sampling and Analysis Plan, as well as a Health and Safety Plan (HASP), shall be prepared and implemented during and following any soil excavation and compaction associated with implementation of the Project where such activities may encounter residual soil, soil vapor, or groundwater contamination that exceeds risk-based levels established by the RWQCB or Cal-EPA. As part of the Soil Management Plan, the applicant shall retain an experienced, independent environmental monitor to observe all significant earth-moving activities. The monitor shall observe the operations, remaining watchful for stained or discolored soil that could represent residual contamination. The monitor shall also be empowered to alert the City and regulatory agencies, when appropriate, and provide direction to the grading contractor. The monitor shall confirm the location of the one plugged and abandoned well in consultation with the Division of Gas, Oil, and Geothermal Resources, and shall comply with any remedial measures that may be required in connection therewith under applicable law and regulations. In addition, in the event that a previously unknown abandoned well is discovered, construction activities that are proximate to said abandoned well shall stop and the Division of Gas, Oil, and Geothermal Resources shall be contacted. No structures shall be built on a discovered abandoned well until it is deemed safe by the State Oil and Gas Supervisor in accordance with applicable laws and regulations. [This is Mitigation Measure HAZ-2a in the CRSP EIR]*
>
> ***Mitigation Measure Hazard-3****: A plan shall be developed for installation of a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual*

[4] CRSP Draft EIR, page 4.8-22.

petroleum hydrocarbons in soil vapor exceed risk-based levels established by the RWQCB or Cal-EPA, where exposure pathways are considered potentially complete. The system shall be designed to eliminate potentially significant indoor air quality health risks associated with subsurface contaminant vapor intrusion. The Plan shall be prepared by a California professional engineer experienced in vapor intrusion mitigation and who shall certify the installation. [This is Mitigation Measure HAZ-2b in the CRSP EIR].

***Mitigation Measure Hazard-4**: Soil sampling shall occur within the portions of the Specific Plan Area that have historically been utilized for mixing or storing pesticides and that may contain pesticide residues in the soil, prior to issuance of grading permits in such areas. The sampling will be performed in accordance with a Sampling and Analysis Plan and Soil Management Plan prepared by a qualified Environmental Professional and/or California professional engineer experienced in Phase II site characterization. The sampling shall be conducted in accordance with applicable guidance from DTSC and San Joaquin County Environmental Health Department, and shall determine if pesticide concentrations exceed established regulatory thresholds. Should pesticide contaminated soil be identified as a result of the evaluation, further site characterization and remedial activities, if necessary, will be implemented in accordance with the Soil Management Plan. [This is Mitigation Measure HAZ-2c in the CRSP EIR].*

As shown in Figure 4.8-1 of the CRSP EIR, no natural gas pipeline crosses the proposed Project. However, 80 feet and 40 feet PG&E transmission line easements cross the proposed Project site from the northeast corner to the southwest corner of the site. PG&E safety policies to minimize EMF exposure would continue to apply throughout lifetime of the Project as previously analyzed in the CRSP EIR.

As identified in the CRSP EIR, "Site 1" identified as "Other Cleanup Site, Shell Oil" is located in in close proximity to the proposed Project site, approximately 0.3 mile west of the proposed Project.[5] Site 1 is the location of a crude oil release from a former pipeline, which release was subject to a subsequent investigation and on-going cleanup. Accordingly, groundwater has been impacted by dissolved phase petroleum contamination from the Shell pipeline release. In addition, free phase product (crude oil) has been detected floating on the ground water in several of the monitoring wells in the investigation area. For a complete discussion of Site 1: Other Cleanup Site, Shell Oil and Site 3: Permitted UST, please refer to the Hazards and Hazardous Materials section of the previously certified CRSP EIR. To date, Shell (as the responsible party of record) continues to work with the RWQCB on the site's remediation. Implementation of the above mitigation measures would be required to reduce hazards and hazardous materials impacts relative to accidental release of hazardous materials into the environment.

Project operations would be a park development with recreational amenities that would not involve the routine transport, use, or disposal of hazardous materials. Similar to the approved THSP, the proposed Project would have the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials

[5] CRSP Draft EIR, page 4.8-12. See also Figure 4.8-1.

into the environment during construction activities. With implementation of the above mitigation measures, the proposed Project's impact on release of hazardous materials into the environment would be less than significant. This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No schools are presently located within one-quarter mile of the proposed Project site. The closest school site is Lammersville Elementary School, located at 16555 Von Sosten Road, approximately 1 mile north of the nearest proposed Project site. No school is proposed within the CRSP Area. Any future school developed within the surrounding area would be subject to the oversight of the California Department of Toxic Substances Control (DTSC), as required by State law. New school sites are required to be free of contamination or, if the properties were previously contaminated, they must be cleaned up under DTSC's oversight. As a result, no impacts are anticipated. This topic was evaluated in the CRSP EIR and this conclusion is consistent with and supported by that document. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment?

As identified in the CRSP EIR, seven "hazardous materials sites" were identified on or within one-half mile of the CRSP Area. Five of the cases involved permitted underground storage tanks (USTs) with no reports of release, or inactive sites that have been determined to not likely affect buildout of the CRSP based on distance, existing groundwater data and soils information, and the proposed non-residential uses. The two remaining cases are active cleanup sites and are currently under review by the appropriate regulatory agency. One of the active sites is the Shell Oil Pipeline Cleanup Site ("Site 1: Other Cleanup Site, Shell Oil"), which is located within the CRSP boundaries. This site is the location of a crude oil release from a former pipeline. The crude oil release was subject to a subsequent investigation and on-going cleanup. Accordingly, groundwater has been impacted by dissolved phase petroleum contamination from the Shell pipeline release. In addition, free phase product (crude oil) has been detected floating on the ground water in several of the monitoring wells in the investigation area. To date, Shell (as the responsible party of record) continues to work with the RWQCB. For a complete discussion of Site 1: Other Cleanup Site, Shell Oil, please refer to the Hazards and Hazardous Materials section of the previously certified CRSP EIR.

The other active site is the leaking UST cleanup site known as ARCO #6100 located at 25775 Patterson Pass Road, southwest of the CRSP Area. This site is relatively up gradient from the CRSP Area and proposed Project site with respect to groundwater flow direction. However, these concerns generally apply only to the immediate vicinity of the site, and it is unlikely the release would affect the CRSP Area or the proposed Project. Both sites are subject to various State and federal laws and regulations. The potential for impact

exists and would be mitigated to a level of less than significant with implementation of Mitigation Measure Hazard-2, Hazard-3, and Hazard-4, as identified above. This determination of less than significant impact is supported by the CRSP EIR. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?

The Tracy Municipal Airport is the closest public airport to the proposed Project site and is located approximately five miles from the proposed Project site. The proposed Project is not located within the Tracy Airport zone, nor is it within any area identified as impacted by the Tracy Municipal Airport in the San Joaquin County Airport Land Use Compatibility Plan. Therefore, no associated impacts would occur. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?

The proposed Project site is not located within 2 miles of a private airstrip. The closest private airstrip is 33 Strip Airport (CA54) located five miles southeast of Tracy. Due to the distance separation, the proposed Project will not present a safety hazard for people residing or working in the proposed Project area. This determination is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The proposed Project would not impair or physically interfere with an adopted emergency response or evacuation plan. The City's General Plan includes policies that require the City to maintain emergency access routes that are free of traffic impediments (Objective SA-6.1, P1 and A2). The proposed Project does not include any actions that would interfere with emergency response and evacuation plan policies. Primary access to all major roads would be maintained during construction of the proposed Project and the CRSP provides for streets consisting of two lanes with shoulders on each side to provide for emergency vehicle parking and access. Therefore, no new specific impacts would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas?

According to the previously certified EIR prepared for the CRSP, the CRSP Area consists of areas of moderate wildland fire risk and areas which are unzoned. The moderate wildland fire risk is primarily due

to the terrain consisting largely of crop land with few trees or areas of natural undergrowth that could catch fire. The unzoned areas are somewhat developed areas considered to be physically distant from wildland fire areas and primarily extending along the north central and northeast corner of the CRSP Area. Since there is only a limited fire threat to the CRSP Area, the proposed Project, would not increase the rise of wildland fires because its footprint is within the boundaries of the CRSP Area. Therefore, the impact would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new hazardous materials impact to occur, nor an increase in the severity of a hazardous material impact previously disclosed in the CRSP EIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

VIII. HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	v	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project violate any water quality standards or waste discharge requirements?

As determined in the CRSP EIR, buildout of the CRSP would have potential water quality impacts from short-term construction-related erosion/sedimentation and long-term operational stormwater discharge. Construction activities for buildout of the CRSP Area could cause soils and other pollutants to enter the storm drain system if grading and associated activities are not managed properly. During heavy rains, this may degrade stormwater quality at downstream locations. Of particular concern is the potential contribution of additional sediments and other urban pollutants to the Old River, which has been identified as a water quality limited segment under the CWA Section 303(d). As determined in the CRSP EIR, future development of the CRSP Area would be responsible for complying with a Storm Water Pollution Prevention Plan (SWPPP) consistent with the General Permit for Stormwater Discharge Associated with Construction National Pollutant Discharge Elimination System (NPDES) requirements. Additionally, future developments would be required to implement stormwater control measures such as Low Impact Development (LID) and Best Management Practices (BMP's) per the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment during construction.

After construction, stormwater from buildout of the CRSP would have the potential to degrade water quality in downstream water bodies, in particular the Old River, which is already impaired. Buildout of the CRSP would add impervious surfaces through construction of buildings, parking areas, roadways, and other improvements. An increase in impervious surfaces has the potential to increase runoff from the CRSP Area, which in turn could transport urban pollutants to off-site areas. However, the future developments would be required to incorporate to the extent feasible, low impact development (LID) features, including directing drainage from impervious surfaces to bioswales for infiltration. In addition, as required in the CRSP, development projects greater than 100,000 square feet are required to implement specific controls, as identified in the City's Multi-Agency Post-Construction Stormwater Standards Manual, and to submit a Stormwater Quality Control Plan (SWQCP) that demonstrates that the future development would conform to all requirements of the City standards.

As concluded in the CRSP EIR, future developments in the CRSP Area would also be required to incorporate post-construction stormwater pollution management measures during operation of industrial facilities. These management measures would prevent polluting stormwater discharges, and they would be monitored as required by the statewide General Permit, which regulates stormwater discharges associated with industrial activities. Storm drainage facilities would be consistent with local, State and Federal requirements, including NPDES requirements, in compliance with General Plan Objective PF-1.1 Policy P4 and other applicable federal, State, and local laws and regulations. The CRSP also contains policies that are designed to further reduce the impacts of increase stormwater flow on and off site and reduce the impacts of urban runoff to water quality, as follows:

- Goal: Implement a range of sustainability measures aimed at conserving resources, decreasing energy and water consumption, and reducing air and water pollutants.

- Sustainability Measures:
    - Landscaping will consist of native species selected for water-efficient characteristics and will include drought tolerant planting materials common to the region.
    - Turf will be discouraged and minimized throughout the project.
    - Irrigation systems and devices will be water efficient and will include satellite soil moisture based irrigation controls and systems.
    - The landscape design will meet or exceed requirements of the Water Efficient Landscape Ordinance.
    - A purple pipe system will be constructed as part of the infrastructure for the project. Reclaimed water will be utilized for landscape irrigation of public and private landscaped areas when available.
    - Watering of non-vegetated surfaces and practices for cleaning outdoor surfaces and vehicles will be restricted and included in the CC&R's.
    - Low-impact development practices will be implemented to the extent feasible, to maintain the existing hydrologic character of the drainage and manage and treat stormwater to protect the environment.
    - Stormwater best management practices (BMPs) including vegetated bioswales, vegetated detention basins, and pervious paving will be incorporated to the extent feasible, into individual development sites and along streets per the San Joaquin County requirements.

The previously certified CRSP EIR identified five mitigation measures that would be effective in addressing water quality standards or waste discharge requirements in respect to buildout of the CRSP Area. The CRSP EIR determined that implementation of these measures would reduce potential impacts to a less than significant level.

The following mitigation measures from the CRSP EIR are applicable to the proposed Project and are identified as follows:

> ***Mitigation Measure Hydro-1****: Grading and ground disturbance on the Specific Plan Area shall be implemented in accordance with each individual development's approved grading plans and related grading permit. For the required treatment of urban pollutants and application of pesticides in the Specific Plan Area, each Project developer shall comply with the approved grading plan and related permit and conditions of approval. [This mitigation is Mitigation Measure HYDRO-1a in the CRSP EIR]*
>
> ***Mitigation Measure Hydro-2****: In accordance with the then-applicable regulations, as part of the application process for each individual development under the Specific Plan, each applicant shall file a Notice of Intent with the SWRCB to obtain coverage under the construction general permit (CGP) and shall comply with all of the requirements associated with the CGP, as necessary to*

mitigate those impacts that would result from the specific development proposed by that applicant. In addition, as part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain City approval of a SWPPP, which shall adequately address stormwater management during each construction phase of the Project.

The SWPPP shall be consistent with the then-applicable RWQCB standards and NPDES permit requirements, and shall be designed to protect water quality during the course of construction. Said BMPs may include, without limitation, the following:

- *Schedule earthwork to occur primarily during the dry season to prevent most runoff erosion.*
- *Protect drainages and storm drain inlets from sedimentation with berms or filtration barriers, such as filter fabric fences, hay bales, or straw wattles.*
- *Divert runoff from exposed slopes to on-site sediment basins before the runoff is released off-site.*
- *Install gravel construction entrances to reduce tracking of sediment onto adjoining streets.*
- *Sweep on-site paved surfaces and surrounding streets daily to collect sediment before it is washed into the storm drains or the Old River.*
- *After construction is completed, clean all drainage culverts of accumulated sediment and debris.*
- *Stabilize stockpiles of topsoil and fill material by watering daily, or by the use of chemical agents.*
- *Store all construction equipment and material in designated areas away from waterways and storm drain inlets. Surround construction staging areas with earthen berms.*
- *Wash and maintain equipment and vehicles in a separate bermed area, with runoff directed to a lined retention basin.*
- *Collect construction waste daily and deposit in covered dumpsters.*

[This mitigation is Mitigation Measure HYDRO-1b in the CRSP EIR].

***Mitigation Measure Hydro-3**: As part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain approval of a grading plan and related permit in accordance with Mitigation Measure HYDRO-1 (a). [This mitigation is Mitigation Measure HYDRO-2a in the CRSP EIR].*

***Mitigation Measure Hydro-4**: As part of the application process for each individual development project under the Specific Plan, each applicant shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site measures consistent with the Cordes Ranch Conceptual Drainage Plan, the CRSP, the Citywide Stormwater Master Plan, and other applicable stormwater standards and requirements that shall be designed to control and treat stormwater for the storm*

events in compliance with the then-applicable City's Multi-Agency Post-Construction Stormwater Standards Manual, including those dealing with capacity design of the facilities and contour grading. All such measures shall be implemented as part of the development and operation of the individual development at issue.

Each developer shall construct drainage improvements and other required stormwater retention/detention facilities as necessary to serve the specific development proposed by that applicant in conformance with the approved drainage plan, the Specific Plan and the then-applicable City standards including those set forth in the City's Storm Drainage Master Plan. These drainage facilities shall accommodate events up to and including a 100-year 24-hour storm.

Any impacts on the operations of Mountain House CSD facilities, including the alteration of cleaning velocities, will require coordination and agreement between Mountain House CSD and the City of Tracy prior to issuance of building permit for any development west of Mt. House Parkway.

The proposed mitigation measures will reduce impacts related to storm water runoff to less-than-significant levels. [This mitigation is Mitigation Measure HYDRO-2b in the CRSP EIR].

***Mitigation Measure Hydro-5**: As part of the development of each individual project under the Specific Plan, each developer shall implement the following measures:*

- *Shall not utilize chemical pesticides in the maintenance of common landscaped areas, open space areas, or parks. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure.*
- *Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to:*
    - *Hazardous material use controls;*
    - *Hazardous materials exposure controls;*
    - *Hazardous material disposal and recycling.*
- *Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system.*
- *To the extent feasible, direct stormwater runoff to percolation swale and basin areas rather than directing stormwater to storm drain pipes.*
- *Use biotreatment (natural pollutant filtering) where stormwater runs off paved surfaces onto pervious surfaces.*
- *Utilize sediment traps, evaporation basins, flow dissipaters, and other methods to reduce the volume and speed of stormwater runoff and reduce pollutant loads.*

[This mitigation is Mitigation Measure HYDRO-2c in the CRSP EIR]

Project implementation would develop a 31-acre park with associated recreational amenities, open space areas, and pond/detention basins and within the CRSP Area. Development of the proposed Project would add impervious surfaces through construction of parking areas, recreational amenities, restrooms, roadways, and other improvements. An increase in impervious surfaces has the potential to increase runoff from the Project site, which in turn could transport urban pollutants to off-site areas. However, similar to the CRSP, the NPDES General Permit requirements and implementation of a SWPPP and monitoring plan would be required to include erosion-control and sediment-control BMPs that would meet or exceed measures required by the General Permit to control potential construction-related pollutants. As shown in Figure 7, erosion control and sediment control BMPs will be in place during construction of the proposed Project. Adherence to NPDES requirements, the SWPPP, BMPs, and City requirements will ensure impacts are less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (b) Would the project substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

As identified in the CRSP EIR, implementation of the CRSP would not have an adverse impact on groundwater recharge. The Water Supply Assessment prepared for the CRSP EIR concluded that the City's existing and additional planned future water supplies are sufficient to meet the City's existing and projected future water demands, including those future water demands associated with buildout of the CRSP to the year 2035 under all hydrologic conditions.

Although the proposed Project would increase impervious surfaces, which could impact groundwater recharge, a range of features such as parks and open space, including detention basins, and other stormwater management features would be included as part of the build-out of the CRSP Area. As noted above, open space areas and pond/detention basins would be included as part of the proposed Project. See Figure 6. These detention basins will be designed to City standards and help to percolate water back into the ground. For these reasons, the Project would not substantially deplete the groundwater supplies or interfere substantially with groundwater recharge any greater than already analyzed in the CRSP EIR and this impact would be less than significant This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

The greatest potential impact with respect to erosion and siltation processes would come during construction when earthmoving and vegetation removal occurs. As identified in the CRSP EIR, significant grading and excavation would be necessary during construction of new commercial, office and industrial buildings, roadways, trails, detention basins, utility placement, and other necessary infrastructure and improvements within the CRSP Area. Figure 4.9-2 of the CRSP EIR provides a conceptual drainage plan for all new development areas within the CRSP. In addition, future and temporary on-site detention basins are shown in this figure. Overall, new development within the CRSP Area would convert a primarily undeveloped site to a developed one. As such, the CRSP EIR determined that buildout of the CRSP Area would substantially alter the CRSP Area's existing charge pattern in a manner that may result in substantial erosion or siltation on or off-site. This would be a significant impact without mitigation. To reduce potential impacts from a change in drainage pattern, implementation of Mitigation Measure Hydro-2, identified above, would require coordination with the SWRCB and the City of Tracy during design and construction of the proposed Project to ensure the Project is consistent with long range planning efforts.

Development of the Project site would have the potential to alter drainage pattern from increased erosion and sedimentation through the removal of vegetation during construction activities. The existing Project site drains from a west to east direction directing all surface water draining towards Huntington Way and Promontory Parkway. The natural drainage pattern of the site will be maintained, and on-site stormwater drain systems will convey all drainage to onsite detention basins. As identified in Figure 4.9-2 of the CRSP EIR, these detention basins were planned as part of buildout of the CRSP. For these reasons, implementation of Mitigation Measure Hydro-2 would be applicable to the Project. With implementation of this mitigation measure, impacts would be less than significant.

For these reasons, implementation of the Project would not result in This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding?

As described in Response (c) above, the proposed Project would not substantially alter existing drainage patterns of the site or vicinity. The site does not include any streams or rivers, which could be altered by the proposed Project. Onsite surface run-off would be collected in proposed drainage facilities within the Project site and associated with build-out of the CRSP Area. With implementation of Mitigation Measure Hydro-4 identified above, the proposed Project would provide detention and stormwater treatment systems to limit the release of stormwater from the site to pre-development conditions; thus, minimizing the potential for flooding to occur on- or offsite. The proposed Project would be consistent with long term planning of flood control and storm drain infrastructure. Therefore, issues related to flooding would not occur and the impact is considered less than significant with mitigation.

This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (e) Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

As described in Response (c) above, the proposed Project would not substantially alter existing drainage patterns of the site or vicinity. The site does not include any streams or rivers, which could be altered by the proposed Project. Onsite surface run-off would be collected in proposed drainage facilities associated with build-out of the CRSP Area. With implementation of Mitigation Measure Hydro-4 identified above, the proposed Project would provide detention and stormwater treatment systems to limit the release of stormwater from the site to pre-development conditions; thus, minimizing the potential for flooding to occur on- or offsite. The proposed Project would be consistent with long term planning of flood control and storm drain infrastructure. Therefore, issues related to flooding would not occur and the impact is considered less than significant with mitigation. This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (f) Would the project otherwise substantially degrade water quality?

As identified in the CRSP EIR, with mitigation, implementation of the THSP would have a less than significant impact on degradation of water quality. As discussed above in Threshold (e), with implementation of Mitigation Measures Hydro-1, Hydro-2, Hydro-3, Hydro-4 and Hydro-5, above, implementation of the CRSP would not substantially degrade water quality.

The following mitigation measures incorporated herein from the CRSP EIR are applicable to the proposed Project:

See Mitigation Measures Hydro-1, Hydro-2, Hydro-3, Hydro-4 and Hydro-5 above.

The proposed Project would have the potential to increase runoff through erosion or siltation from construction and operation activities. With implementation of the above mitigation measures, the proposed Project's impact on water quality would be less than significant. This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (g) Would the project place housing/structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

As identified in the CRSP EIR, the CRSP Area is not located within a 100-year flood hazard area. As a result, no impact would occur from buildout of the CRSP in this regard. As such, the proposed Project would not be located within a 100-year flood hazard either because it is within the footprint of the CRSP Area. Also, housing is not proposed as part of the proposed Project. For these reasons, no impact would occur. This finding is supported by the CRSP EIR. No further analysis is required.

Threshold (h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

The proposed Project is not located within a 100-year flood hazard area, and therefore no structures would be placed in such an area as part of the proposed Project. Thus, no impact would occur. This topic was evaluated in the CRSP EIR and this conclusion is consistent with and supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

As identified in the CRSP EIR, the CRSP is not located within the dam inundation risk areas. As a result, no impacts would occur as a result of the failure of a levee or dam. Since the proposed Project would be within the same footprint as previously analyzed in the CRSP, there would be no impact and no further analysis is required.

Threshold (j) Would the project result in inundation by seiche, tsunami or mudflow?

As identified in the CRSP, the CRSP Area is not located within the inundation zones of the major dams in the region. Therefore, there is no risk of exposure to inundation by seiche or tsunami and no impact would occur. Because implementation of the proposed Project would be still be located within the same footprint of the CRSP Area, the proposed Project would not result in inundation by seiche, tsunami or mudflow. Similar to the CRSP, there would be no impact and no further analysis is required.

Cumulative Impacts

The potential impacts related to hydrology and storm water runoff are typically site specific and has been discussed above and in the previously certified CRSP EIR. As discussed above, the proposed Project would not cause a new hydrological impact to occur, nor an increase in the severity of a hydrological impact previously disclosed in the CRSP EIR, with implementation of the mitigation measures discussed in this section. Given that all present and reasonably foresee future projects larger than one acre would be required to prepare a SWPPP and conform with BMPs, cumulative development would be helping to improve water quality in the watershed basin over the long term. Similarly, present and reasonably foreseeable future projects that create or replace 10,000 sf or more of impervious area would be required to meet post-construction requirements so that receiving waters downstream are not adversely impacted. For the project, the site plan has been designed to retain runoff on-site and drain into the City's stormwater system, resulting in controlled releases to the stormwater drainage system. Thus, while cumulative development may have drainage pattern differences, compliance with NPDES and local requirements for stormwater quantity and quality for each individual project would help to improve overall water quality in the watershed basin. Furthermore, the CRSP EIR analysis determined that the implementation of the proposed Project would not result in significant impacts with mitigation incorporated. As a result, no cumulative impacts are anticipated. The proposed Project would not cause

either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

IX. LAND USE AND PLANNING

WOULD THE PROJECT:

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
Would the project:					
a. Physically divide an established community?	☐	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project physically divide an established community?

As identified in the CRSP EIR, implementation of the previously approved CRSP would not have the potential to divide an established community. The THSP SEIR found that, while new development and improvements to the circulation network in the CRSP Area would occur under the CRSP, implementation of the CRSP would not physically divide an established community and impacts would be less than significant.

The Project would result in development of a 31-acre park with amenities including a Food Truck/Multi-Use Area on the western portion of the site, Detention Basin/Multi-Use Area on the eastern portion of the site, and Sports Courts/Picnic Area on the southwestern portion of the site and does not include the construction of public roads, structures, or other improvements that would physically divide or separate neighborhoods within an established community. The project site was analyzed in the CRSP EIR, and although minor modifications to the acreage and uses are included in the proposed Project, the Project is consistent with the land use designation and would not divide an established community.

The finding of no impact is supported by the previously certified EIR prepared for the CRSP which found that no potentially significant impacts to physical division of a community would occur.

Threshold (b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed SPA would modify the General Commercial (GC) and General Office (GO) zoning districts to allow for a FAR of 1.0 for hotel uses. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. Because the proposed SPA is a clarification to what has already been permitted, any potential development related to hotel uses within the GO or GC zoning districts would not result in greater land use impacts than were previously analyzed in the CRSP EIR. While the proposed SPA would provide clarification for FAR standards for future hotel uses within the GC and GO zoning districts, it is highly unlikely this standard would result in more hotels being built within these zoning districts in the CRSP. All future development proposals in the City would be required to go through City review and its own separate site-specific environmental review.

For these reasons, the Project would not conflict with applicable land use plans, policies, or regulations, including the CRSP, the City's current General Plan, Sustainability Action Plan, applicable citywide infrastructure master plans, and regional plans. The Project site was analyzed in the CRSP EIR, and although minor modifications to the park acreage and uses are included in the proposed Project, the Project is consistent with the land use designation and zoning. The previously approved CRSP is consistent with the Tracy General Plan designation of CRSP Area such that the mix of proposed land uses are consistent with the statistical profile evaluated in the General Plan. Overall, the proposed Project is consistent with the underlying land use and zoning designations that have been included in local and regional planning efforts. No impact would occur. This finding is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

The City of Tracy participates in the San Joaquin County Habitat Conservation Plan (HCP), and the CRSP has coverage under the HCP. The Specific Plan Area is located within the Central/Southwest Transition Zone designated by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The ultimate goal of the SJMSCP is to provide 100,241 acres of habitat preserves over the projected 50-year lifetime of the SJMSCP. Most of the land for these preserves would be designated as conservation easements over existing agricultural lands in the areas covered by the SJMSCP. Only a portion of the Specific Plan Area (generally southwest of the Delta-Mendota Canal and northeast of the Upper Main Canal) is located within the Urban Expansion Line designated by the SJMSCP. However, a Minor Amendment allowing the entire Specific Plan Area to participate in the SJMSCP, receive Incidental Take coverage, and mitigate the conversion of open space lands to non-open uses was reviewed and approved by the CDFW and USFWS in 2004.[6] Participation in the SJMSCP includes payment of a fee for each acre of land converted to urban use and compliance with Incidental Take Minimization Measures

[6] CRSP Draft EIR, page 4.4-9.

defined in Section 5.2 of the SJMSCP. Relative to land use and planning issues, the proposed Project conforms to the applicable habitat conservation plan. Therefore, no conflict with such plans would occur with proposed Project implementation. This determination is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

The analysis of potential impacts indicated that no impacts would result from the proposed Project's implementation. As a result, no cumulative impacts related to land use and planning would occur. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

X. MINERAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The main mineral resources found in San Joaquin County and Tracy are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. The City of Tracy has an adopted Aggregate Mining Overlay zone, which has been approved by the State Division of Mines and Geology (Resolution 2000-12 of State Division of Mines and Geology). In order to protect aggregate land and mitigate conflicts between mining activities and urban uses, the 2011 Tracy General Plan designates lands with production quality mineral reserves as Aggregate in the southern portion of Tracy. Of the area classified by the State Division of Mines and Geology as having potentially significant mineral deposits, the City has designated the bulk of this area as Aggregate in the 2011 General Plan.

Since the proposed Project site is not located in an area designated for Aggregate use in the 2011 General Plan, no impacts related to the loss of availability of a known mineral resource would occur.

Threshold (b) Would the project result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The proposed Project site has not been used for mineral resource recovery and is not delineated as a mineral resource recovery site on any land use plans. As the proposed Project site is not currently used (or planned for use) as a mineral resource recovery site, no impacts to mineral resources would occur.

Cumulative Impacts

The analysis of potential impacts indicated that less than significant impacts would result from the proposed Project's implementation. As a result, no cumulative impacts related to mineral resources would occur.

XI. NOISE

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

A noise impact evaluation was performed for the previously certified CRSP EIR to evaluate the potential for noise and vibration impacts resulting from Specific Plan implementation. The results and findings as they apply to the proposed Project are summarized herein.

Noise sources in the proposed Project area consist of vehicular traffic on nearby roadways, including I-205, I-580, Old Schulte Road, Mountain House Parkway, and Hansen Road. According to the previously certified EIR prepared for the CRSP, on-site noise levels were measured on March 4, 2013 to document noise levels at the existing land uses within the Specific Plan Area.[7] Noise levels were based on readings at 3 Long-Term Locations and 10 Short Term Locations, which included five locations outside the Specific Plan Area, four locations adjacent to the Specific Plan boundaries, and four within the Specific Plan Area. The noise environment of the proposed Project's site is dominated by traffic along Capital Parks Drive, Promontory Parkway, Huntington Way, Interstate 205, and activities in the International Park of

[7] CRSP Draft EIR, page 4.11-18.

Commerce business park. Additionally, the noise sources associated with existing warehouse and manufacturing uses located within the Specific Plan Area.

The proposed park is consistent with the zoning district as analyzed in the CRSP, and the hotel use proposed in the GO and GC zoning districts is similar to the noise sources generated by other uses analyzed for those zoning districts in the CRSP EIR and include sources such as, vehicle traffic, emergency generators, trash compactors, and rooftop mechanical equipment.

Threshold (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The proposed Project area consists of a 31-acre park envisioned to be the principal open space and recreational amenity for the International Park of Commerce business park, located centrally in the Specific Plan Area, north of Promontory Parkway, south of Capital Parks Drive, and directly west of Huntington Way. According to the previously certified EIR prepared for the CRSP, future mobile traffic noise levels generated along heavily-traveled roadways may result in potentially significant impacts for existing sensitive receptors and future buildings in the Specific Plan Area;[8] refer to Section XII (c) below. Mitigation Measure NOI-1 was assigned to future development within the Specific Plan Area to address this potentially significant impact.

> ***Mitigation Measure NOI-1:*** *As part of the development process for each individual, site-specific project under the Specific Plan, the development at issue shall adhere to all applicable Building Code and Municipal Code provisions and standards and other requirements, as noted in the above Regulatory Framework discussion.[9] Regarding mitigation of impacts relating to mobile sources for an individual, site specific project, the City will consider, as appropriate and feasible, a variety of techniques to reduce noise, which may include, for example, building setbacks, berms, walls, fences of various materials, and rubberized asphalt, taking into account relevant General Plan policies (as they relate to sound walls) and the nature and location of sensitive receptors at issue. [This is Mitigation Measure NOISE-1 in the CRSP EIR].*

Implementation of Mitigation Measure NOI-1 would reduce the severity of mobile noise sources. The proposed Project is consistent with the zoning district evaluated for the Project site and as such, this mitigation measure would still apply to the proposed Project because it was previously considered for in the CRSP EIR.

The proposed SPA provides clarification for the types of passive and active recreational uses allowed within the Parks Zone. These allowed uses, such as exercise classes, health/fitness events, farmer's market, etc., are not anticipated to generate any noise levels greater than recreational activities previously analyzed in the CRSP EIR. As discussed throughout this document, the proposed SPA would also allow for food truck uses within GO, BPI, P zoning districts and the I-205 overlay of the CRSP. With respect to the proposed Project, these food trucks would be allowed to operate at designated areas, specifically

[8] CRSP Draft EIR, page 4.11-31.
[9] See Draft EIR for complete regulatory discussion.

in the northwestern portion of the Project site, and would operate for up to a maximum of 12 hours at a single location within a 24-hour period. In addition, it is anticipated that mobile food vendors would serve nearby business park employees during lunch time and would not operate past allowed timeframes per Tracy Municipal Code. , For these reasons, no greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project. Impacts would be less than significant. This finding is supported by the previously certified EIR prepared for the CRSP.

Threshold (b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Construction of the proposed Project has the potential to produce short-term construction vibration effects and operational vibration as a result of proposed Project's traffic. According to the previously certified EIR prepared for the CRSP, neither the City of Tracy nor the County of San Joaquin establishes thresholds for "excessive" vibration.[10] Therefore, the United States Department of Transportation (Federal Transit Administration [FTA]) criteria for the evaluation of potential human annoyance and potential for structural damage to result from vibration is used.

Construction of the proposed Project would generate short-term construction vibration during site preparation and construction of the park amenities, detention basin, and related activities. Vibration from construction activities rarely reaches the levels that can damage structures, but groundborne vibration and noise can reach perceptible and audible levels in buildings that are very close to the construction site.[11] Even with vibration reduction measures, such as use of vibration attenuating construction equipment (static rollers) and discretionary scheduling of the noisiest construction activities, groundborne vibration from construction within the Specific Plan Area when in close proximity to sensitive receptors would be a potentially significant impact relative to perception and annoyance.

The nearest residences are located approximately 0.28miles northeast of the proposed park. Between the completion of the Phase 1 development and the Specific Plan's full build-out, all these existing, onsite residential uses are assumed to be replaced by the proposed commercial or light-industrial uses.[12] Moreover, proposed Project construction does not entail pile driving. In addition, vibration effects would be reduced by a combination of appropriate equipment and process selection, as well as implementation of proper administrative controls (refer to Mitigation Measures NOI-2 and NOI-3 below). Even with these vibration reduction approaches, it is still possible that individual, site-specific developments could exceed either the annoyance threshold and/or the architectural damage threshold. This potential situation would be exacerbated with the use of standard pile driving techniques. As such, groundborne vibration from construction could result in a potentially significant impact with respect to perception or architectural damage. The proposed Project would also implement best practices for construction activities (as specified in Mitigation Measures NOI-4), which would reduce groundborne noise and vibration from

[10] CRSP Draft EIR, page 4.11-33.
[11] CRSP Draft EIR, page 4.11-34.
[12] CRSP Draft EIR, page 4.11-31.

construction. Mitigation Measures NOI-2 and NOI-3 are applicable to the proposed Project and are identified as follows:

> ***Mitigation Measure NOI-2:*** *The following measures, in addition to the best practices for construction activities (as specified in Mitigation Measure NOI-4), are recommended to reduce groundborne noise and vibration from construction activities:*
>
> *1. Avoid impact pile driving process, when feasible. The use of a predrilling pile installation process shall be utilized when feasible, where geological conditions permit their use, so as to reduce vibration levels at adjacent receptors.*
>
> *2. Avoid using vibratory rollers and vibratory tampers near vibration-sensitive uses.*
>
> *[This is Mitigation Measure NOISE-2a in the CRSP EIR].*
>
> ***Mitigation Measure NOI-3:*** *Before any individual, site-specific development conducts any high vibration-generating activities (such as pile driving or vibratory compacting) within one hundred (100) feet of existing structures, the following mitigation measures shall apply:*
>
> *1. Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before- and after-construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of each individual, site-specific development that is subject to this mitigation measure. Limits shall be based on Table 4.11-6 to preclude architectural damage and on Table 4.11-5 to preclude vibration annoyance. For the Specific Plan Area proposed development types (i.e. "institutional land uses with primarily daytime use"), the Table 4.11-5 Category 3 land uses would indicate a threshold of 83 VdB. For future developments that have special, vibration-sensitive operations or equipment, 14 the criteria in the FTA Guideline Manual, Table 8-315 should be implemented. The monitoring and construction contingency plan shall include the following contents described in Numbers 2 through 4 below.*
>
> *2. At a minimum, monitor vibration during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.*
>
> *3. When vibration levels approach the above limits, construction should be suspended and contingencies should be implemented to either lower vibration levels or to secure the affected structures.*
>
> *4. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.*
>
> *[This is Mitigation Measure NOISE-2b in the CRSP EIR].*

With implementation of mitigation, construction vibration levels as a result of proposed Project construction would be less than significant.

The previously certified EIR prepared for the CRSP evaluated the potential for vibration impacts related to transportation activity. According to the previously certified EIR, heavy trucks generate groundborne vibrations that are greater than normal traffic. Moreover, the highest traffic-generated vibrations are along freeways and state routes.[13] However, as a park use, the proposed Project would not contribute significantly to traffic related vibration, and given the width of freeway shoulders and the distances from the freeway right-of-way edges to the Specific Plan Area boundaries, development of the Specific Plan inclusive of the proposed Project would not result in exposure of persons to excessive transportation related vibration impacts. The proposed Project would also not result in significant impacts resulting from long-term operational vibration impacts since proposed future land uses within the Specific Plan Area are compatible with adjacent and surrounding land uses. Overall, long-term operational vibration impacts are less than significant. This finding is supported by the previously certified EIR prepared for the CRSP.

Threshold (c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Although the land uses within the CRSP have been strategically placed to avoid, to the extent feasible, routing truck traffic on roadways near long-term sensitive receptors, a substantial permanent increase in ambient noise levels in the proposed Project vicinity would occur as a result of traffic. As discussed in the previously certified CRSP EIR, Specific Plan implementation would cause a substantial noise increase to most nearby roadways within and in close proximity to the Specific Plan limits during Existing Conditions Plus Project Buildout. The Specific Plan impact was identified as significant and unavoidable despite implementation of Mitigation Measure NOI-1. The proposed Project is consistent with the land use generated traffic evaluated in the previously certified EIR prepared for the CRSP. Therefore, the proposed Project would also result in a significant and unavoidable impact related to future mobile traffic noise. As such, the proposed Project would be subject to Mitigation Measure NOI-1, which would reduce the severity of mobile traffic noise impacts to the maximum extent feasible.

Threshold (d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Noise emissions from construction of the proposed Project would be localized and occur intermittently for varying periods of time. The highest construction noise levels associated with proposed Project construction would be generated during grading and excavation, with lower noise levels occurring during construction of the park amenities. According to the previously certified EIR prepared for the CRSP, potentially significant impacts from construction noise could occur with Specific Plan implementation. , Construction of the proposed Project including individual site specific development in close proximity to existing and/or previously completed land uses may cause notable sound level increases. Implementation

[13] CRSP Draft EIR, page 4.11-36.

of Mitigation Measure NOI-4 would reduce the potential for a substantial temporary or periodic increase in ambient noise levels to occur.

> ***Mitigation Measure NOI-4:*** *The following measures, when applicable and feasible, shall be required to reduce noise from construction activities:*
>
> *1. Ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment.*
>
> *2. Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists.*
>
> *The following measures, when applicable and feasible, shall be required to reduce noise from construction activities:*
>
> *1. Ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment.*
>
> *2. Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists.*
>
> *3. Locate stationary noise-generating equipment as far as reasonable from sensitive receptors when sensitive receptors adjoin or are near a construction Project area.*
>
> *4. Prohibit unnecessary idling of internal combustion engines (i.e. in excess of five minutes).*
>
> *5. Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.*
>
> *6. Erect temporary noise control blanket barriers and/or temporary solid plywood fences around construction sites adjacent to operational businesses or noise-sensitive land uses. This mitigation would only be necessary if (a) potential conflicts could not be resolved by proper scheduling and (b) the temporary barrier could demonstrate a benefit at the façade of the receptor building of at least 10 dB.*
>
> *7. Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.*
>
> *8. Notify businesses and noise-sensitive land uses adjacent to construction sites of the construction schedule in writing. Designate a "Construction Liaison" that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g. starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. A telephone number for the Liaison should be conspicuously posted at the construction site.*
>
> *[This is Mitigation Measure NOISE-4 in the CRSP EIR].*

With mitigation, the construction noise impact is less than significant. This finding is supported by the previously certified EIR prepared for the CRSP.

During 2035 Conditions Plus Project Buildout, Specific Plan-related traffic would cause a substantial noise increase to most study area roadways within and in the vicinity of the Specific Plan. As discussed in the previously certified CRSP EIR, this impact would be significant and unavoidable since possible mitigation (such as sound walls and rubberized asphalt) would not completely mitigate the traffic generated noise. For these reasons, implementation of the Specific Plan would result in significant and unmitigable noise impacts. For purposes of analyzing the proposed Project, since the proposed Project-generated traffic would be consistent with the land use assumptions evaluated in the previously certified EIR prepared for the CRSP, the proposed Project-related noise impact would be within the increase evaluated for the CRSP. In addition, food truck uses that would be allowed as a result of the proposed SPA would not generate any greater trips than what was previously analyzed in the CRSP EIR because it is anticipated that mobile food vendors would serve nearby business park employees during lunch time, who's trips have been accounted for in the CRSP EIR. Impacts under this issue area would remain significant and unavoidable. While the proposed Project's impact remains significant and unavoidable consistent with the effects of implementation of the CRSP, additional environmental review is not required since this impact was addressed and analyzed in the CRSP EIR.

Threshold (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

According to the previously certified EIR prepared for the CRSP, the Specific Plan Area is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, the proposed Project is not located within an airport land use plan or within vicinity to a public use airport such that exposure of persons residing or working in the proposed Project area to excessive airport related noise levels would occur. As such, no further analysis is required.

Threshold (f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

According to the previously certified EIR prepared for the CRSP, the Specific Plan Area is not located within two miles of a private airstrip. Therefore, the proposed Project is not located within a distance of two miles from a private airstrip. Due to the distance separation, the proposed Project would not expose persons to excessive airport-related noise levels. As such, no further analysis is required.

Cumulative Impacts

The proposed Project would introduce the use of stationary equipment that would increase noise levels within the Specific Plan Area and vicinity. With adherence to the City's Municipal Code regulations, development of the proposed Project in conjunction with other cumulative projects would not have the potential to result in cumulatively considerable significant stationary noise impacts. Development of the proposed Project in conjunction with other cumulative projects would result in significant cumulative

noise impacts relative to traffic. According to the previously certified EIR prepared for the CRSP, a cumulative impact would occur when an overall increase from existing noise levels over 5 dBA occurs, and the proposed Project contribution is greater than 3 dBA. Based on the results of the cumulative traffic noise analysis performed for the previously certified EIR prepared for the CRSP, cumulative traffic noise impacts with this cumulative impact threshold would occur at several segments in the Specific Plan Area and vicinity. Therefore, consistent with the results of the previously certified EIR prepared for the CRSP, cumulative proposed Project impacts would be significant and unavoidable.

XII. POPULATION AND HOUSING

WOULD THE PROJECT:

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed Project does not include the provision of new housing or businesses or propose the construction or extension of any new roads or infrastructure to previously undeveloped or inaccessible areas that would open up new areas for development that have not been previously envisioned for development by the City or contemplated within the parameters of the CRSP. The proposed SPA would modify the General Commercial (GC) and General Office (GO) zoning districts to allow for a FAR of 1.0 for hotel uses. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for future hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. , Thus, it is highly unlikely this standard would result in more hotels being built within these zoning districts in the CRSP, inducing substantial population growth. All future development proposals in the City would be required to go through City review and its own separate site-specific environmental review.

The CRSP EIR determined that the employees generated by the CRSP would not induce substantial population growth (either directly or indirectly) beyond lands already planned for by the City. Therefore, the impact of unexpected population growth associated with the Project would be less than significant.

No potentially significant impacts to population and housing are identified in the previously certified CRSP EIR. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Implementation of the proposed Project would not require the removal of housing necessitating the construction of replacement housing elsewhere. As a result, no impact on housing displacement would occur. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The proposed Project area does not contain housing. No impact would occur.

Cumulative Impacts

The proposed Project would not result in direct or indirect permanent or temporary impacts related to population or housing. Therefore, the proposed Project would not result in incremental effects to population and housing that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. As a result, no cumulative impacts related to population and housing would occur. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

XIII. PUBLIC SERVICES, RECREATION, AND UTILITIES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i. Fire protection?	☐	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☐	☒
b. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐	☒
c. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☐	☒
d. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☐	☒
e. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
f. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
g. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☐	☒

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
h. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☐	☒
i. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☐	☒
j. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

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

i. Fire Protection

The proposed Project area is currently served by existing public services, including fire and police protection, schools, and parks. As of January 1, 2021, the South San Joaquin County Fire Authority (SSJCFA) began providing, and would continue to provide fire protection and emergency medical services at the site. [14] The SSJCFA provides fire protection and paramedic services to the City of Tracy and the surrounding unincorporated areas that include the communities of Banta, Lammersville and Vernalis. The SSJCFA provides services to over 120,000 residents and visitors out of six fire stations with six engine companies and one truck company. The Authority also provides five paramedic engine companies, two basic life support engine companies, and one ladder truck company.

The existing SCFA Station 94/California Department of Forestry and Fire Protection Station 26, located at 16502 West Schulte Road, would primarily serve the Specific Plan Area, including the proposed Project site. The Citywide Public Safety Master Plan, which guides the provision of public safety facilities needed to serve the existing and future safety needs of the Tracy community, also identifies a new facility that

[14] South San Joaquin County Fire Authority Website, accessed February 5, 2021. https://www.sjcfire.org/administration/chief-s-message.

would be built in the area of Lammers Road, south of 11th Street.[15] Construction of this facility, the Tracy Hills Fire Station No. 95, began in September 2020 and is expected to be complete in August 2021.[16]

Emergency medical services in Tracy are provided by the SSJCFA and a local private transport ambulance provider (American Medical Response [AMR]).

The service demand from the Project would contribute to the need for new or expanded facilities within the overall CRSP Area. In order to address the increase in service population, the CRSP EIR requires the following mitigation measures to be implemented on a project-by-project basis to ensure the payment of a proportionate fair share toward the planned facilities that would be constructed over time to accommodate the additional demand from the Project.

> ***Mitigation Measure Public Services-1:*** *As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fee as set forth in an adopted Cordes Ranch FIP. [This is Mitigation Measure PS-1 in the CRSP EIR].*
>
> ***Mitigation Measure Public Services-2***: *As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to fire protection and emergency response services, such as those relating to fire flows, hydrants and other design and safety features (including any necessary and specialized fire protection equipment to service to individual uses proposed). [This is Improvement Measure PS-1 in the CRSP EIR].*

Implementation of the above mitigation measures would reduce impacts to SCFA's fire operations to less than significant. In addition, although not considered an impact under CEQA, for informational purposes, the City also evaluates the need for necessary and specialized equipment for fire protection through the individual Development Review process on a project-by-project basis. Accordingly, through this process, such needs are addressed as they arise, and all applicable standards relating to fire flow, hydrant and other design and safety features would be imposed as conditions of approval. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

ii. Police Protection

The Tracy Police Department provides police protection services to the City of Tracy. The Department is headquartered at 1000 Civic Center Drive. The Department employs 93sworn officers (54 officers in the Field Operations Division are sworn officers).[17] The Tracy Police Department provides mutual aid to the San Joaquin County Sheriff's office, and vice versa, when a situation exceeds the capabilities of either department. Mutual aid is coordinated by Sheriff's office.

[15] City of Tracy, accessed February 5, 2021. https://www.ci.tracy.ca.us/documents/Final_Citywide_Public_Safety_Master_Plan.pdf.
[16] City of Tracy, accessed February 5, 2021. https://www.ci.tracy.ca.us/?navid=11610
[17] City of Tracy Police Department website, accessed May 28, 2019. https://www.ci.tracy.ca.us/?navId=1631.

Short term impacts to emergency services, fire and police protection could result during construction of the proposed Project if any road closures or detours are proposed. Implementation of a Traffic Control Plan, as determined necessary by the City of Tracy, would reduce the potential for short term impacts to occur. As a standard measure, a Traffic Control Plan, as determined applicable by the City, would include provisions for allowing emergency access or designate alternate routes for emergency response where required. The Traffic Control Plan would also provide for notification to the police and fire departments of the construction schedule and any required detours. No short-term impacts to fire and police protection services would occur.

Police protection for the proposed Project would be provided by the Tracy Police Department, which already services the immediate vicinity. However, it is possible that the need for additional equipment or staff or construction of new or modification of existing facilities could result from build-out of the CRSP, and the proposed Project would contribute to that demand.

As a means to provide adequate funding for fire protection, police, and other essential public services, the City has established development impact fees that are charged to all new development within Tracy. The fees are designed to cover the added expense to public services resulting from new development. The development impact fees levied on the proposed Project would help the city finance new fire and police infrastructure, equipment, and staffing. Therefore, in order to reduce impacts related to police protection, Mitigation Measure Public Services-3 would be required. Implementation of this mitigation measure would reduce impacts related to police service to less than significant.

> ***Mitigation Measure Public Services*-3**: *As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to police protection services, such as safety features, emergency access, and physical improvements to the proposed site plan and/or to police facilities and equipment to ensure adequate service is maintained. [This is Improvement Measure PS-2 in the CRSP EIR].*

This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

iii. Schools

The proposed Project would not directly generate any residents who would require schools. However, the generation of jobs could indirectly increase the population of school children in Tracy, thereby requiring construction of new school facilities or modification of existing facilities. However, the Project's anticipated service population has been accounted for in the City's General Plan. Furthermore, each individual development application would be subject to the requirement to pay the applicable impact fee in accordance with SB 50. Under Section 65996 of the California Government Code, the payment of such fees is deemed to fully mitigate the impacts of new development on school facilities. Therefore, Project impacts in this regard would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause

neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

iv-v. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks and other recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The Project includes a SPA to the CRSP that would modify the GC and GO zoning districts to allow hotel uses with a maximum FAR of 1.0. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. As addressed in Section XII, it is highly unlikely this standard would result in more hotels being built within these zoning districts in the CRSP, requiring more parks or recreational facilities to serve the residents of City. The Project would also allow for the development of a 31-acre park that is part of the approximately 88.6 acres of parks and recreational facilities analyzed in the build-out of the Specific Plan Area. The Project does not include residential development and therefore would not directly increase the population of Tracy. Further, the Project does not include uses that would generate employment beyond what was analyzed in the CRSP EIR.

Because this is a non-residential development, and because the proposed Project is part of the adopted Specific Plan development that would provide for more than 88 acres of parks and recreational facilities, as well as an integrated trail network, the Project's impacts in this regard would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed Project does not include a residential component and would not generate population growth beyond what has been anticipated; therefore, it would not create an increased demand for recreational facilities. Impacts to recreational facilities were considered less than significant in the previously certified CRSP EIR. Therefore, impacts would remain less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The Project would allow for the development of a 31-acre park that is part of the approximately 88.6 acres of parks and recreational facilities analyzed in the build-out of the Specific Plan Area. Because the

proposed Project is part of the adopted Specific Plan development that would provide for more than 88 acres of parks and recreational facilities, as well as an integrated trail network, the Project's impacts in this regard would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The City of Tracy provides wastewater services throughout the city and the proposed Project site. Impacts to wastewater treatment requirements were analyzed in the previously certified CRSP EIR for build-out of the Specific Plan Area. As described in the previously certified CRSP EIR, the City's Waste Water Treatment Plant releases effluent into the Old River, therefore the City is subject to NPDES permitting requirements, as implemented by the RWQCB. To accommodate future planned growth, including the build-out of the Specific Plan Area, the City plans to implement a wastewater treatment system upgrade in accordance with the Wastewater Master Plan (WWMP) and as evaluated in the related environmental documentation. Since the proposed Project would be utilizing the City's wastewater treatment facilities, anticipated wastewater generated by the proposed Project would not be expected to result in an exceedance of any wastewater treatment requirements of the applicable RWQCB. Therefore, impacts would be considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The City of Tracy provides water and wastewater services throughout the City and the proposed Project site. Impacts to existing water and wastewater treatment facilities were analyzed in the previously certified CRSP EIR for build-out of the Specific Plan Area. Although build-out of the Specific Plan Area would require new water facilities and would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, the environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Water System Master Plan (WSMP) and the Wastewater Master Plan (WWMP). According to the CRSP EIR, because implementation of the CRSP would require the construction of yet-to-be-built WSMP facilities, and may require the construction of certain interim improvements pending completion of WSMP improvements, the Specific Plan would have potentially significant impacts. Since the proposed Project is part of overall Specific Plan implementation, project-level impacts would contribute to the impacts identified in the CRSP EIR. Implementation of Mitigation Measure Utilities-1 through Utilities-4 would reduce but not eliminate potentially significant impacts.

Mitigation Measure Utilities-1: *To ensure the construction of the necessary WSMP facilities, the Project shall be required to pay appropriate development impact fees as contemplated by WSMP. [This mitigation is Mitigation Measure UTIL-1 in the CRSP EIR].*

Mitigation Measure Utilities-2: *At no cost to the City, flow monitoring equipment shall be installed in the Hansen Sewer Line, as approved by the City, prior to the issuance of the certificate of occupancy for the first (1st) building constructed as part of the Project. Flow monitoring shall be used to determine available capacities to serve site-specific developments proposals under the Specific Plan. In monitoring flows for purposes of determining available capacity, the initial 0.145 shall be attributable to those lands within the Specific Plan identified in the proposed development agreement. [This mitigation is Mitigation Measure UTIL-2a in the CRSP EIR].*

Mitigation Measure Utilities-3: *As part of the development process for each individual site-specific development under the Specific Plan, the applicant shall pay its applicable development impact fees for wastewater facilities prior to issuance of building permits. [This mitigation is Mitigation Measure UTIL-2b in the CRSP EIR].*

Mitigation Measure Utilities-4: *As part of the development process for each individual site-specific development under the Specific Plan, the City shall review flow monitoring, at the applicant's cost, to determine available capacity. If the City determines, based on technical and legal constraints and other relevant data, that existing capacity is available to serve the development at issue, then no further mitigation is required. However, if the City determines, based on technical and legal constraints and other relevant data, that existing capacity is not available to serve the development at issue, then the improvements as identified in the Master Plan must be constructed that are necessary to create the additional capacity required, subject to any applicable credit and/or reimbursement provisions, as determined by the City. [This mitigation is Mitigation Measure UTIL-2c in the CRSP EIR].*

Construction of the Citywide water system and wastewater system master plan improvements would mitigate the proposed Project's impacts to a less than significant level. However, given that implementation of improvements is contingent upon the triggers, timing and contribution of substantial funding from other developments, the timing of construction of such improvements cannot be guaranteed. Therefore, the proposed Project's impact in this regard remains significant and unavoidable. The proposed Project's impact remains significant and unavoidable consistent with the effects of implementation of the CRSP. Additional environmental review is not required since this impact was addressed and analyzed in the CRSP EIR.

Threshold (f) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

As discussed in Section IX (Hydrology and Water Quality), the construction of new stormwater drainage facilities or expansion of existing facilities would be required for build-out of the Specific Plan Area as well

as individual development projects like the proposed Project. Mitigation for impacts to stormwater facilities was included as a condition of the CRSP project approval and would be required as part of the proposed Project to reduce impacts to the extent feasible. Construction of stormwater drainage facilities to serve the propose Project may result in significant impacts without mitigation. No greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project.

Threshold (g) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The proposed Project would be served by the City from its existing and future portfolio of water supplies as described in the Water Supply Assessment (WSA) conducted for the previously certified CRSP EIR. The WSA conducted for the Specific Plan Area concluded that the City's existing and planned water supplies would be sufficient to meet the water demand for any hydrologic conditions to the year 2035. No water supply shortages are anticipated for any hydrologic conditions based on Year 2035 water demands. As the proposed Project was analyzed by the CRSP EIR, no greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project. Therefore, the proposed Project would have no impact on water supplies.

Threshold (h) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As explained in Threshold (e), the City of Tracy would provide wastewater services to the proposed Project. Build-out of the Specific Plan Area would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, but not as a result of the proposed Project solely. Environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Wastewater Master Plan (WWMP)[18]. As the proposed Project is was analyzed by the CRSP EIR, no greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project. Thus, no further impacts would result from the proposed Project and impacts would be considered less than significant.

Threshold (i) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The proposed Project site would be served by the Foothill Sanitary Landfill, which has sufficient capacity to serve the City of Tracy through the year 2082. The proposed Project and build-out of the Specific Plan is considered a small addition to the overall tons per day Tracy currently generates.[19] For these reasons, the proposed Project's solid waste disposal needs can be met and existing landfill and associated impacts are less than significant. This determination of less than significant impact is supported by the previously

[18] CRSP Draft EIR, page 4.15-33
[19] CRSP Draft EIR, page 4.15-74

certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (j) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

As stated in the CRSP EIR, the waste diversion programs, together with adherence to the CALGreen Code, are sufficient to ensure that implementation of the proposed Project would not compromise the ability to meet or perform better than the State-mandated target. Therefore, the proposed Project would comply with applicable statutes and regulations and the impact would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

The proposed Project would not result in a significant impact to any public services, public facilities, recreational facilities or recreational services. The proposed Project would not result in growth beyond what has been planned in the CRSP. Therefore, the proposed Project would not result in incremental effects to public services or facilities that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. The proposed Project would not result in cumulatively considerable impacts to public services or facilities. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

The proposed Project would require additional water and wastewater infrastructure, as well as demand for solid waste disposal for building facility operation. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of development and infrastructure plans is intended to ensure that adequate resources are available to serve both individual projects and cumulative demand for resources and infrastructure as a result of cumulative growth and development in the area. Each individual project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility companies would allow for the provision of utility service to the proposed Project and other developments. The proposed Project and other planned projects are subject to connection and service fees to assist in facility expansion and service improvements triggered by an increase in demand. Because of the utility planning and coordination activities described above, no significant cumulative utility impacts are anticipated. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

XIV. TRANSPORTATION/TRAFFIC

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☐	☒
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☐	☒
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The proposed SPA would modify the permitted uses within the CRSP to allow hotel uses with a maximum FAR of 1.0 in the General Commercial (GC) and General Office (GO) zoning districts. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. The traffic

analysis conducted for the CRSP EIR used the #820 (Shopping Center) and #710 (General Office Building) traffic rates from the Institute of Transportation Engineers Trip Generation, Eighth Edition to estimate trips generated for commercial and office uses within the CRSP. The number of employees was estimated with densities of 2 employees per 1,000 square feet for commercial uses and 3 employees per 1,000 square feet for office uses, which are consistent with those in the Tracy Travel Demand Model and are commonly used in most travel demand models. Because the proposed SPA is a clarification to what has already been permitted, any potential development related to hotel uses within the GO or GC zoning districts is not anticipated to result in greater traffic impacts than were previously analyzed in the CRSP EIR.

The proposed Project would also require a SPA to the CRSP to allow food truck uses within the GO, BPI, P zoning districts and the I-205 overlay of the CRSP. With respect to the proposed Project, food truck use would be allowed on site because the Project is within the Parks (P) zoning district. As discussed throughout this document, the food truck uses are intended to serve park users and provide a lunch option for the employees of the commercial, office, and industrial uses in the surrounding area. Food truck customers who are park users would not generate a new trip to the proposed Project, as visiting the food truck court would not be their primary reason for visiting to the park. The majority of the visitors to the food truck court would likely be employees from businesses in the surrounding area. Although the CRSP EIR did not specifically analyze food truck, the CRSP EIR analysis accounts for the credit for any trips that employees may already make to restaurants in the surrounding area, which was considered in the CRSP EIR. Therefore, although the trips to food trucks is not anticipated to cause any level of service deficiencies, it is also a conservative estimate. Further, the temporary nature and limited hours of the food truck court would minimize trips originating from outside the vicinity of the CRSP Area. For these reasons, the proposed Project would not result in a new specific impact or an increase in the severity of an impact that was identified in the CRSP EIR and would be consistent with the effects of implementation of the CRSP.

The CRSP EIR found that construction of Phase 1 and Build-out of the Specific Plan would cause significant impacts on the existing roadway and freeway network. Although, individually, the proposed Project would not cause this impact, it would contribute to the impact, and would therefore be required to implement the following mitigation measure in addition to the identified interim improvements.

> ***Mitigation Measure Transportation-1:*** *Each Project applicant will pay the applicable TMP Program Fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].*

Although mitigation would reduce impacts related to overcapacity traffic conditions, the impact would remain significant and unavoidable in accordance with the CRSP EIR. This is because construction timing of said improvements is uncertain since they are program improvements dependent on funding from development throughout Tracy (see Mitigation Transporation-2 below). Impacts would remain significant and unavoidable in accordance with the CRSP EIR. Additional environmental review is not required since

this impact was addressed and would not exacerbate the impacts previously analyzed in the CRSP EIR. No further analysis is required.

Threshold (b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

The previously certified CRSP EIR identified the following Congestion Management Program (CMP) network standards that apply to the Specific Plan Area:

- For I-205 and I-580 segments in San Joaquin County, an impact is significant if the project causes a segment to fall from LOS D to LOS E or F, or if it adds 5 percent to the total future traffic volume on a segment already operating at LOS F;

- For the analysis segment of I-580 in Alameda County, an impact is significant if the project causes the segment to fall from LOS E to LOS F, or if it adds 5 percent to the segment already operating at LOS F without the Project.

The proposed Project would contribute to the significant impact on one freeway segment – I-205 Eastbound between Mountain House Parkway and Tracy Boulevard, which would fall from LOS D to LOS E in the PM peak hour. The following mitigation measure would be required along with the implementation of the identified interim improvements.

> ***Mitigation Measure Transportation-2:*** *The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project, nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact. [This is Mitigation Measure TRANS-9 in the CRSP EIR].*

Since expansion of I-205 to include auxiliary lanes is currently not funded, and the improvement project is not included in the Regional Transportation Improvement Fee, there is currently no mechanism for the Project to contribute to the I-205 capacity project. Therefore, the proposed Project would contribute to the significant and unavoidable impact identified in the CRSP EIR. Additional environmental review is not required since this impact was addressed and would not exacerbate the impacts previously analyzed in the CRSP EIR. As such, no further analysis is required.

Threshold (c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed Project does not include any aviation components or structures where height would be an aviation concern. Additionally, no substantial new air traffic would be generated at the local airports in San Joaquin County as a result of the proposed Project. No associated traffic impacts would occur.

Threshold (d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed Project roadway system, including facilities for vehicles (autos, trucks and buses), bicyclists and pedestrians, would be designed in conformance with the City of Tracy Transportation Master Plan, including all design guidelines contained therein, as well as in conformance with the City's standard plans. As discussed in the previously certified CRSP EIR, the City reviews each development project, and would require conformance with City standards in terms of driveway design and location, traffic controls, and other traffic engineering requirements. Since roadway and intersection designs would be required to meet the City of Tracy roadway design criteria requirements, hazard impacts are considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Result in inadequate emergency access?

The previously certified EIR prepared for the CRSP indicated that emergency access during build-out conditions would be significant and unavoidable as a result of future traffic congestion resulting from Specific Plan implementation. Mitigation measures were assigned to the Specific Plan to reduce the severity of impacts to emergency access (see Mitigation Measure Transportation-3, below). Therefore, Project-specific emergency access impacts are considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

As discussed in the CRSP, Project applicants are required to work cooperatively with the City to modify and expand transit routes and pedestrian facilities as necessary and when feasible to efficiently accommodate demand. Projected transit route extensions were not identified at the time of Specific Plan adoption. Instead, the Specific Plan confirms that "in determining the final bus stop locations additional right-of-way may be required to accommodate bus stops and shall be dedicated through the mapping process."

The CRSP includes design guidelines and elements to promote pedestrian circulation by creating pathways, linkages, and visual connections between buildings; and by including multiple connections to public sidewalks and pathways between buildings and areas throughout the Specific Plan Area to foster connectivity. Since implementation of the proposed Project would require coordination with the City of Tracy to ensure compliance with design guidelines and the adequate accommodation of transit demand, impacts are considered less than significant in this regard. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

Under Cumulative Conditions, the City of Tracy Transportation Master Plan (TMP) Roadway improvements are assumed to be in place. The Trip Generation results in **Error! Reference source not found.** indicate cumulative conditions consistency between the proposed Project and the THSP SEIR. Project applicants would also pay the City of Tracy Traffic Impact Fees to fund the Cumulative Improvements identified in the City Transportation Master Plan to offset potential cumulative impacts.

Project applicants would also be required to implement the Mitigation Measures identified above; these measures include Mitigation Measure Trans-7 (and the first paragraph of Mitigation Measure Trans-10 which is identical to Mitigation Measure Trans-7) and Mitigation Measure Trans-9 in the certified CRSP EIR. Cumulative Project impacts would be considered Significant and Unavoidable since the proposed Project would contribute to the cumulative significant and unavoidable impacts previously identified in the CRSP EIR. Additional environmental review is not required since this impact was addressed and would not exacerbate the previously identified impacts in the CRSP EIR.

> ***Mitigation Measure Transportation-3:*** *Each applicant will pay the applicable TMP Program fee, the RTIF and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].*

XV. XIX. MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☐	☒
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☐	☒
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

a – c. As described throughout the analysis above, the proposed Project would not result in any significant impacts to the environment that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and/or standards that were not already anticipated in the CRSP EIR. The proposed Project is required to implement a range of standard and uniformly applied development policies and standards, as well as any previously identified mitigation measures, all of which are identified in the previously certified CRSP EIR, which would reduce the majority of potentially significant impacts to a less than significant level. The cumulative impacts associated with development of the proposed Project were considered and found not to be cumulatively considerable. Further, cumulative impacts of the proposed Project would be consistent with those analyzed and disclosed in the previously certified CRSP EIR. The proposed Project would not result in any cumulative impacts that were not contemplated in the previously certified CRSP EIR. The proposed Project would not result in any peculiar site-specific impacts, impacts to biological resources or impacts to cultural and/or historical resources that were not contemplated in the previously certified CRSP EIR. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

Section 15162(a) of the CEQA Guidelines states the following:

Section 15162 – Subsequent EIRs and Negative Declarations

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one of more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant environmental effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on the preceding evaluation, the City has determined that (a) none of the conditions described in Section 15162(a) have occurred or will occur with approval of the proposed Project, and (b) no changes or additions are required to the certified CRSP EIR. Because no changes or additions are required to the CRSP EIR, an addendum to the CRSP EIR is not necessary. And based on the foregoing determinations, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City can approve the proposed Project as within the scope of the development program evaluated in the CRSP EIR and no further environmental document is required.

This document provides substantial evidence for City of Tracy records to support its approval of the Project pursuant to Section 15168(c)(2) of the CEQA Guidelines.

CONCLUSION

This Initial Study has been prepared in accordance with the provisions of the State CEQA Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15168 of the State CEQA Guidelines, exist in connection with the proposed Project. No revisions are required to the CRSP EIR prepared for the City of Tracy as a result of the proposed Specific Plan Amendment. No new significant environmental impacts have been identified. Since the certification of the CRSP EIR, there has been no new information showing that mitigation measures or alternatives once considered infeasible are now feasible or showing that there are feasible new mitigation measures or alternatives substantially different from those analyzed in the EIR that the City declined to adopt. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects. Therefore, pursuant to Section 15168(c)(2), the City can approve the Project as within the scope of the development program evaluated in the CRSP EIR and no further environmental document is required. This document will be maintained in the administrative record files at City of Tracy City Hall.

MITIGATION, MONITORING, AND REPORTING PROGRAM

A number of mitigation measures required to avoid and reduce potentially significant adverse impacts of the proposed CRSP Project. Mitigation measures from the EIR prepared for the CRSP EIR are applicable to the proposed Project. To mitigate the proposed Project's impacts, the mitigation measures listed below would be implemented as part of the proposed Project.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
Aesthetics	**Aesthetics-1:** The Specific Plan contains numerous design and landscaping requirements intended to beautify the Project, which shall be imposed on individual, site-specific developments under the Specific Plan. Beyond these measures, there is no feasible mitigation. [This is Mitigation Measure AES-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
	Aesthetics-2: Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light on to public rights-of-way or adjacent residential property, consistent with City standards. [This is Mitigation Measure AES-4 in the CRSP EIR].	Prior to inspection.	Development Services/Engineering	Construction inspection.
Agricultural and Forestry Resources	**Agriculture-1:** As part of the development process for each individual site-specific development project under the Specific Plan, the applicable agricultural mitigation fee for each acre of farmland to be developed shall be paid, in compliance with Chapter 13.28, Agricultural Mitigation Fee, of the Tracy Municipal Code. The fees shall be collected by the City at the time that building permits are issued for such site-specific development project, or as otherwise required by City. [This is Mitigation Measure AG-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
Air Quality	**AQ-1:** Each applicant for individual, site-specific developments under the Specific Plan shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations, including, without limitation, Indirect Source Rule 9510. The applicant shall document, to the City's reasonable satisfaction, its compliance with this mitigation measure. [This is Mitigation Measure AQ-2a in the CRSP EIR].	Prior to and during construction.	Development Services, Planning	Compliance with project conditions of approval.
	AQ-2: Prior to issuance of a grading permit by the City of Tracy, the applicant for an individual, site-specific development under the Specific Plan shall be required to develop and obtain approval of a fugitive dust and emissions control plan to mitigate, as feasible, the identified impacts, which satisfies the requirements set forth under then- applicable SJVAPCD Rules and Regulations, including, without limitation, Regulation VIII. Depending on the size, location and nature of the individual development at issue, the fugitive dust and emissions control plan shall consider the following mitigation measures, for example: • All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover; • All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant; • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking; • When materials are transported off-site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained; • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions) (Use of blower devices is expressly forbidden); • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant;	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday; • Any site with 150 or more vehicle trips per day shall prevent carryout and trackout; • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the Specific Plan Area; • Adhere to Regulation VIII's 20 percent opacity limitation, as applicable; • Use of construction equipment rated by the United States Environmental Protection Agency (US EPA) as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower that are on site for more than 5 days, if available and feasible. Tier 3 engines between 50 and 750 horsepower are available for 2006 to 2008 model years. After January 1, 2015, encourage the use of equipment over 50 horsepower that are on-site for more than 5 days to meet the Tier 4 standards, if available and feasible. A list of construction equipment by type and model year shall be maintained by the construction contractor on-site, which shall be available for City review upon request. • Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible; and • Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g. 5 minute maximum). [This is Mitigation Measure AQ-2b in the CRSP EIR]. **AQ-3:** Applicants for industrial or warehousing land uses that: 1) are expected to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive receptor, as measured from the property line of the development at issue to the property line of the nearest sensitive receptor, shall adhere to applicable Best Available Control Technologies for Toxics (T-BACT), as set forth in CARB or SJVAQPD guidance (as applicable), for the purpose of reducing potential cancer and non-cancer risks to below the applicable thresholds, as feasible (e.g., restricting idling onsite, electrifying ware-house docks, requiring use of newer equipment and/or vehicles, restricting offsite truck travel through the creation of truck routes). Provided, however, that an	Prior to and during construction.	Development Services, Planning	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	applicant may submit a health risk assessment (HRA) to the City of Tracy prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (SJVAPCD); if this HRA demonstrates that the incremental cancer risk for the individual development at issue would not exceed ten in one million (10E-06) or the appropriate non-cancer hazard index would not exceed 1.0, then no further mitigation shall be required. [This is Mitigation Measure AQ-5 in the CRSP EIR].			
Biological Resources	**Bio-1:** To mitigate the potential adverse impacts on special-status species, and provide for the incidental take of State and/or federally listed species, the applicant shall either: 1) participate in the SJMSCP and comply with all required Incidental Take Minimization Measures or 2) secure incidental take authorizations for State and/or federally-listed species directly from the CDFW and USFWS, respectively. Participation in the SJMSCP shall include compliance with all relevant Incidental Take Minimization Measures pertinent to the proposed Project Area, including pre-construction surveys for covered species to confirm presence or absence and provide for their relocation, if necessary. Issuance of grading and construction permits shall be contingent on providing evidence of either 1) compliance with the SJMSCP or 2) a 2081 Permit from the CDFW and Biological Opinion from the USFWS to the City of Tracy Development Services Director to ensure compliance with applicable regulations and ensure adequate compensatory mitigation has been provided. [This is Mitigation Measure BIO-1 in the CRSP EIR]. **Bio-2:** To avoid the potential for disturbance of nesting birds on or near the Project area, schedule the initiation of any vegetation removal and grading for the period of September 1 through February 15. If construction work cannot be scheduled during this period, a qualified biologist shall conduct pre-construction surveys for nesting birds according to the following guidelines: • The preconstruction surveys shall be conducted by the qualified biologist no later than 14 days prior to the start of vegetation removal or initiating project grading.	Prior to construction. Prior to and during construction.	Development Services, Engineering, Planning Development Services, Engineering, Planning	Compliance with project conditions of approval. Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• If birds protected under the Migratory Bird Treaty Act are found nesting, then appropriate construction buffers shall be established to avoid disturbance of the nests until such time that the young have fledged. The size of the nest buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. Typically, these buffers range from 75 to 250 feet from the nest location. • Nesting activities shall be monitored periodically by a qualified biologist to determine when construction activities in the buffer area can resume. • Once the qualified biologist has determined that young birds have successfully fledged, a monitoring report shall be prepared and submitted to the City of Tracy Development Services for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until the written authorization is received by the applicant from the Development Services Director. The above provisions are in addition to the preconstruction surveys to confirm presence or absence of nesting Swainson's hawk, burrowing owl, and other special-status species as required under the Incidental Take Minimization Measures of the SJMSCP. [This is Mitigation Measure BIO-2 in the CRSP EIR].			
Cultural Resources	**Cult-1:** If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to *CEQA Guidelines* Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g. data recovery) shall be instituted. Work may proceed on other parts of the Specific Plan Area while mitigation for historical resources or unique archaeological resources is being carried out. [This is Mitigation Measure CUL-1 in the CRSP EIR].	During construction.	Development Services, Engineering	Construction inspection.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	Cult-2: In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in *CEQA Guidelines* Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval and the Project proponent shall implement the approval plan. [This is Mitigation Measure CUL-2 in the CRSP EIR]. **Cult-3:** If human skeletal remains are uncovered during construction, the contractor (depending on the Project component) shall immediately halt work within 50 feet of the find, contact the San Joaquin County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the *CEQA Guidelines*. If the county coroner determines that the remains are Native American, the Project proponent shall contact the NAHC, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the human remains are located, is not damaged or disturbed by further development activity until the contractor has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. [This is Mitigation Measure CUL-3 in the CRSP EIR].	During construction. During construction.	Development Services, Engineering Development Services, Engineering	Construction inspection. Construction inspection.
Geology and Soils	Implement Mitigation Measures Hydro-1, Hydro-2, Hydro-3, Hydro-4 and Hydro-5. Refer to Hydrology and Water Quality.			
Greenhouse Gas Emissions	**GHG-1:** Applicants for individual, site-specific developments shall conform to the then applicable requirements of the California Building Code, including the Green Code's provisions relating to "solar readiness." Applicants will be encouraged to utilize or otherwise facilitate the use of alternative energy generation technologies, as feasible, to offset their energy consumption, by, for example, ensuring that roof structures are built such that they can accommodate the weight of solar panels in accordance with the	Prior to construction.	Development Services, Building	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	California Building and Energy Standards; providing for energy storage within their buildings; and installing electrical switch gears to facilitate solar usage. [This is Mitigation Measure GHG-1 in the CRSP EIR]. **GHG-2:** Prior to issuance of a building permit for an individual, site-specific development that requires or is intended to accommodate refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions. [This is Mitigation Measure GHG-1b in the CRSP EIR].	Prior to construction.	Development Services, Building	Compliance with project conditions of approval.
	GHG-3: Applicants for individual, site-specific developments with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 §2485). [This is Mitigation Measure GHG-1c in the CRSP EIR]	Prior to and during construction.	Development Services, Building	Construction inspection.
	GHG-4: Applicants for individual, site-specific developments shall identify in the grading plans that non-essential idling of construction equipment and vehicles shall be restricted to no more than 5 minutes in accordance with California Air Resources Board Rule 2485 (13 CCR Chapter 10 §2485). [This is Mitigation Measure GHG-1d in the CRSP EIR].	Prior to and during construction.	Development Services, Engineering	Construction inspection
Hazards and Hazardous Materials	**Hazard-1:** The project applicant shall fully implement the provisions of the San Joaquin County Hazardous Material Area Plan and the Tracy General Plan, including but not limited to: • Ensuring that any business locating in the Specific Plan Area which stores particular quantities of hazardous materials (e.g. larger than 55 gallons of liquid, 500 pounds of solid or 200 cubic feet of some compressed gases) as stipulated under Chapter 6.95 of the California Health and Safety Code annually files a hazardous materials business plan establishing incident prevention measures, hazardous material protocols, and emergency response and evacuation procedures; • Providing adequate separation between areas where hazardous materials are present and sensitive uses; and • Submitting an emergency response plan for any large generators of hazardous waste located or proposed to be located in the Specific Plan Area. [This is Mitigation Measure HAZ-1 in the CRSP EIR]. **Hazard-2:** A Soil Management Plan and companion Sampling and Analysis Plan, as well as a Health and Safety Plan (HASP), shall be prepared and implemented during and following any soil excavation and	Prior to and during construction. Prior to construction.	Development Services, Building Development Services, Engineering	Compliance with project conditions of approval. Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	compaction associated with implementation of the Project where such activities may encounter residual soil, soil vapor, or groundwater contamination that exceeds risk-based levels established by the RWQCB or Cal-EPA. As part of the Soil Management Plan, the applicant shall retain an experienced, independent environmental monitor to observe all significant earth-moving activities. The monitor shall observe the operations, remaining watchful for stained or discolored soil that could represent residual contamination. The monitor shall also be empowered to alert the City and regulatory agencies, when appropriate, and provide direction to the grading contractor. The monitor shall confirm the location of the one plugged and abandoned well in consultation with the Division of Gas, Oil, and Geothermal Resources, and shall comply with any remedial measures that may be required in connection therewith under applicable law and regulations. In addition, in the event that a previously unknown abandoned well is discovered, construction activities that are proximate to said abandoned well shall stop and the Division of Gas, Oil, and Geothermal Resources shall be contacted. No structures shall be built on a discovered abandoned well until it is deemed safe by the State Oil and Gas Supervisor in accordance with applicable laws and regulations. [This is Mitigation Measure HAZ-2a in the CRSP EIR]			
	Hazard-3: A plan shall be developed for installation of a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual petroleum hydrocarbons in soil vapor exceed risk-based levels established by the RWQCB or Cal-EPA, where exposure pathways are considered potentially complete. The system shall be designed to eliminate potentially significant indoor air quality health risks associated with subsurface contaminant vapor intrusion. The Plan shall be prepared by a California professional engineer experienced in vapor intrusion mitigation and who shall certify the installation. [This is Mitigation Measure HAZ-2b in the CRSP EIR].	During construction.	Development Services, Engineering	Construction inspection.
	Hazard-4: Soil sampling shall occur within the portions of the Specific Plan Area that have historically been utilized for mixing or storing pesticides and that may contain pesticide residues in the soil, prior to issuance of grading permits in such areas. The sampling will be performed in accordance with a Sampling and Analysis Plan and Soil Management Plan prepared by a qualified Environmental Professional and/or California professional engineer experienced in Phase II site characterization. The sampling shall be conducted in accordance with applicable guidance from DTSC and San Joaquin County Environmental Health Department, and shall determine if pesticide concentrations exceed established regulatory thresholds. Should pesticide contaminated soil be identified as a result of the evaluation, further site characterization and remedial activities, if necessary, will be implemented in accordance with the Soil Management Plan. [This is Mitigation Measure HAZ-2c in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
Hydrology and Water Quality	**Hydro-1:** Grading and ground disturbance on the Specific Plan Area shall be implemented in accordance with each individual development's approved grading plans and related grading permit. For the required treatment of urban pollutants and application of pesticides in the Specific Plan Area, each Project developer shall comply with the approved grading plan and related permit and conditions of approval. [This mitigation is Mitigation Measure HYDRO-1a in the CRSP EIR]	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.
	Hydro-2: In accordance with the then-applicable regulations, as part of the application process for each individual development under the Specific Plan, each applicant shall file a Notice of Intent with the SWRCB to obtain coverage under the construction general permit (CGP) and shall comply with all of the requirements associated with the CGP, as necessary to mitigate those impacts that would result from the specific development proposed by that applicant. In addition, as part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain City approval of a SWPPP, which shall adequately address stormwater management during each construction phase of the Project. The SWPPP shall be consistent with the then-applicable RWQCB standards and NPDES permit requirements, and shall be designed to protect water quality during the course of construction. Said BMPs may include, without limitation, the following: • Schedule earthwork to occur primarily during the dry season to prevent most runoff erosion. • Protect drainages and storm drain inlets from sedimentation with berms or filtration barriers, such as filter fabric fences, hay bales, or straw wattles. • Divert runoff from exposed slopes to on-site sediment basins before the runoff is released off-site. • Install gravel construction entrances to reduce tracking of sediment onto adjoining streets. • Sweep on-site paved surfaces and surrounding streets daily to collect sediment before it is washed into the storm drains or the Old River. • After construction is completed, clean all drainage culverts of accumulated sediment and debris. • Stabilize stockpiles of topsoil and fill material by watering daily, or by the use of chemical agents. • Store all construction equipment and material in designated areas away from waterways and storm drain inlets. Surround construction staging areas with earthen berms.	Prior to construction.	Development Services, Engineering/Utilities	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Wash and maintain equipment and vehicles in a separate bermed area, with runoff directed to a lined retention basin. • Collect construction waste daily and deposit in covered dumpsters. [This mitigation is Mitigation Measure HYDRO-1b in the CRSP EIR].			
	Hydro-3: As part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain approval of a grading plan and related permit in accordance with Mitigation Measure HYDRO-1 (a). [This mitigation is Mitigation Measure HYDRO-2a in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.
	Hydro-4: As part of the application process for each individual development project under the Specific Plan, each applicant shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site measures consistent with the Cordes Ranch Conceptual Drainage Plan, the CRSP, the Citywide Stormwater Master Plan, and other applicable stormwater standards and requirements that shall be designed to control and treat stormwater for the storm events in compliance with the then-applicable City's Multi-Agency Post-Construction Stormwater Standards Manual of Stormwater Quality Control Standards for New Development and Redevelopment, including those dealing with capacity design of the facilities and contour grading. All such measures shall be implemented as part of the development and operation of the individual development at issue. Each developer shall construct drainage improvements and other required stormwater retention/detention facilities as necessary to serve the specific development proposed by that applicant in conformance with the approved drainage plan, the Specific Plan and the then-applicable City standards including those set forth in the City's Storm Drainage Master Plan. These drainage facilities shall accommodate events up to and including a 100-year 24-hour storm. Any impacts on the operations of Mountain House CSD facilities, including the alteration of cleaning velocities, will require coordination and agreement between Mountain House CSD and the City of Tracy prior to issuance of building permit for any development west of Mt. House Parkway. The proposed mitigation measures will reduce impacts related to storm water runoff to less-than-significant levels. [This mitigation is Mitigation Measure HYDRO-2b in the CRSP EIR].	Prior to construction.	Development Services Engineering/Utilities	Compliance with project conditions of approval.
	Hydro-5: As part of the development of each individual project under the Specific Plan, each developer shall implement the following measures:	During construction.	Development Services, Engineering	Construction Inspection.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Shall not utilize chemical pesticides in the maintenance of common landscaped areas, open space areas, or parks. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure. • Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to: - Hazardous material use controls; - Hazardous materials exposure controls; - Hazardous material disposal and recycling. • Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system. • To the extent feasible, direct stormwater runoff to percolation swale and basin areas rather than directing stormwater to storm drain pipes. • Use biotreatment (natural pollutant filtering) where stormwater runs off paved surfaces onto pervious surfaces. • Utilize sediment traps, evaporation basins, flow dissipaters, and other methods to reduce the volume and speed of stormwater runoff and reduce pollutant loads. [This is Mitigation Measure HYDRO-2c in the CRSP EIR].			
Noise	**NOI-1:** As part of the development process for each individual, site-specific project under the Specific Plan, the development at issue shall adhere to all applicable Building Code and Municipal Code provisions and standards and other requirements, as noted in the above Regulatory Framework discussion. Regarding mitigation of impacts relating to mobile sources for an individual, site specific project, the City will consider, as appropriate and feasible, a variety of techniques to reduce noise, which may include, for example, building setbacks, berms, walls, fences of various materials, and rubberized asphalt, taking into account relevant General Plan policies (as they relate to sound walls) and the nature and location of sensitive receptors at issue. [This is Mitigation Measure NOISE-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	NOI-2: The following measures, in addition to the best practices for construction activities (as specified in Mitigation Measure NOI-4), are recommended to reduce groundborne noise and vibration from construction activities: 1. Avoid impact pile driving process, when feasible. The use of a predrilling pile installation process shall be utilized when feasible, where geological conditions permit their use, so as to reduce vibration levels at adjacent receptors. 2. Avoid using vibratory rollers and vibratory tampers near vibration-sensitive uses. [This is Mitigation Measure NOISE-2a in the CRSP EIR].	During construction.	Development Services, Planning	Construction inspection.
	NOI-3: Before any individual, site-specific development conducts any high vibration-generating activities (such as pile driving or vibratory compacting) within one hundred (100) feet of existing structures, the following mitigation measures shall apply: 1. Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before- and after-construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of each individual, site-specific development that is subject to this mitigation measure. Limits shall be based on Table 4.11-6 to preclude architectural damage and on Table 4.11-5 to preclude vibration annoyance. For the Specific Plan Area proposed development types (i.e. "institutional land uses with primarily daytime use"), the Table 4.11-5 Category 3 land uses would indicate a threshold of 83 VdB. For future developments that have special, vibration-sensitive operations or equipment, the criteria in the FTA Guideline Manual, Table 8-315 should be implemented. The monitoring and construction contingency plan shall include the following contents described in Numbers 2 through 4 below. 2. At a minimum, monitor vibration during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements. 3. When vibration levels approach the above limits, construction should be suspended and contingencies should be implemented to either lower vibration levels or to secure the affected structures.	Prior to Construction	Development Services, Planning	Construction inspection

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	4. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities. [This is Mitigation Measure NOISE-2b in the CRSP EIR]. **NOI-4:** The following measures, when applicable and feasible, shall be required to reduce noise from construction activities: 1. Ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment. 2. Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists. 3. Locate stationary noise-generating equipment as far as reasonable from sensitive receptors when sensitive receptors adjoin or are near a construction Project area. 4. Prohibit unnecessary idling of internal combustion engines (i.e. in excess of five minutes). 5. Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. 6. Erect temporary noise control blanket barriers and/or temporary solid plywood fences around construction sites adjacent to operational businesses or noise-sensitive land uses. This mitigation would only be necessary if (a) potential conflicts could not be resolved by proper scheduling and (b) the temporary barrier could demonstrate a benefit at the façade of the receptor building of at least 10 dB. 7. Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. 8. Notify businesses and noise-sensitive land uses adjacent to construction sites of the construction schedule in writing. Designate a "Construction Liaison" that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g. starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. A telephone number for the Liaison should be conspicuously posted at the construction site. [This is Mitigation Measure NOISE-4 in the CRSP EIR].	Prior to Construction	Development Services, Planning	Construction inspection.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
Public Services	**Mitigation Measure Public Services-1:** As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fee as set forth in an adopted Cordes Ranch FIP. [This is Mitigation Measure PS-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
	Mitigation Measure Public Services-2: As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to fire protection and emergency response services, such as those relating to fire flows, hydrants and other design and safety features (including any necessary and specialized fire protection equipment to service to individual uses proposed). [This is Improvement Measure PS-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
	Mitigation Measure Public Services-3: As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to police protection services, such as safety features, emergency access, and physical improvements to the proposed site plan and/or to police facilities and equipment to ensure adequate service is maintained. [This is Improvement Measure PS-2 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
Transportation	**Transportation-1a:** Each Project applicant will pay the applicable TMP Program Fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.
	Transportation-1b: The Project will construct the following improvements, in accordance with then-applicable engineering standards and requirements, and as determined by the City Engineer: • Intersection #1 (Mountain House Parkway/I-205 Westbound Ramps): Restripe westbound off-ramp to provide two left-turn lanes and one shared through/right lane, and optimize signal timings. • Intersection #2 (Mountain House Parkway/I-205 Eastbound Ramps): Convert the northbound right-turn lane to a free right with an acceptance lane on the eastbound on-ramp, and optimize signal timings. • Intersection #6 (Mountain House Parkway/I-580 Westbound Ramps): Signalize the intersection with eastbound/westbound split phasing, or install a roundabout. • Intersection #7 (Mountain House Parkway/I-580 Eastbound Ramps): Signalize the intersection with eastbound/westbound split phasing, or install a roundabout.	Prior to construction.	Engineering	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Intersection #10 Old Schulte Road/Hansen Road): Signalize the intersection, and construct an additional westbound left turn lane, eastbound left-turn and right-turn lanes, and a southbound left-turn lane. • New Schulte Road: Construct New Schulte Road between Hansen Road (the end of the Phase 1 proposed network) and Lammers Road as a two-lane road. • Intersection #18 (New Schulte Road/Lammers Road): Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and southbound approaches. • Intersection #19 (Old Schulte Road/Lammers Road): Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and eastbound approaches. • Intersection #20 (Valpico Road/Lammers Road): Signalize the intersection and construct a left-turn lane on the southbound approach. • A "trigger" analysis, provided in Table 4.14-13 in Section E.1.a.i, provides the estimated timing for provision of each of the above mitigations, based on Project AM and PM peak hour trip generation. In terms of when the above improvements would need to be constructed, as part of the application process for each individual, site-specific development under the Specific Plan, the applicant will submit a trip generation study for the development at issue or will fund the preparation of this study by the City's consultants. This information will be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. • Mountain House Parkway/I-205 Bridge Maintenance: At the time a development application is submitted to the City within the area north of new Schulte Road, the city will implement a monitoring program, with yearly traffic counts to compare the increase in traffic volumes from the pre-existing base line condition that uses I-205/Mountain House interchange. The difference or increase in the traffic volume will be used to determine City's fair share maintenance cost for on-going bridge maintenance activities. Once 300 acres of the Specific Plan area has developed, the City of Tracy will either enter into a tri party agreement between Caltrans, MHCSD and the City to pay its fair share maintenance cost or enter in to a separate agreement with MHCSD to pay its fair share maintenance cost thereafter. • The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. With construction of the required improvements at intersections 10, 18, 19, and 20, impacts to these identified intersections would be less than significant.			

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Lengthen the northbound Mountain House Parkway right-turn lane to provide additional storage and access to the eastbound I-205 on-ramp. • Ramp metering, with two mixed-flow and 1 HOV bypass lane for the eastbound I-205 diagonal on-ramp. • Ramp metering, with two mixed-flow and 1 HOV bypass lane for the eastbound I-205 diagonal on-ramp. Because the improvements to the freeway interchange intersections require the approval of Caltrans, the impacts at intersections 1, 2, 6 and 7 remain significant and unavoidable. [This is Mitigation Measure TRANS-1 in the CRSP EIR]. **Transportation-2**- The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project, nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact **Transportation-3**: Each applicant will pay the applicable TMP Program fee, the RTIF and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].	Prior to construction Prior to construction.	Development Services, Engineering Development Services, Engineering	Compliance with project conditions of approval. Compliance with project conditions of approval.
Utilities and Service Systems	**Utilities-1:** To ensure the construction of the necessary WSMP facilities, the Project shall be required to pay appropriate development impact fees as contemplated by WSMP. [This mitigation is Mitigation Measure UTIL-1 in the CRSP EIR]. **Utilities-2:** At no cost to the City, flow monitoring equipment shall be installed in the Hansen Sewer Line, as approved by the City, prior to the issuance of the certificate of occupancy for the first (1st) building constructed as part of the Project. Flow monitoring shall be used to determine available capacities to serve site-specific developments proposals under the Specific Plan. In monitoring flows for purposes of determining available capacity, the initial 0.145 shall be attributable to those lands within the Specific Plan identified in the proposed development agreement. [This mitigation is Mitigation Measure UTIL-2a in the CRSP EIR]. **Utilities-3:** As part of the development process for each individual site-specific development under the Specific Plan, the applicant shall pay its applicable development impact fees for wastewater facilities prior to issuance of building permits. [This mitigation is Mitigation Measure UTIL-2b in the CRSP EIR]. **Utilities-4:** As part of the development process for each individual site-specific development under the Specific Plan, the City shall review flow monitoring, at the applicant's cost, to determine available capacity. If the City	Prior to construction. Prior to construction. Prior to construction.	Development Services, Engineering Development Services, Engineering Development Services, Engineering	Compliance with project conditions of approval. Compliance with project conditions of approval. Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	determines, based on technical and legal constraints and other relevant data, that existing capacity is available to serve the development at issue, then no further mitigation is required. However, if the City determines, based on technical and legal constraints and other relevant data, that existing capacity is not available to serve the development at issue, then the improvements as identified in the Master Plan must be constructed that are necessary to create the additional capacity required, subject to any applicable credit and/or reimbursement provisions, as determined by the City. [This mitigation is Mitigation Measure UTIL-2c in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.

This Page Intentionally Left Blank

Attachment C

RESOLUTION 2021-_____

RECOMMENDING THAT THE CITY COUNCIL INTRODUCE AND ADOPT AN ORDINANCE APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS, APPLICATION NUMBER SPA20-0004

WHEREAS, On September 3, 2013, City Council certified the Final Revised Environmental Impact Report for the Cordes Ranch Project and approved a General Plan Amendment, annexation, a development agreement, and the Cordes Ranch Specific Plan for the approximately 1,780-acre site; and

WHEREAS, Annexation of the Cordes Ranch site to the City of Tracy was completed by LAFCo on November 21, 2013; and

WHEREAS, An application was submitted for an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, maximum floor area ratio for hotels, and signs, Application Number SPA20-0004; and

WHEREAS, The proposed Specific Plan Amendment would add a new use of "mobile food vendors" to Table 3.1, Permitted and Conditionally Permitted Uses, which would allow mobile food vendors as a permitted use in the General Office (GO) Zone, Business Park Industrial (BPI) Zone, I-205 Overlay Zone, and the Parks Zone, subject to all requirements for mobile food vendors in the Tracy Municipal Code, except as modified by the Specific Plan; and

WHEREAS, The proposed Specific Plan Amendment also states that a mobile food vendor's operation (not including set up and take down) would be allowed for up to a maximum of twelve hours at a single location within a 24-hour period; and

WHEREAS, The proposed Specific Plan amendment includes the addition of note "10" to Table 3.1, which provides clarification to the type of uses permitted in the Parks Zone. Note "10" specifies that permitted passive or active recreational uses include, but are not limited to, events and activities such as exercise classes, health/fitness events, cooking demonstrations and food tastings, farmer's market, beer and wine tasting events, arts and crafts fairs, live music/music festivals, corporate trainings/presentations, movie screenings, environmental/ nature classes, weddings, car club/concourse, and performing arts/theater; and

WHEREAS, The proposed Specific Plan amendment would create an exception to maximum floor area ration (FAR) for hotels, which would add note "3" to Table 3.3 to create an exception that would allow a maximum FAR of 1.0 for hotels in the General Commercial (GC) and General Office (GO) Zones; and

WHEREAS, The proposed Specific Plan amendment would add language in Section 3.8 to specify that a freeway sign may identify any tenants within the GC Zone of the Cordes Ranch Specific Plan area; and

WHEREAS, The proposed Specific Plan amendment would also revise Section 5.6 to allow project entry signs (Sign Type C) at the northeast and southeast corners of

International Parkway and Daylight Road; and

WHEREAS, The proposed Specific Plan amendment would remove references to Street Section "J" in Table 3.3 and Table 3.4 because Street "J" does not exist as a planned street in the Cordes Ranch Specific Plan; and

WHEREAS, An Environmental Impact Report (EIR) was certified by the City Council on September 3, 2013 for the Cordes Ranch Specific Plan. An Initial Study has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15168 of the CEQA Guidelines, exist in connection with the proposed amendment to the Cordes Ranch Specific Plan, and therefore, pursuant to Section 15168(c)(2), no further environmental review is required; and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the proposed amendment to the Cordes Ranch Specific Plan on May 12, 2021;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission recommends that the City Council introduce and adopt an ordinance, as shown in Exhibit "1" attached, approving an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, maximum floor area for hotels, and signs, Application Number SPA20-0004, as shown in Attachment "A" of the Planning Commission staff report dated May 12, 2021.

* *

The foregoing Resolution 2021-_____ was passed and adopted by the Planning Commission of the City of Tracy on the 12th day of May 2021, by the following vote:

AYES: COMMISSION MEMBERS:
NOES: COMMISSION MEMBERS:
ABSENT: COMMISSION MEMBERS:
ABSTAIN: COMMISSION MEMBERS:

_____
CHAIR

ATTEST:

_____
STAFF LIAISON

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS, APPLICATION NUMBER SPA20-0004

WHEREAS, On September 3, 2013, City Council certified the Final Revised Environmental Impact Report for the Cordes Ranch Project and approved a General Plan Amendment, annexation, a development agreement, and the Cordes Ranch Specific Plan for the approximately 1,780-acre site; and

WHEREAS, Annexation of the Cordes Ranch site to the City of Tracy was completed by LAFCo on November 21, 2013; and

WHEREAS, An application was submitted for an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, maximum floor area ratio for hotels, and signs, Application Number SPA20-0004; and

WHEREAS, The proposed Specific Plan Amendment would add a new use of “mobile food vendors” to Table 3.1, Permitted and Conditionally Permitted Uses, which would allow mobile food vendors as a permitted use in the General Office (GO) Zone, Business Park Industrial (BPI) Zone, I-205 Overlay Zone, and the Parks Zone, subject to all requirements for mobile food vendors in the Tracy Municipal Code, except as modified by the Specific Plan; and

WHEREAS, The proposed Specific Plan Amendment also states that a mobile food vendor’s operation (not including set up and take down) would be allowed for up to a maximum of twelve hours at a single location within a 24-hour period; and

WHEREAS, The proposed Specific Plan amendment includes the addition of note “10” to Table 3.1, which provides clarification to the type of uses permitted in the Parks Zone. Note “10” specifies that permitted passive or active recreational uses include, but are not limited to, events and activities such as exercise classes, health/fitness events, cooking demonstrations and food tastings, farmer’s market, beer and wine tasting events, arts and crafts fairs, live music/music festivals, corporate trainings/presentations, movie screenings, environmental/ nature classes, weddings, car club/concourse, and performing arts/theater; and

WHEREAS, The proposed Specific Plan amendment would create an exception to maximum floor area ration (FAR) for hotels, which would add note “3” to Table 3.3 to create an exception that would allow a maximum FAR of 1.0 for hotels in the General Commercial (GC) and General Office (GO) Zones; and

WHEREAS, The proposed Specific Plan amendment would add language in Section 3.8 to specify that a freeway sign may identify any tenants within the GC Zone of the Cordes Ranch Specific Plan area; and

WHEREAS, The proposed Specific Plan amendment would also revise Section 5.6 to allow project entry signs (Sign Type C) at the northeast and southeast corners of International Parkway and Daylight Road; and

WHEREAS, The proposed Specific Plan amendment would remove references to Street Section "J" in Table 3.3 and Table 3.4 because Street "J" does not exist as a planned street in the Cordes Ranch Specific Plan; and

WHEREAS, An Environmental Impact Report (EIR) was certified by the City Council on September 3, 2013 for the Cordes Ranch Specific Plan. An Initial Study has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15168 of the CEQA Guidelines, exist in connection with the proposed amendment to the Cordes Ranch Specific Plan, and therefore, pursuant to Section 15168(c)(2), no further environmental review is required; and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on May 12, 2021 and recommended that the City Council _____ the proposed amendment to the Cordes Ranch `Specific Plan, Application Number SPA20-0004; and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on _____, 2021;

The City Council of the City of Tracy does ordain as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2. The City Council hereby approves the Cordes Ranch Specific Plan Amendment, Application Number SPA20-0004, as attached to the _____, 2021 City Council staff report as Attachment "A".

SECTION 3. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 4. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* *

This Ordinance _____ was introduced at a regular meeting of the Tracy City Council on the _____ day of _____, 2021, and finally adopted on the _____ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

May 12, 2021

AGENDA ITEM 1.C

REQUEST

PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING THE TRACY HILLS 35-ACRE ANNEXATION PROJECT, WHICH INCLUDES APPROVING A GENERAL PLAN AMENDMENT, INTRODUCTION OF AN ORDINANCE APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT, AND APPROVING THE PRE-ZONING AND ANNEXATION TO THE CITY OF TRACY OF APPROXIMATELY 35 ACRES LOCATED SOUTH OF I-580 IN THE VICINITY OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 253-030-13 AND 253-040-10. APPLICANT IS JOHN PALMER. APPLICATION NUMBERS GPA20-0001, SPA20-0001, AND AP20-0002

BACKGROUND

On April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan. The Tracy Hills Specific Plan consists of approximately 2,732 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580. Similar to other master-planned developments, project implementation often involves evaluating changes to development standards, land uses, and phasing. Accordingly, over the past years, the City Council has approved multiple General Plan Amendments and Specific Plan Amendments related to implementation of various phases of the Tracy Hills project and additional amendment proposals are expected as the project continues to buildout.

DISCUSSION

This agenda item involves a Planning Commission public hearing to make recommendations to the City Council regarding the Tracy Hills 35-Acre Annexation Project, which involves the swapping of an area planned for conservation easement/ open space with an area planned for residential development and the annexation of approximately 35 acres into the City of Tracy. Specifically, the Planning Commission will be asked to make a recommendation to the City Council on the following items:

- Approval of a General Plan Amendment (Application Number GPA20-0001)
- Introduction of an Ordinance approving a Tracy Hills Specific Plan Amendment (Application No. SPA20-0001)
- Approval of annexing the Tracy Hills 35-Acre Annexation Area into the City of Tracy, pre-zoning the site as Tracy Hills Specific Plan Zone, and submitting an application for approval of annexation request to the San Joaquin Local Agency Formation Commission (Application Number AP20-0002)

Overview of the General Plan Amendment

As stated above, this project involves the swapping of an area planned for conservation easement/ open space with an area planned for residential development. The proposed General Plan Amendment involves a long, narrow strip of land consisting of

approximately 35 acres on the south side of I-580 that is wedged between planned residential development on three sides. The subject property is located outside of the City limits and outside of the Tracy Hills Specific Plan area, but within the City's Sphere of Influence. The subject property is proposed for annexation into the City limits, as described below in the section regarding Pre-Zoning and Annexation. The existing General Plan land use designation is Open Space.

The proposed General Plan Amendment would change the General Plan land use designation from Open Space to Residential Low for the approximately 35-acre annexation area. The proposed General Plan Amendment would also change the General Plan land use designation from Residential Very Low to Open Space for an equivalent sized 35-acre area located within the Tracy Hills Specific Plan area, adjacent to the southwestern boundary of the Specific Plan area (Attachment A – General Plan Amendment).

Separate from the City applications, the applicant is working with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service regarding the swapping of a conservation easement. An existing conservation easement would be removed from the 35-acre annexation area and a new conservation easement would be applied to an equivalent sized 35-acre area adjacent to the southwestern boundary of the Specific Plan. The conservation easement exchange would match the areas affected by the proposed General Plan Amendment. The proposal would result in the conservation easement/ Open Space area being more contiguous with the adjacent 3,500+ acres of conservation easement/ Open Space that exists to the southwest of the Tracy Hills Specific Plan area.

Overview of the Tracy Hills Specific Plan Amendment

The proposed Tracy Hills Specific Plan Amendment would involve changes to the Specific Plan that conform with the proposed General Plan Amendment. The proposed Tracy Hills Specific Plan Amendment would revise the Specific Plan Area boundary to include the approximately 35-acre annexation area and apply the zoning district of Low Density Residential (LDR-TH) to the subject property. The proposed Tracy Hills Specific Plan Amendment would also change the zoning district from Residential Estate (RE-TH) to Tracy Hills Conservation (C-TH) for an equivalent sized 35-acre area located within the Tracy Hills Specific Plan area, adjacent to the southwestern boundary of the Specific Plan. The overall Specific Plan area would increase by approximately 35 acres from 2,731.6 acres to 2,767.3 acres. The proposed amendment also includes an update to street section details to comply with current Fire Code requirements (Attachment B – Tracy Hills Specific Plan Amendment).

Although the 35-acre annexation area would have a Specific Plan zoning district of Low Density Residential (LDR-TH), the land use would primarily be Recreation/Open Space, as shown in Figure 1-3, Land Use Concept, of the proposed Tracy Hills Specific Plan Amendment. This is because the majority of the annexation area consists of a steep slope, which is planned to remain as open space with improvements, such as a trail. Residential lots would also be planned to occur in portions of the annexation area. The applicant considers the proposed amendment to lend itself to a more efficient development pattern for the area south of I-580, especially from a grading standpoint.

The proposed Tracy Hills Specific Plan Amendment would result in no change to the number of projected dwelling units for the overall Tracy Hills Specific Plan area, as a result of this 35-acre annexation project. The Residential Estate (RE-TH) zoning district would be reduced from 95.6 acres to 59.9 acres for a reduction of 35.7 acres. The Low Density Residential (LDR-TH) zoning district would be increased from 1,316.2 acres to 1,351.9 acres for an increase of 35.7 acres. The Tracy Hills Conservation (C-TH) zoning district would be increased from 126.5 acres to 162.2 acres for an increase of 35.7 acres. The projected dwelling units for the Residential Estate (RE-TH) zoning district would be reduced from 122 to 76 for a reduction of 46 dwelling units. The projected dwelling units for the Low Density Residential (LDR-TH) zoning district would be increased from 3,558 to 3,604 for an increase of 46 dwelling units. Therefore, there would be no change to the total number of projected dwelling units for the Specific Plan.

Overview of the Pre-Zoning and Annexation

This agenda item also involves the Planning Commission making a recommendation to the City Council regarding the proposed annexation of the Tracy Hills 35-Acre Annexation area to the City of Tracy (Attachment C – Tracy Hills 35-Acre Annexation Area). Corporate City limit changes, including property annexation, are completed at the Local Agency Formation Commission (LAFCo) based on a City application (petition to LAFCo). The application to LAFCo would be prepared by City staff based on City Council direction related to the General Plan Amendment, Tracy Hills Specific Plan Amendment, Pre-Zoning, and Annexation. Pre-zoning is the zoning district for the site prior to action by LAFCo. Upon annexation, the Tracy Hills 35-Acre Annexation area would be zoned Tracy Hills Specific Plan (THSP) Zone, and the Tracy Hills Specific Plan (THSP) Zone would be the pre-zoning for the application to LAFCo.

Future infrastructure serving the 35-Acre Annexation Area, including water, sewer, storm drain and roadways, would be provided in accordance with the Tracy Hills Specific Plan and the Citywide Infrastructure Master Plans, and incorporated into the development plans, subdivision maps, and infrastructure designs for the Tracy Hills Phase 2 Area.

Regarding fire jurisdictional boundaries, the 35-acre annexation area is currently split between Tracy Rural Fire Protection District and CAL FIRE (Department of Forestry). Based on current LAFCo policy, the annexation of this area into the City limits is expected to result in this area being detached from Tracy Rural and CAL FIRE jurisdictions and incorporated into the South San Joaquin County Fire Authority.

Environmental Document

An Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan. An Addendum to the EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15164 of the CEQA Guidelines, exist in connection with the Tracy Hills 35-Acre Annexation Project (Attachment D – Addendum to the EIR). Therefore, no further environmental review is required.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council take the following actions regarding the Tracy Hills 35-Acre Annexation Project, as stated in the Planning Commission Resolution, dated May 12, 2021 (Attachments E: Planning Commission Resolution):

- Approve a General Plan Amendment (Application Number GPA20-0001)
- Introduce and adopt an Ordinance approving a Tracy Hills Specific Plan Amendment (Application Number SPA20-0001)
- Approve the annexation of the Tracy Hills 35-Acre Annexation Area into the City of Tracy (Application Number AP20-0002)
- Approve pre-zoning the Tracy Hills 35-Acre Annexation Area as Tracy Hills Specific Plan Zone (Application Number AP20-0002)
- Approve the City preparing and submitting an application for approval of annexation request to the San Joaquin Local Agency Formation Commission (Application Number AP20-0002)

SUGGESTED MOTION

Move that Planning Commission recommend that the City Council take the following actions regarding the Tracy Hills 35-Acre Annexation Project, as stated in the Planning Commission Resolution, dated May 12, 2021:

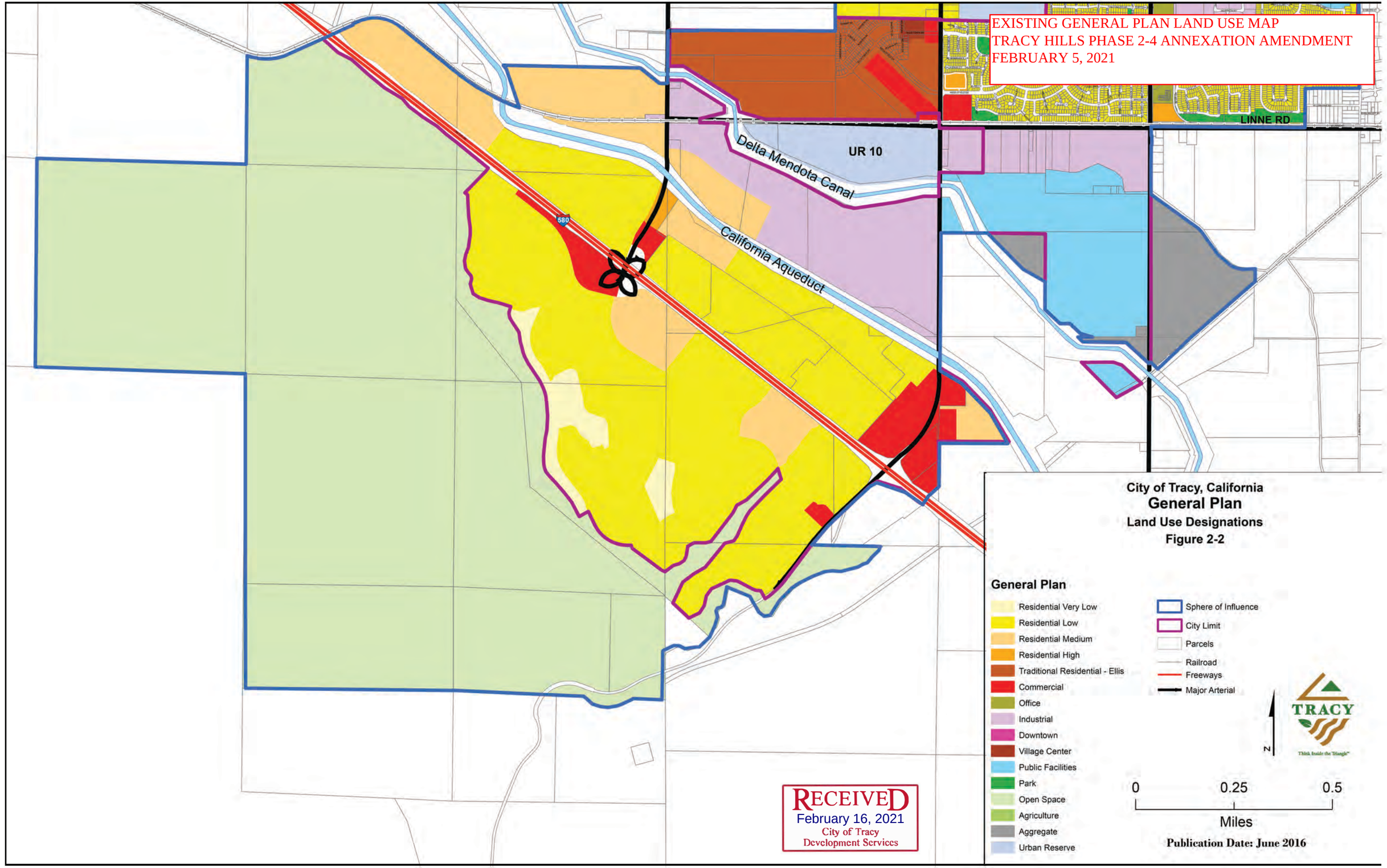
- Approve a General Plan Amendment (Application Number GPA20-0001)
- Introduce and adopt an Ordinance approving a Tracy Hills Specific Plan Amendment (Application Number SPA20-0001)
- Approve the annexation of the Tracy Hills 35-Acre Annexation Area into the City of Tracy (Application Number AP20-0002)
- Approve pre-zoning the Tracy Hills 35-Acre Annexation Area as Tracy Hills Specific Plan Zone (Application Number AP20-0002)
- Approve the City preparing and submitting an application for approval of annexation request to the San Joaquin Local Agency Formation Commission (Application Number AP20-0002)

Prepared by: Scott Claar, Senior Planner
Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

Attachment A - General Plan Amendment
Attachment B - Tracy Hills Specific Plan Amendment
Attachment C - Tracy Hills 35-Acre Annexation Area
Attachment D - Addendum to the EIR
Attachment E - Planning Commission Resolution

EXISTING GENERAL PLAN LAND USE MAP
TRACY HILLS PHASE 2-4 ANNEXATION AMENDMENT
FEBRUARY 5, 2021



City of Tracy, California
General Plan
Land Use Designations
Figure 2-2

General Plan

- Residential Very Low
- Residential Low
- Residential Medium
- Residential High
- Traditional Residential - Ellis
- Commercial
- Office
- Industrial
- Downtown
- Village Center
- Public Facilities
- Park
- Open Space
- Agriculture
- Aggregate
- Urban Reserve
- Sphere of Influence
- City Limit
- Parcels
- Railroad
- Freeways
- Major Arterial

N

TRACY
Think Inside the Triangle

0 0.25 0.5
Miles

Publication Date: June 2016

RECEIVED
February 16, 2021
City of Tracy
Development Services

PROPOSED GENERAL PLAN LAND USE MAP
TRACY HILLS PHASE 2-4 ANNEXATION AMENDMENT
FEBRUARY 5, 2021

Res. Very Low revised to Open Space.

Clouded area includes the area to be annexed into the City and given a land use designation of Res. Low

RECEIVED
February 16, 2021
City of Tracy
Development Services

City of Tracy, California
General Plan
Land Use Designations
Figure 2-2

General Plan

- Residential Very Low
- Residential Low
- Residential Medium
- Residential High
- Traditional Residential - Ellis
- Commercial
- Office
- Industrial
- Downtown
- Village Center
- Public Facilities
- Park
- Open Space
- Agriculture
- Aggregate
- Urban Reserve
- Sphere of Influence
- City Limit
- Parcels
- Railroad
- Freeways
- Major Arterial

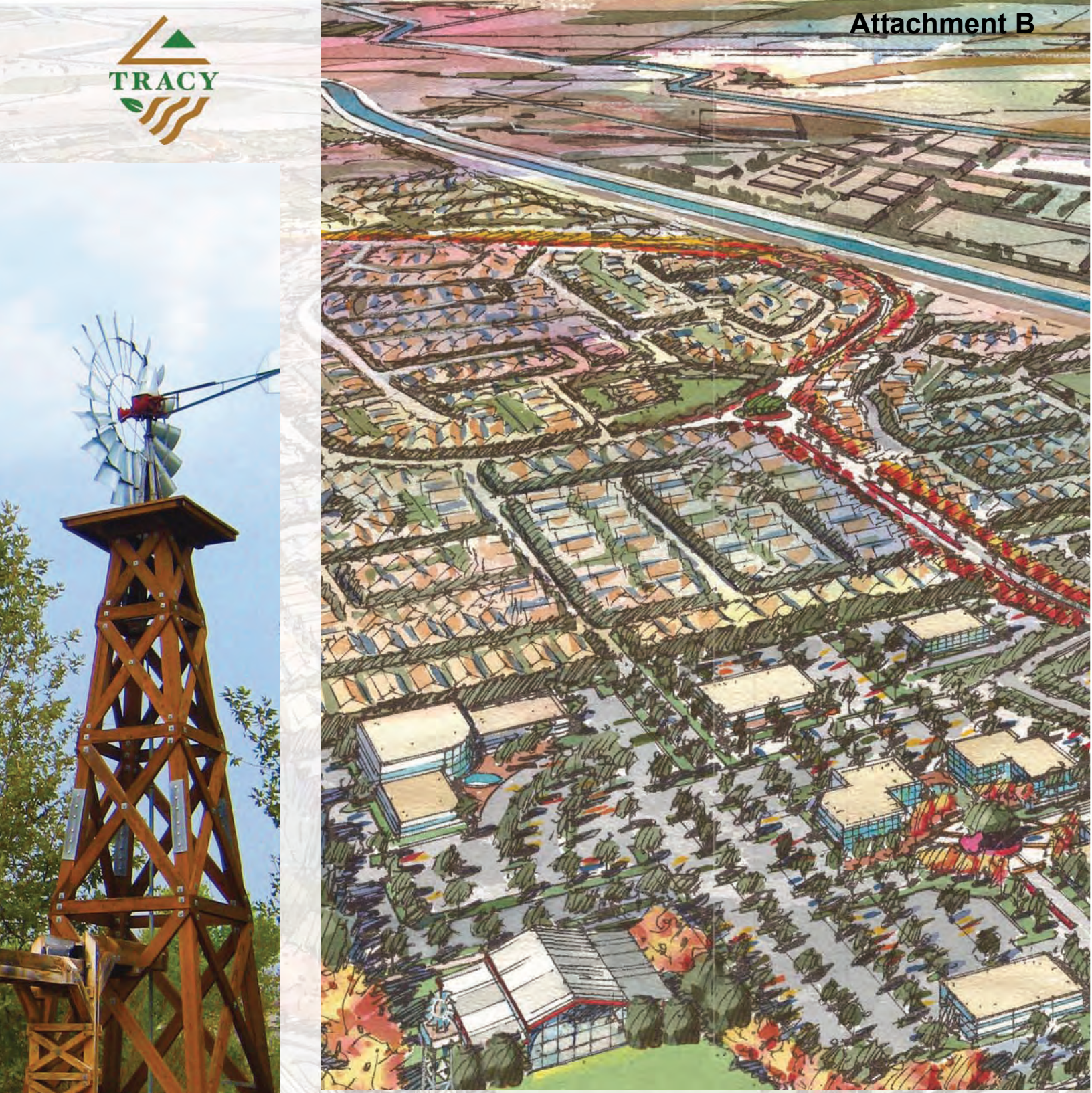
N

TRACY
Think Inside the Triangle

0 0.25 0.5
Miles

Publication Date: June 2016

Attachment B



Tracy Hills Specific Plan

RECEIVED
March 09, 2021
City of Tracy
Development Services

Approved April 5, 2016 (Tracy Resolution 2016-063)
Amended June 18, 2019, incorporated herein (Tracy Ordinance 1270)
Amended May 19, 2020, incorporated herein (Tracy Ordinance 1286)
Amended July 21, 2020, incorporated herein (Tracy Ordinance 1294)
Amended November 10, 2020, incorporated herein (Tracy Ordinance 1298, 1301, 1302)

Draft Amendment February 5, 2021, Phase 2-4 CE

1 INTRODUCTION

1.1 PURPOSE AND SCOPE OF THE TRACY HILLS SPECIFIC PLAN

The Tracy Hills Specific Plan is the detailed plan and regulatory document for the development of the entire Specific Plan area. This Specific Plan document is intended to implement the General Plan and direct all facets of the development of the property including, but not necessarily limited to, the distribution of land uses, the location and sizing of the existing and proposed supporting infrastructure, and an overview of the financial vehicles that are intended to be used to plan, construct, and operate these facilities. This Specific Plan is a regulatory document, is incorporated into the City's Zoning Ordinance, and serves as the zoning for all properties within the Specific Plan area.

The Tracy Hills Specific Plan was originally adopted in 1998 (the 1998 THSP). Since then, City policies and developer plans have changed. Due to these changes, the developer submitted and the City approved this new THSP to replace the former 1998 THSP.

1.2 PROJECT OVERVIEW

The Tracy Hills Specific Plan area encompasses approximately 2,767.3 ~~2,731.6~~ acres within the southern portion of the City of Tracy surrounding the existing interchange at Corral Hollow Road and the proposed Lammers Road interchange on Interstate 580 (I-580). (Refer to **Figure 1-1, Regional Context Map;** and **Figure 1-2, Vicinity Map.)**

The Specific Plan consists of three areas defined by the physical characteristics of the site. (Refer to **Figure 1-3, Land Use Concept.)**

1. The northern portion of the Specific Plan between the Delta-Mendota Canal and the California Aqueduct is zoned for medium density residential and light industrial uses.
2. The central portion of the Specific Plan, south of the California Aqueduct and north of I-580, is planned predominately for single-family homes, open space conservation easements, mixed use business park, and commercial retail areas. These uses will provide employment opportunities and daily needs and services for residents. Multi-use trails will connect residential neighborhoods, integrated with public park amenities that are within walking distance. Additionally, an elementary school site is planned to serve the neighborhood residents of this area.
3. The southern portion of the Specific Plan area, with rolling and steeper slopes on the southern side of I-580, will be primarily residential neighborhoods with parks and school sites. Consistent with the General Plan, 180 to 185 acres of open space, (originally shown as a golf course in the 1998 THSP), will be integrated into the low density residential areas. A mixed use business park area will be located southwest of the planned Lammers interchange and a commercial retail area will be located along the southeasterly project boundary at Corral Hollow Road. This area abuts approximately 3,500 acres of open space under a conservation easement.

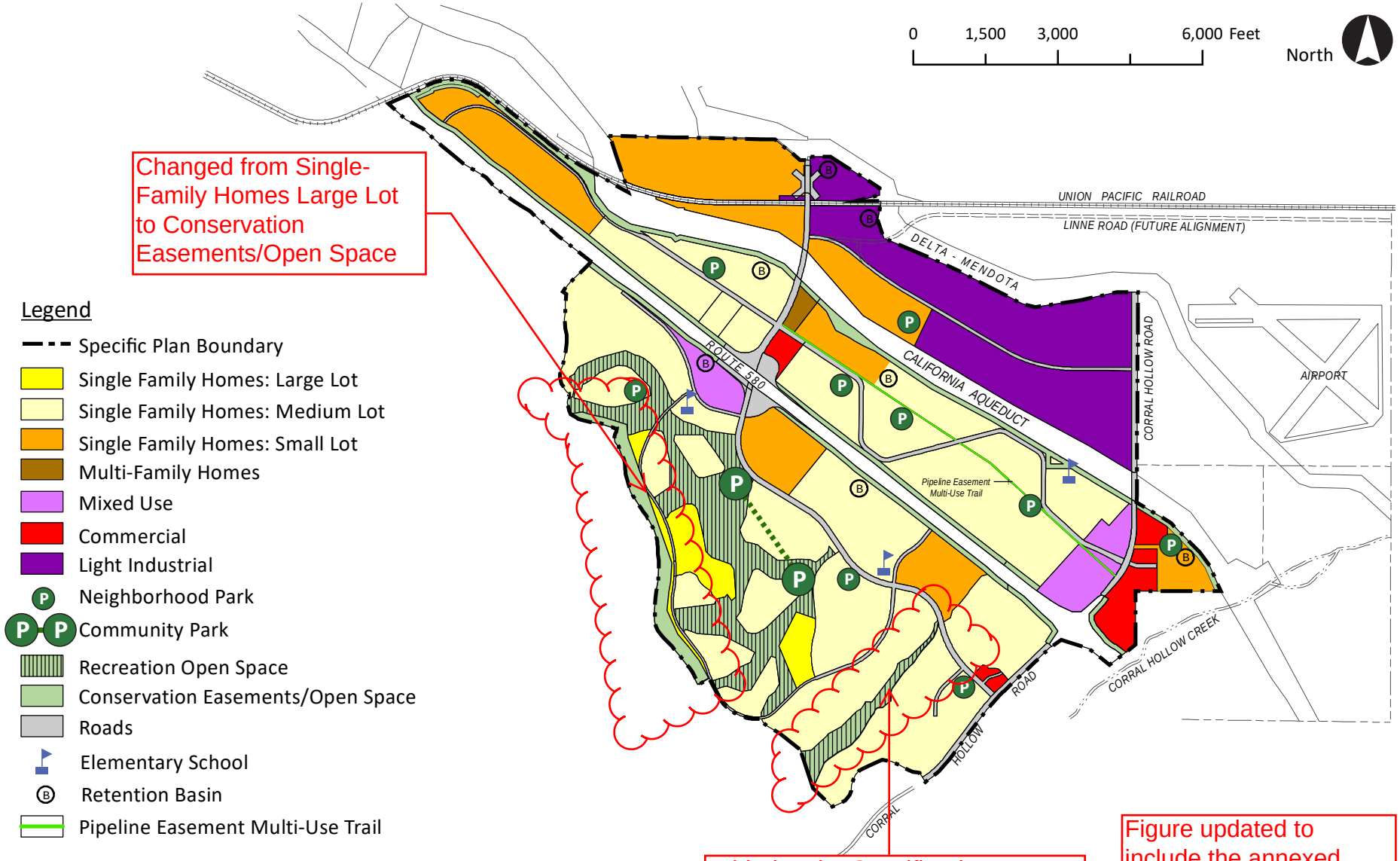
Table 1-1, Land Use Plan Buildout Example summarizes the various proposed land uses, and provides the approximate developable acreages, development ranges, and the projected buildout of residential dwelling units and non-residential development square footage. The approximate gross acres for the Zoning designations for the Tracy Hills Specific Plan are also summarized.

Figure 1-1

Regional Context Map

Figure 1-2

Vicinity Map



Changed from Single-Family Homes Large Lot to Conservation Easements/Open Space

Added to the Specific Plan area and given a land use of Single-Family Homes Medium Lot and Recreation Open Space.

Figure updated to include the annexed area into the Specific Plan area and shift around land uses.

NOTES:
1. The locations, numbers, and configurations of public schools, park sites, and public utilities are conceptual and subject to change.
2. This exhibit is for conceptual purposes to show approximate locations.

Figure 1-3

Land Use Concept

TABLE 1-1
LAND USE PLAN BUILDOUT EXAMPLE

Zoning District or Land Use	Approximate Gross Acres[1]	Approximate Adjusted Developable Acres[1, 2, 3]	Target Density Range or F.A.R.	Projected Dwelling Units or Square Feet[1]
Residential Estate	~~95.6~~59.9	~~81.3~~50.9	(0.5-2.0 DU's/ac.)	~~122~~76 DU's
Low Density Residential	~~1,316.2~~1,351.9	~~961.5~~991.9	(2.1-5.8 DU's/ac.)	~~3,558~~3,604 DU's
Medium Density Residential	422.1[4]	358.8	(5.9-12.0 DU's/ac.)	2,672 DU's
High Density Residential	9.2	7.8	(12.1-25.0 DU's/ac.)	125 DU's
Mixed Use Business Park	79.0	67.2	0.20 F.A.R.	585,446 s.f.
General Highway Commercial	53.8[4]	45.7	0.20 F.A.R.	398,499 s.f.
Light Industrial	336.4	285.9	0.25 F.A.R.	3,113,887 s.f.
Conservation Easements	~~126.5~~162.2		n/a	
Subtotal:	**~~2,438.8~~2,474.5**	**1,808.2**		
Interstate 580 Interchange and ROW	137.5			
California Aqueduct ROW	143.1			
Union Pacific Rail Road	12.2			
TOTAL:	**~~2,731.6~~2,767.3**	**1,808.2**		6,477 DU's 4.1 mil s.f.

1 All Acreages, dwelling units, and square footage examples shown herein are approximate.

2 Adjusted Developable Acres - Residential, Mixed Use Business Park, General Highway Commercial, and Light Industrial acreages have been adjusted to show that an estimated 15% of the land area is used for infrastructure such as roads and utilities, and/or public facilities such as neighborhood parks/amenities, schools, and/or public facilities such as retention basins as noted in the General Plan. Actual numbers will vary depending on site specific characteristics.

3 180 to 185 acres of General Plan mandated Open Space taken out of Low Density Residential land use category.

4 8.7 acres of General Highway Commercial will be zoned with a Medium Density Residential Overlay and is anticipated to be developed with residential uses. As such this acreage is accounted for in the Medium Density Residential zoning district.

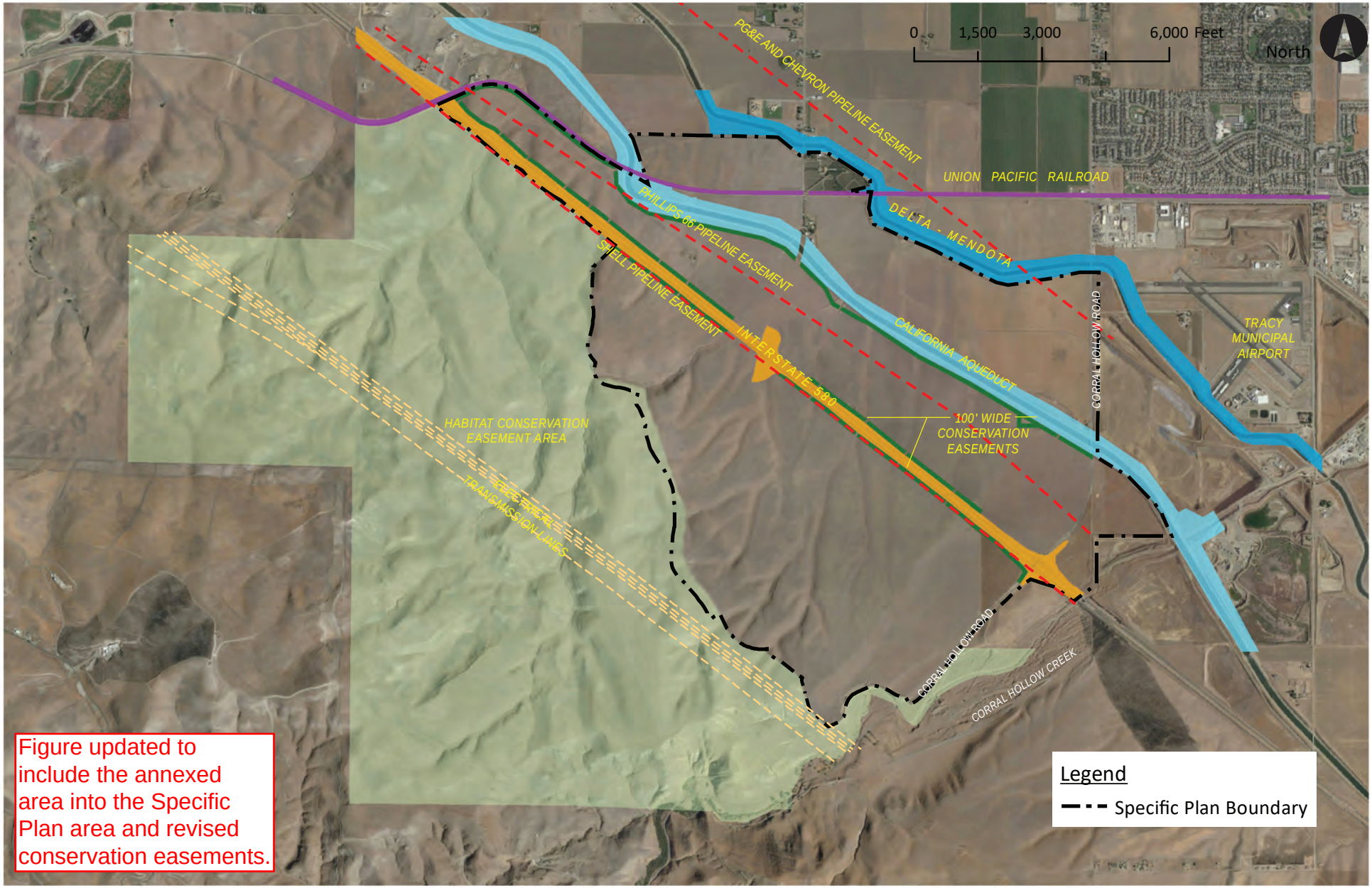


Figure 1-4

Existing Conditions

1.3 EXISTING CONDITIONS

The Specific Plan area has ground elevations that begin at approximately 195 feet above sea level on the north east side of the site, and rise to over 1,200 feet in the south west corner. The area southwest of the California Aqueduct is primarily used for grazing. Other uses include row crop agriculture and orchards, with open space on the steep upland portions. Vegetation that occurs on site is primarily grassland dominated by non-native species and contains little undisturbed habitat in the flatter lowland areas. The riparian woodland along Corral Hollow Creek has been degraded by historical grazing. Scrub grows in areas of rock outcrops and shallow soil. The area between I-580 and the Union Pacific Railroad/California Aqueduct is vacant with an abandoned structure formerly used in relation with the livestock operation. The portion of the site bound by the California Aqueduct, Union Pacific Rail Road, Delta-Mendota Canal and Corral Hollow Road is utilized as agriculture with three existing residences. (Refer to **Figure 1-4, Existing Conditions Map.)**

1.3.1 Conservation Easement(s) and Protected Open Space

The Specific Plan contains approximately 125 acres of open space in 100-foot wide conservation easements that are located adjacent to I-580 and the southern side of the California Aqueduct. These open space conservation easement areas were granted to the San Joaquin Council of Governments (SJCOG).

Approximatly 35 acres of additional open space within a conservation easement is located along the Specfic Plan's western boundary. The open space conservation easement was granted to SJCOG.

Adjacent to the Specific Plan's western boundary and outside of the City limits, over 3,500 acres of open space has been set aside for the conservation of wildlife habitat. A conservation easement was recorded on the open space in July 2012 and granted to SJCOG. The conservation easement ensures that the lands will be preserved for habitat in perpetuity.

1.3.2 Interstate 580 and Pipeline Easements

Interstate 580 is a four-lane, limited-access interstate highway that bisects the property on a northwest to southeast axis. Interstate 580 connects to I-205 and the western extension of I-580 to the north and to I-5 to the south. The freeway is also fronted by the 100-foot wide, open space conservation easements.

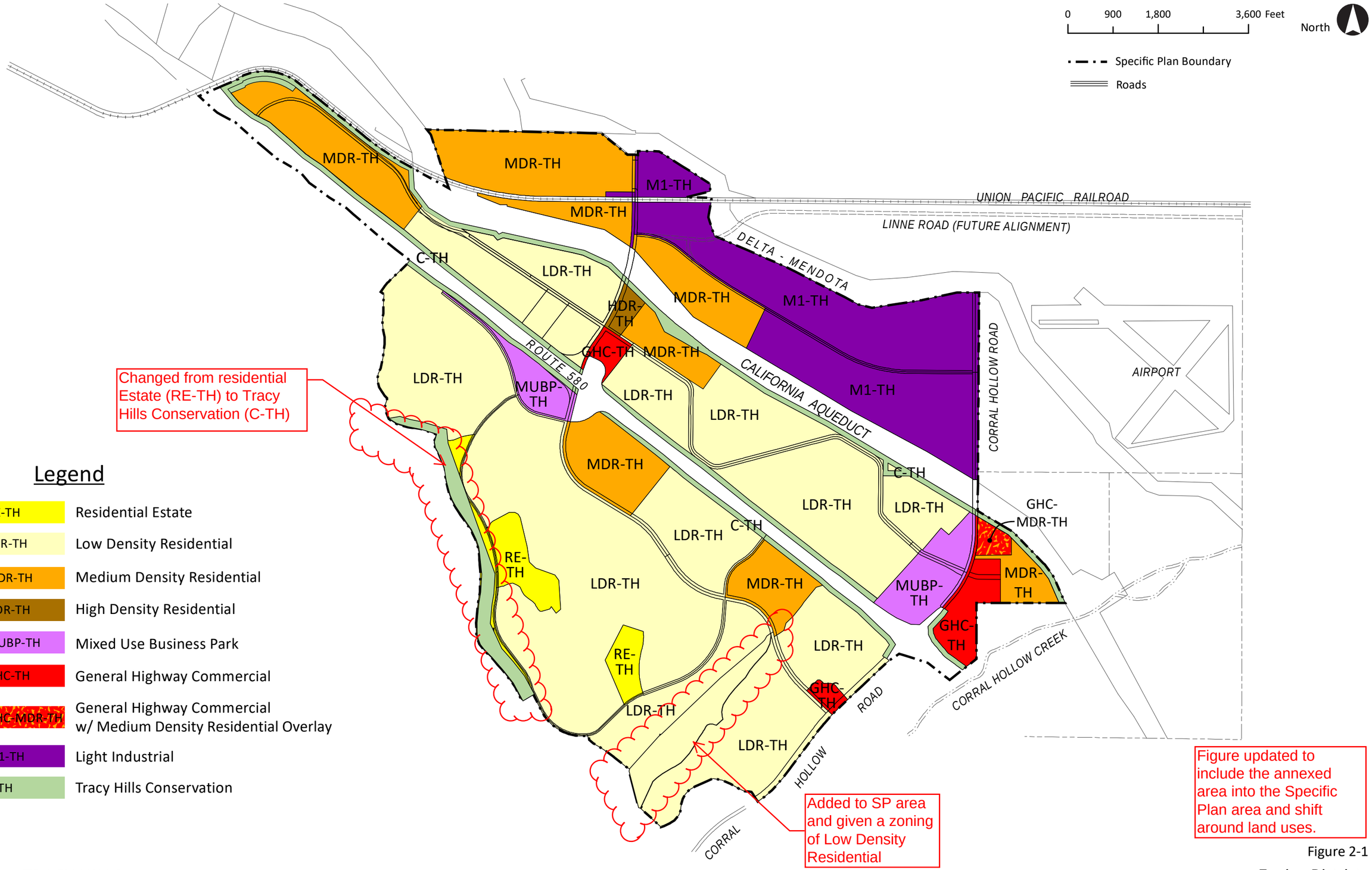
Paralleling and adjacent to the freeway right-of-way are two easements that contain pipelines. A third pipeline easement transects the northeastern corner of the Specific Plan. Refer to Figure 1-4, Existing Conditions Map, for the general locations of pipeline easements.

1.3.3 California Aqueduct and the Delta-Mendota Canal

The California Aqueduct bisects the Specific Plan area north of I-580 in a general northwest-to-southeast direction. Located outside the northern Specific Plan boundary, the Delta-Mendota Canal (DMC), also runs in a northwest to southeast direction and abuts the northern Specific Plan boundary. This segment of the DMC is also located outside of City limits. The two aqueducts carry water south for agricultural use and further south into the Los Angeles basin.

1.3.4 Union Pacific Railroad Line

A segment of the Union Pacific Railroad line crosses the northwest corner of the Specific Plan area in an east-west direction and is an active railway.



Legend

RE-TH	Residential Estate
LDR-TH	Low Density Residential
MDR-TH	Medium Density Residential
HDR-TH	High Density Residential
MUBP-TH	Mixed Use Business Park
GHC-TH	General Highway Commercial
GHC-MDR-TH	General Highway Commercial w/ Medium Density Residential Overlay
M1-TH	Light Industrial
C-TH	Tracy Hills Conservation

Figure 2-1

Zoning Districts

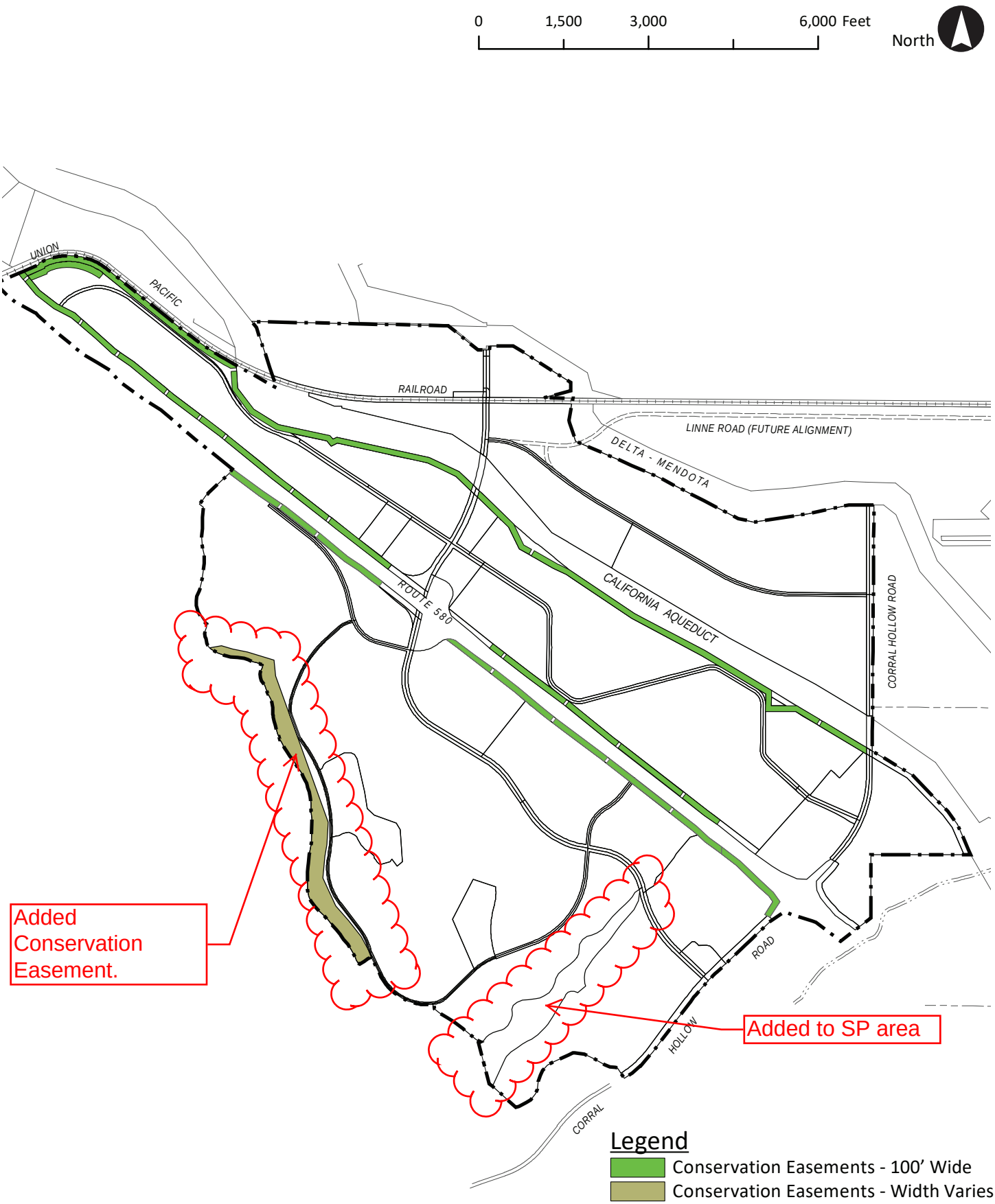


Figure 2-2

Conservation Easements

2.6 OTHER LAND USES

2.6.1 Parks/Recreation

Active and passive park and recreation facilities will be provided within the Specific Plan area in a variety of forms at a minimum rate of three acres of neighborhood park land and one acre of community park land per 1,000 population, in accordance with the City of Tracy Parks Master Plan. The tentative subdivision maps within the Specific Plan may have less than three acres of neighborhood park land per 1,000 residents or one acre of community park land per 1,000 residents, due to the size, shape, location, accessibility, or other characteristics of any single tentative map. The community park will be located as otherwise described in the Specific Plan. The Specific Plan also provides for HOA maintained park and recreation facilities in addition to the neighborhood and community park land.

Therefore, prior to each residential tentative subdivision map approval, an analysis shall be required of the amount of neighborhood and community park land provided within the entire Specific Plan area. Each tentative subdivision map shall either include adequate neighborhood park land to bring the total neighborhood park land within the tentative-map-approved portion of the Specific Plan to three acres per 1,000 population, or the developer shall demonstrate how future tentative map areas of the Specific Plan will include park land to achieve the minimum three acres per 1,000 population requirement, and otherwise comply with the Parks Master Plan.

After dedication to the City, most park and recreation facilities will be under the jurisdiction of the City Public Works Department and will be operated and maintained by the City for the enjoyment of all residents of Tracy. The Park sites shown on Figure 1-3, Land Use Concept, and Figure 2-4, Public Facilities Plan, indicate conceptual park locations. Parks may include community or neighborhood parks with active and passive recreation. These parks may feature play fields, ball fields, children play areas, picnic areas, tennis courts, open lawn areas, or other amenities including a park located at an elevated location to provide a "view park". All parks in Tracy Hills are envisioned to be interconnected by trails and bikeways within parkways, public streets, open space, and utility corridors. Community and neighborhood park design shall comply with the City of Tracy Parks Master Plan with final design approved by the City.

Approximately 180 to 185 acres will be provided for a Tracy Hills Community / Open Space Park to the south of the I-580, and is conceptually shown on Figure 1-3, Land Use Concept, and Figure 2-4, Public Facilities Plan. It is envisioned that the Community / Open Space Park will be designed and improved for scenic and visual enjoyment, provide outdoor recreation opportunities, improve public health and safety, preserve natural resources and control the urban form. The Community /Open Space Park area is subject to final design approval by the City and at a minimum could include both passive and active features including a nature trail system and pathways that can be used for hiking, walking, biking and jogging, picnic and sitting areas, lawn areas, nature viewing areas, disc golf, and/or golf course. In specific areas of the open space, enhancements may be incorporated into the final design through the planting of native landscape as passive open space and for habitat improvement. The conceptual design of the 180 to 185 acres including the 30 acres of community park will occur with the first subdivision map south of I-580. The Community / Open Space Park will be improved in phases with development of Tracy Hills south of I-580.

The 180 to 185 acres of Community / Open Space Park is contrasted with the ~~100-foot wide~~ conservation easements (described in Section 2.5, Tracy Hills Conservation Zoning District) in that the Community / Open Space Park will be design for active and passive recreation, accessible to the public; and the ~~100-foot wide~~ conservation easements will not be accessible to the public.

2.6.2 School Sites

Three public school sites are shown on **Figure 1-3, Land Use Concept,** and **Figure 2-4, Public Facilities Plan**. Final locations, numbers, size and configurations of school sites will be determined in consultation with the appropriate School District. In the event the School District does not use, purchase and/or develop a school site, these sites may be developed consistent with zoning development standards.

Figure updated to include the annexed area into the Specific Plan area.

Figure 2-4

Public Facilities Plan

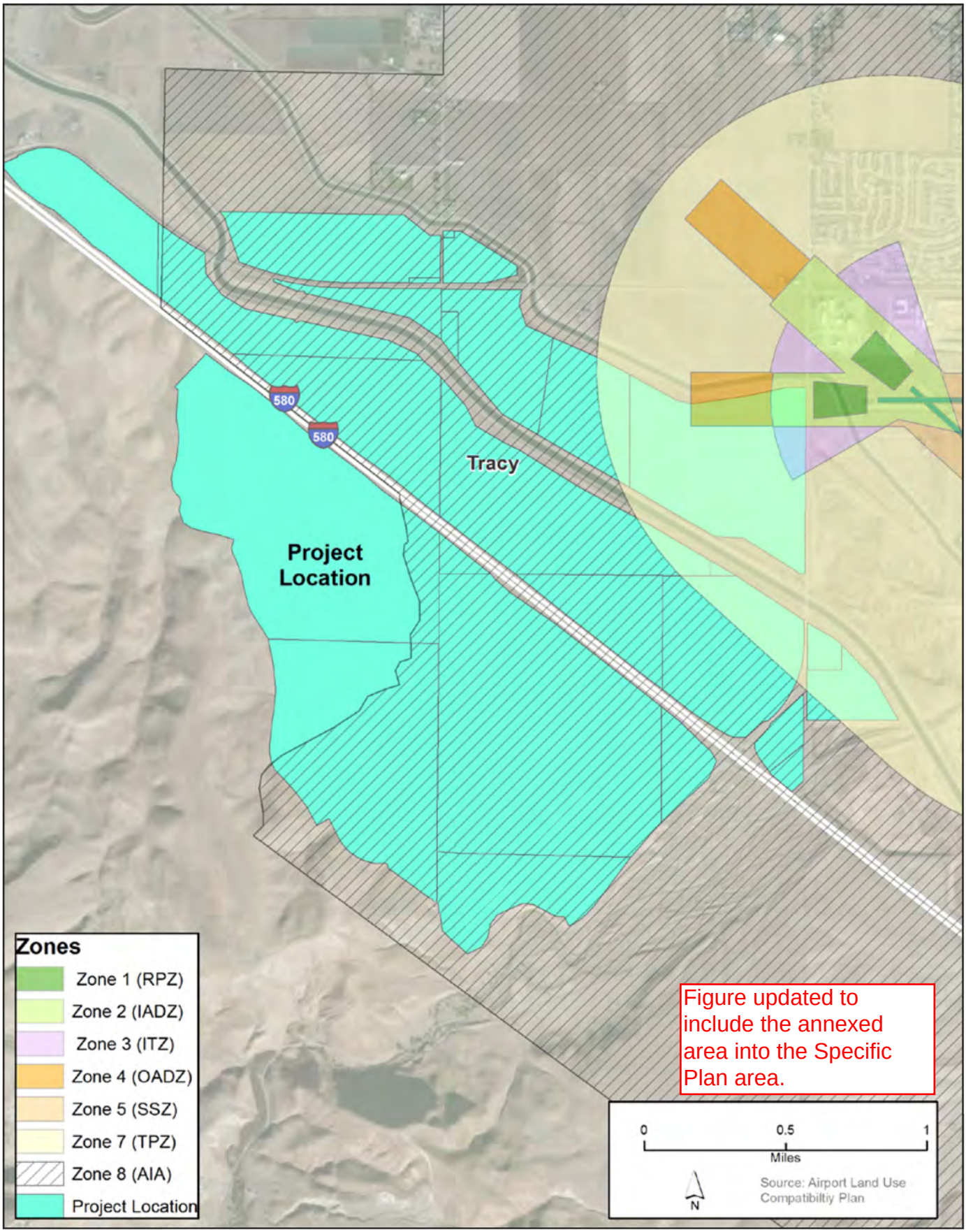


Figure 2-5

Tracy Municipal Airport Land Use Compatibility Zones

4.2.3 Planned Streets – Specific Plan Circulation

Streets are designed in accordance with the Transportation Master Plan. A variety of street widths and designs are contained within the Specific Plan area to accommodate the range of anticipated traffic volumes (see **Figure 4-1, Roadway Plan**).

Graphic sections of each typical street design are provided. With the exception of street extensions, street names have not been designated. All public street cross-sections are included in **Figure 4-2, Four Lane Parkway; Figure 4-3, Two Lane Collector; Figure 4-4, Two Lane Major Collector; Figure 4-5, Spine Road / Lammers Extension; Figure 4-6, Four Lane Major Arterial with Median;** and **Figure 4-7, Residential Streets.** The locations and designs of intersections shall meet the standards of the City of Tracy at the time they are designed and submitted for approval by the City.

Consistent with the Transportation Master Plan, the Specific Plan provides for one north/south expressway, one north/south arterial street, and one east/west arterial, all of which are an important part of the City's overall vehicular transit system. The two north/south roads are Lammers Road and Corral Hollow Road. The east/west arterial is parallel to Interstate 580 between Lammers Road and Corral Hollow Road. Lammers Road extends south from I-205 through the City's western area and eventually connects to Corral Hollow Road. The Lammers Road extension will be a four-lane arterial and south of I-580, will transition to a two lane divided arterial through the plan area. Lammers Road is aligned between the Delta-Mendota Canal and Corral Hollow Road, through the Specific Plan area. The segment of Lammers Road between I-580 and Corral Hollow Road is called South Tracy Hills Road will provide direct access to major community facilities as well as provide a central community interchange and access to Interstate 580.

The City of Tracy Transportation Master Plan envisions Lammers Road as an expressway which will extend from I-580 north to I-205, connecting the Tracy Hills and Ellis Projects with the job-generating centers of Cordes Ranch and Gateway and providing direct access onto I-580.

Corral Hollow Road will be expanded into a four-lane arterial. This road will be the access point for the initial development of Tracy Hills.

Typical residential streets will have paved sections as shown on **Figure 4-7, Residential Streets**. Residential streets may be constructed with sidewalks on only one side when fronted with homes on only one side.

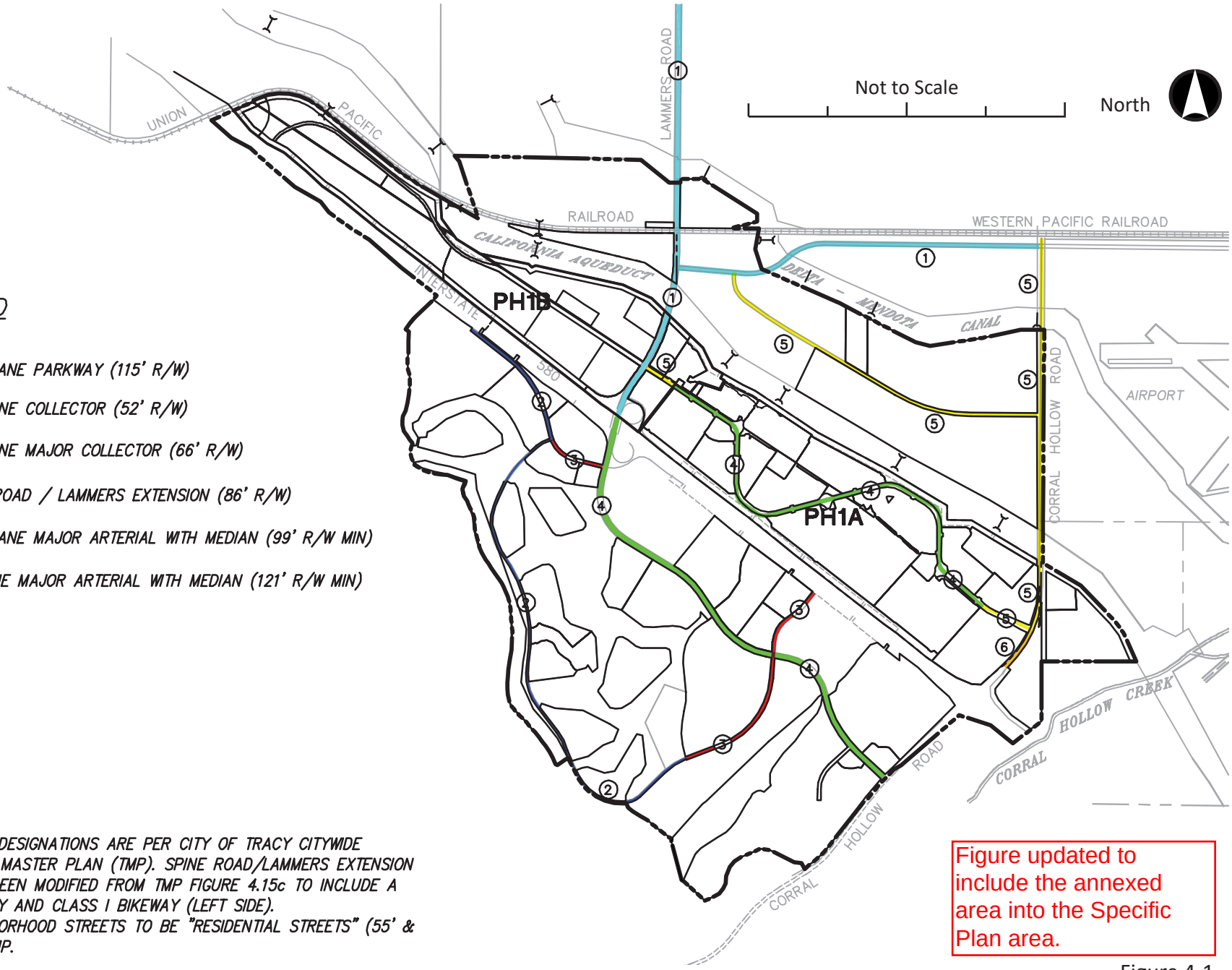
The residential collector and minor arterials system intersects Lammers Road at designated locations. The residential collector and minor arterials system shall provide direct access to schools and parks, wherever possible. Residential driveways predominantly face onto local streets. No residential driveways are proposed to face onto or directly access Lammers Road, Corral Hollow Road, or other arterial roads.

An additional system of internal streets will also serve the Mixed Use Business Park and Light Industrial areas. All office and industrial parcels will have defined entries from these streets and will be landscaped according to Chapter 3, Design Guidelines.

The four-lane arterial parallel to and north of the California Aqueduct will be a designated truck route to facilitate efficient movement with minimum impacts (refer to **Figure 4-1, Roadway Plan)**. Truck routes will insulate residential areas from excessive truck traffic to the extent possible except for local deliveries.

Private streets may be considered within Tracy Hills. Private streets may be constructed with sidewalks on one side when fronted with homes on only one side, as proposed by the developer. Private street sections shall be designed in accordance with City Standards or as prescribed by the City Engineer.

Streets shall maintain an unobstructed width of no less than 20-feet as a minimum requirement for fire access to comply with California Fire Code.



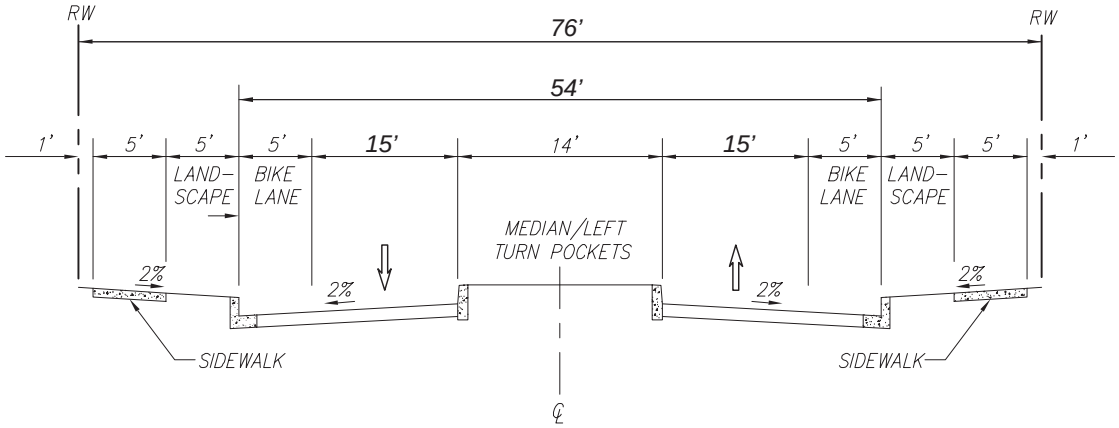
NOTES:

1. STREET SECTION DESIGNATIONS ARE PER CITY OF TRACY CITYWIDE TRANSPORTATION MASTER PLAN (TMP). SPINE ROAD/LAMMERS EXTENSION (86' R/W) HAS BEEN MODIFIED FROM TMP FIGURE 4.15c TO INCLUDE A WIDENED PARKWAY AND CLASS I BIKEWAY (LEFT SIDE).
2. INTERNAL NEIGHBORHOOD STREETS TO BE "RESIDENTIAL STREETS" (55' & 57' R/W) PER TMP.

Figure updated to include the annexed area into the Specific Plan area.

Figure 4-1

Roadway Plan

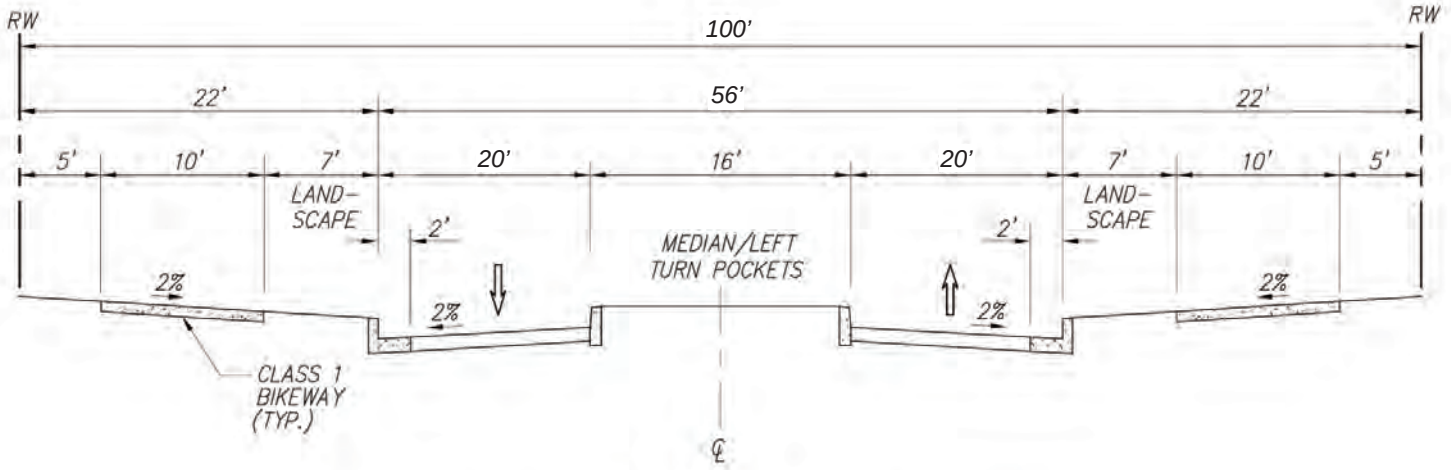


3 **TWO LANE MAJOR COLLECTOR**
2000 TO 5000 VEHICLES PER DAY

NO SCALE

NOTES:

1. SECTION TAKEN FROM FIGURE 4.15d OF CITY OF TRACY TRANSPORTATION MASTER PLAN.
2. ROADBED WIDTH FOR PHASE 1A MAY DIFFER FROM THE ABOVE SECTION.



4 SPINE ROAD / LAMMERS EXTENSION

NO SCALE

NOTES:

1. *SECTION TAKEN FROM FIGURE 4.15c OF CITY OF TRACY TRANSPORTATION MASTER PLAN - MODIFIED TO INCLUDE WIDENED PARKWAY & CLASS 1 BIKEWAY (LEFT SIDE).*
2. *ROAD WIDENS BETWEEN CORRAL HOLLOW ROAD AND THE FIRST ROUNDABOUT TO THE WEST.*
3. *ROADBED WIDTH FOR PHASE 1A MAY DIFFER FROM THE ABOVE SECTION.*

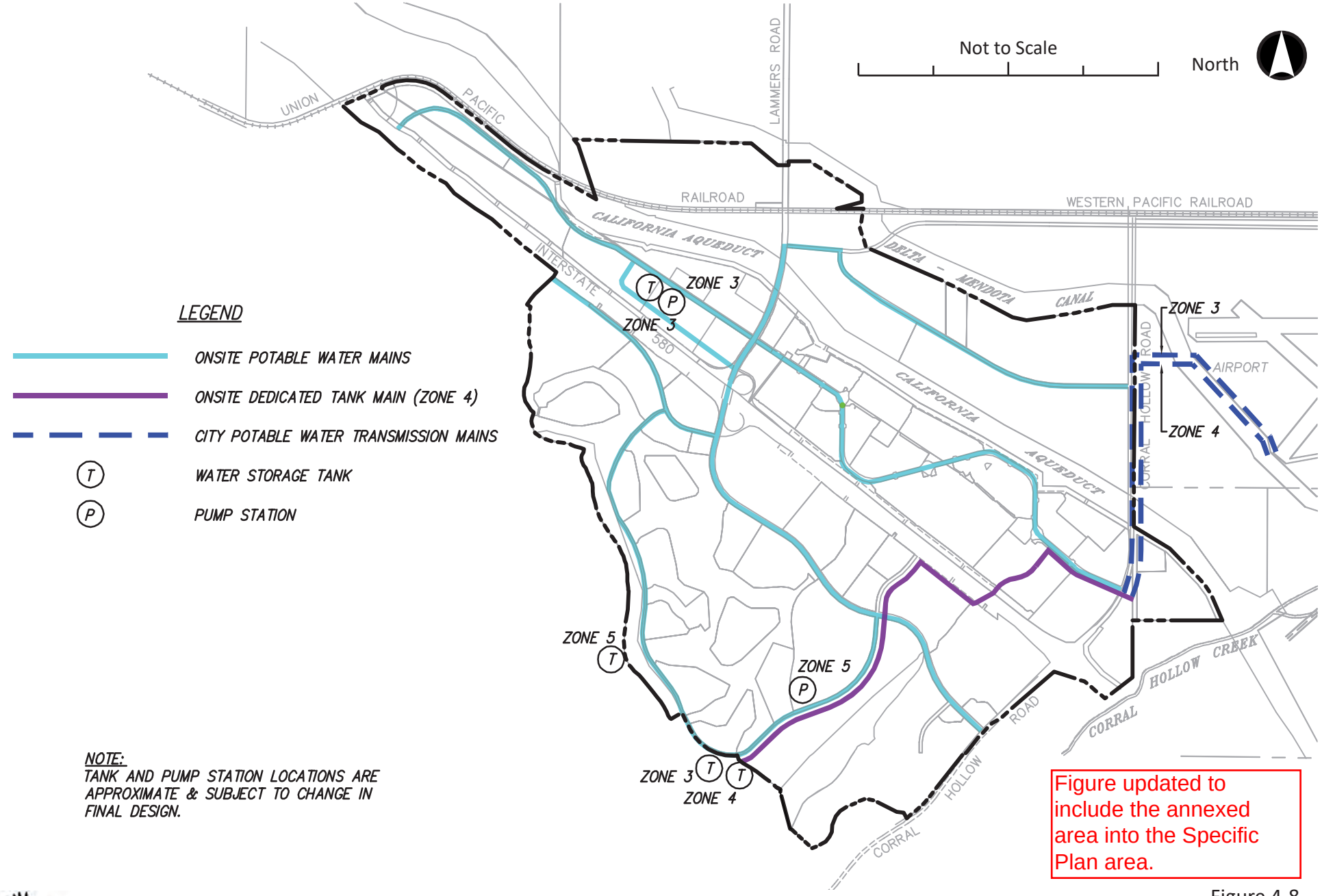


Figure 4-8

Water Distribution System

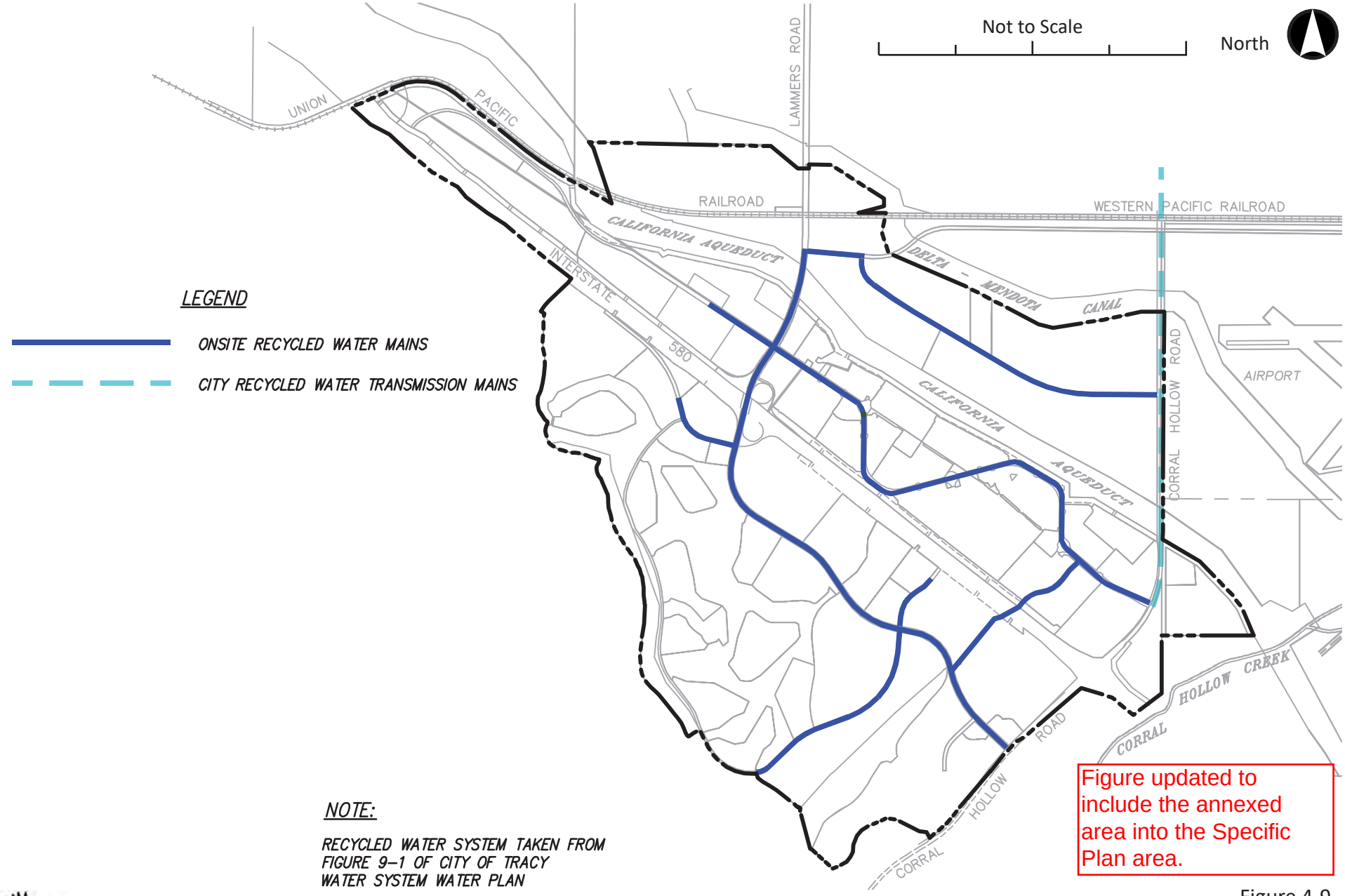
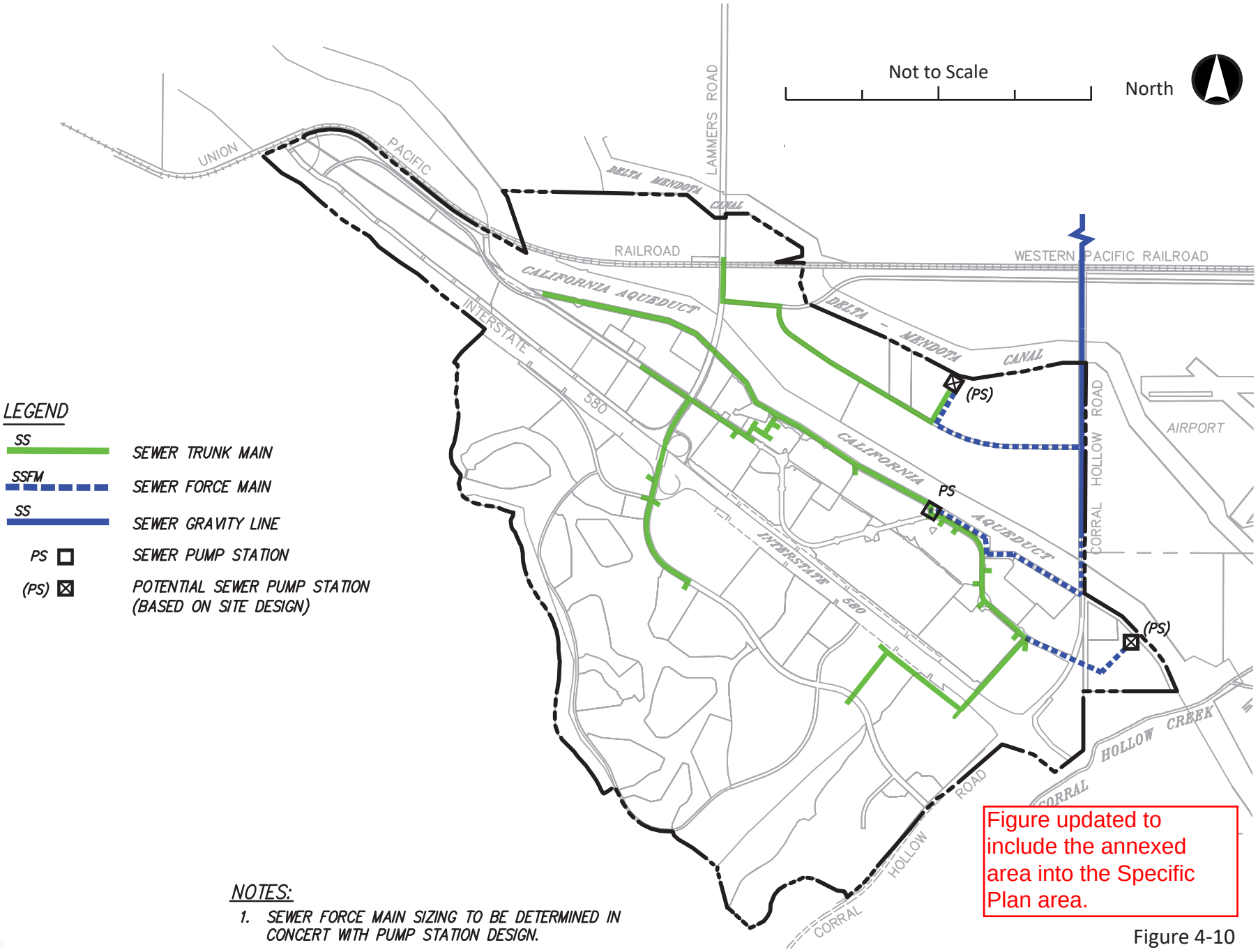


Figure 4-9

Recycled Water Distribution System



NOTES:

1. SEWER FORCE MAIN SIZING TO BE DETERMINED IN CONCERT WITH PUMP STATION DESIGN.

Figure updated to include the annexed area into the Specific Plan area.

Figure 4-10

Wastewater Collection System

4.6 STORM DRAINAGE SYSTEM

4.6.1 Existing Conditions

Tracy Hills is crossed and bordered by numerous canals and transportation thoroughfares that influence its drainage patterns. Interstate 580, a four-lane freeway, bisects the project by crossing from the northwest corner to the southeast corner. The California Aqueduct parallels I-580 to the north which also parallels the Delta-Mendota Canal north of the California Aqueduct. At the southeast corner of the project, I-580 and Corral Hollow Road create a major interchange. From this interchange, Corral Hollow Road, which is part of the project's southeastern boundary, runs north and crosses from south to north, the California Aqueduct, the Delta-Mendota Canal, the project's northern boundary, and the Union Pacific Railroad. Corral Hollow Road also runs southwest from the I-580 interchange and parallels Corral Hollow Creek. Corral Hollow Creek flows northeast toward the San Joaquin River.

Since the alignment of I-580, the California Aqueduct and the Delta-Mendota Canal generally follow the natural ground contours; these structures lie perpendicular to the natural direction of drainage flow. Various drainage structures including culverts, bridges, flumes, and pipelines are constructed over and under I-580, the California Aqueduct, and the Delta-Mendota Canal.

Of the drainage features near the project area, Corral Hollow Creek is the most significant. Its watershed originates in the hills southwest of the project encompassing approximately 62 square miles above the Delta-Mendota Canal. The steep topography of the area causes sharply-peaked runoff hydrographs producing "flash" flooding. Several miles northeast of the project, the creek channel abruptly ends due to farming operations which results in sheet flow toward the San Joaquin River, which dissipates into the ground.

Other natural drainage courses exist within the project area and a majority of the project area drains to these intermittent streams. These carry little runoff in comparison to Corral Hollow Creek, and the shed areas are correspondingly small. However, sharp hydrograph peaks are also characteristic of these intermittent streams. Prior to construction of the canals, storm runoff was carried northeasterly. Existing drainage facilities crossing Interstate 580 and the California Aqueduct represent significant constraints to runoff from the project area. For the last 40 years, the natural flow path of the intermittent streams has been intercepted by the Delta-Mendota Canal, resulting in some runoff directly discharging into the canal, flooding the adjacent properties, and infiltrating into the ground.

Because of the proposed project, the surface characteristics will change and increase the flow rates to these intermittent streams. The surface becomes less pervious, and the precipitation runs off instead of infiltrating into the ground. Under the developed scenario, flow through existing crossings of I-580, the California Aqueduct, and the Delta-Mendota Canal would be mostly reduced from historical flows due to the use of proposed onsite retention basins.

4.6.2 Collection System

The overall project consists of approximately ~~2,731.6~~2,767.3 acres including proposed residential, commercial, mixed use business park, and industrial uses.

Under current conditions at Tracy Hills, runoff from most of the site drains across I-580 and the California Aqueduct via existing drainage structures (culverts and flumes). The majority of this runoff infiltrates into open farmland between I-580 and the California Aqueduct and between the California Aqueduct and the Delta-Mendota Canal. The remainder flows into the Delta-Mendota Canal. In addition, a small portion of the site currently drains to Corral Hollow Creek.

The U.S. Bureau of Reclamation will generally not allow urban runoff to enter the Delta-Mendota Canal. It will be necessary to mitigate the increase in peak flow and total runoff from the site so that flooding downstream of the site will not become more severe. The concept for handling storm runoff involves intercepting runoff from developed areas for disposal to multiple terminal retention basins within the project site. Pipes and channels will be used to convey water to these basins. To the greatest extent possible, runoff from the west of the developed areas will be allowed to

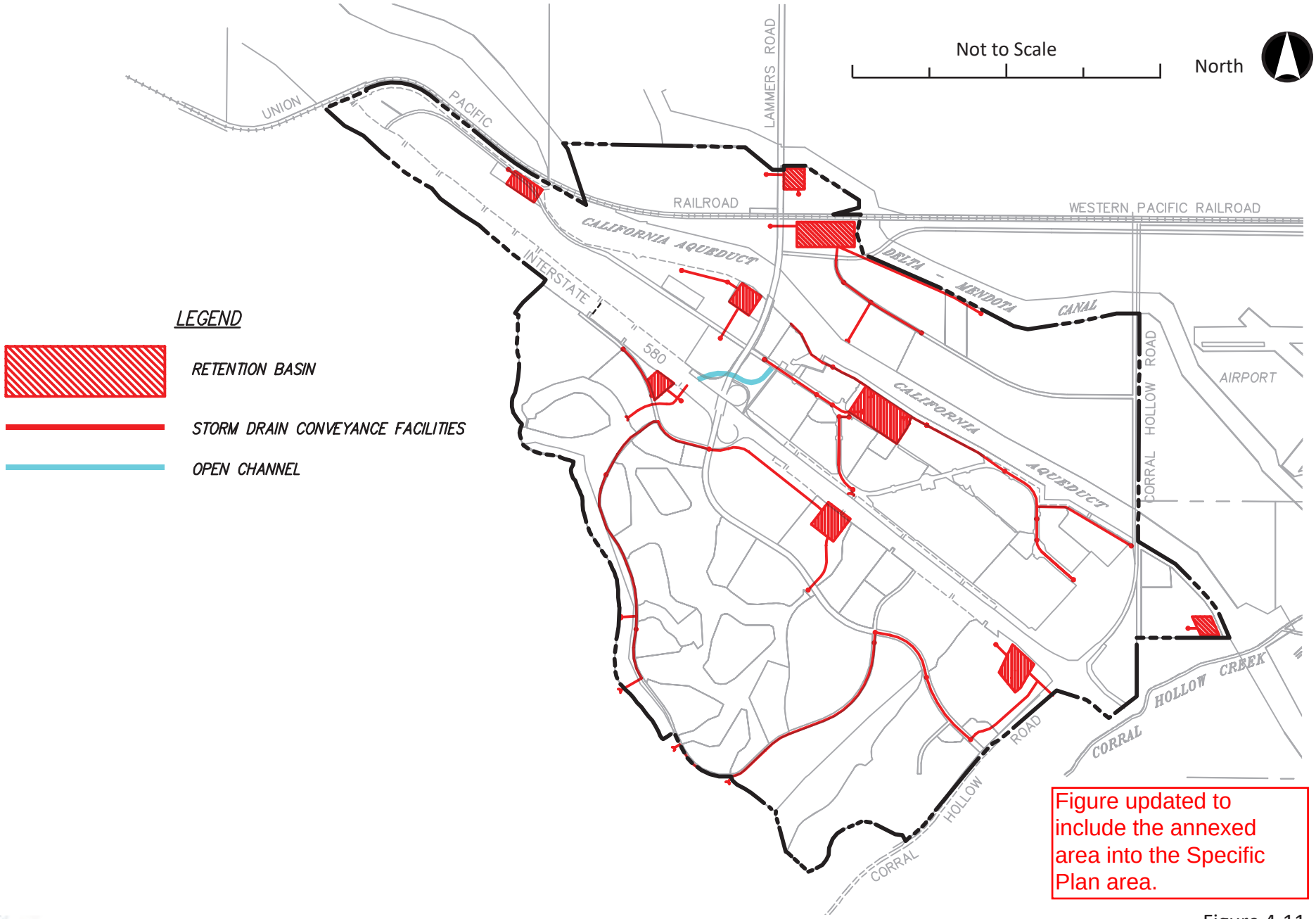


Figure updated to include the annexed area into the Specific Plan area.

Figure 4-11

Storm Drainage System

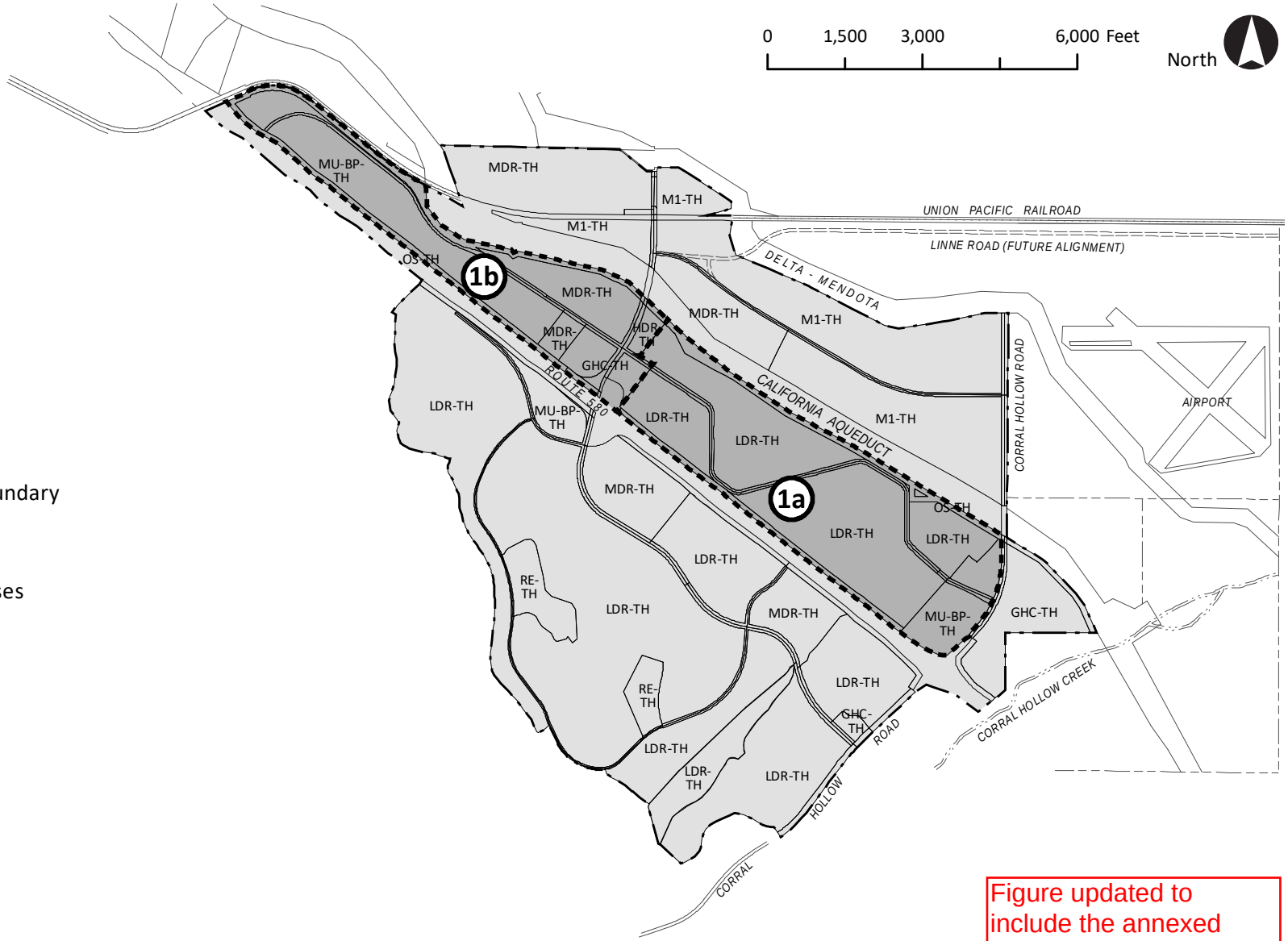
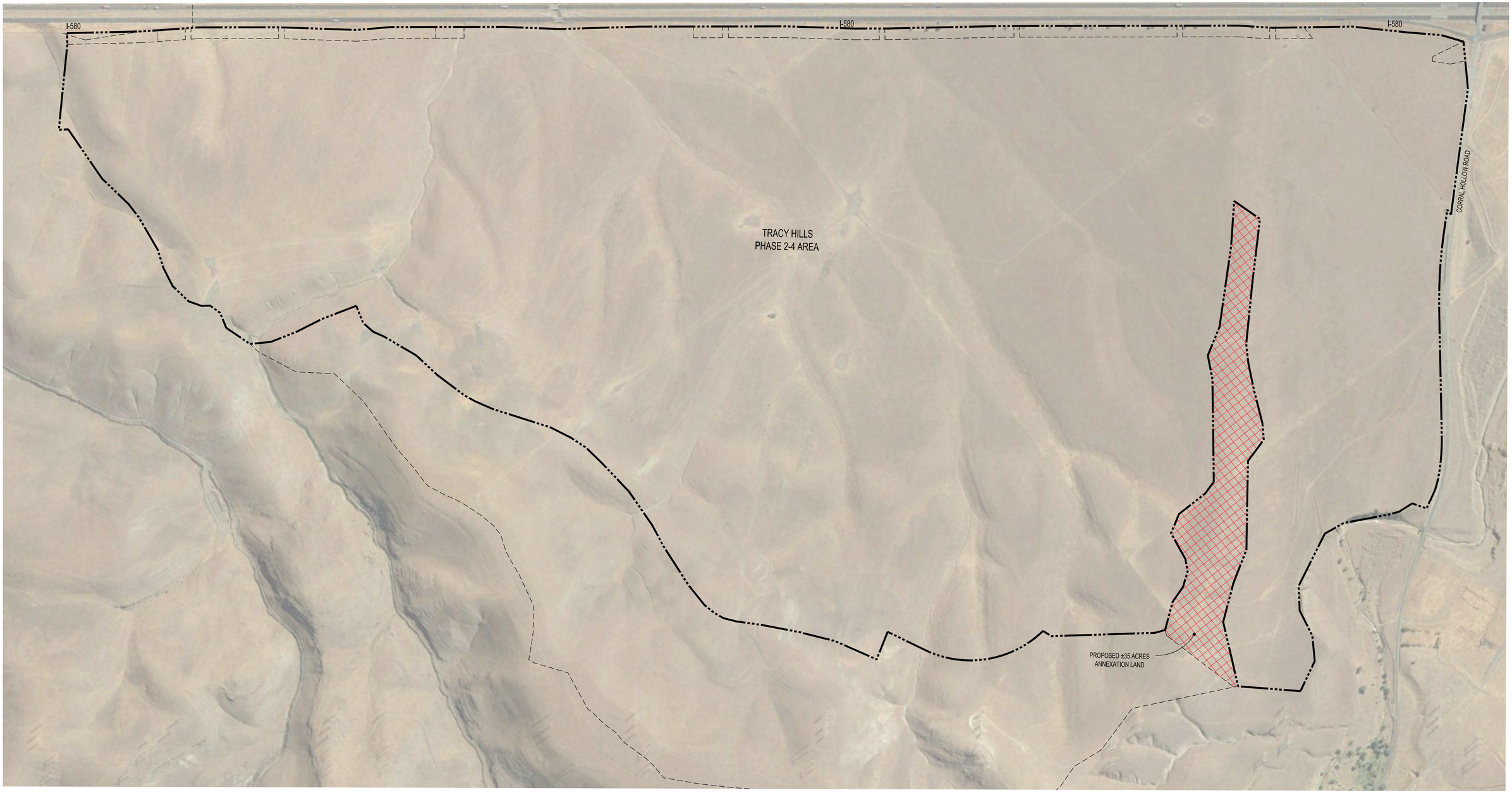


Figure updated to include the annexed area into the Specific Plan area and shift around land uses.

Figure 4-12

Phasing Plan



LEGEND

PROPOSED ±35 ACRE ANNEXATION LAND

INTEGRAL Communities
A DIVERSIFIED REAL ESTATE COMPANY

TRACY HILLS
ANNEXATION LAND EXHIBIT

TRACY, CALIFORNIA
01/28/2021

0 400 800 1200
SCALE IN FEET: 1"= 400'

NORTH

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS

ADDENDUM TO THE TRACY HILLS SPECIFIC PLAN SUBSEQUENT ENVIRONMENTAL IMPACT REPORT SCH NO. 2013102053

April 2021

Proposed Amendment to the Tracy Hills Specific Plan for the 35-Acre Annexation Project

Prepared For:

City of Tracy
Department of Development Services
333 Civic Center Plaza
Tracy, CA 95376

Prepared By:

Kimley-Horn and Associates, Inc.
10 South Almaden Boulevard, Suite 1250
San Jose, CA 95113

TABLE OF CONTENTS

Introduction 1
California Environmental Quality Act 1
Previous Environmental Analysis of the Project Site 3
Purpose of Addendum 3
Proposed Amendment to the Approved THSP Project 4
Project Location 4
Specific Plan Amendment 4
THSP Environmental Impact Analysis Summary 8
Environmental Evaluation 18
I. Aesthetics 19
II. Agricultural and Forestry Resources 23
III. Air Quality 26
V. Biological Resources 34
VI. Cultural Resources 47
VII. Geology and Soils 53
VIII. Greenhouse Gas Emissions 58
IX. Hazards and Hazardous Materials 61
X. Hydrology and Water Quality 70
XI. Land Use and Planning 78
XII. Mineral Resources 81
XIII. Noise 83
XIV. Population and Housing 90
XV. Public Services, Recreation, and Utilities 92
XVI. Transportation/Traffic 102
XIX. Mandatory Findings of Significance 107
Determination of Appropriate CEQA Documentation 108
Section 15162 – Subsequent EIRs and Negative Declarations 108
Section 15164 – Addendum to an EIR or Negative Declaration 109
Conclusion 110

LIST OF FIGURES

Figure 1: Regional Location Map 12
Figure 2: Project Vicinity Map 13
Figure 3: Proposed General Plan Land Use 14
Figure 4: Proposed THSP Zoning 15
Figure 5: Proposed THSP Land Use Concept 16
Figure 6: City of Tracy Conservation/Open Space 17

LIST OF TABLES

Table 1: Land Use Plan Buildout (2035) 6
Table 2: THSP SEIR Potentially Significant Environmental Impacts Table 8

ATTACHMENTS

Attachment A: **Biological Technical Report**

Attachment B: **CHRIS Search Results**

INTRODUCTION

This document provides an analysis of a proposed Amendment to the Tracy Hills Specific Plan (THSP) (proposed Project). The proposed Project would result in the annexation into the City limits of approximately 35.7 acres of land (Annexation Area) currently located outside of the City limits and THSP Area, but within the City's Sphere of Influence, a THSP amendment to bring the 35.7-acre Annexation Area into the THSP, and the concurrent execution of a conservation easement on an equivalently sized 35.7 acre area currently located within and adjacent to the southwestern edge of the THSP Area (Conservation Easement). Approvals required for Project implementation include: a General Plan Amendment, a THSP Amendment, and pre-zoning of the Annexation Area into the THSP/City limits. Pre-zoning the Annexation Area to THSP would allow the City to authorize a petition to the San Joaquin County Local Agency Formation Commission (LAFCo) for annexation of the Annexation Area within the City limits, and action by LAFCo to approve the annexation. Upon annexation, the THSP Area would increase from approximately 2,731 acres to 2,767 acres. However, because the Project would add 35.7 developable acres to the THSP Area by the annexation, and subtract 35.7 developable acres from the THSP Area by the Conservation Easement, there would be no change in development intensity in the THSP from approval of the proposed Project.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

This Addendum has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §§ 21000 et seq.); the State CEQA Guidelines (Title 14, California Code of Regulations [CCR] §§ 15000 et seq.); and the rules, regulations, and procedures for implementing CEQA as set forth by the City of Tracy (City).

Section 15164(a) of the State CEQA Guidelines states that "the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Pursuant to Section 15162(a) of the State CEQA Guidelines, a subsequent EIR or Negative Declaration is only required when:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The following describes the requirements of an addendum, as defined by CEQA Guidelines Section 15164:

(a) The lead agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

(b) An Addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(c) An Addendum need not be circulated for public review but can be included in or attached to the Final EIR.

(d) The decision-making body shall consider the Addendum with the Final EIR prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a Subsequent EIR pursuant to Section 15162 should be included in an Addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

As set forth in Section 15164(a), if none of the circumstances or conditions described in Section 15162 are present, and only minor technical changes or additions are necessary to update the previously certified EIR, an addendum may be prepared, consistent with CEQA Guidelines Section 15164.

Based on the analysis and evaluation provided in this Addendum, no new significant impacts would occur because of the proposed Amendment, nor would there be any substantial increase in the severity of any previously identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the Tracy Hills Specific Plan Final Environmental Impact Report would substantially reduce one or more significant effects on the environment. Therefore,

no conditions described in Section 15162 of the CEQA Guidelines have occurred. For this reason, an Addendum is the appropriate document to comply with CEQA requirements for the proposed Amendment.

PREVIOUS ENVIRONMENTAL ANALYSIS OF THE PROJECT SITE

The Tracy City Council approved the THSP Project and certified the corresponding Subsequent EIR (Tracy Hills Specific Plan SEIR [SCH# 2013102053]) in October 2015 and certified the final subsequent EIR on April 5, 2016 (the "THSP SEIR"). This analysis incorporates by reference, where relevant and appropriate, discussion and analysis contained in the previously certified THSP SEIR. The THSP SEIR evaluates the potential environmental impacts resulting from the approval and implementation of the THSP. The THSP involves the development of 2,736.1 acres of land with residential, commercial, open space, mixed-use business park, and industrial uses. The THSP SEIR evaluated several actions associated with implementation of the THSP including approval of the Specific Plan and a General Plan Amendment; approval of a Zoning Map and Text Amendment; approval of a development agreement; approval of a new Storm Drainage Master Plan; tentative and final map approvals; and development permits and building permits. The THSP was prepared to set forth a comprehensive planning framework, as well as to identify development regulations and design guidelines relating to land uses, development standards, architecture, landscaping, park/recreational and open space facilities, circulation, signage, sustainability features, as well as all other necessary on- and off-site infrastructure improvements required to implement the THSP.

Purpose of Addendum

The purpose of this checklist is to analyze any potential differences between the impacts identified in the previously certified THSP SEIR and those that would be associated with the proposed Amendment to the THSP.

Pursuant to provisions of CEQA and the State CEQA Guidelines, the City of Tracy is the Lead Agency charged with the responsibility of determining whether to approve the proposed Amendment. As part of its decision-making process, the City is required to review and consider whether the proposed Amendment would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the previously certified THSP SEIR. The decision-making body must consider the whole of the data presented in the THSP SEIR, and as augmented by this Addendum and the previously adopted Mitigation Monitoring and Reporting Program. Additional CEQA review beyond this Addendum would only be triggered if one or more of the circumstances or conditions described in Section 15162(a) of the CEQA Guidelines was determined to be present or to have occurred.

PROPOSED AMENDMENT TO THE APPROVED THSP PROJECT

Project Location

The Project site is located within the THSP Area in the southern portion of the City of Tracy in San Joaquin County, California as shown in Figure 1, *Regional Location Map*. The THSP Area consists of approximately 2,731.6 acres and surrounds the existing interchange at Corral Hollow Road and the proposed Lammers Road interchange on Interstate 580 (I-580). Refer to Figure 2, *Project Vicinity*.

General Plan Amendment

The proposed General Plan Amendment would change the General Plan land use designation of the Annexation Area from City of Tracy Open Space to Residential Low and identify the Annexation Area as within City limits; refer to Figure 3, Proposed *THSP Land Use*. The proposed General Plan Amendment would also change the land use designation for the Conservation Easement area from Residential Very Low to Open Space.

Tracy Hills Specific Plan Amendment

An application for an Amendment to the previously approved THSP has been submitted to the City of Tracy for consideration. The proposed Project would revise the THSP Area boundary to include the Annexation Area and zone it as Low Density Residential (LDR-TH); refer to Figure 4,*THSP Zoning*.

The proposed Project would change the zoning district from Residential Estate (RE-TH) to Tracy Hills Conservation (C-TH) for the proposed Conservation Easement area. The proposed Project would also remove the existing conservation easement managed by SJCOG from the Annexation Area. SJCOG would be responsible for approving the proposed conservation exchange and future management of the conservation easement.

As shown in Figure 6, *City of Tracy Conservation/Open Space*, the proposed Conservation Easement is physically more connected to the open space and would provide for more habitat continuity as compared to the Annexation Area, which is a comprised of a linear and narrow piece of land wedged between planned development areas. Accordingly, the THSP Area would increase by 35.7 acres from 2,731.6 acres to 2,767.3 acres, however, the total developable acres would remain unchanged.

Future Development

The Annexation Area is currently surrounded by the THSP development footprint to the west, north, and east. Project implementation would allow for residential development within the Annexation Area, thus creating a more focused development footprint. The proposed Project would move development closer within the overall THSP footprint and increase buffers between the THSP Area and the existing open space. Because the Project would add 35.7-acres of developable land to the THSP in the Annexation area, and subtract 35.7-acres of developable land in the Conservation Easement area, the proposed Project would result in a net zero change in developable acreage and would not change the intensity of development previously proposed in the THSP.

As shown in Table 1: Land Use Plan Buildout (2035), the proposed Project would not change the developable acres as compared to what was previously analyzed in the THSP SEIR. Changes in THSP zoning would be balanced and no net change to the number of projected dwelling units within the THSP would occur. Additionally, development standards would remain the same as those previously discussed under the THSP. The number of vehicle trips generated by the proposed Project would be identical to the THSP since no changes in development intensity would occur.

Table 1: Land Use Plan Buildout (2035)[1]

Zoning District or Land Use Designation	Target Density Range or F.A.R (DU's/ac.)	THSP			Proposed Project			Difference Between THSP and Proposed Project		
		Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres[2]	Developable Acres[3]	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)
Residential Estate	0.5-2.0	95.6	81.3	122 DU	59.9	50.9	76	-35.7	-30.4	-46
Low Density Residential[4]	2.1-5.8	1,316.2	961.5	3,558DU	1,351.9	991.9	3,604	+35.7	+30.4	+46
Medium Density Residential	5.9-12.0	422.1	358.8	2,672 DU	N/A	N/A	N/A	No change	No change	No change
High Density Residential	12.1-25.0	9.2	7.8	125 DU	N/A	N/A	N/A	No change	No change	No change
Mixed-use Business Park	0.2 F.A.R	79	67.2	585,446 SF	N/A	N/A	N/A	No change	No change	No change
General Highway Commercial[5]	0.2 F.A.R	53.8	45.7	398,400 SF	N/A	N/A	N/A	No change	No change	No change

[1] Approved KT/7C Village and 1b/1c Project are reflected as background conditions.
[2] All Acreages, dwelling units, and square footage examples shown herein are approximate
[3] Adjusted Developable Acres - Residential, Mixed Use Business Park, General Highway Commercial, and Light Industrial acreages have been adjusted to show that an estimated 15% of the land area is used for infrastructure such as roads and utilities, and/or public facilities such as neighborhood parks/amenities, schools, and/or public facilities such as retention basins as noted in the General Plan. Actual numbers will vary depending on site specific characteristics.
[4] 180 to 185 acres of General Plan mandated Open Space taken out of Low Density Residential land use category.
[5] 8.7 acres of General Highway Commercial will be zoned with a Medium Density Residential Overlay and is anticipated to be developed with residential uses. As such this acreage is accounted for in the Medium Density Residential zoning district.

Zoning District or Land Use Designation	Target Density Range or F.A.R (DU's/ac.)	THSP			Proposed Project			Difference Between THSP and Proposed Project		
		Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres[2]	Developable Acres[3]	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)
Light Industrial	0.25 F.A.R	336.4	285.9	3,113,887 SF	N/A	N/A	N/A	No change	No change	No change
Conservation Easements	N/A	126.5	N/A	N/A	162.2	N/A	N/A	+35.7	N/A	N/A
Interstate 580 Interchange and ROW	N/A	137.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
California Aqueduct ROW	N/A	143.1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Union Pacific Rail Road	N/A	12.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Totals		**2,731.6**	**1,808.2**	**6,477 DUs; 4.1 million SF**	**2,767.3**	**1,808.2**	**No Change**	**+35.7**	**No Change**	**No Change**

Source: Application For Tracy Hill Specific Plan Amendment For the 35-acre Annexation Project, January 2021; Tracy Hill Specific Plan (amended 2020), October 2020.

THSP ENVIRONMENTAL IMPACT ANALYSIS SUMMARY

The 2016 THSP SEIR certified in January 2016, found the potentially significant environmental effects of the THSP to be as shown in Table 2: *THSP SEIR Potentially Significant Environmental Impacts Table*.

Table 2: THSP SEIR Potentially Significant Environmental Impacts Table

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
Aesthetics	• Visual aspect of and views in the Specific Plan Area (Project and Cumulative Impact) • Adverse effects on a state-designated scenic highway • Adverse change in the character of the site	• New sources of light and glare
Agriculture	• Conversion of Prime Farmland and other Important Farmland (Project and Cumulative)	• Incompatible with adjacent agricultural activity
Air Quality	• Inconsistency with adopted Air Quality Management Plan • Cumulative construction emissions (ROG, and NO_x) (Buildout) • Cumulative operational emissions (ROG, NO_x, CO, PM_{10}, $PM_{2.5}$) (Phase I and Buildout) • Emission of ozone precursors and particulate matter	• Exposure of sensitive receptors to substantial pollutant concentrations
Biological Resources	N/A	• Adverse impact on wildlife movement • Impact on special-status animal species • Impact on federally protected wetlands as defined by Section 404 of the Clean Water Act • Construction during bird nesting season

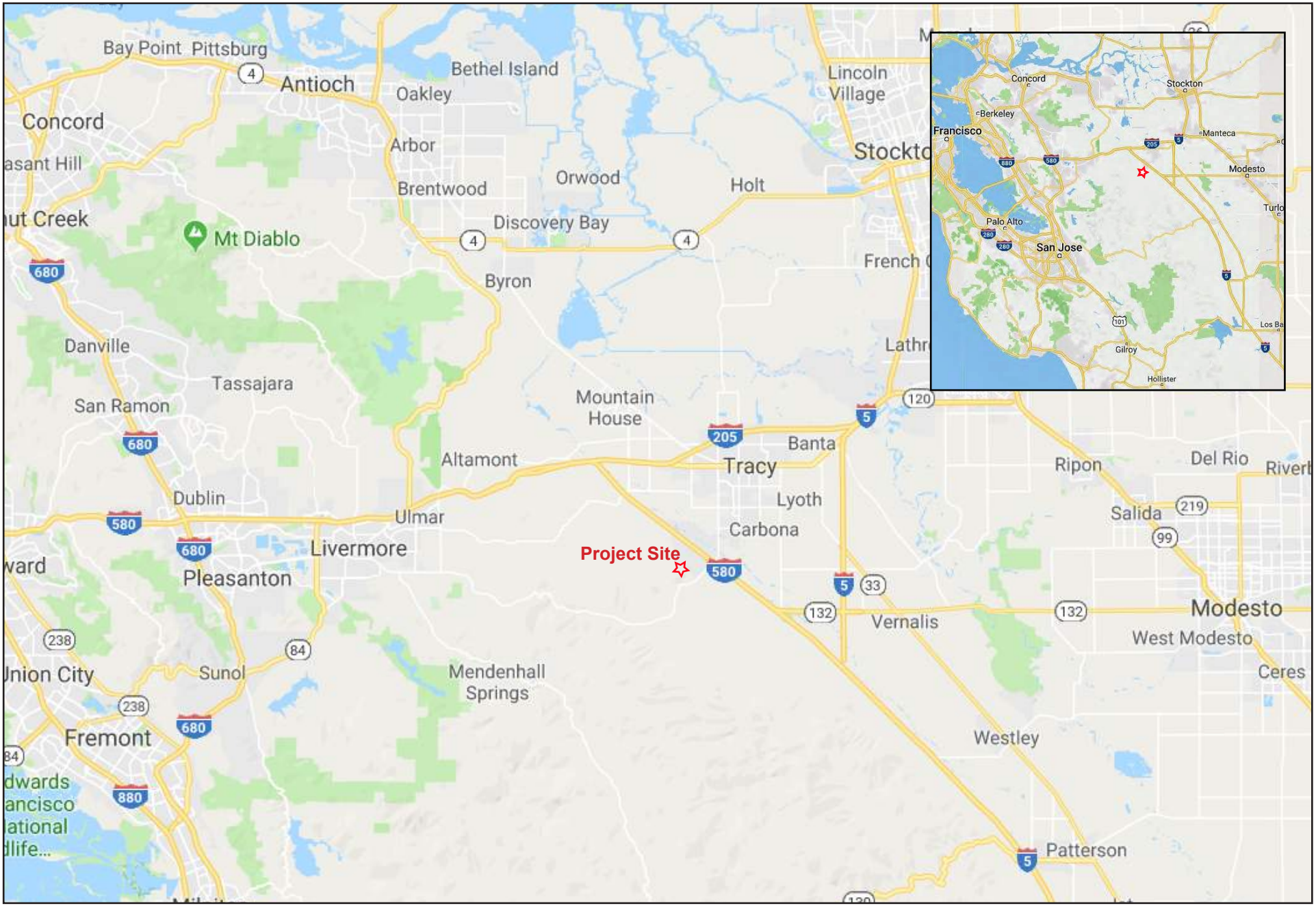
	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
		• Conflict with tree preservation policy or ordinance • Conflict with Habitat Conservation Plan/Natural Community Conservation Plan
Cultural Resources	N/A	• Damage to cultural resources (buried archeological deposits) • Damage to paleontological resources • Human remains encountered during construction
Greenhouse Gas Emissions	• Generation of GHG emissions during construction and operation (Project and Cumulative)	• Conflict with greenhouse gas reduction plan, policy, or regulation
Geology and Soils	N/A	• Expansive soil
Hazards and Hazardous Materials	N/A	• Routine use, transport, and disposal of hazardous materials • Release from nearby crude oil, natural gas, and petroleum pipelines • Breach or rupture of the California aqueduct • Attract wildlife that is hazardous to aircraft associated with Tracy Municipal Airport • Conflict with adopted emergency response plan and emergency evacuation plan • Exposure structures adjacent to undeveloped areas to risk of wildland fires
Hydrology and Water Quality	N/A	• Storm water discharge requirements and water quality

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
		• Soil erosion and sedimentation • Storm water runoff volumes • Pollutants (associated with non-residential storm water runoff) • 100-Year Flood Hazard Areas
Land Use	N/A	• Conflict with 2009 San Joaquin Airport Land Use Compatibility Plan
Noise	• Exposure of persons to noise levels in excess of established standards • Traffic noise level increases (Project and Cumulative)	• Expose persons or generate excessive groundborne vibration
Public Services and Utilities	N/A	• Need for new or physically altered fire protection facilities • Need for new or physically altered law enforcement facilities • Need for yet to be constructed City Water System Master Plan (WSMP) facilities • Need for wastewater treatment capacity
Traffic	• Impact to bicycle and pedestrian modes • Freeway segments during construction (Phase 1) • Impact to the existing roadway, intersections and freeway network (Buildout) • Impact to the existing roadway, Caltrans intersections (Buildout) • Level of service at intersections during construction (Phase 1)	• Impact to Phase 1a roadway network and operation and safety of pedestrians, cyclists, and vehicles on adjacent roadway facilities • Impact to roadway network and safety and operations on adjacent roadway facilities from temporary offsite school for 450 students • Impact to Phase 1a roadway network and roadway facilities from temporary on-site school

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
	• Impact to the 2035 roadway and freeway network (Phase 1 and Cumulative) • Impact to the 2035 roadway and freeway network (Buildout) • Impact to Altamont Pass, Corral Hollow Road, Patterson Pass, roadways in Alameda County (Phase 1) • Impact on existing Phase 1a street network and streets surrounding the school site (Phase 1) • Impact to bicycle and pedestrian connection from Spine Road along Corral Hollow Road	

It was determined in the THSP SEIR that implementation of mitigation measures identified in the THSP SEIR would reduce the severity of several of the aforementioned impacts to a level of less than significant. Where the THSP SEIR identified significant and unavoidable impacts, even after the consideration of mitigation measures, such impacts are identified herein as significant and unavoidable. Where applicable, mitigation measures stemming from the previously certified THSP SEIR and adopted as conditions of THSP approval would be incorporated into the proposed Project.

For impacts not identified in Table 2*: THSP SEIR Potentially Significant Environmental Impacts Table,* the THSP SEIR found that buildout of the THSP would have a less than significant impact or no impact to topical areas evaluated pursuant to the *CEQA Guidelines*.



Source: Google Maps, 2020

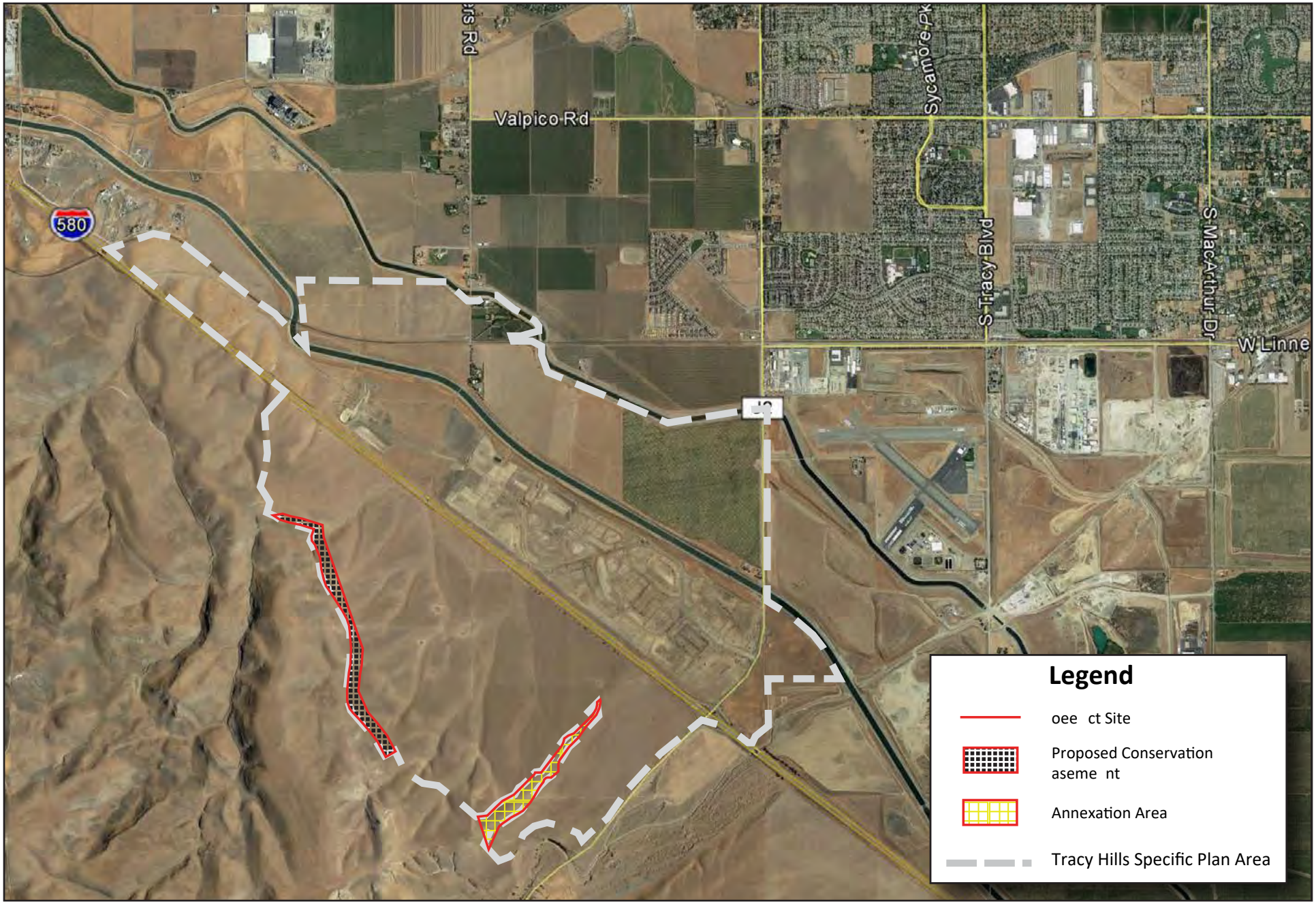
Figure 1: Regional Location Map

Addendum to the Tracy Hills Specific Plan SEIR

Not to scale

Kimley»Horn

Expect More. Experience Better.

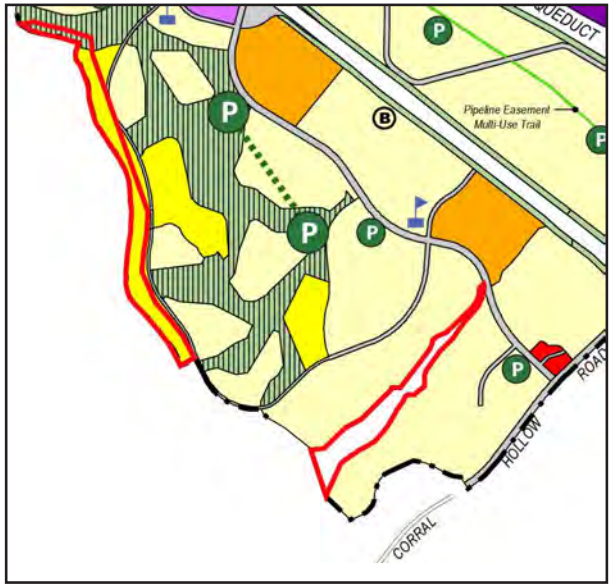


Source: Google Maps, 2019

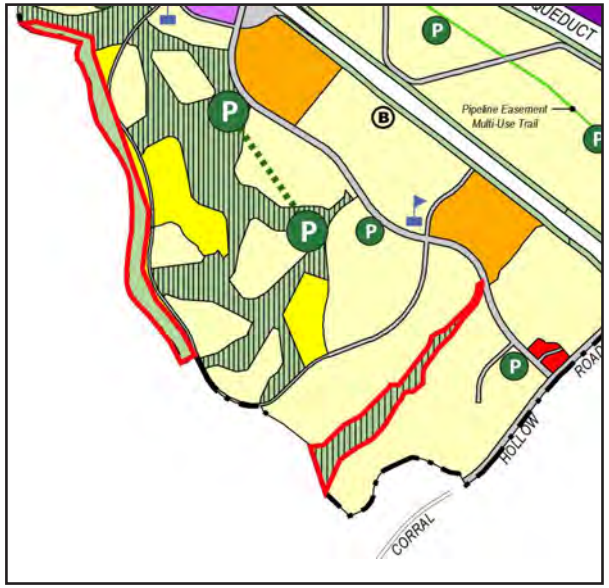
Figure 2: Project Vicinity Map
Addendum to the Tracy Hills Specific Plan

Not to scale

Kimley»Horn
Expect More. Experience Better.



Current General Plan Land Use



Proposed General Plan Land Use

City of Tracy General Plan Land Use Designations

- Commercial
- Residential High
- Residential Medium
- Residential Low
- Light Industrial
- Mixed Use
- Conservation Easements/Open Space
- Recreation Open Space

Legend

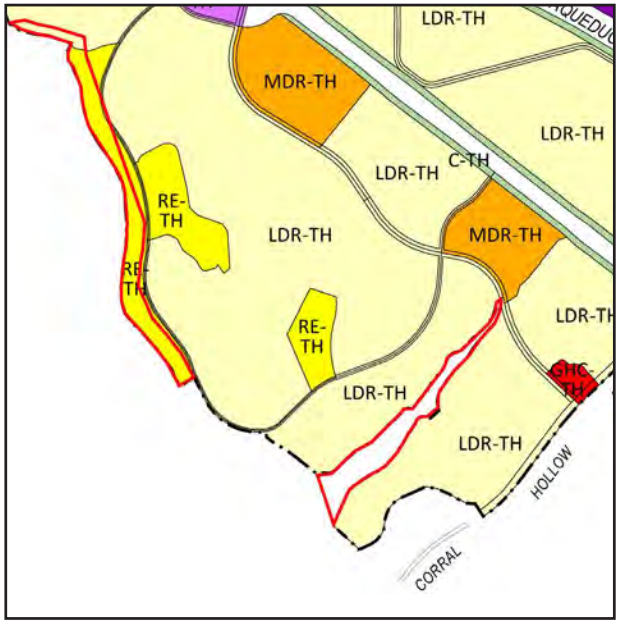
- Project Site

Source: City of Tracy, 2016; Kimley-Horn, 2021

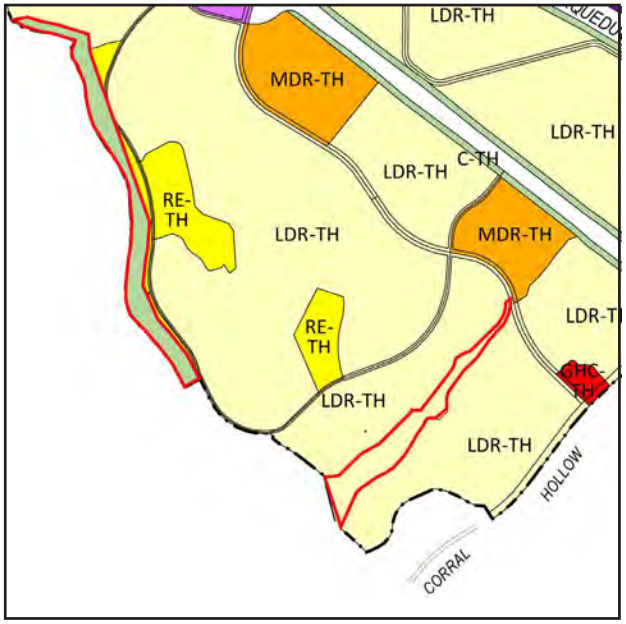
Figure 3: Proposed General Plan Land Use
Addendum to the Tracy Hills Speci ic Plan

Not to scale

Kimley»Horn
Expect More. Experience Better.



Current THSP Zoning Concept



Proposed THSP Zoning Concept

Tracy Hills Specific Plan (THSP) Zoning

- Low Density Residential (LDR-TH)
- Residential Estate (RE-TH)
- Medium Density Residential (MDR-TH)
- General Hig way Commercial Meium ensity Residential Overlay (GHC MDR-TH)
- Tracy Hills Conservation (C-TH)
- Light Industrial (M1-TH)

Legend

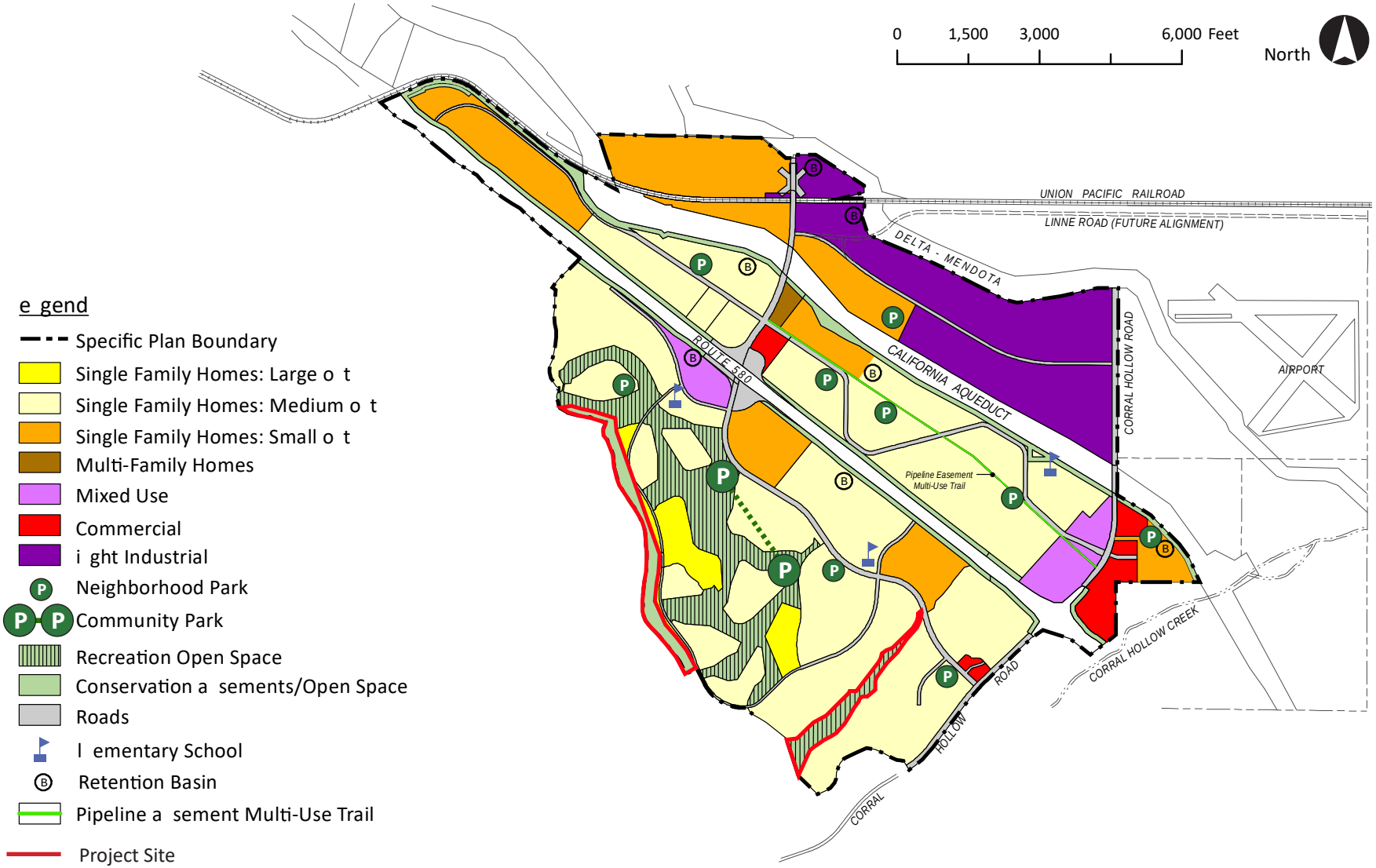
- Project Site

Source: City of Tracy, 2016; Kimley-Horn, 2021

Figure 4: Proposed THSP Zoning
Addendum to the Tracy Hills Specific Plan

Not to scale

Kimley»Horn
Expect More. Experience Better.

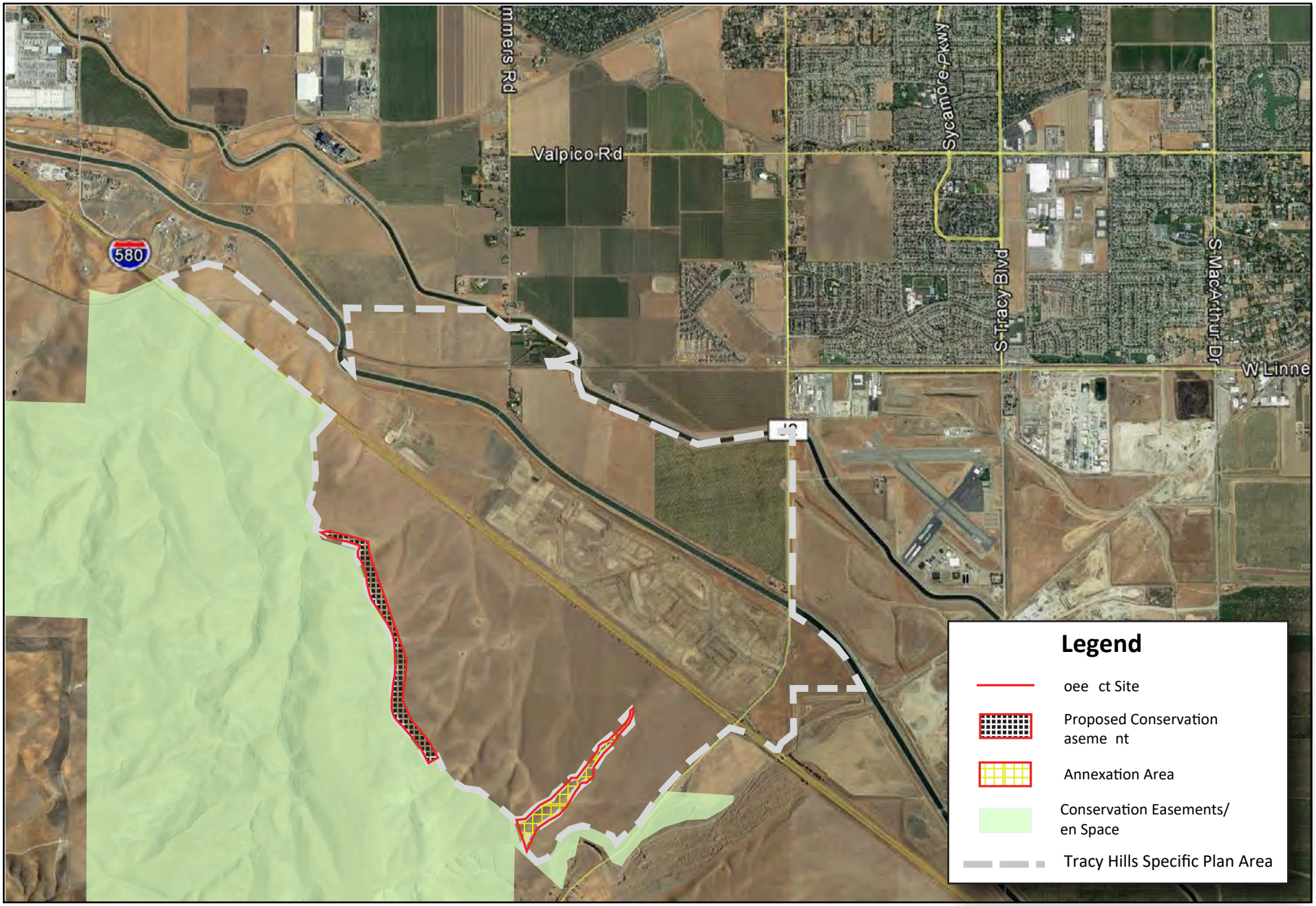


NOTES:
1. The locations, numbers, and configurations of public schools, park sites, and public utilities are conceptual and subject to change.
2. This exhibit is for conceptual purposes to show approximate locations.

Source: City of Tracy, 2016; Kimley-Horn, 2021

Figure 5: Proposed THSP Land Use Concept
Addendum to the Tracy Hills Specific Plan

Kimley»Horn
Expect More. Experience Better.



Source: City of Tracy, 2016; Kimley-Horn, 2021

Figure 6: City of Tracy Conservation/Open Space

Addendum to the Tracy Hills Specific Plan

Not to scale

Kimley»Horn

Expect More. Experience Better.

ENVIRONMENTAL EVALUATION

This section evaluates the potential environmental effects of the proposed Project, as compared to the THSP SEIR, using the environmental checklist from the State *CEQA Guidelines* as amended. The definitions of the response column headings include:

A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant after the implementation of feasible mitigation measures. The impact may warrant additional analysis within a Subsequent or Supplemental EIR or the impact would be within the scope of analysis in the THSP SEIR and require no additional analysis to identify additional mitigation measures.

B. "Less than Significant With Mitigation Incorporated" applies where the incorporation of a new mitigation measure has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The impact would be outside the scope of analysis in the THSP SEIR and would incorporate mitigation measures that were not identified in the THSP SEIR.

C. "Less Than Significant Impact" applies where the project creates no significant impacts, only Less than Significant Impacts with incorporation of mitigation measures previously identified in the THSP SEIR. These impacts are within the scope of Less Than Significant Impacts or Less Than Significant With Mitigation Incorporated identified and evaluated within the THSP SEIR and below thresholds considered significant after consideration of THSP SEIR mitigations. Mitigation measures from the THSP SEIR will be cross-referenced when applicable.

D. "No Impact" applies where the project does not create an impact in that category.

E. "Reviewed Under Previous Document" indicates the impact created by the proposed Project would be the same as that identified in the THSP SEIR for the corresponding threshold. Where this finding is made, both are so noted herein and the corresponding boxes are checked in the Environmental Checklist.

I. AESTHETICS

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	☐	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the Project have a substantial adverse effect on a scenic vista?

As identified in the THSP SEIR, impacts related to scenic vistas were considered significant and unavoidable. Impacts to scenic vistas were found to be significant and unavoidable because implementation of the THSP would change the visual character and views to and from across the approximate 2,732-acre THSP Area. The THSP SEIR concluded that with implementation of Mitigation Measure AES 4.1-1 in the THSP SEIR, impacts to scenic vistas would still remain significant and unavoidable.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure AES 4.1-1****: The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which have been implemented in the Phase 1a Vesting Tentative Map (Figure 3-12, Phase 1a Vesting Tentative Map), and which would be required on individual, site-specific developments within the THSP. These measures would ensure that development within the Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation. [This is Mitigation Measure 4.1-1 in the THSP SEIR]*

The proposed Project would not result in additional development compared to the THSP. The Project would annex 35.7-acres of land previously restricted for development as part of a conservation easement and rezone to allow for Low Density Residential. In exchange, the Project would set aside 35.7-acres in the northwestern portion of the THSP Area into a conservation easement. Similar to the THSP, the proposed Project would still allow for development in a previously undisturbed area. Since the proposed

Project would change from undeveloped land to urbanized development, the proposed Project would have the potential to create a substantial adverse impact on a scenic vista. With implementation of the above mitigation measure, the proposed Project's impact on a scenic vista would remain significant and unavoidable. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

As noted in the THSP SEIR, the THSP Area is bisected by Interstate 580, a State designated scenic highway and borders Corral Hollow Road, a scenic road designated in the 1978 San Joaquin County General Plan. Views from I-580 to the THSP Area would be directly impacted due to the adjacent development. As identified in the THSP SEIR, impacts related to scenic resources were considered significant and unavoidable. The THSP SEIR concluded that even with implementation of Mitigation Measure AES 4.1-2 identified in the THSP SEIR, impacts to scenic vistas would remain significant and unavoidable.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure AES 4.1-2****: The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which have been implemented in the Phase 1a Vesting Tentative Map (Figure 3-12, Phase 1a Vesting Tentative Map), and which would be required on individual, site specific development within the THSP. These measures would ensure that development within the THSP Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation*. [This is Mitigation Measure 4.1-2 in the THSP SEIR]

Project implementation would have the potential to impact views from the I-580. Similar to the approved THSP, the proposed Project would have the potential to create substantial damage to the identified scenic resources. Since the proposed Project site is within the viewshed of Interstate 580 and Corral Hollow Road, which are considered as scenic routes, Project development would have the potential to significantly impact scenic views. The proposed Project's impact would remain significant and unavoidable even with implementation of the above mitigation measure. The proposed Project's annexation would further concentrate the development footprint though impacts to scenic views would occur regardless compared to THSP development. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

As identified in the THSP SEIR, impacts related to degradation of the existing visual character or quality of the site and its surroundings were considered significant and unavoidable. Development of the THSP Area

would transition from primarily undeveloped rural agricultural land to a range of urban development including residential, office, and commercial, and industrial uses. Implementation of the THSP's development standards and design guidelines, and adherence to the Tracy General Plan goals, objectives, and policies, would reduce impacts associated with development within the THSP Area. However, due to the size and scope of the THSP Area, impacts to the visual character or quality of the THSP Area would remain significant and unavoidable even with implementation of Mitigation Measure AES 4.1-3 identified in the THSP SEIR.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure AES 4.1-3:*** *The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which would be required on individual, site specific development within the THSP. These measures would ensure that development within the THSP Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation. [This is Mitigation Measure 4.1-3 in the THSP SEIR]*

Similar to the approved THSP, the proposed Project would have the potential to degrade the existing visual character or quality of the Project site. The proposed Project would not result in a net increase in developable acres of development intensity. With implementation of the above mitigation measure, the proposed Project's impact on the existing visual character or quality of the Project site would remain significant and unavoidable. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

As identified in the THSP SEIR, impacts related to light and glare, which would adversely affect day or nighttime views in the area, were considered significant and unavoidable. Light and glare from the THSP Area would come primarily from vehicle headlights and windshields traveling along I-580 and Corral Hollow Road. Other sources of light and glare within the THSP Area would come from single-family homes along Lammers Road and Corral Hollow Road. Development of the THSP Area would also introduce new sources of light and glare coming from new commercial, business park and residential uses. Thus, impacts with respect to light and glare were determined to be significant and unavoidable with implementation of Mitigation Measure AES 4.1-4 in the THSP SEIR.

The following mitigation measure incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> **Mitigation Measure AES 4.1-4:** *To decrease light spillage and glare to the maximum extent practicable, all individual developments under the THSP shall be required to:*

- *Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light on to public rights-of-way or adjacent residential property, consistent with City standards.* [This is Mitigation Measure 4.1-4 in the THSP SEIR]

Project implementation would result in the same development intensity as previously analyzed in the THSP SEIR. However, the sources of light from residential uses and open space uses would not be considered new light sources to the Project site, compared to the assumptions in the THSP SEIR. The proposed Project would move development closer within the THSP footprint and increase buffers between the THSP Area and proposed Conservation Easement. In addition, open space uses, such as neighborhood parks would have restricted hours, closed between the hours of dusk and dawn per Section 4.16.190 of the Tracy Municipal Code. Similar to the approved THSP, compared to existing conditions, the proposed Project would have the potential to create a new source or light or glare which would adversely affect day or nighttime views in the area. With implementation of the above mitigation measure, the proposed Project's impact on light and glare would remain significant and unavoidable. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Cumulative Impacts

The potential aesthetic impacts related to views, aesthetics, and light and glare are site specific. While impacts are minimized with implementation of mitigation measures, impacts related to aesthetics across the THSP Area were considered cumulatively significant and unavoidable in the previously certified THSP SEIR. As identified in the THSP SEIR, the THSP would change the visual aspect of and views from, to, and across the THSP Area, add new development to viewsheds, bring urban development to a rural and agricultural area, resulting in cumulatively considerable contributions to significant impacts on scenic vistas, scenic resources within a State scenic highway, and visual character. The THSP SEIR concluded that with Mitigation Measure AES 4.1-5, impacts would remain significant and unavoidable.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> **Mitigation Measure AES 4.1-5:** *The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which would be required on individual, site specific development within the THSP. These measures would ensure that development within the THSP Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation. [*This is Mitigation Measure 4.1-5 in the THSP SEIR]

As discussed above, the proposed Project would not cause a new aesthetic impact to occur, nor an increase in the severity of an aesthetic impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

II. AGRICULTURAL AND FORESTRY RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	*Reviewed Under Previous Document*
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

As noted in the THSP SEIR, the California Department of Conservation Farmland Mapping and Monitoring Program shows that the THSP Area contains approximately 25 acres of Prime Farmland as well as 2,700 acres of other farmland.[6] The 25 acres of Prime Farmland is located along Lammers Road, just south of the Delta-Mendota Canal and is made up of an existing vineyard. Impacts related to agricultural resources within the THSP Area were previously considered in the impact analysis in the Tracy General Plan EIR,

[6] THSP SEIR, Figure 4.2-1

however, no mitigation measures were identified to reduce this impact, and the Tracy City Council adopted a statement of overriding considerations with respect to the anticipated loss of farmland.[7]

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure AG 4.2-1:*** *As part of the development process for individual site-specific development projects, the agricultural mitigation fee adopted by the City shall be paid for each acre of Prime Farmland to be developed. The fees shall be collected by the City at the time building permits are issued for such site-specific development projects, or as otherwise required by the City. [This is Mitigation Measure 4.2-1 in the THSP SEIR]*

The City currently uses the Agricultural Mitigation Fee Ordinance to collect in-lieu fees for impacts from development on agricultural land. Impacts related to the conversion of prime farmland were considered significant and unavoidable in the previously certified THSP SEIR. The Project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Annexation Area is designated as "Grazing Land", which is not recognized in CEQA thresholds of significance with respect to farmland conversion. The proposed Project would not impact any Prime farmland and the specified mitigation measure above would not be required for the Project. The proposed Project's impact on conversion of prime farmland to non-agricultural uses would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP. As such, no further analysis is required.

Threshold (b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

A Williamson Act contract is formed between local governments and private landowners for the purpose of restricting certain parcels of land to agricultural or related open space use. The Annexation Area is not the subject of a Williamson Act contract and does not contain any lands zoned for agricultural uses. Therefore, no conflict exists in regard to the current zoning of the Project site. As such, the proposed Project would not include properties zoned for agricultural use or under Williamson Act Contract, and therefore no impact would occur. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP. As such, no further analysis is required.

Threshold (c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

As discussed in the previously certified THSP SEIR, full buildout of the THSP would result in conversion of the THSP Area to urban uses. However, the proposed land uses in the THSP Area would be incompatible with adjacent land uses without appropriate buffer activities from development of the THSP. Impacts related to other changes in the existing environment which, due to the conversion of farmland to non-

[7] THSP SEIR, page 4.2-9

agricultural use were considered significant and unavoidable in the previously certified THSP SEIR even with implementation of Mitigation Measure AG 4.2-2.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure AG 4.2-2:*** As construction occurs along the Project Area boundary, buffers such as roadways, conservation easements, building setbacks, and parking areas, shall be required prior to occupancy of those structures, in compliance with General Plan Policy OSC-2.2 *[This is Mitigation Measure 4.2-2 in the THSP SEIR]*

The Annexation Area does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Given that no important Farmland exists on the site, Project implementation would not result in conversion of farmland to non-agricultural use. Impacts in this regard would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified in the certified THSP SEIR. Since there is no important Farmland within the Annexation Area, mitigation measure AG 4.2-3 from the previously certified THSP SEIR would not be required to reduce Project impacts. The proposed Project would not cause a new agricultural impact to occur, nor an increase in the severity of an agricultural impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

III. AIR QUALITY

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☐	☒
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☐	☒
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☐	☒
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The proposed Project lies within the central portion of the San Joaquin Valley Air Basin (SJVAB). The San Joaquin Valley Air Pollution Control District (SJVAPCD) has jurisdiction over most air quality matters in the Basin and is tasked with implementing programs and regulations required by the federal and State Clean Air Acts. If a project is found to interfere with the region's ability to comply with federal and State air quality standards, local governments then need to consider project modifications or provide mitigation measures to eliminate the inconsistency of the project plans. In order for a project to be considered "consistent" with the latest Air Quality Plan (AQP), the project must be consistent with the goals, objectives, and assumptions in the respective plan to achieve Federal and State air quality standards. Additionally, both construction related and long-term emissions are required to be quantified and compared to the SJVAPCD significance thresholds.

Emissions from the construction and operational phase of the proposed Project were included as part of the emissions estimate for buildout conditions of the THSP Area as evaluated in the previously certified THSP SEIR. The THSP SEIR found that buildout would generate a substantial increase in criteria air

pollutants that would exceed the SJVACPD's significance thresholds during both construction and operation of the THSP project. As discussed in the THSP SEIR, buildout of the THSP would result in exceedances of the SJVAPCD thresholds for criteria pollutants including inconsistencies with the 2013 Ozone Plan and the 2012 $PM_{2.5}$ Plan in this regard.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure AQ 4.3-1a****: Prior to the issuance of any grading permit the City Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SJVAPCD Regulation VIII, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:*
>
> - *All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover;*
> - *All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant;*
> - *All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking;*
> - *When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained;*
> - *All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.);*
> - *Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant;*
> - *Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday;*
> - *Any site with 150 or more vehicle trips per day shall prevent carryout and trackout;*
> - *Limit traffic speeds on unpaved roads to 15 mph;*

- *Install sandbags or other erosion control measures to prevent silt run-off to public roadways from sites with a slope greater than one percent;*
- *Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the THSP Project Area; and*
- *Fugitive dust emanating from the Project site shall not exceed 20 percent opacity, per SJVAPCD Regulation VIII.*
- *Applicant shall consult with the County Public Health Services Department or California Department of Public Health to develop a Valley Fever Dust Management Plan that addresses Valley Fever exposure. The Plan shall be provided to the City and shall include a program to evaluate the potential for exposure to Valley Fever from construction activities and to identify appropriate dust management and safety procedures that shall be implemented, as needed, to minimize personnel and public exposure to potential Valley Fever- containing dust. [This is Mitigation Measure 4.3-1a in the THSP SEIR]*

Mitigation Measure AQ 4.3-1b: *The following measures shall be implemented during construction to reduce NO_X related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.*

- *Use of construction equipment rated by the United States Environmental Protection Agency (EPA) as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower that are onsite for more than 5 days, if available and feasible. Tier 3 engines between 50 and 750 horsepower are available for 2006 to 2008 model years. After January 1, 2015, encourage the use of equipment over 50 horsepower that are on-site for more than 5 days to meet the Tier 4 standards, if available and feasible. A list of construction equipment by type and model year shall be maintained by the construction contractor onsite, which shall be available for City review upon request.*
- *Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible; and*
- *Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g., 5-minute maximum).*
- *Properly and routinely maintain all construction equipment, as recommended by manufacturer's manuals, to control exhaust emissions.*
- *Use electric equipment for construction whenever possible in lieu of fossil fuel-fired equipment. [This is Mitigation Measure 4.3-1b in the THSP SEIR]*

Mitigation Measure AQ 4.3-1c: *Prior to the issuance of any grading permit, the City shall confirm that the Project complies with the SJVAPCD Rule 9510, Indirect Source (ISR). If feasible measures*

are not available to meet the emissions reductions targets outlined in Rule 9510, then Project applicants shall pay an in-lieu mitigation fee to the SJVAPCD to offset the Project's emissions-related impacts, or coordinate with the SJVAPCD to implement a Voluntary Emission Reduction Agreement (VERA). If in-lieu fees are required, Project applicants shall coordinate with the SJVAPCD to calculate the amount of the fees required to offset the Project's impacts. The applicant shall document, to the City's reasonable satisfaction, its compliance with this mitigation measure. [This is Mitigation Measure 4.3-1c in the THSP SEIR]

Mitigation Measure AQ 4.3-2: *Prior to issuance of building permits, each applicant for individual site-specific developments under the THSP shall demonstrate compliance with SJVAPCD Rule 9510, Indirect Source Review (ISR) or implementation of a Voluntary Emission Reduction Agreement (VERA). Project applicants shall coordinate with the SJVAPCD to ensure that the Project meets the requirements of SJVAPCD Rule 9510 or implements a VERA. If feasible reduction measures are not available to meet the emissions reductions targets as established by the SJVAPCD, then Project applicants shall pay an in-lieu mitigation fee to the SJVAPCD to offset the Project's emissions-related impacts. If in-lieu fees are required, Project applicants shall coordinate with the SJVAPCD to calculate the amount of the fees required to offset the Project's impacts. [This is Mitigation Measure 4.3-2 in the THSP SEIR]*

Mitigation Measure AQ 4.3-4b: *New sensitive land uses including residential, hospital, medical offices, and day care facilities shall not be located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. If new sensitive land uses cannot meet this setback, they shall be designed and conditioned to include mechanical ventilation systems with fresh air filtration. For operable windows or other sources of ambient air filtration, installation of a central heating, ventilation, and air conditioning (HVAC) system that includes high efficiency filters for particulates (Minimum Efficiency Reporting Value [MERV] 13 or higher) or other similarly effective systems shall be required. [This is Mitigation Measure 4.3-4b in the THSP SEIR]*

Therefore, buildout of the THSP Area would be inconsistent with the SJVAPCD's air quality plans and impacts were considered significant and unavoidable within the THSP SEIR. Mitigation Measures AQ 4.3-1a through 4.3-1c, 4.3-2 and 4.3-4b from the certified THSP SEIR are applicable to the proposed Project and would be expected to reduce the severity of the significant and unavoidable impact. However, even with mitigation incorporated, impacts would remain significant and unavoidable.

The Project would not increase development within the THSP. The total development intensity would be consistent with impacts previously analyzed in the THSP SEIR. Additionally, the proposed Project would not result in changes to the vehicle trip generation analyzed in the THSP SEIR. Given that the proposed Project land uses would be consistent with those previously approved in the THSP, the impact relative to an applicable air quality plan would be similar to what was identified in the THSP SEIR and no new impact or increase in the severity of a previously identified impact would occur.

Threshold (b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Construction

Construction emissions for buildout of the THSP were estimated in the previously certified THSP SEIR using the California Emissions Estimator Model (CalEEMod). Based on the THSP SEIR, buildout of the THSP would result in construction emissions that would exceed SJVAPCD's 10 tons per year threshold for reactive organic gases (ROG) and nitrogen oxides (NO_x). The THSP SEIR found impacts from construction emissions would be significant and unavoidable after implementation of Mitigation Measures AQ 4.3-1a through 4.3-1c, in the THSP SEIR.

Given that no change in net development is proposed by the Project, construction impacts from the proposed Project would be the same as those identified in the THSP SEIR, which is significant and unavoidable. Additionally, the Project would not increase the number of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements compared to the THSP SEIR. Therefore, construction equipment used and phasing for the proposed Project would be roughly similar to the THSP SEIR. The proposed Project's impact relative to construction air emissions would be similar to those identified in the THSP SEIR. No new impact or increase in the severity of a previously identified impact would occur. Mitigation from the certified THSP SEIR is applicable to the proposed Project that would reduce the severity of the significant and unavoidable impact. However, even with mitigation incorporated, impacts would remain significant and unavoidable but would not be greater than the impact analyzed in THSP SEIR.

Operations

Long-term operational emissions would be generated from the day-to-day operations of the buildout of the THSP. Operational emissions for land use development projects are typically distinguished as mobile, energy, and area sources of emissions. Operational emissions for buildout of the THSP were estimated using CalEEMod and analyzed in the THSP SEIR. According to the THSP SEIR, buildout of the THSP Area would result in operational emissions that exceed SJVAPCD thresholds for ROG, NO_X, carbon monoxide (CO), and particulate matter with a diameter smaller than 10 microns (PM_{10}) and smaller than 2.5 microns ($PM_{2.5}$). The proposed Project would not result in an increase of development density or intensity within the THSP Area and would not result in any changes to vehicular trip generation. Therefore, no new impact or increase in the severity of a previously identified impact would occur. Although the previously identified significant and unavoidable impact would remain, implementation of Mitigation Measure 4.3-2 (in the THSP SEIR) would reduce the severity of this impact to the maximum extent feasible. However, impacts would remain significant and unavoidable and would not be greater than the impact analyzed in THSP EIR.

Threshold (c) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The region of the proposed Project area is classified as nonattainment for ozone, PM_{10}, and $PM_{2.5}$. Buildout of the THSP Area would generate emissions of ROG, PM_{10}, and NO_X during construction and operation

that would be above the SJVACPD's regional thresholds of significance. According to the findings in the THSP SEIR, the impact relative to ROG, CO, $PM_{2.5}$, PM_{10} and NO_x is considered potentially significant. This was identified as a significant and unavoidable impact within the THSP SEIR.

Similar to the THSP, the proposed Project would contribute to these overall emissions. However, as discussed in Threshold (a) and (b) above construction and operational air quality impacts would be consistent with the THSP SEIR. Mitigation Measures AQ 4.3-1a through 4.3-1c, 4.3-2 and 4.3-4b from the THSP SEIR would be applicable to the proposed Project and would reduce the severity of the impact. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project expose sensitive receptors to substantial pollutant concentrations?

The *CEQA Guidelines* indicate that a potentially significant impact could occur if the proposed Project would expose sensitive receptors to substantial pollutant concentrations. Exposure of toxic air contaminants was assessed in the previously certified THSP SEIR by evaluating diesel particulate matter (DPM) emissions on nearby sensitive receptors. A Health Risk Assessment (HRA) and addendum were prepared for the previously certified THSP SEIR. The HRA addressed the potential contribution of public exposure to DPM by locating sensitive receptors within 500 feet of I-580 (a generator of toxic air contaminants). The HRA determined that proposed Project operations would not exceed the 10 cases per million that is considered significant by the SJVAPCD and CARB. The proposed Project site is located approximately 1000 feet from I-580 and outside of CARB's 500-foot buffer. Therefore, the Project would not increase risk hazards from freeway exposure. Under the same combined scenario, cancer risk at sensitive receptors adjacent to the THSP Area would have risk up to 4.61 new cases per million persons (in nine-year exposure) and would not exceed the SJVAPCD significance threshold. The HRA determined that the 30- and 70-year exposure periods would exceed SJVAPCD significance thresholds for cancer risk. However, with Project design features including Minimum Efficiency Reporting Value (MERV) 13 (or equivalent air filtration system), all three exposure periods would not exceed the significance threshold.

Impacts associated with the THSP related to criteria pollutant emissions during construction were identified as significant and unavoidable within the THSP SEIR. The proposed Project would not result in an increase in developed area within the THSP Area or an increase in development intensity. Thus, the impact relative to exposure of toxic air contaminants would be similar to that identified in the THSP SEIR. Consistent with the THSP SEIR, with mitigation incorporated (Mitigation Measure AQ 4.3-4b), the resulting impact from the proposed Project would be less than significant. No new impact or increase in the severity of a previously identified impact in the certified THSP SEIR would occur as a result of the proposed Project.

The primary mobile-source pollutant of localized concern is carbon monoxide (CO). Localized CO concentrations near roadway intersections are a function of traffic volumes, speed, and delay. Under specific metrological conditions, CO concentrations near roadways and/or intersections may reach unhealthy levels with respect to sensitive receptors, often referred to as a "CO hotspot". CO hotspots are high, localized CO concentrations and are generally caused by congested intersections with a large volume of traffic.

CO hot spot modeling was performed for the THSP SEIR. As shown in Table 4.3-10 in the THSP SEIR, the nine highest volume intersections in the THSP Area under full buildout would be well below the established standard for CO. As discussed above, the proposed land uses would be consistent with those analyzed in the THSP SEIR. Therefore, the proposed Project impacts related to ambient air quality CO concentrations would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

Threshold (e) Would the project create objectionable odors affecting a substantial number of people?

The THSP SEIR found impacts associated with odors to be considered less than significant. SJVAPCD has identified a list of common types of facilities that have been known to produce odors in the Basin along with a reasonable distance from the source within which, the degree of odors could be significant. These land uses include the following: wastewater treatment facilities, sanitary landfills, transfer stations, composting facilities, petroleum refinery, asphalt batch plant, chemical manufacturing, fiberglass manufacturing, painting/coating operations, food processing facilities, feed lot/dairies and rendering plants. The proposed Project would include the development of residential uses and does not propose to include any odor inducing uses on the site. The proposed Project would not be a source of objectionable odors; therefore, no impact would occur. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

Cumulative Impacts

A project that has a significant impact on air quality with regard to emissions of PM_{10}, $PM_{2.5}$, NO_X and/or ROGs as determined above would have a significant cumulative effect. In the event direct impacts from a project are less than significant, a project may still have a cumulatively considerable impact on air quality if the emissions from the project, in combination with the emissions from other proposed, or reasonably foreseeable future projects are in excess of screening levels identified above, and the project's contribution accounts for more than an insignificant proportion of the cumulative total emissions. With regard to past and present projects, the background ambient air quality, as measured at the monitoring stations maintained and operated by the SJVAPCD, measures the concentrations of pollutants from existing sources. Past and present project impacts are therefore included in the background ambient air quality data.

The proposed Project would contribute to cumulative impacts from construction and operational emissions since regional thresholds are exceeded for buildout of the THSP Area. The THSP SEIR found full buildout of the Project would exceed SJVAPCD threshold for ROG, NO_x, CO, PM_{10}, and $PM_{2.5}$. The proposed Project would not contribute to cumulative health risk effects since background excess cancer risks are below the threshold of 10 in a million. Cumulative impacts to health risks were identified in the previously certified THSP SEIR.

As discussed above, the proposed Project would not cause a new air quality impact to occur, nor an increase in the severity of an air quality impact previously disclosed in the THSP SEIR, with implementation

of the mitigation measures discussed in this section. The proposed Project would not increase development density within the THSP and therefore air quality impacts would not be greater than those previously analyzed. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

V. BIOLOGICAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐	☐

RESPONSES TO CHECKLIST QUESTIONS

A Biological Technical Report was prepared by NOREAS Inc. (July, 2020) for the proposed Project to summarize the findings of baseline biological resources surveys (See Attachment A). The Biological Technical Report provides historic and current data that evaluates land cover types and determines the potential for occurrence of common and special-status species, and their habitats, within the Annexation Area.

The Biological Technical Report found that the Annexation Area has very low species richness and diversity and lacks high quality breeding and refuge habitats for special status species, likely a result of the significant cattle grazing that has occurred within it over the past quarter of a century. The

aforementioned disturbance within the Annexation Area has substantially decreased its value as a migration or overland dispersal corridor and as habitat for wildlife, as it lacks appropriate vegetative cover for native and migratory species movement and refuge, thereby exposing species to a high risk of desiccation and predation. Generally, the Annexation Area has porous soils as well which quickly absorb rainfall, reducing water availability for plants and wildlife. Accordingly, the Annexation Area is lacking in numbers and variety of species.

Further, no State or Federally listed species have ever been detected within the Annexation Area. The area predominately includes existing livestock grazing, and other activities which have greatly reduced the lands ability to support special status species. The data collected and analyzed also suggests that there is extremely low potential for special status species to recruit into the Annexation Area. As identified in THSP SEIR Figure 4.4-1, the Annexation Area is located within Area C of the THSP Area which is not covered by the San Joaquin Multi Species Conservation Plan (SJMSCP) but is located within its sphere of influence. Additionally, pursuant to THSP SEIR Mitigation Measure BIO 4.4-1h, projects implemented within Area C are required to voluntarily secure Section 7 and/or Section 10 incidental take permits in consultation with the appropriate wildlife agencies including the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW).

Threshold (a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Special Status Species (Plant species, Animal Species, Nesting Birds)

Plants

Consistent with the THSP SEIR, the Biological Technical Report determined that no suitable habitat was found in the Annexation Area that would support any candidate, sensitive, or special status plant species. Annual grassland, characterized by grasses and forbs that are annually grazed, was the only land cover type observed within the Annexation Area. Extensive cattle grazing within the area has restricted establishment of native shrubs and trees. Therefore, Project implementation would result in a less than significant impact on sensitive plant species. Nonetheless, implementation of Mitigation Measure BIO 4.4-1b in the THSP SEIR was recommended to ensure impacts related to special status plant species remain less than significant.

Wildlife Species

Consistent with the THSP SEIR, the Biological Technical Report determined that no federally or state listed species were observed within the Annexation Area during 2020 field survey events. However, several listed species have been documented within a 10-mile radius of the Annexation Area (See Biological Technical Report, Figure 4). The California Red Legged Frog (CRLF) was documented off of the THSP Area in the Corral Hollow Creek area, which is located in the adjacent 3,500 acre preserve area and has been designated as critical habitat for the CRLF by the USFWS. It was determined that all areas of the THSP that could potentially support the CRLF are outside the THSP's footprint. The Biological Technical Report and THSP SEIR also determined that the THSP could potentially support Burrowing Owl, Swainson's Hawk,

Northern Harrier, Loggerhead Shrike, American Badger, San Joaquin Whipsnake, Prairie falcon, and Coast Horned Lizard. However, even though some of these species have been spotted on the THSP Area in a limited quantity, the lack of quality habitat on the THSP Area for these species was found to be less than significant. No other listed, sensitive or special status wildlife species are known to occur on the THSP, and no suitable habitat was found on the THSP to support other listed, sensitive or special status wildlife species. To ensure that the THSP's impacts on wildlife species remain less than significant, Mitigation Measures BIO 4.4-1a, 4.4-1b, 4.4-1c, 4.4-1d, 4.4-1e, 4.4-1f, 4.4-1g, 4.4-1h, 4.4-1i, 4.4-1j, 4.4-1k, 4.4-1l, 4.4-1m, 4.4-1n, and 4.4-1o in the THSP SEIR and avoidance measures were recommended.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure BIO 4.4-1a:*** *Construction operations will be overseen by an appropriately credentialed biologist (biological monitor), and the Project will implement a worker environmental awareness training program to reduce the Project's potential adverse effects to special status species. This measure is specific to Areas A, B and C of the Project. [This is Mitigation Measure 4.4-1a in the THSP SEIR]*
>
> ***Mitigation Measure BIO 4.4-1b****: Prior to commencement of ground disturbing activities in any areas of potentially suitable habitat to support special status plant species, pre-activity clearance surveys shall be initiated by a qualified botanist. This measure is specific to Area A, B and C.*

- *Surveys shall be floristic in nature and timed during appropriate blooming periods.*
- *Surveys shall target those locales within the Project Site of direct and indirect effects. The results of these surveys shall be submitted to CDFW and USFWS for review.*
- *In the event special-status plant species are detected within portions of the Project Site proposed for development, individual plant(s) or populations shall plant be avoided whenever possible by delineation and observing a no disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species.*
- *If buffers cannot be maintained, then consultation with CDFW and USFWS is warranted to determine appropriate minimization measures for impacts to special-status plant species. [This is Mitigation Measure 4.4-1b in the THSP SEIR]*

> ***Mitigation Measure BIO 4.4-1c:*** *Prior to commencement of ground disturbing activities in any areas of potentially suitable habitat to support San Joaquin Kit Fox, no less than sixty (60) days prior to any ground disturbing activities or grading, pre-construction clearance surveys shall be initialed by a qualified biologist to reinforce negative findings (the continued absence of SJKF) on the Project Site with substantial evidence. A second SJKF survey shall be conducted no more than thirty (30) days prior to the onset of construction or ground disturbing activities. If SJKF are detected within portions of the Project Site proposed for development, the developer shall immediately contact the USFWS telephonically and in writing, and following consultation with the*

USFWS, avoidance and minimization measures specific to SJKF will be incorporated into the Project as described in the USFWS "Standard Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbing Activities (1999)" and the USFWS "San Joaquin Kit Fox Habitat Evaluation Forms (2001)" to reduce impacts to this species to a less than significant level. These SJKF avoidance and minimization measures shall include the following:

1. *No later than forty five (45) days prior to any ground disturbing activities or grading, the developer shall contact a qualified biologist holding proper permits and provide approval to that biologist to relocate known SJKF located on site to the 3,500 acre open space preserve or another relocation preserve approved by the USFWS or covered by the SJMSCP.*

2. *No later than fourteen (14) days prior to any ground disturbing activities or grading, all known dens shall be monitored for at least three (3) consecutive days to ensure that SJKF dens, to the extent they exist on the Project Site, are unoccupied prior to den excavation.*

3. *The relocation of SJKF would require an ITP per Section 2081 of the Fish and Game Code. If SJKF individuals or dens are discovered, all work within Area C in the vicinity of the discovery shall halt and not continue until CDFW has been consulted and appropriate authorization obtained. [This is Mitigation Measure 4.4-1c in the THSP SEIR]*

***Mitigation Measure BIO 4.4-1d:** During construction, temporary disturbances and Project-related vehicle traffic will be restricted to established roads, construction areas, and other designated lands. Also, during construction:*

1. *Project-related construction vehicles will observe a daytime speed limit of 20-mph, except on County roads and State and Federal highways.*

2. *Night-time construction will be minimized to the greatest extent feasible. However, if it does occur, then the speed limit will be reduced to 10-mph.*

3. *Project-related, non-ranch operations off-road traffic outside of designated Project areas that are undergoing construction will be prohibited.*

4. *To prevent inadvertent entrapment of small mammals, including SJKF, during construction, excavated, steep-walled holes or trenches more than 2-feet deep will be covered at the close of each working day by plywood or similar materials. Each excavation shall contain at least one ramp, with long trenches at least one ramp shall be placed every .25 mile. Slope of ramps shall be now steeper than 1:1. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks will be installed. Before such holes or trenches are filled, they will be thoroughly inspected for trapped wildlife. If at any time a trapped or injured SJKF is discovered, the USFWS and the CDFW will be contacted immediately to attempt to relocate and/or collar the SJKF. Escape ramps shall also be installed immediately to allow trapped animals to escape.*

5. *Construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored within Project limits for one or more overnight periods will be thoroughly inspected for any*

SJKF before the pipe is subsequently buried, capped, or otherwise used or moved. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS and CDFW has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

6. *All food, garbage in plastic shall be disposed of in closed containers and regularly removed from the site to minimize attracting SJKF and other sensitive species to the site.*

7. *Use of rodenticides and herbicides within Project limits will be restricted. Uses of such compounds will observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide or an equivalent material will be used because of a lower adverse health risk to kit fox.*

8. *No dogs, cats or other animals shall be permitted on the Project Site.*

9. *Developer shall provide a sensitive species identification and avoidance education program for all construction employees that consists of a consultation in which persons knowledgeable in kit fox biology and legislative protection to explain endangered species protocols, habitat needs and the measures and conditions of approval being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to all contractors, their employees, and any and all other personnel who are working on the construction site. [This is Mitigation Measure 4.4-1d in the THSP SEIR]*

Mitigation Measure BIO 4.4-1e: *Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support Swainson's hawk, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If Swainson's hawk is detected within portions of the Project Site proposed for development, then avoidance and minimization measures specific to Swainson's hawk will be incorporated into the Project as described in the CDFW "Staff Report on Mitigation for Impacts to Swainson's Hawk (2012)" to reduce impacts to Swainson's hawk to less-than significant. This measure is applicable to Areas A, B and C of the Project.*

1. *If an active nest site is found, the Project will allow sufficient foraging and fledging area to maintain the nest.*

2. *The Project will not remove historic or known Swainson's hawk nest trees unless avoidance measures are determined to be infeasible. Removal of such trees should occur only during the timeframe of October 1 and the last day in February. [This is Mitigation Measure 4.4-1e in the THSP SEIR]*

Mitigation Measure BIO 4.4-1f: *Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support California Tiger Salamander (CTS), pre-activity*

clearance surveys shall be initialed by a qualified biologist in accordance with published guidelines and protocols. Survey methods shall be derived from published protocols, and to reinforce positive or negative findings with substantial evidence. If CTS individuals or eggs are discovered, all work within the vicinity of the discovery shall halt and not continue until CDFW has been consulted and appropriate authorization obtained. This measure is specific to Areas A, B and C of the Project.

1. *Temporary construction disturbances to CTS habitat will be minimized to the extent practicable. All Project-related vehicle traffic will be restricted to established roads, and construction areas.*

2. *A qualified biologist will be on site during all activities that may result in the take of CTS. The biologist will be given the authority to stop any work that may result in the take of this listed species.*

3. *The biologist will be responsible for ensuring that the exclusion fence installed around occupied CTS habitat inspected before the start of each day and remains intact until project construction is complete.*

4. *Plastic monofilament netting (erosion control matting) or similar material will not be used for erosion control or other purposes around occupied CTS habitat because CTS may become entangled or trapped in it. Acceptable substitutes include coconut coir matting or tackified hydroseeding.*

5. *The project proponent or its contractor will implement BMPs to prevent sediment from entering suitable CTS habitat through the use of silt fencing and sterile hay bales.*

6. *A worker training program that includes the CTS will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.*

7. *A speed limit of 20 (mph) will be observed within construction areas, particularly on rainy nights when CTS are most likely to be moving between their breeding ponds and upland habitat. To the extent possible, nighttime construction will be minimized. Off-road traffic outside designated construction areas will be prohibited.*

8. *To prevent entrapment of CTS during construction, any trenches, holes, or other excavations into which CTS could fall and become trapped will be covered. The opening will be completely covered at the end of each workday. [This is Mitigation Measure 4.4-1f in the THSP SEIR]*

***Mitigation Measure BIO 4.4-1g:** Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support California red-legged frog (CRLF), pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. This measure is specific to Areas B and C of the Project.*

1. *Survey will occur during the wet season (generally October 15 to April 15), no more than 48 hours before new ground disturbance.*

2. *A worker training program that includes the CRLF will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.*

3. *If a CRLF is found, the construction supervisor shall halt work immediately within a buffer area of 50 feet of any discovered CRLF. The construction supervisor will also contact the project biologist and will suspend all construction activities in the immediate construction zone (50-foot radius) until the animal leaves the site voluntarily or is removed by the biologist to a release site using USFWS-approved transportation techniques.*

4. *To prevent entrapment of CRLF during construction, any trenches, holes, or other excavations into which CRLF could fall and become trapped will be covered. The opening will be completely covered at the end of each workday. [This is Mitigation Measure 4.4-1g in the THSP SEIR]*

Mitigation Measure BIO 4.4-1h: *All applicants who conduct Projects within Areas A and B of the Project Site shall adhere to the terms of the SJMSCP. Participation in the SJMSCP includes compliance with all incidental take measures as required in the SJMSCP, including but not limited to preconstruction surveys to determine presence for special status flora and fauna. Notwithstanding this biological resource section's less than significant impact conclusions, if required by applicable law, projects being implemented within Area C shall voluntarily secure Section 7 and/or Section 10 permits in consultation with the appropriate wildlife agencies. [This is Mitigation Measure 4.4-1h in the THSP SEIR]*

Mitigation Measure BIO 4.4-1i: *Pre-construction surveys shall include a survey for burrowing owl and raptor nests, which will be conducted prior to grading. Pre-construction surveys for burrowing owl will be conducted weekly, beginning no later than thirty (30) days and ending no earlier than three (3) days prior to the commencement of disturbance. If burrowing owls are found during the pre-construction survey, then replacement burrows and habitat shall be provided prior to the commencement of construction within the 3,500 acre preserve area. The Project applicant shall provide artificial replacement burrows in the event that owls are detected, either as wintering or breeding within Project boundaries.*

Construction activities associated with project features that occur within portions of the Project Site containing occupied or suitable habitat for the burrowing owl and raptor nests shall be restricted to periods outside the breeding season for this species. The breeding season for burrowing owl runs from February 15 through August 31.

If construction or operation activities occur during the breeding season for burrowing owls, surveys are required prior to such construction to determine the presence or absence of this species within the impact area. Focused surveys shall be conducted under CDFW and Burrowing Owl Consortium protocol by a qualified biologist from February 15 to August 31. If this species is determined to occupy any portion of the Project Site, consultation with the CDFW and USFWS is required and no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the

nest/burrow. No disturbance to active burrows shall occur without appropriate permitting through the SJMSCP or CDFW.

If active burrows are detected outside the breeding season, passive and/or active relocation may be approved following consultation with the CDFW and USFWS. The installation of one-way doors may be installed as part of a passive relocation program. Wintering individuals may be evicted with the use of exclusion devices followed by a period of seven days to ensure that animals have left their burrows. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not reenter. [This is Mitigation Measure 4.4-1i in the THSP SEIR]

Mitigation Measure BIO 4.4-1j: *To avoid the potential for disturbance of nesting birds on or near the Project Site, schedule the initiation of any vegetation removal and grading for the period of September 1 through February 15. If construction work cannot be scheduled during this period, a qualified biologist shall conduct pre-construction surveys for nesting birds according to the following guidelines:*

1. *The preconstruction surveys shall be conducted by the qualified biologist no later than 14 days prior to the start of vegetation removal or initiating project grading.*

2. *If birds protected under the Migratory Bird Treaty Act are found nesting, then appropriate construction buffers shall be established to avoid disturbance of the nests until such time that the young have fledged. The size of the nest buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. Typically, these buffers range from 75 to 250 feet from the nest location.*

3. *Nesting activities shall be monitored periodically by a qualified biologist to determine when construction activities in the buffer area can resume.*

4. *Once the qualified biologist has determined that young birds have successfully fledged, a monitoring report shall be prepared and submitted to the City of Tracy Development Services for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until the written authorization is received by the applicant from the Development Services Director. The above provisions are in addition to the preconstruction surveys to confirm presence or absence of nesting Swainson's hawk, burrowing owl, and other special-status species as required under the Incidental Take Minimization Measures of the SJMSCP. [This is Mitigation Measure 4.4-1j in the THSP SEIR]*

Mitigation Measure BIO 4.4-1k: *In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code, any vegetation clearing within the Project Site shall take place outside of the typical avian nesting season (e.g., February 1st until*

September 1st) to the maximum extent practical. If work needs to take place between February 1st and September 1st, a pre-construction survey for nesting birds should be completed prior to the onset of Project activities. If a lapse in Project activity occurs for 7 days or more during the bird nesting season than initial avian clearance surveys shall be repeated. A buffer zone from occupied nests should be maintained during physical ground disturbing activities. Once nesting has ended, the buffer may be removed. [This is Mitigation Measure 4.4-1k in the THSP SEIR]

Mitigation Measure BIO 4.4-1l: *Prior to construction, the Project applicant will stake, flag, fence or otherwise conspicuously delineate all environmentally sensitive areas that are to be protected in place and remain undisturbed during construction. Environmentally sensitive areas would include wetland, riparian habitat, aquatic habitat, raptor nesting locations, etc. The construction materials used to delineate environmentally sensitive areas would be removed no later than 30 days following physical completion of construction. [This is Mitigation Measure 4.4-1l in the THSP SEIR]*

Mitigation Measure BIO 4.4-1m: *The discovery of any previously unidentified protected species that are not covered by the SJMSCP, including those protected under the MBTA and the Fish and Game Code, shall be avoided and evaluated by a qualified biologist during surveys. The USFWS and CDFG shall be notified of the presence of any previously unreported protected species. Any unanticipated take of protected wildlife shall be reported immediately to the USFWS and CDFG. [This is Mitigation Measure 4.4-1m in the THSP SEIR]*

Mitigation Measure BIO 4.4-1n: *Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support Western spadefoot toad, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial* evidence.

1. *For work conducted within suitable habitat and during the western spadefoot toad migration and breeding season (November 1 to May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events. Construction may commence once the biologist has confirmed that no spadefoot toads are in the work area.*

2. *If western spadefoot toad is found within the construction footprint, it will be allowed to move out of harm's way of its own volition or a qualified biologist will relocate the organism to the nearest burrow that is outside of the construction impact area. [This is Mitigation Measure 4.4-1n in the THSP SEIR]*

Mitigation Measure BIO 4.4-1o: *Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support American Badger, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If American badger is located within the Project Site, potential loss of individual animals must be mitigated through one of the following: (1) an on-site passive relocation program, through which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued,*

and hand excavation and collapse of the burrow to prevent reoccupation; or (2) active trapping and relocation of badgers to suitable off-site habitat by a qualified biologist. [This is Mitigation Measure 4.4-1o in the THSP SEIR]

***Mitigation Measure BIO 4.4-1p**: The Project applicant shall execute a management and funding agreement for the managing and monitoring of one hundred percent of the approximately 3,500 acre open space preserve subject to the three conversation easements discussed in this Section, which shall occur before the commencement of any ground disturbing activities in Area C. (Note Areas A and B are already subject to a management and funding agreement and therefore this Measure applies to Area C.) [This is Mitigation Measure 4.4-1p in the THSP SEIR]*

Project implementation would result in the conversion of undeveloped land to urban uses, eliminating potential suitable habitat for numerous special status animal species. While the Annexation Area was not included in the original THSP development footprint, it is surrounded on the west, east, and north by the previously analyzed THSP boundary. Further, the findings of the Biological Technical Report (NOREAS, July 2020) are consistent with prior biological assessments conducted for the THSP Area and evaluated in the THSP SEIR. Similar to the existing THSP Area, the Annexation Area has a low likelihood of special status species habitat and no State or Federally-listed, proposed, or candidate plant or animal species were detected on site.

Notwithstanding, similar to the existing THSP Area, the Annexation Area could potentially support Burrowing Owl, Swainson's Hawk, Northern Harrier, Loggerhead Shrike, American Badger, San Joaquin Whipsnake, Prairie falcon, and Coast Horned Lizard (see Appendix A of the Biological Technical Report). None of these species are federally or state listed, or even candidates to be listed, but they are considered by the State of California to be wildlife "species of special concern." Given the extent of anthropogenic disturbance (i.e., lack of appropriate cover to forage, breed and elude predators, coupled with disked fields, and livestock grazing) and low quality habitat present within the Annexation Area, the likelihood of any of special status species utilizing locales as functional habitat is limited and potential impacts would be less than significant.

While the THSP SEIR determined that THSP implementation would have a less than significant impact on wildlife species, the THSP SEIR imposes mitigation measures that require standard pre-construction surveys and avoidance measures to ensure that impacts on wildlife species remain less than significant. Therefore, the proposed Project would similarly be required to implement the mitigation measures identified above to ensure that the proposed Project's impact on special-status species would remain less than significant.

Accordingly, with incorporation of mitigation measures recommended in the THSP SEIR, Project implementation would not result in any new biological concerns. Project implementation would better serve the overall quality of natural habitat south of the THSP Area by increasing connectivity of conservation land uses and focusing development in a contiguous area. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

The Biological Technical Report determined that no riparian habitat was observed within the Annexation Area. As determined in the THSP SEIR, the only potential riparian habitat near the THSP Area is the Corral Hollow Creek area. However, the THSP was designed to ensure that this area is not impacted by the development of the THSP.

There is no riparian habitat within the Annexation Area. Thus, the proposed Project would not have an adverse effect on any riparian habitat or other sensitive natural community than what was previously analyzed in the THSP SEIR. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The Biological Technical Report determined that the Annexation Area does not include Regional Water Quality Control Board (RWQCB) or CDFW jurisdictional wetlands. No federal waters under the jurisdiction of the United States Army Corp of Engineers (USACE) were identified in the THSP Area. Therefore, the proposed Project would not affect jurisdictional wetlands and the proposed Project's impact on jurisdictional wetlands would remain less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project.

Threshold (d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

As determined in the Biological Technical Report, the Annexation Area is not likely to support any State or Federally- listed flora or fauna and is comprised entirely of non-native vegetation and low-grade habitat for any native wildlife species. As determined in the THSP SEIR, buildout of the THSP would be designed to avoid impacts to the movement of resident or migratory wildlife. Impacts on wildlife movement opportunities were considered less than significant in the previously certified THSP SEIR. Opportunities for terrestrial wildlife movement within the THSP Area are currently limited by the California Aqueduct and Delta-Mendota Canal located on the northern portion of the THSP Area, separated from the Annexation Area by I-580. Therefore, the proposed Project's impact on the movement of any native resident or migratory fish or wildlife species would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (e) Would the project conflict with any local policies or ordinances related to protecting biological resources, such as a tree preservation policy or ordinance?

The THSP SEIR concluded that the THSP adheres to all federal, state, and local regulations regarding sensitive species. As discussed above and in the THSP SEIR, the portion of the THSP Area that would be developed is not expected to support any federally or State listed species, and pre-construction surveys and other preventative measures required by Mitigation Measures BIO 4.4-1a through 4.4-1o in the THSP SEIR would ensure that in the unlikely event these species are found in the THSP Area, impacts to those species would be avoided. Mitigation Measures BIO 4.4-1a through 4.4-1p would assure that any impacts on California species of special concern that may occur on the Annexation Area would be less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

See Mitigation Measures BIO 4.4-1a through 4.4-1p above.

Project implementation would result in urbanized development within the Annexation Area and would maintain the same overall development density and intensity as what was analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on all federal, state, and local regulations regarding sensitive species would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The Annexation Area is located within Area C of the THSP which is outside the limits of the SJMSCP, but within its sphere of influence. As set forth in Mitigation Measure BIO 4.4-1h of the THSP SEIR, applicants for individual development sites would have the option to participate in the SJMSCP to address potential impacts on special-status species associated with the conversion of existing habitat to urban uses. By participating in the SJMSCP, applicants would be required to comply with all relevant conditions of the use agreement, including the Incidental Take Minimization Measures defined in Section 5.2 of the SJMSCP. As a result, no impacts relative to conservation plans would occur as a result of the THSP.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

See Mitigation Measures BIO 4.4-1h, 4.4-1j, and 4.4-1m above.

As identified in Figure 4.4-1 of the THSP SEIR, the proposed Project is located within Area C of the THSP, located on the southern portion of the THSP, abutting an approximately 3,500-acre open space area

subject to conservation easements. Area C is located within the Sphere of Influence of the SJMSCP and was analyzed at a programmatic level within the THSP SEIR.

While the Annexation Area was identified as a conservation easement under the THSP SEIR, recent discussion with property owners, SJCOG, USFWS and CDFW determined that the Annexation Area provides poor-quality habitat due to steep slopes and future THSP development on three sides, creating a narrow peninsula of conservation easement land.[8] Accordingly, the proposed Project serves to identify and designate a biologically superior location for the 35.7-acre conservation easement. The proposed Conservation Easement area reduces potential conflict and compatibility issues with locations identified for future development and the exchange of conservation land in an equivalent acre for acre basis ensures that the overall preservation of habitat land acreage remains the same.

As discussed above, while Project implementation would have a less than significant impact concerning wildlife species because the biological conditions in the Annexation Area are similar to the previously studied THSP Area and the proposed Project would be subject to THSP SEIR mitigation measures that require standard pre-construction surveys and avoidance measures. These measures ensure that potential impacts on wildlife species remain less than significant. As set forth in Mitigation Measure BIO 4.4-1h of the THSP SEIR, projects implemented within Area C must voluntarily secure Section 7 and/or Section 10 permits in consultation with the appropriate wildlife agencies to address potential impacts to wildlife species.

Accordingly, with implementation of the above mitigation measures, the proposed Project's impact on a habitat conservation plan would be less than significant. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new biological impact to occur, nor an increase in the severity of a biological impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

[8] Personal communications with Scott Claar, February 1, 2021. Email Communications.

VI. CULTURAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	☐

RESPONSES TO CHECKLIST QUESTIONS

Since certification of the THSP SEIR, the topic Tribal Cultural Resources was added to the Appendix G checklist of CEQA thresholds. On September 25, 2014, Governor Brown signed Assembly Bill (AB) 52 into law, which requires tribal cultural resources to be considered during the CEQA process. AB 52 is applicable to projects for which a Notice of Preparation (NOP) is filed on or after July 2015. Because the THSP SEIR filed a NOP in 2014, tribal cultural resources are not required to be analyzed under the Section 15164 standards because it was not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent. However, mitigation measures related to potential impacts to historic and archeological resources in the THSP Area are described in this section.

Threshold (a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5

A California Historical Resources Information System (CHRIS) search was conducted in January 2021 for the proposed Project to identify prehistoric or historic archaeological resources within the Annexation Area (see Attachment B). The CHRIS search includes review of historic maps for the Annexation Area and its immediate vicinity, and review of numerous cultural-resource databases.

The CHRIS search found no formally recorded prehistoric or historic archaeological resources within the Annexation Area. A historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. There is one historic structural feature, the Tesla-Salado-Manteca Transmission Line (P-39-005337), located in the Annexation Area. The Transmission Line is currently active and is operated by the Pacific Gas & Electric Company (PG&E). The Transmission Line has experienced sustained outages in recent years and is subject to routine maintenance and upgrade activities.

CEQA Guidelines define a historical resource as a resource listed in or determined eligible for listing in the California Register of Historic Resources (CRHR). This includes cultural resources that have been

determined for a local register or through a local historic resources survey. A resource may be considered potentially eligible for listing in the CRHR if it meets any of the four criteria listed below:

1. The resource is associated with events that have made a contribution to the broad patterns of California history;
2. The resource is associated with the lives of important persons from our past;
3. The resource embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important individual or possesses high artistic values; or
4. The resource has yielded, or may be likely to yield, important information in prehistory or history.

The Tesla-Salado-Manteca Transmission line was constructed to extend PG&E infrastructure and electrical connections throughout the County. The segment of the Transmission Line located within the Annexation Area is connected to the greater PG&E grid which provide electric utility service to the surrounding area. The Transmission Line has served as essential utility infrastructure since its construction and has been routinely improved, reducing its historic potential. Further, the Transmission Line is not associated with events that contributed to California history or important persons from the past, does not represent the work of historic individuals or possess high artistic value, and does not have the potential to yield information prehistoric or historic information. Therefore, the Transmission Line does not meet the definition of a significant historic resource pursuant to CEQA Guidelines.

While Project implementation would allow for Residential Estate land uses within the Annexation Area, the Annexation Area is planned for Open Space/Recreation land uses as shown in Figure 5. If future development were to occur proximate to the Transmission Line, it would be required to comply with PG&E policies and protocols to ensure it would not affect existing infrastructure, including the Tesla-Salado Manteca Transmission Line.

Based on existing data, the Annexation Area is considered to be highly sensitive in reference to the potential discovery of previously unidentified historic resources. Since the Annexation Area has not been subject to project-specific on-site investigations, there may be unidentified features considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline. However, similar to the existing THSP Area, the Annexation Area is located in soils with low potential for buried deposits due to the stability of landforms.

Notwithstanding, to reduce potential impacts from Project implementation, the following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure CUL 4.5-1b: Construction Personnel Training:*** *Construction supervisory personnel shall be notified of the existence of cultural resources and required to keep personnel and equipment away from these areas. A qualified archeologist (see definition under MM 4.5-1a) shall be notified prior to initiation of construction activities. During construction and operations, personnel and equipment shall be restricted to the project work site. [This is Mitigation Measure 4.5-1b in the THSP SEIR]*

The proposed Project would not increase development intensity within the THSP and would not create visual effects that might indirectly impact historic resources on the Annexation Area or within the THSP Area. With implementation of the above mitigation measure the proposed Project's impact on a historical resource would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

As discussed above, no recorded prehistoric or historic archaeological resources were identified within the Annexation Area. Notwithstanding, the Annexation Area is considered to be highly sensitive to the potential discovery of previously unidentified archaeological resources. This finding is consistent with the THSP SEIR which determined that the City of Tracy likely contains undiscovered archaeological resources, especially in undeveloped areas.

Future development within the Annexation Area would have the potential to impact unknown archaeological resources because of its grading and construction activities. However, construction within the Annexation Area would be required to comply with federal and state regulations and the existing Tracy General Plan policies, which would reduce any potential impacts to archaeological resources, if any archaeological resources were discovered during Project implementation. The THSP SEIR concluded that implementation of the THSP with mitigation measures would have a less than significant impact on archaeological resources. The procedures and provisions of Mitigation Measure CUL 4.5-2a would ensure that impacts to unanticipated archaeological discoveries are reduced to less than significant levels.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure CUL 4.5-2a: Training and Reporting:*** *Prior to the initiation of disturbing activities associated with the Project area, all construction personnel shall be alerted to the potential for encountering buried or unanticipated cultural and paleontological remains, including prehistoric and/or historical resources. Construction personnel shall be instructed that upon discovery of buried cultural materials, all work within a 30-meter vicinity of the find will be halted immediately, and the lead agency will be notified. Once the find has been identified by a qualified archaeologist, the lead agency shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the find is found to be an historical resource per State CEQA Guidelines as discussed in Section 4.5.4.2. [This is Mitigation Measure 4.5-2a in the THSP SEIR]*

Similar to the THSP, Project implementation has the potential to impact unknown archaeological resources due to grading and construction activities. While the Annexation Area is located outside the original footprint of the THSP Area, it is located immediately adjacent to planned development areas. Given that the Annexation Area is in close proximity to the THSP development footprint and is subject to

the same geological conditions, potential impacts to unknown archaeological resources during ground disturbance activities would be similar to what was previously analyzed in the THSP SEIR. With implementation of the above mitigation measure, implementation of the proposed Project's impact on archaeological resources would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe because of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The CHRIS records search conducted for the Annexation Area did not identify any paleontological resources within or adjacent to the Annexation Area. While the Annexation Area is immediately adjacent to the THSP, it was not included in the field-survey radius conducted for the THSP SEIR. The Annexation Area contains steep slopes and has been subject to shallow ground disturbance due to use as pasture for cattle grazing or crop cultivation. Further, the Annexation Area is located in soils with low potential for buried cultural deposits due to the stability of landforms. Therefore, the potential impacts associated with Project implementation would be comparable to findings of the THSP SEIR.

The surface sediments in most of the THSP Area have a low sensitivity for paleontological resources, but this sensitivity increases with depth (below 3-5 feet).[9] As such, build-out of the THSP Area has the potential to impact unknown archaeological resources because of its grading and construction activities. The THSP SEIR concluded that implementation of the THSP with mitigation measures would have a less than significant impact on paleontological resource. Mitigation Measure CUL 4.5-3a would require paleontological monitoring by a trained paleontologist and would reduce the potential impacts to paleontological resources or resource sites, or unique geological feature from implementation of the Project to a less than significant level.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure CUL 4.5-3a: Paleontological Monitoring:*** *Paleontological spot check monitoring by a trained paleontologist (a trained paleontologist should have a Bachelor of Arts/Bachelor of Science in anthropology or related field with an emphasis in paleontology OR adequate training and experience in paleontological field methods, and work under the direct supervision of a qualified paleontologist) of excavations deeper than five feet in depth within the Project area, and spot check monitoring of any excavation in valleys in the eastern portion of the Project area against the hills in several of the washes (all areas of the Oro Loma Formation as mapped on the USGS Geology Map (Dibble 2006)) shall be performed by a trained paleontologist. [This is Mitigation Measure 4.5-3a in the THSP SEIR]*

[9] THSP Draft EIR, page 4.5-25

As discussed above, a records search conducted for the Annexation Area did not identify known paleontological resources on site. As determined by the NCRS Soil Survey done for the Annexation Area, geologic conditions within the Annexation Area are consistent with the existing THSP Area. Therefore, similar to the THSP, Project implementation has the potential to impact unknown paleontological resources during grading and construction activities because the City of Tracy likely contains undiscovered paleontological resources, especially in undeveloped areas. Although there is the potential to disturb previously undiscovered paleontological resources, this potential was previously disclosed and mitigated for in the previously certified THSP SEIR. With implementation of above mitigation measure, the proposed Project would not disturb paleontological resources, any greater than already analyzed in the THSP SEIR. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project disturb any human remains, including those interred outside of formal cemeteries?

As discussed in Threshold (b), no archaeological resources were reported within the Annexation Area. However, the City of Tracy likely contains undiscovered archaeological resources, especially in undeveloped areas. As such, build-out of the THSP Area has the potential to disturb any human remains not previously discovered because of its grading and construction activities. However, construction of the THSP would be required to comply with federal and state regulations and the existing Tracy General Plan policies, which would reduce any potential impacts to undiscovered human remains. The THSP SEIR concluded that implementation of the THSP with Mitigation Measure CUL 4.5-2b would have a less than significant impact on human remains. Mitigation Measure CUL 4.5-2b would ensure that impacts to unanticipated human remains are reduced to less than significant levels.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure CUL 4.5-2b: Human Remains:*** *If human remains are encountered during ground disturbing activities, all work within a 30-meter vicinity of the find will be halted immediately, and the City of Tracy and the San Joaquin County Coroner shall be notified. If the remains are determined to be Native American, the Native American Heritage Commission shall be notified within 24 hours as required by Public Resources Code §5097.94 and §5097.98. The Native American Heritage Commission shall notify the designated Most Likely Descendant(s), who will in turn provide recommendations for the treatment of the remains within 48 hours of being granted access to the find. [This is Mitigation Measure 4.5-2b in the THSP SEIR]*

As discussed in the previously certified THSP SEIR, there is a potential for inadvertent discovery of human remains, particularly Native American remains, outside the boundaries of an established cemetery. Build-out of the proposed Project has the potential to impact unknown human remains during grading and construction activities. With implementation of the above mitigation measure, the proposed Project's impact on human remains would be less than significant. This is consistent with the impact conclusions of

the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new cultural resources impact to occur, nor an increase in the severity of a cultural resources impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

VII. GEOLOGY AND SOILS

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒	☐

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

The previously certified THSP SEIR determined that the THSP Area is not considered susceptible to the risk of loss, injury, or death due to fault rupture and the associated impacts. As discussed in the THSP SEIR, no known active faults cross the THSP Area and the THSP Area is not located within an Alquist-Priolo Earthquake Fault Zone. The nearest mapped active fault (Carmergie/Corral Hollow) is located approximately eight miles southwest of the THSP Area. The THSP SEIR identified that the impact of groundshaking to people or property caused by seismic activity on nearby faults would be increased as a result of site development. The THSP SEIR concluded that implementation of the requirements of the California Building Code (CBC) and the Tracy General Plan would ensure that impacts on humans associated with seismic hazards would be less than significant.

While the Annexation Area is outside the footprint of the previously evaluated THSP Area, it is immediately adjacent to the existing THSP boundary and is surround on three sides by the THSP. As determined by the Natural Resources Conservation Service (NRCS) Web Soil Survey conducted for the Annexation Area, it is subject to the same geologic conditions as the previously evaluated THSP Area.[10] The nearest mapped active fault is the Carmegie/Corral Hollow Fault, located approximately 4.5 miles southeast of the Annexation Area.[11] At this distance, the impact of groundshaking to people or property caused by seismic activity would be increased by the addition of residential units within the Annexation Area. However, development within the Annexation Area would be subject to requirements of the CBC and General Plan to reduce potential impacts associated with seismic hazards. Further, Project implementation would not increase the developable acres within the THSP Area or result in increased development intensity that could expose a greater number of people to substantial adverse effects involving fault rupture or strong seismic ground shaking.

Based on geologic surveys conducted for the 1998 THSP EIR and geologic resource consistency analyses completed for the THSP SEIR, steep slopes within the THSP and surrounding area were noted as having high landslide potential. A review of the NCRS Web Soil Survey confirmed the presence of steep slopes ranging from eight to thirty percent. However, these slopes remain fairly stable due to existing vegetation.

[10] United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed February 4, 2021.
[11] https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf

If future vegetation removal or ground disturbance would occur, implementation of construction BMPs and post-construction revegetation as required by the Project Stormwater Pollution Prevention Plan (SWPPP), further discussed in Section X. Hydrology and Water Quality, would reduce risks associated with landslides.

Given that the number of people utilizing the THSP Area daily would remain consistent with the THSP SEIR, the impacts on humans associated with seismic hazards and landslides would not be any greater than previously analyzed in the THSP SEIR. Further, with implementation of the requirements of the CBC, the General Plan and Project SWPPP, Project implementation would not expose persons or structures to seismic hazards and impacts associated with the proposed Project would be less than significant. The proposed Project would not result in a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

Threshold (b) Result in substantial soil erosion or the loss of topsoil?

The THSP SEIR concluded that implementation of the THSP would have a less than significant impact related to erosion or loss of topsoil. As construction of the THSP occurs, ground surfaces exposed through the removal of vegetation could be susceptible to erosion from wind, water, and air quality. The use of Best Management Practices during construction as required by the Project Stormwater Pollution Prevention Plan would reduce impacts to a less than significant level.

The construction of new buildings and structures as part of the proposed Project would also create new impervious areas, such as walkways, driveways, parking lots, and rooftops. These impervious areas often result in increased stormwater runoff which can exacerbate soil erosion. However, the proposed Project would not increase developable acres compared to what was previously analyzed in the THSP SEIR. Further, the Project would not result in increased development intensity within the THSP Area. With implementation of the Best Management Practices during construction as required by the Project Stormwater Pollution Prevention Plan, the proposed Project's impact on soil erosion would be less than significant, similar to those impacts previously analyzed in the THSP SEIR. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

Threshold (c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Typically, subsidence occurs in areas underlain by soils that are highly compressible, such as soft clays or silts and unconsolidated sand or fill material. As discussed above, the THSP SEIR determined that landslide and liquefaction potential for the THSP Area is considered low due to existing soil types and vegetative cover. Potential impacts would be further reduced through compliance with Objective SA-1.1 Policy 1 of the City's General Plan which requires that geotechnical engineering studies be undertaken for any development in areas where potentially serious geologic risks exist. Therefore ,the THSP SEIR concluded

that implementation of the THSP would have a less than significant impact related to landslide, lateral spreading, subsidence, liquefaction and/or collapse.

Similar to the THSP Area, the proposed Project would have the potential to be located on a geologic unit or soil that would become unstable and potentially result in on- or off-site impacts related to landslide, lateral spreading, subsidence, liquefaction and/or collapse due to steep slopes and proximity to a known earthquake fault. However, future development within the Annexation Area would be required to comply with Objective SA-1.1, Policy 1 of the City's General Plan, as required by the THSP SEIR. With implementation of this policy, impacts would be less than significant, similar to the previously certified THSP SEIR. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

Threshold (d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

As discussed in the THSP SEIR, the THSP Area contains soils that are highly expansive and subject to significant volume changes due to moisture fluctuations. The THSP SEIR concluded that, with compliance with CBC requirements and implementation of Mitigation Measure GEO 4.6-4 and geotechnical recommendations, implementation of the THSP would have a less than significant impact related to expansive soils.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure GEO 4.6-4:*** *During excavation activities and prior to the placement of fill on the site, a certified geotechnical engineer shall be retained by the Project applicant/future Project applicants to evaluate subgrade soils for the extent of their expansive potential. For areas found to contain soft, potentially expansive clays, the soil shall be removed (i.e., over excavated) and/or stabilized prior to the placement and compaction of fill. Stabilization techniques include, but are not limited to, the placement of 18 inches of ½-inch to ¾-inch crushed rock over stabilization fabric (such as Mirafi 500X or equivalent), placement of larger, angular stabilization rock (1-inch to 3-inch, clean) and use of chemical treatments such as lime to reduce the soil's expansive potential. In addition, building construction alternatives, such as the use of alternative foundation types (i.e., post-tension, piles, etc.) versus end-bearing foundations, shall be considered and implemented where appropriate. Final techniques shall be (a) developed by a certified geotechnical engineer or engineering geologist and (b) reviewed and approved by the City prior to issuance of a grading permit. [This is Mitigation Measure 4.6-4 in the THSP SEIR]*

A review of the NCRS Web Soil Survey revealed that the Annexation Area is underlain by soils comprising primarily of clay loam.[12] Expansive soils are typically very fine-grained with a high to very high percentage of clay. The clay loam soil types present in the Annexation Area are consistent with the soil types identified

[12] United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed February 4, 2021.

in the THSP SEIR and have a similar medium to high plasticity and moderate to high expansion potential. Therefore, there is potential for post-construction ground surface movement due to expansive soils. However, with implementation of above mitigation measure, the proposed Project's impact as a result of expansive soils would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

Threshold (e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No septic tanks would be used as part of the proposed Project. As a result, no impacts associated with the use of septic tanks would occur as part of the proposed Project's implementation. Thus, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new geologic impact to occur, nor an increase in the severity of a geologic impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

VIII. GREENHOUSE GAS EMISSIONS

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The THSP SEIR found that GHG emissions generated by the proposed Specific Plan (both construction and operational-related) would exceed the applicable threshold set forth in SJVAPCD's guidance because the proposed Project's GHG emissions cannot feasibly be reduced to a less than significant level despite the incorporation of numerous sustainability measures. The impact was identified as significant and unavoidable. Mitigation Measure GHG 4.7-1 in the THSP SEIR would reduce but would not eliminate the significant impact.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure GHG 4.7-1:*** *The Project shall include, but not be limited to, the following list of design features. These features shall be incorporated into the design of the Project to ensure consistency with adopted statewide plans and programs to the extent feasible. Project applicants shall demonstrate the incorporation of design features of the Project prior to the issuance of building or occupancy permits, as noted below.*
>
> *Transportation*
>
> - *Provide pedestrian connections to the off-site circulation network (building permit triggers).*
> - *For commercial uses, implement a trip reduction program, for which all employees shall be eligible to participate (occupancy permit).*
> - *Provide a ride sharing program, for which all employees shall be eligible to participate (occupancy permit).*
> - *Provide amenities for non-motorized transportation (i.e., secure bicycle storage, changing rooms, and showers) (building permit).*

- *Provide transit shelters for all transit stops within the Project (building permit triggers and coordination with TRACER.).*
- *Include traffic calming measures at Project intersections and on roadways where feasible (tentative map).*
- *Employers shall provide parking cash-out programs for employees (100 percent of employees eligible).*

Energy Efficiency

- *Design buildings to be energy efficient and meet or exceed Title 24 requirements (per Measure E-1 of the City's Sustainability Action Plan (building permit).*
- *Install "cool" roofs and cool pavements, and strategically placed trees as applicable.*
- *Install high efficiency lighting, and energy efficient heating and cooling systems (building permit).*
- *Install high energy efficient appliances (clothes washers, dishwashers, fan, and refrigerators) (occupancy permit).*
- *Install programmable thermostats (building permit).*
- *Design buildings to reduce energy use through solar orientation and take advantage of landscaping and sun screens (building permit).*
- *Reduce unnecessary outdoor lighting (building permit).*

Water Conservation and Efficiency

- *Install water-efficient irrigation systems (building permit).*
- *Landscaping shall consist of drought tolerant native species with water-efficient characteristics (building permit).*
- *Comply with Municipal Code Section 21.20.050, Efficient Landscape Standards (building permit).*
- *Install water-efficient fixtures (e.g., faucets, toilets, showers) (building permit).*
- *Install infrastructure for recycled water per the City's Infrastructure Master Plan (building permits).*

Solid Waste

- *Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard) (building permit).*
- *Provide interior and exterior storage areas for recyclables and adequate recycling containers located in public areas (occupancy permit). [This is Mitigation Measure 4.7-1 in the THSP SEIR]*

The proposed Project would not change the amount of development, compared to what was previously analyzed in the THSP SEIR. As such, despite the implementation of the above mitigation measure, the impact would be the same as identified in the THSP SEIR, which is significant and unavoidable. This finding is supported by the THSP SEIR because the proposed Project is consistent with the overall land use density and intensity allowed by the THSP. Thus, the proposed Project would not result in a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

According to the THSP SEIR, full buildout of the Project would potentially conflict with or otherwise interfere with achievement of CARB's Scoping Plan, the City's Sustainability Action Plan, the California Attorney General's Office, or the California Air Pollution Control Officer's Association (CAPCOA) applicable measures. However, THSP SEIR Mitigation Measure AQ 4.7-1 would lessen the impact to less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

See Mitigation Measure GHG 4.7-1 above.

The proposed Project would not result in a potentially significant conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. The proposed Project would not increase developable acres or development intensity compared to what was previously analyzed in the THSP SEIR. With implementation of the mitigation from the THSP SEIR, the proposed Project would be consistent with local and regional plans designed to reduce GHG emissions. Therefore, the proposed Project would not conflict or interfere with the achievement of an applicable GHG emissions reduction plan. With implementation of the above mitigation measure, impacts would not be altered any greater than what was previously analyzed and remain less than significant.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new greenhouse gas impact to occur, nor an increase in the severity of a greenhouse gas impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

IX. HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	*Reviewed Under Previous Document*
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

As identified in the THSP SEIR, implementation of the THSP would have a less than significant impact related to the public with respect to hazardous materials with mitigation incorporated. The types of uses and facilities allowed in the THSP Area may generate, store, use, distribute or dispose of hazardous materials such as industrial waste, oils, solvents, paints, diesel fuel, hydraulic fluid and corrosives. With implementation of Mitigation Measure HAZ 4.8-1, implementation of the THSP would have a less than significant impact. Mitigation Measure HAZ 4.8-1 would require facilities that exceed the threshold specified by Health & Safety Code Section 25532(l) to prepare and implement a Risk Management Plan.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure HAZ 4.8-1:*** *Facilities that store, handle or use regulated substances as defined in the California Health and Safety Code 25532 (g) in excess of threshold quantities shall prepare and implement, as necessary, risk management plans (RMP) for determination of risks to the community. The RMP will be reviewed and approved by the San Joaquin County Environmental Health Department (EHD) through the Certified Unified Program Agencies (CUPA) process. [This is Mitigation Measure 4.8-1 in the THSP SEIR]*

The Project would include the same residential uses currently allowed by the THSP. Upon development of the Annexation Area, hazardous materials would be limited to those associated with common household fertilizers, pesticides, paint, solvent, and petroleum products. Because these materials would be used in very limited quantities, they are not considered a significant hazard to the public. With Implementation of the above mitigation measure, the proposed Project's impact on creating significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

As identified in the THSP SEIR, implementation of the THSP would have a less than significant impact related to release of hazardous materials into the environment. A review of regulatory databases maintained by County, State, and Federal agencies found no documentation of hazardous materials violations or discharge on the THSP Area. The Phase I and II ESAs completed for the THSP SEIR identified two underground crude oil pipelines (both located within the THSP Area) and adjacent former sanitary landfills and former gasoline service stations that may have the potential to impact the THSP Area. The THSP SEIR concluded that with implementation of Mitigation Measure HAZ 4.8-2a and 4.8-2b,

implementation of the THSP would have a less than significant impact. Mitigation Measure HAZ 4.8-2a and 4.8-2b would require a qualified Site Characterization specialist to conduct a site characterization at the Project regarding the active pipelines prior to issuance of building permits, in consultation with Conoco Phillips, Shell and the San Joaquin Environmental Hazards Division.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure HAZ 4.8-2a:*** *Prior to issuance of grading permits, a Phase II ESA focused on soil sampling and soil vapor sampling shall be conducted near the location of the underground crude oil pipelines, as determined by a qualified Phase II/Site Characterization specialist. Upon completion of site characterization activities, the Site Characterization specialist shall recommend remedial activities, if necessary, subject to approval of the City of Tracy Engineering Division. [This is Mitigation Measure 4.8-2a in the THSP SEIR]*

As identified in Figure 4.8-4 on the THSP SEIR, several pipelines bisect the THSP development area. However, no pipelines are recorded within the Annexation Area. Additionally, review of the Regional Water Quality Control Board's Geotracker database and Department of Toxic Substances Control's Envirostor database found no records pertaining to open cases of a leaking underground storage tanks (LUSTs), toxic releases, or site cleanup requirements within the 35.7-acre annexation area.[13,14] With implementation of the above mitigation measures, the proposed Project's impact on release of hazardous materials into the environment would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

As identified in the THSP SEIR, three active crude oil pipelines (Chevron 18-inch pipeline, PPL 16-inch pipeline, Shell 20-inch pipeline) and two natural gas pipelines (26-inch natural gas pipeline and 36-inch natural gas pipeline) traverse the THSP Area. The proposed school site that was evaluated in the THSP SEIR is in close proximity to the Conoco pipeline and the Shell pipeline as shown in Figure 4.8-3 of the THSP SEIR. The Conoco pipeline is located approximately 680-700 feet southwest of the proposed school site boundary. The Shell pipeline is located approximately 2,250 feet southwest of the proposed school site. The THSP SEIR concluded that even though the Shell pipeline is at a significant distance from the proposed school site, the main risk issue is the surface flow of crude oil could enter existing drainage culverts. The THSP determined that in the future condition, these drainage culverts would be connected to the development surface drainage (streets) or underground drainage (subdrains). With implementation

[13] State of California, Department of Toxic Substances Control. EnviroStor. Available at: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Tracy%2C+CA. Accessed February 4, 2021.
[14] State of California, Water Resources Control Board. GeoTracker. Available at: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Tracy%2C+CA. Accessed February 4, 2021.

of Mitigation Measure HAZ 4.8-3, potential impacts associated with flash fire and pool fire heat risk to the proposed school would be reduced to less than significant levels.

The THSP SEIR analyzed the risk analysis for all five pipelines in the THSP Area. The calculated risk for each pipeline was determined to be less than significant and the total cumulative risk for all pipelines within the corridor was also determined to be less than significant. With implementation of setback mitigation, Mitigation Measure HAZ 4.8-4, pipeline risk to proposed development within the THSP Area would be reduced to less than significant levels.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure HAZ 4.8-3:*** *The proposed underground storm drain system, roadways, graded slopes, and final surface topography shall be designed and constructed in accordance with the recommendations outlined in the Liquid Petroleum Pipeline Risk and California Aqueduct Flood Risk for the Proposed Tracy Hills School Site, Jefferson School District, City of Tracy, San Joaquin County, California prepared by Wilson Geosciences, Inc. dated May 2013 and to the satisfaction of the City of Tracy Engineering Division. [This is Mitigation Measure 4.8-3 in the THSP SEIR]*
>
> ***Mitigation Measure HAZ 4.8-4:*** *In accordance with the Pipeline Safety Hazard Assessment, Tracy Hills Specific Plan prepared by PlaceWorks dated September 2014, proposed development adjacent to the natural gas and/or crude oil pipelines shall implement the following measures:*
>
> 1. *Incorporate a minimum 13-foot setback distance from the centerline of the Phillips 66 pipeline to the nearest buildings/structures in the proposed development.*
> 2. *Incorporate a minimum setback distance of 25 feet from the centerline of any pipeline within the two natural gas pipelines and the Chevron crude oil pipeline. This would result in an additional 15 feet on the northeast side of the PG&E easement and an additional 20 feet on the southwest side of the easement to be dedicated as open space or public space or used for landscaping.*
> 3. *Incorporate designated land uses over the pipeline easements, such as public space, open space, or green space, to minimize the potential for third party damage.*
> 4. *Mark the pipeline locations prior to THSP development, maintaining the markings throughout the development process, and installing final markings after the work is complete.*
> 5. *Coordinate with the pipeline operators when development calls for excavation or utility trenching near the pipelines.*
> 6. *All contractors must initially pothole or hand dig to the proposed depth of the utility trench or excavation if working within 25 feet of the pipeline easements.*

7. *Consult with the pipeline operators on whether heavy construction vehicles with axle loads greater than 15,000 pounds would create stress on the pipelines at their current burial depths when crossing the lines and/or easements. Establish temporary fill or other protective measures as needed and establish permanent crossing areas for vehicles in excess of 15,000 pounds.*

8. *Avoid placing new utilities and services within the pipeline easements and minimize utility crossings over the pipeline easements to the extent feasible.*

9. *Select landscaping vegetation with shallow root structures within the setback zone to avoid root structures that damage pipeline coatings.*

10. *Avoid planting trees that prevent direct observation of the pipelines by aerial patrol.*

11. *Use non-flammable fencing along the pipeline easement.*

12. *Manage storm water runoff to prevent erosion of the pipeline bedding.*

13. *Maintain access to the pipelines by pipeline personnel and first responders in the event of an emergency.*

14. *Project applicants or sales representatives shall disclose to potential occupants regarding the proximity of the natural gas and crude oil pipelines, as required in accordance with Assembly Bill 1511 – Real Property: Disclosures: Transmission Pipeline.*

15. *Home Owners Associations (HOA) shall maintain an emergency contact list with phone numbers of the local police, fire department, and pipeline operators (PG&E, Chevron, Phillips 66, and Shell).*

16. *Coordinate with the pipeline companies so that the property occupants are notified if excavation or maintenance activities for the pipelines are planned along the pipeline easements.*

17. *Report any roadwork or underground utility work that involves digging in or near the pipelines to the pipeline companies.*

18. *Report immediately any odors or leakage from the pipelines to the pipeline operator and local emergency response personnel (i.e., the Tracy Fire Department).*

19. *HOAs shall maintain at an appropriate on-site location an emergency response plan that outlines emergency procedures to be followed in the event of a pipeline release.*

For additional detail refer to the September 2014 Pipeline Safety Hazard Assessment, Tracy Hills Specific Plan. [This is Mitigation Measure 4.8-4 in the THSP SEIR]

The Annexation Area would be located approximately 0.8 miles southwest of the proposed school site previously identified in the THSP SEIR. As shown in Figure 4.8-4 of the THSP SEIR, the closest pipeline to

the Annexation Area, is the 20-Foot Shell Easement with 20-inch Crude Oil Pipeline, which is located approximately 0.30 miles northeast of the annexation area. In the event a full pipeline rupture from the pipeline were to occur, the THSP SEIR considered hypothetical flow paths that could result in "pools" of crude oil. If a full pipeline rupture were to occur, no impact to the proposed Project would occur since the Annexation Area is at a higher elevation and outside the mapped pool areas. Given the type of land uses proposed on the Annexation Area, and the distance to the nearest school, the Project would not involve a significant transport, use, storage, or risk of upset of hazardous materials within one-quarter mile of any schools. With implementation of the mitigation measures described above, the proposed Project's impact in regard to emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a proposed school would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment?

As identified in the THSP SEIR, the THSP Area is not included on a hazardous sites list compiled pursuant to California Government Code Section 65962.5. The Annexation Area was not previously examined in the THSP SEIR since it is currently outside the THSP boundaries. However, review of the Cortese List on the DTSC Envirostor database determined the Annexation Area is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and there would be no impact and no further analysis is required.

Threshold (e) Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?

A portion of the THSP Area is located within the Tracy Municipal Airport, Traffic Pattern Zone 7 in the 2009 San Joaquin Airport Land Use Compatibility Plan (ALUCP) as shown in Figure 4.10-2 of the THSP SEIR. As identified in the THSP SEIR, the San Joaquin ALUCP specifies sensitive land uses and structure heights which are restricted within these zones. Given the conflict of allowable land uses within the M-1 Light Industrial designation, the Inner Approach/Departure Zone 2 and the Inner Turning Zone 3, the THSP SEIR concluded there would be a potentially significant impact with implementation of the THSP Area. With implementation of Mitigation Measure LU 4.10-1, potential impacts regarding compatibility with the existing land use plans and policies would be reduced to a less- than- significant level by ensuring that tentative and final maps comply with 2009 ALUCP. With implementation of Mitigation Measure HAZ 4.8-6, potential impacts regarding retention basins attracting wildlife that could be hazardous to aircrafts associated with the Tracy Municipal Airport would be less-than-significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure HAZ 4.8-6:*** *The proposed retention basins have been designed and constructed in accordance with the recommendations outlined in the Federal Aviation Administration Advisory Circular No. 150/5200-33B to control hazardous wildlife. In the event that the basins do not have a drawdown time of 48 hours following a storm event, the Project applicant shall fund and the City shall use physical barriers, such as bird balls, wires, grids, pillows or netting, to prevent access of hazardous wildlife to open water and minimize aircraft-wildlife interactions which shall be approved and inspected by the City. In addition, all vegetation in or around the basins that provide food or cover for hazardous wildlife should be eliminated. [This is Mitigation Measure 4.8-6 in the THSP SEIR]*
>
> *Refer to* ***Mitigation Measure LU 4.10-1*** *in Section X, Land Use.*

As identified in Figure 4.10-2 of the THSP SEIR, the Annexation Area would be within the Airport Influence Area Zone 8. Future development within the Annexation Area would not be greater than 100 feet tall and comply with height restrictions within the San Joaquin ALUCP. The conservation easement and the annexation portion both fall within the Safety Area Zone 8 and proposed land uses would be compatible with the San Joaquin ALUCP. In addition, any future development including retention basins associated with the proposed Project would be required by Mitigation Measure HAZ 4.8-6 to be designed and constructed in accordance with the recommendations outlined in the Federal Aviation Administration Advisory Circular No. 150/5200-33B to control against wildlife that could be hazardous to aircrafts associated with the Tracy Municipal Airport. With implementation of the above mitigation measures, the proposed Project's impact on the San Joaquin ALUCP would be less- than- significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (f) Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?

The proposed Project area is not located within 2 miles of a private airstrip. Based on the nature of the proposed Project, and given that the THSP site is not located within two miles of a private airstrip, no impact would occur. The proposed Project would not cause a new impact to occur and no further analysis is required.

Threshold (g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The City's General Plan Safety Element includes policies that require the City to provide fire and emergency response facilities and personnel necessary to meet residential and employment growth in the City. Mitigation Measures PSR 4.12-1, 4.12-2, and 4.12-3 in the Public Services Section of the THSP SEIR require future Project applicants within the THSP to pay the applicable impact fees, which ensure payment of a proportionate share toward the planned facilities. With the Project's compliance with the General Plan and provision of adequate emergency planned facilities within and near the THSP Area,

implementation of the THSP would result in a less than significant impact with respect to interference with an adopted emergency response plan or emergency evacuation plan.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> *Refer to **Mitigation Measures PSR 4.12-1, 4.12-2, and 4.12-3** in Section XII, Public Services and Utilities.*

As discussed in the THSP SEIR, the Project applicant would be required to pay applicable impact fees to ensure payment of a proportionate share toward the planned facilities. With implementation of the above mitigation measures, the proposed Project's impact on interference with an adopted emergency response plan or emergency evacuation plan would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas?

The THSP area is zoned "Moderate" in the Local Responsibility Area and "Un-zoned" in the State Responsibility Area, which represent the lowest fire severity. Although the THSP Area is within a low fire severity zone, the THSP Area is adjacent to conservation easements, which are covered primarily with grass and brush, which is considered a flammable material. The City requires brush management of any land that is covered with flammable material such as grass, brush, or forest covered land and adjacent to structures. With implementation of Mitigation Measures HAZ 4.8-8a, 4.8-8b and 4.8-8c in the THSP SEIR, grasses and brush within 100 feet of structures would be required to be mowed to a height of no more than 4 inches or disced in order to minimize the amount of fuel to sustain or allow the spread of fire, reducing potential impacts to a less than significant level.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

To mitigate the fire protection hazards associated with wildland fires, the Applicant shall:

> ***Mitigation Measure HAZ 4.8-8a:** Provide a 100-foot firebreak between developed areas and any land that is covered with flammable material such as grass, brush, or forest covered land, including conservation easements (including but not limited to CE 1, CE 2, and CE 3), but excluding conservation corridors. Grasses or weeds including the conservation corridor, that can be expected to burn shall be cattle grazed, disked or mowed to a height of no more than 4 inches pursuant to the terms of the adopted Preserve Management Plan (dated October 2011), and in accordance with City of Tracy Municipal Code in order to minimize the amount of fuel to sustain or allow the spread of fire. [This is Mitigation Measure 4.8-8a in the THSP SEIR]*

Mitigation Measure HAZ 4.8-8b: *Provide fire department access to all easement corridors and conservation easements (including but not limited CE 1, CE 2, and CE 3) for the purpose of suppressing wildland fires outside of firebreaks. [This is Mitigation Measure 4.8-8b in the THSP SEIR]*

Mitigation Measure HAZ 4.8-8c: *All new buildings that are located on the south side of I-580 and immediately adjacent to conservation easements (including but not limited to portions of CE 1, Southern CE 2, and CE 3) shall include measures that increase the likelihood that a structure would withstand intrusion by fire. This shall be accomplished by constructing those buildings on the edge of development to the standards of the California Building Code, Chapter 7A, Building and Construction Methods for Exterior Wildfire Exposure. [This is Mitigation Measure 4.8-8c in the THSP SEIR]*

Similar to the THSP Area analyzed in the THSP SEIR, the Annexation Area is zoned "Moderate" in the Local Responsibility Area and "Un-zoned" in the State Responsibility Area. Under existing conditions, the Annexation Area is split into two parcels: one currently within the jurisdiction of CAL FIRE and the other within the Tracy Rural Fire Protection District. Upon annexation into the City, based on current LAFCo policy, the Annexation Area would be within the jurisdictional area of the South San Joaquin County Fire Authority for fire protection.

No net change to the amount of residential structures, compared to what was analyzed in in the THSP SEIR, would occur. The proposed Project would provide a larger buffer between the THSP development footprint and the existing surrounding conservation easements to the northwest of the THSP. The proposed annexation would allow for residential estate development to occur within the Annexation Area which is already surrounded by the THSP development footprint, and therefore would concentrate more housing away from areas along the foothills that may be at higher risk of wildfire. Furthermore, as identified in the previously certified THSP SEIR, there is only a limited fire threat to the THSP Area. Although the proposed Project would modify the THSP boundaries, the result would create larger buffers between open space and development. With implementation of the above mitigation measures, the proposed Project's impact in regards to exposing people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new hazardous materials impact to occur, nor an increase in the severity of a hazardous material impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

X. HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	☐	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project violate any water quality standards or waste discharge requirements?

As determined in the THSP SEIR, the buildout of the THSP would have a less than significant impact in respect to violation of water quality with the implementation of the terminal retention/percolation basins or other facilities. Construction activities for buildout of the THSP Area, which would include site development, infrastructure, and the storm drain system would require a National Pollutant Discharge Elimination System (NPDES) permit. As determined in the THSP SEIR, future development of the THSP Area would be responsible for obtaining and complying with NPDES permit requirements. Implementation of BMPs during construction, would minimize water quality impacts to a less- than- significant level.

After construction, stormwater from buildout of the THSP Area could have the potential to degrade water quality to open space along the I-580, California Aqueduct and/or Delta Mendota Canal. Retention basins would provide attenuation storage and opportunities for pollutants to settle and be retained within the basin and provide opportunities for recharge. As determined in the THSP SEIR, retention basins would be utilized to satisfy the requirements set forth in the City's Storm Water Quality Control Manual (SWQC) and NPDES for new development areas. In addition, proposed open channels and existing drainage swales would be used for storm runoff from some of the upslope offsite sub-basins to downstream terminal retention/percolation basins or other facilities. Thus, impacts to water quality would be less- than-significant with the implementation of the terminal retention/percolation basins, open channels and drainage swales as determined in the THSP SEIR.

The proposed Project would not increase the developable acres or development density compared to what was previously analyzed in the THSP SEIR. Potential water quality impacts associated with the proposed Project would include short-term construction-related erosion/sedimentation and long-term operational stormwater discharge. If not managed properly, grading and construction activities could cause soils and other pollutants to enter the storm drain system. During heavy rains, this may degrade stormwater quality at downstream locations. To minimize water quality impacts associated with the proposed Project, construction activities would be required to comply with a SWPPP, consistent with the NPDES. Additionally, the proposed Project would also implement stormwater control measures such as Low Impact Development (LID) and Best Management Practices (BMP's) per the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, as analyzed in the THSP SEIR.

After construction, stormwater from the proposed Annexation Area would be directed to the on-site retention basins. Development of the proposed Project would have a decrease in impervious surfaces through construction of buildings, parking areas, roadways, and other improvements because the proposed. The proposed Project would not increase developable acres or development density compared to what was previously analyzed in the THSP SEIR. However, the proposed Project would still be required to incorporate to the extent feasible, low impact development (LID) features, including directing drainage from impervious surfaces to bioswales for infiltration as part of BMPs per the City's Manual of Stormwater

Quality Control Standards. In addition, as required in the THSP, development projects greater than 100,000 square feet are required to implement specific controls, as identified in the City's SWQC Manual, and to submit a Storm Water Quality Control Plan (SWQCP) that demonstrates that the proposed Project would conform to all requirements of the City standards. Compliance with NPDES permit requirements and implementation of BMPs during construction would ensure the proposed Project's impact on water quality standards or waste discharge requirements would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

As identified in the THSP SEIR, implementation of the THSP would not have an adverse impact on groundwater recharge. The Water Supply Assessment prepared for the THSP SEIR concluded that the City's existing and additional planned future water supplies are sufficient to meet the City's existing and projected future water demands, including those future water demands associated with the THSP to the year 2035 under all hydrologic conditions.

The Project would not change the amount of development allowed, and would therefore not change the demand on water supplies. Further, development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. However as identified in the THSP SEIR, on-site bioswales would still be included to facilitate groundwater recharge as part of buildout of the THSP Area in accordance with BMPs set forth in the City's Manual of Stormwater Quality Control Standards. Therefore, similar to the approved THSP, implementation of the proposed Project would not deplete groundwater supplies or interfere with groundwater recharge, any greater than already analyzed in the THSP SEIR and this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

As identified in the THSP SEIR, with mitigation, implementation of the THSP would have a less than significant impact with respect to substantial erosion or siltation on- or off-site. The Tracy Hills Storm Drainage Master Plan (SDMP) was prepared as a guidance document to identify the primary framework of storm drainage facilities needed to serve future land development under the buildout condition for the THSP Project Area. Individual development projects within the THSP would be required to provide site-specific or project-specific storm drainage solutions that would be consistent with the overall infrastructure approach within the Tracy SDMP. The THSP SEIR determined that buildout of the THSP

would increase erosion and sedimentation through the removal of vegetation during construction of THSP infrastructure. Implementation of the THSP would result in an increase in flow rates and volumes of runoff with an increase in the amount of impervious surface such as buildings, streets and parking areas. However, with implementation of Mitigation Measure HYDRL 4.9-1a and 4.9-2 in the THSP SEIR, potential impacts on erosion and sedimentation would be less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure HYDRL 4.9-1a:*** *Prior to issuance of a grading or building permit, whichever occurs first, all Project applicants shall demonstrate to the City of Tracy compliance with NPDES General Construction Activities Storm Water Permit Requirements established by the Clean Water Act (CWA), including the preparation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall identify specific types and sources of stormwater pollutants, determine the location and nature of potential impacts, and specify appropriate control measures to eliminate any potentially significant impacts on receiving water quality from stormwater runoff. The SWPPP shall comply with the most current standards established by the Central Valley RWQCB. Best Management Practices shall be selected from a menu according to site requirements and shall be subject to approval by the City Engineer and Central Valley RWQCB. [This is Mitigation Measure 4.9-1a in the THSP SEIR]*
>
> ***Mitigation Measure HYDRL 4.9-2:*** *All Project applicants shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site post-construction BMP drainage improvements consistent with the Tracy Hills Storm Drain Master Plan. Once City approval is received, all Project applicants shall construct the drainage improvements as necessary and in accordance with the timing described in the Tracy Hills Storm Drain Master Plan. [This is Mitigation Measure 4.9-2 in the THSP SEIR]*

Development of the Annexation Area would have the potential to alter drainage patterns, as compared to existing conditions, from increased erosion and sedimentation through the removal of vegetation during construction activities. Development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on the existing drainage pattern of the Annexation Area would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding?

As identified in the THSP SEIR, the majority of the THSP Area is not located within the 100-year and 500-year floodplains. Development of the THSP Area would convert a primarily undeveloped site to a

developed one, which would increase flow rates, frequency, and volumes of runoff by introducing streets, buildings, parking areas, and other impervious surfaces within the THSP Area. Flows from the off-site, upstream drainages tributary to the THSP would be intercepted and conveyed through a combination of open channels and underground storm drain system and discharge to the proposed retention basins. The retention basins would capture increases in peak flow as result of development and would substantially reduce or eliminate downstream flow. With implementation of the drainage improvements described in the SDMP, it is unlikely that the THSP Area would result in or be affected by flooding. Therefore, implementation of the THSP would have a less than significant impact on the rate or amount of surface runoff resulting in flooding.

The Biological Technical Report (NOREAS, July 2020) conducted for the proposed Project included review of the National Wetland Inventory and found no records of aquatic resources within the Annexation Area. No riparian habitats were observed within the Annexation Area; however, indicators of ephemeral drainages were observed during field surveys.

Development of the Annexation Area would have the potential to alter drainage pattern through introduction of streets, buildings, parking area, and other impervious surfaces from buildout. Project implementation would not increase developable acres within the THSP SEIR and would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the drainage improvements as described in the SDMP and THSP SEIR, the proposed Project's impact on surface runoff would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (e) Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

As identified in the THSP SEIR, with mitigation, implementation of the THSP would have a less than significant impact in respect to runoff water that exceeds the capacity of existing or planned storm water drainage systems. As discussed in Section 4.8, Hazards and Hazardous Materials of the THSP SEIR, the types of uses and facilities allowed in the THSP Area may generate, store, use, distribute or dispose of hazardous materials such as industrial waste, oils, solvents, paints, diesel fuel, hydraulic fluid and corrosives. With implementation of Mitigation Measures HYDRL 4.9-1a, 4.9-1b, 4.9-2, and 4.9-3, potential impacts from polluted runoff would be less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***See Mitigation Measures HYDRL 4.9-1a and 4.9-2 above.***
>
> ***Mitigation Measure HYDRL 4.9-1b:*** *Prior to issuance of a grading or building permit, whichever occurs first, all Project applicants shall submit to the City Engineer for review a draft copy of the*

Notice of Intent (NOI) and SWPPP. After approval by the City, the NOI and SWPPP shall be sent to the State Water Resources Control Board for approval. [This is Mitigation Measure 4.9-1b in the THSP SEIR]

Mitigation Measure HYDRL 4.9-3: *All Project applicants shall implement the following measures:*

1. *Shall implement sound Integrated Pest Management (IPM) principles and practices in an effort to minimize the use of pesticides in common landscaped areas, open space areas, or park areas. These programs shall include setting acceptable thresholds of infestations and a process for determining the best prevention or treatment method for a given pest. Pest problems in common landscaped areas, open space areas, or park maintenance shall be managed through prevention and treatment using physical, mechanical and biological controls. The use of toxic pesticides will be implemented only after other non-toxic approaches or products have been determined infeasible. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure.*

2. *Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to:*

    - *Hazardous material use controls;*
    - *Hazardous materials exposure controls;*
    - *Hazardous material disposal and recycling.*

3. *Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system. [This is Mitigation Measure 4.9-3 in the THSP SEIR]*

As discussed in the previously certified THSP SEIR, the THSP would be designed to include storm drainage solutions as part of its land plan to accommodate the THSP's drainage as well as drainage from certain other existing surrounding uses and adhere to the City's Storm Drainage Master Plan, which has plans for improvements that accommodate development proposed under the THSP.

Project implementation would have the potential to increase local runoff volumes, frequency, and flow rates compared to existing conditions. The proposed Project would have the potential to contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on increased runoff water would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (f) Would the project otherwise substantially degrade water quality?

As identified in the THSP SEIR, with mitigation, implementation of the THSP would have a less than significant impact on degradation of water quality. As discussed above in Threshold (e), with implementation of Mitigation Measures HYDRL 4.9-1a, 4.9-1b, 4.9-2, and 4.9-3, implementation of the THSP would not substantially degrade water quality.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

See Mitigation Measures HYDRL 4.9-1a, 4.9-1b, 4.9-2 and 4.9-3 above.

The proposed Project would have the potential to degrade water quality through erosion or siltation from construction and operation activities. Development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on water quality would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The THSP SEIR disclosed that a small portion of the THSP Area is located in 100-year and 500-year floodplains areas associated with Corral Hollow Creek (FEMA Flood Insurance Rate Map (FIRM) Panel No. 06077C0740F for San Joaquin County, California and Incorporated Areas dated October 16, 2009). However, as identified in the THSP SEIR, there are no residential uses proposed within the 100-year and 500-year floodplains. Thus, the THSP SEIR identified that no impact would occur.

While Figure 4.9-3A and Figure 4.9-3B of the THSP SEIR mapped a small portion of the THSP as being within the 100-year and 500-year floodplain areas, the Annexation Area is not within any floodplain areas. Thus, there would be no impact associated with placing housing within a 100-year flood hazard area. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (h) Would the project place structures within a 100-year flood hazard area, which would impede or redirect flood flows?

As identified in the THSP SEIR, the majority of the development within the THSP Area would be located outside of the 100-year floodplain and therefore, the floodplain would not impact development. However, as described above, a small portion of the THSP was mapped in the THSP SEIR as being located in 100-year and 500-year floodplains for Corral Hollow Creek. The easternmost edge of the THSP Area where General Highway Commercial land uses encroach into approximately 2.2 acres of the 500-year flood elevation and

0.1 acres of the 100-year flood elevation. Depending on the ground at the proposed building locations, development within this area may need to elevate building finished floors a minimum of 1 foot above the 100-year flood elevation for Corral Hollow Creek, and possibly, meet the requirements to withstand a 200-year flood per the Urban Level of Flood Protection (ULOP) Criteria. Senate Bill 5 establishes a requirement that "urban areas" and "urbanizing areas" apply a 200-year return period storm level of protection standard to new development in locations meeting certain criteria no later than 36 months after the Central Valley Flood Protection Plan is adopted by the State. Additionally, the City's Storm Drain Management Plan has been designated to accommodate the 100-year flood event in accordance with City design standards. With implementation of Mitigation Measure HYDRL 4.9-4 in the THSP SEIR, potential impacts associated with placing structures within the 100-year floodplain were found to be less than significant.

While Figure 4.9-3A and Figure 4.9-3B of the THSP SEIR mapped portions of the THSP as being partially within the 100-year and 500-year floodplain areas, the Annexation Area is not within any mapped floodplains. As such, no impact associated with placing structures within a 100-year flood hazard area would occur. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

As identified in the THSP SEIR, the THSP is not located within the dam inundation risk areas. As a result, no impacts would occur as a result of the failure of a levee or dam. Since the proposed 35-acre annexation area is surrounded by the THSP development footprint, and would be subject to the same conditions as the THSP Area, no impact would occur and no further analysis is required.

Threshold (j) Would the project result in inundation by seiche, tsunami or mudflow?

As identified in the THSP SEIR, the THSP is located inland across several mountain ranges from the Pacific Ocean and is not downstream of any significant body of water. Therefore, there is no risk of exposure to inundation by seiche or tsunami and no impact would occur. Since the proposed Project is currently surrounded by the THSP development footprint it would be subject to the same conditions as the THSP Area, and the proposed Project would not result in inundation by seiche, tsunami or mudflow. Similar to the THSP, there would be no impact and no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new hydrological impact to occur, nor an increase in the severity of a hydrological impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XI. LAND USE AND PLANNING

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
Would the project:					
a. Physically divide an established community?	☐	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project physically divide an established community?

As identified in the THSP SEIR, implementation of the THSP Area would not have the potential to divide an established community. While new development, improvements, and intensification of the THSP Area would occur under the THSP, implementation of the THSP would not physically divide an established community and impacts would be less than significant.

The proposed Project would convert undeveloped land to urbanized development. The Annexation Area is currently vacant and does not have any established communities on site; therefore, Project implementation would not physically divide an established community. Further, the Project would allow development to occur within the Annexation Area, focusing development in a contiguous area and providing for better community cohesion with buildout of the Project and THSP. Thus, impacts would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

As identified in the previously certified EIR for the THSP, implementation of the THSP Area would not conflict with land use plans, policies, or regulations. Implementation of the previously approved THSP required a General Plan Amendment to amend the General Plan Land Use Map to reflect the proposed

land use changes identified in Figure 3-3 of the THSP SEIR. As determined in the THSP SEIR, impacts related to the consistency with General Plan policies relating to environmental issues were found to be less than significant. As determined in the THSP SEIR, zoning districts identified in the THSP Area were determined to be consistent with the City's zoning. As a result, impacts associated with zoning policies relating to environmental issues would be less than significant. As discussed in Section VIII, Hazards and Hazardous Materials of the THSP SEIR, a portion of the northeast corner of the THSP Area is located within the Tracy Municipal Airport, Traffic Pattern Zone 7 in the 2009 San Joaquin ALUCP as shown in Figure 4.10-2 of the THSP SEIR. With implementation of Mitigation Measure LU-4.10-1, potential impacts regarding compatibility with the existing land use plans and policies would be reduced to a less- than- significant level by ensuring that tentative and final maps comply with 2009 ALUCP.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure LU 4.10-1:*** *All tentative and final maps within the THSP shall conform to the provisions of the 2009 ALUCP (or the ALUCP in effect at the time of Project applicant submissions), including but not limited to:*
>
> - *Land use restrictions of the ALUCP;*
> - *All proposed school sites within a 2-mile radius of the airport runway must obtain approval by the State Department of Transportation Division of Aeronautics. [This is Mitigation Measure 4.10-1 in the THSP SEIR]*

The previously approved THSP is consistent with the Tracy General Plan designation of THSP Area such that the mix of proposed land uses are consistent with the statistical profile evaluated in the General Plan. Overall, the proposed Project is consistent with the underlying land use and zoning designations that have been included in local and regional planning efforts. As shown in Table 1: Land Use Plan Buildout (2035), the proposed Project would have no change in developable acres compared to what was previously analyzed in the THSP SEIR. The proposed Project would exchange the 35.7 acre Annexation Area with an equivalent 35.7 acre Conservation Easement to allow for more focused development within the southeastern portion of the THSP. The proposed Project would maintain the same acreages for both uses and further create a buffer between the THSP footprint and conservation easements. The proposed Project would not increase development intensity or conflict with any policies outlined in the San Joaquin ALUCP. With implementation of the above mitigation measure, the proposed Project's impact on land use plans, policies, or regulations would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

As discussed in Section IV Biological Resources, the Annexation Area is located within Area C of the THSP which falls within the Sphere of Influence of the SJMSCP. Pursuant to THSP SEIR Mitigation Measure 4.4-1h, projects being implemented within Area C shall voluntarily secure Section 7 and/or Section 10 permits

in consultation with the appropriate wildlife agencies. The Project applicant is in consultation with USFWS and CDFW to obtain approval of a HCP for Area C, consistent with the THSP SEIR Mitigation Measure 4.4-1h. As previously noted, the biological setting in the Annexation Area is similar to the previously analyzed THSP Area, and would have the same potential affects as the THSP. As such, with implementation of Mitigation Measure BIO 4.4-1h, 4.4-1j, 4.4-1m, and 4.4-4, no impact relative to inconsistency with habitat conservation plans would occur.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Refer to Mitigation Measure BIO 4.4-1h, 4.4-1j, 4.4-1m, and 4.4-4a in Section IV, Biological Resources.***

With implementation of the above mitigation measures, the proposed Project's impact concerning applicable conservation plans would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new land use impact to occur, nor an increase in the severity of a land use impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XII. MINERAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The main mineral resources found in San Joaquin County, and Tracy are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. The City of Tracy has an adopted Aggregate Mining Overlay zone, which has been approved by the State Division of Mines and Geology (Resolution 2000-12 of State Division of Mines and Geology). In order to protect aggregate land and mitigate conflicts between mining activities and urban uses, the 2011 Tracy General Plan designates lands with production quality mineral reserves as Aggregate in the southern portion of Tracy. Of the area classified by the State Division of Mines and Geology as having potentially significant mineral deposits, the City has designated the bulk of this area as Aggregate in the 2011 General Plan. Some additional areas identified as having potentially significant aggregate deposits are designated as Industrial in the General Plan. The City and State have agreed to protect identified areas south of Linne Road for aggregate uses and allow for urban development north of Linne Road (much of which has already occurred).

There is a small aggregate area south of the California Aqueduct, along Corral Hollow Road that is within the THSP Area. Impacts to mineral resources within the THSP Area was determined to be less than significant in the 2011 General Plan EIR.

The proposed Project is surrounded by the development footprint previously analyzed in the THSP SEIR and would similarly be located inside of the small aggregate area identified in the THSP SEIR. Therefore, the proposed Project would not have the potential for new impacts to mineral resources and impacts in regards to the loss of availability of a known mineral resource would be considered less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The THSP Area, inclusive of the Annexation Area, has not been used for mineral resource recovery and is not delineated as a mineral resource recovery site on any land use plans. As the Annexation Area is not currently used (or planned for use) as a mineral resource recovery site, no impacts to mineral resources would occur. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result and no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new mineral impact to occur, nor an increase in the severity of a mineral impact previously disclosed in the THSP SEIR. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XIII. NOISE

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

A noise impact analysis was performed for the previously certified THSP SEIR to evaluate the potential for noise and vibration impacts resulting from Specific Plan implementation. The results and findings as they apply to the proposed Project are summarized herein.

Noise sources in the THSP Area consist of vehicular traffic on nearby roadways, including I-580, Lammers Road, Corral Hollow Road, Linne Road, Tracy Boulevard, and Eleventh Street. According to the THSP SEIR, on-site noise levels were measured on March 30, 2013 to document noise levels at the existing land uses. Noise levels were based on readings at two Long-Term Locations and four Short Term Locations, which included four locations on roadways near the Phase 1a area. The noise environment of the proposed Annexation Area is dominated by traffic along Interstate 580 and Corral Hollow Road.

The land uses included in the proposed Project are consistent with those analyzed in the THSP SEIR. Therefore, noise sources generated by the proposed Project would also be similar and include sources such as, vehicle traffic, emergency generators, trash compactors, and rooftop mechanical equipment.

Threshold (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

According to the THSP SEIR, future mobile traffic noise levels generated along heavily-traveled roadways may result in potentially significant impacts for existing sensitive receptors and future buildings in the THSP Area; [15] refer to Section XII (c) below. THSP SEIR Mitigation Measures NOI 4.11-1; 4.11-3a; 4.11-3b; 4.11-3c; 4.11-3d; and 4.11-3e and adherence to Municipal Code requirements would lessen stationary noise impacts to less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure NOI 4.11-1:*** *Prior to the issuance of demolition permits or ground disturbing activities (whichever occurs first), the Contractor shall demonstrate to the satisfaction of the City of Tracy Engineering and Building Divisions that the Project complies with the following:*
>
> - *Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.*
>
> - *Property occupants located adjacent to the Project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the Project. A sign, legible at a distance of 50 feet shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City of Tracy Planning Division prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.*
>
> - *The Contractor shall provide evidence that a construction staff member would be designated as a Noise Disturbance Coordinator and would be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Planning Division. All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.*
>
> - *During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.*

[15] THSP Draft EIR, page 4.11-22.

- *Construction activities shall occur between the hours of 7:00 AM and 10:00 PM daily pursuant to Section 9.12.030 and Section 4.12.820 of the Tracy Municipal Code. [This is Mitigation Measure 4.11-1 in the THSP SEIR]*

Mitigation Measure NOI 4.11-3a*: Prior to issuance of any Building Permit, the Project applicant shall demonstrate, to the satisfaction of the City of Tracy, compliance with the following:*

- *To the extent possible, all mechanical equipment shall be oriented away from the nearest noise sensitive receptors; and*

- *All mechanical equipment shall be screened and enclosed to minimize noise or the equipment shall be factory rated at a noise level that would comply with the noise limits set forth in the City's Municipal Code. [This is Mitigation Measure 4.11-3a in the THSP SEIR]*

Mitigation Measure NOI 4.11-3b: *Where a commercial zone abuts a residential zone or residential use, all deliveries of goods and supplies; trash pick-up (including the use of parking lot trash sweepers); and the operation of machinery or mechanical equipment which emits noise levels in excess of 65 dBA, as measured from the closest property line to the equipment, shall only be allowed between the hours of 7:00 AM and 10:00 PM, unless otherwise specified in an approved conditional use permit or other discretionary approval. [This is Mitigation Measure 4.11-3b in the THSP SEIR]*

Mitigation Measure NOI 4.11-3c: *All feasible sound attenuation shall be incorporated into the parking areas (i.e., landscaping and brushed driving surfaces), such that noise from parking area has been minimized to the greatest extent practicable such that parking lot noise would not exceed the standards indicated in Tracy Municipal Code Section 4.12.750 (General Sound Level Limits). [This is Mitigation Measure 4.11-3c in the THSP SEIR]*

Mitigation Measure NOI 4.11-3d: *Prior to the issuance of Building Permits, any residential development within 2,040 feet of the I-580 centerline shall be designed in compliance with the California Building Code (CBC) and an Acoustical Noise Analysis shall be prepared to ensure that the City of Tracy's exterior and interior noise level standards defined in General Plan Figure 9-3, Land Use Compatibility for Community Noise Environment, are met at all residential, commercial, and recreational land uses. The analysis shall verify that residences are adequately shielded and/or located at an adequate distance from mobile noise sources. Residential buildings or structures shall be designed to ensure interior noise levels do not exceed 45 dBA. In addition, individual developments shall, to the extent feasible, implement site-planning techniques such as the following:*

- *Increasing the distance between the noise source and the receiver;*

- *Using non-noise sensitive structures such as garages to shield noise-sensitive areas;*

- *Orienting buildings to shield outdoor spaces from a noise source;*

- *Incorporating architectural design strategies, which reduce the exposure of noise-sensitive spaces to stationary noise sources (i.e., placing bedrooms or balconies on the side of the house facing away from noise sources). These design strategies shall be implemented as required by the City to comply with City noise standards;*

- *Incorporating noise barriers, walls, or other sound attenuation techniques, as required by the City to comply with City noise standards; and*

- *Modifying elements of building construction (i.e., walls, roof, ceiling, windows, and other penetrations), as necessary to provide sound attenuation. This may include sealing windows, installing thicker or double-glazed windows, locating doors on the opposite side of a building from the noise source, or installing solid-core doors equipped with appropriate acoustical gaskets. [This is Mitigation Measure 4.11-3d in the THSP SEIR]*

Mitigation Measure NOI 4.11-3e: *Prior to the issuance of Grading Permits, any residential development associated with the THSP Buildout (i.e., development other than Phase 1a) located within 260 feet of the Union Pacific Railroad corridor shall have an Acoustical Analysis prepared to fully analyze acoustical impacts and develop measures, if required, to ensure that the City's exterior standards of 70 dBA would be achieved for the proposed land uses that are subject to noise from train pass-bys. The analysis shall conduct detailed train noise modeling to verify that residences are adequately shielded and/or located at an adequate distance from the rail corridor to comply with the City's exterior standards. The analysis shall also ensure that interior noise levels do not exceed 45 dBA. [This is Mitigation Measure 4.11-3e in the THSP SEIR]*

The proposed Project area consists of the an approximately 35-acre portion of Conservation Easement 3 that is surrounded by the previously analyzed boundary of the THSP Area. The nearest sensitive receptors, existing single-family residential uses, are located approximately 1.25 miles northeast of the Annexation Area. At this distance, construction and operational noise levels would remain low. Given that the Project has land uses consistent with the development density previously analyzed in the THSP SEIR, stationary noise impacts would be consistent with stationary noise impacts analyzed in the THSP SEIR. With implementation of the above mitigation measures, impacts to noise levels would not be altered any greater than what was previously analyzed and remain less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

According to the THSP SEIR, neither the City of Tracy nor the County of San Joaquin establishes thresholds for excessive vibration. Therefore, the United States Department of Transportation (Federal Transit Administration [FTA]) criteria of 2.0 inch-per-second PPV for the evaluation of potential human annoyance and potential for structural damage to result from vibration is used.

Construction of the proposed buildings has the potential to produce short-term construction vibration effects and operational vibration as a result of the proposed Project's traffic and mechanical equipment operations. Construction of the proposed Project would generate short-term construction vibration during site preparation and construction of the buildings, paving and related activities. Vibration from construction activities rarely reaches the levels that can damage structures, but groundborne vibration and noise can reach perceptible and audible levels in buildings that are very close to the construction site. Even with vibration reduction measures, such as use of vibration attenuating construction equipment (static rollers) and discretionary scheduling of the noisiest construction activities, groundborne vibration from construction within the THSP Area when in close proximity to sensitive receptors would be a potentially significant impact relative to perception and annoyance.

With respect to the proposed Project, short-term construction vibration impacts could result at adjacent sensitive receptors (residential uses) in the THSP Area. Vibration effects would be reduced by a combination of appropriate equipment and process selection, as well as implementation of proper administrative controls (refer to Mitigation Measure NOI 4.11-1 above). Even with these vibration reduction approaches, it is still possible that individual, site-specific developments could exceed either the annoyance threshold and/or the architectural damage threshold. This potential situation would be exacerbated with the use of standard pile driving techniques. As such, groundborne vibration from construction could result in a potentially significant impact with respect to perception or architectural damage. The proposed Project would also implement best practices for construction activities (as specified in Mitigation Measure NOI 4.11-1), which would reduce groundborne noise and vibration from construction.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

See Mitigation Measure NOI 4.11-1 above.

With implementation of the above mitigation measure, construction vibration levels as a result of construction for the proposed Project construction would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

As discussed in the previously certified THSP SEIR, Specific Plan implementation would cause a substantial noise increase to most nearby roadways within and in close proximity to the Specific Plan limits during Long Range Plus THSP Buildout Conditions.[16] The Specific Plan impact was identified as significant and unavoidable. According to the THSP SEIR, impacts would occur on off-site roadways where it is infeasible to implement mitigation measures. Therefore, impacts to off-site uses from traffic noise remain significant

[16] THSP Draft EIR, page 4.11-22.

and unavoidable. The proposed Project would include land uses that are equivalent to those analyzed in the THSP SEIR. The Project does not propose an increase in development density within the THSP Area. Similar to the THSP, mitigation measures would not be feasible to apply on off-site roadways and the proposed Project would also result in a significant and unavoidable impact related to future mobile traffic noise. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

The previously approved THSP SEIR evaluated stationary source noise impacts such as mechanical equipment, slow moving delivery/supply trucks, activities at the loading docks, parking lots, landscape maintenance, and outdoor pools. As the THSP is primarily vacant, the previously approved EIR found new noise sources would be introduced as a result of the proposed Project and THSP buildout. However, THSP SEIR mitigation measures 4.11-3a; 4.11-3b; 4.11-3c; 4.11-3d; 4.11-3e and adherence to Municipal Code requirements would lessen impacts to less than significant. Given that off-site effects cannot be mitigated, this impact would remain significant and unavoidable overall. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Noise emissions from construction of the proposed Project would be localized and occur intermittently for varying periods of time. The highest construction noise levels associated with construction would be generated during grading, excavation, and foundation work, with lower noise levels occurring during building construction and finishing. According to the THSP SEIR, potentially significant impacts from construction noise could occur with THSP implementation. Construction of the proposed Project would include similar construction equipment and schedule as was previously analyzed in the THSP SEIR. Therefore, notable temporary sound level increases would not be greater than previously evaluated.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

See Mitigation Measure NOI 4.11-1 above.

With implementation of the above mitigation measure, the proposed Project would reduce the potential for a substantial temporary or periodic increase in ambient noise levels to occur by demonstrating compliance with construction-related policies to the satisfaction of the City of Tracy Engineering and Building Division. With mitigation, the impact is less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

According to the THSP SEIR, the THSP Area is located approximately 0.22 miles west of the Tracy Municipal Airport. The Annexation Area is located approximately 2.0 miles southwest of the Tracy Municipal Airport. According to the San Joaquin County Airport Land Use Compatibility Plan Update (ALUCP) the airport has approximately 59,701 operations, primarily performed by single engine piston aircrafts involved in flight training. The Annexation Area is not located within any CNEL Airport Noise Contours. Therefore, the proposed Project would not expose persons residing or working in the proposed Project area to excessive airport related noise levels and no impact would occur. No further analysis is required.

Threshold (f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

According to the THSP SEIR, the THSP Area is not located within two miles of a private airstrip. Therefore, the proposed Project is not located within a distance of two miles from a private airstrip. Due to the distance separation, the proposed Project would not expose persons to excessive airport-related noise levels. Similar to the THSP, there would be no impact and no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new noise impact to occur, nor an increase in the severity of a noise impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XIV. POPULATION AND HOUSING

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

As identified in the previously certified EIR prepared for the THSP, the THSP would include construction of new residential areas. The THSP SEIR found that buildout of the THSP would not exceed the maximum dwelling units or non-residential square footage already anticipated in the certified 2011 General Plan EIR for the THSP Area. The General Plan EIR did not find any significant impacts related to population, employment or housing, thus implementation of the THSP would not induce population growth which has not already been anticipated in the 2011 General Plan EIR. The THSP SEIR determined that displacement of the five existing houses in the THSP Area would not substantiate the need for construction of replacement housing. As a result, the THSP SEIR found impacts related to population and housing would be less-than-significant.

The Project would not result in any changes to the total amount of housing or jobs within the THSP. As such, the Project is consistent with the impact conclusion of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Threshold (c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

As determined in the previously certified EIR for the THSP, five single-family homes would likely be demolished and replaced with new single family and multi-family homes. Since the THSP includes the

construction of new residential areas, the displacement of the five existing houses would not substantiate the need for construction of replacement housing. Therefore, impacts related to population and housing were determined to be less than significant in the THSP SEIR.

Development of the proposed Project would occur on currently undeveloped land. Thus, impacts related to displacement of people and housing would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new population and housing impact to occur, nor an increase in the severity of a population and housing impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XV. PUBLIC SERVICES, RECREATION, AND UTILITIES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i. Fire protection?	☐	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☐	☒
b. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐	☒
c. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☐	☒
d. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☐	☒
e. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
f. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
g. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☐	☒

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
h. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☐	☒
i. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☐	☒
j. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

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

The THSP SEIR identified that development of the THSP would include two fire stations within the THSP Area, which would be adequately equipped to provide fire services for the buildout of the THSP once implemented.[17] As determined in the THSP SEIR, buildout of the THSP would not exceed the City's planned growth level, additional service population was already accounted for in the Citywide Public Safety Master Plan and would not require additional fire protection facilities beyond what has been planned. Additionally, all project applicants of individual projects within the THSP Area would be required to pay a fair and equitable amount to the City's Public Buildings impact fee to offset the capital costs for fire protection and emergency service facilities. As a result, development within the THSP Project Area would not exceed the maximum dwelling units or non-residential square footage approved in 2016, or the maximum dwelling units square footage contemplated by the City's General Plan. Fire protection needs would not be altered by implementation of the THSP with implementation of Mitigation Measures PSR 4.12-1 and 4.12-3. Implementation of Mitigation Measures PSR 4.12-1 and 4.12-3 would reduce potential impacts on fire protection to a less than significant level.

[17] Subsequently, the City of Tracy Fire Department determined, Standards of Response Coverage report, that only one fire station would be needed to serve the THSP Area. Personal communication with Fire Chief Randy Bradley on January 28, 2020.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure PSR 4.12-1:*** *As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fees. [This is Mitigation Measure 4.12-1 in the THSP SEIR]*
>
> ***Mitigation Measure PSR 4.12-3:*** *As determined by the Fire Chief and in accordance with adopted standards of coverage, a fire station and all related equipment shall be constructed and operational in Phase 1A to serve Tracy Hills in accordance with the Citywide Public Safety Master Plan. [This is Mitigation Measure 4.12-3 in the THSP SEIR]*

Upon annexation, based on current LAFCo policy, the Annexation Area would be within the jurisdictional area of the South San Joaquin County Fire Authority for fire protection. Project implementation would not increase population growth in the THSP Area. Therefore, growth associated with the Project would not exceed the growth planned for the THSP Area in the 2011 General Plan. The proposed Project, with implementation of the mitigation measures identified above, would not result in the need to construct additional fire stations, beyond those identified in the THSP SEIR. Given that no additional fire stations beyond those identified in the THSP would be required to serve the proposed Project, Project implementation would not create substantial adverse physical impacts associated with construction of a new fire station. As such, this impact would be less than significant. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

ii. Police Protection

As identified in the THSP SEIR, development of the THSP would include construction of a new police substation located closer to the THSP than the current primary station. As determined in the THSP SEIR, buildout of the THSP would not exceed the City's planned growth level, additional service population was already accounted for in the Citywide Public Safety Master Plan, and would not require additional law enforcement facilities beyond what has been planned. Additionally, individual development projects under the THSP would be required to pay the applicable impact fees, which ensure payment of a proportionate share towards the planned facilities. As a result, development within the THSP Area would not exceed the maximum dwelling units or non-residential square footage previously approved in 2016, or the maximum dwelling units square footage contemplated by the City's General Plan. Law enforcement needs would not be altered by implementation of the THSP with implementation of Mitigation Measures PSR 4.12-4a and 4.12-5b. Implementation of Mitigation Measures PSR 4.12-4a and 4.12-5b would reduce potential impacts on fire protection to a less than significant level.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure PSR 4.12-4a:*** *The Project applicant of individual projects within the THSP Project Area shall consult with the Police Department during preliminary stages of site design to*

review safety features, determine their adequacy, and suggest design and/or physical improvements to the proposed site plan. This is achieved through the City's development review process, which currently is coordinated with various City Departments' review of new development proposals. [This is Mitigation Measure 4.12-4a in the THSP SEIR]

Mitigation Measure PSR 4.12-5b: *As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fees. [This is Mitigation Measure 4.12-5b in the THSP SEIR]*

The THSP SEIR noted that the Citywide Public Safety Master Plan proposes the construction of a new police substation located closer to the THSP Area than the current primary police station; however the new substation would not be associated with the THSP. The proposed Project would not result in an increase in population growth nor increase the demand for additional police services. Therefore, growth associated with the Project would not exceed the growth planned for the THSP Area in the 2011 General Plan. The proposed Project, with implementation of the mitigation measures identified above, would not result in the need to construct additional police stations, beyond those identified in the THSP SEIR. Given that no additional police stations would be required to serve the proposed Project, beyond those identified in the THSP, the proposed Project would not create substantial adverse physical impacts associated with construction of a new police station. As such, this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

iii. Schools

As identified in the THSP SEIR, implementation of the THSP could substantially increase the population of school children in the City of Tracy, requiring construction of new facilities or modification of existing facilities to accommodate the growth of the student body. Development of the THSP Area was estimated to generate 3,520 new students in grades K–8. As discussed in the THSP SEIR, three elementary schools (K-8) were proposed throughout the THSP Area. Although the final number and locations of the schools will be determined in accordance with the Jefferson School District Facilities Master Plan as the THSP is built out. Implementation of the approved THSP would generate a maximum of 5,499 dwelling units. The Jefferson School District uses an elementary student generation factor of 0.44 grade K-5 students per dwelling unit, 0.2 grade 6-8 students per dwelling unit, and 0.3 grade 9-12 students per dwelling unit to estimate projected student population.[18]

The proposed Project would not result in population changes and therefore demand for additional school facilities would be the same as previously identified in the THSP SEIR. Each individual development application would be subject to the requirement to pay applicable impact fees in accordance with SB 50 or pay applicable fees subject to school mitigation agreements with the Tracy Unified School District and Jefferson School District. Under Section 65996 of the California Government Code, the payment of such

[18] THSP Draft EIR, page 4.12-38

fees is deemed to fully mitigate the impacts of new development on school facilities. Therefore, THSP impacts in this regard were determined to be less than significant.

No new schools would need to be constructed, beyond those identified in the THSP SEIR, and as such no physical impacts associated with constructing additional schools would occur. Therefore, this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

iv-v. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks and other recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Threshold (b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Threshold (c) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As identified in the THSP SEIR, development of the THSP would include up to three acres of neighborhood park land or one acre of community park land per 1,000 population. Neighborhood and community parks would be distributed throughout the residential areas. Active play and sports parks proposed by the THSP may feature play fields, ball fields, children play areas, picnic areas, tennis courts, and open lawns. Park features may be interconnected by nature walks and bikeways within the greenways and parkways. The THSP SEIR determined that new residents in the THSP would use the new parks within the THSP more than the City's existing facilities given proximity to their neighborhoods, condition of the new facilities and the ability to walk or bicycle to many of the parks. Therefore, implementation of the THSP would result in a less than significant impact with regard to the substantial physical deterioration of existing facilities.

Project implementation would not increase population growth and therefore no additional demand for recreational facilities would be needed. The THSP stated that, "each tentative subdivision map shall either include adequate neighborhood park land to bring the total neighborhood park land within the tentative map approved portion of the Specific Plan to three acres per 1,000 population, or the developer shall demonstrate how future tentative map areas of the Specific Plan will include park land to achieve the minimum three acres per 1,000 population requirement, and otherwise comply with the Parks Master Plan." [19] The proposed Project would maintain 35-acres of land designated as Conservation Corridors, which would not permit development. As such, this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact

[19] THSP, page 2-19

previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The City of Tracy provides wastewater services throughout the City and the THSP Area. Impacts to wastewater treatment requirements were analyzed in the previously certified THSP SEIR for buildout of the THSP Area. As described in the previously certified THSP SEIR, the City's Waste Water Treatment Plant releases effluent into the Old River, therefore the City is subject to NPDES permitting requirements, as implemented by the RWQCB. To accommodate future planned growth, including the buildout of the THSP Area, the City plans to implement a wastewater treatment system upgrade in accordance with the Wastewater Master Plan (WWMP) and as evaluated in the related environmental documentation.

The proposed Project would not be expected to result in an exceedance of any wastewater treatment requirements of the applicable RWQCB any greater than previously analyzed in the THSP SEIR because the Project would change the amount of development allowed the THSP Area. Therefore, impacts would be considered less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (e) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The City of Tracy provides water and wastewater services throughout the City and the THSP Area. Impacts to existing water and wastewater treatment facilities were analyzed in the previously certified THSP SEIR for buildout of the THSP Area. Although buildout of the THSP Area would require new water facilities and would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, the environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Water System Master Plan (WSMP) and the Wastewater Master Plan (WWMP). According to the THSP SEIR, because implementation of the THSP would require the construction of yet-to-be-built WSMP facilities, and may require the construction of certain interim improvements pending completion of WSMP improvements, the THSP would have potentially significant impacts. With implementation of Mitigation Measures PSR 4.12-6, 4.12-7a and 4.12-8b, impacts would be reduced to a less than significant impact.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure PSR 4.12-6:*** *Developers of subsequent phases of the Project (beyond Phase 1a) will be required to prepare SB 221 analysis for each subsequent phase of development. [This is Mitigation Measure 4.12-6 in the THSP SEIR]*

Mitigation Measure PSR 4.12-7a: *As part of the development process for each individual site-specific development under the Specific Plan, the City shall review flow monitoring, at the applicant's cost, to determine available capacity. If the City determines, based on technical and legal constraints and other relevant data, that existing capacity is available to serve the development at issue, then no further mitigation is required. However, if the City determines, based on technical and legal constraints and other relevant data, that existing capacity is not available to serve the development at issue, then the improvements as identified in the Master Plan must be constructed that are necessary to create the additional capacity required, subject to any applicable credit and/or reimbursement provisions, as determined by the City. [This is Mitigation Measure 4.12-7a in the THSP SEIR]*

Mitigation Measure PSR 4.12-8b: *As part of the development process for each individual site-specific development under the Specific Plan, the applicant shall pay its applicable development impact fees for wastewater facilities prior to issuance of first certificate of occupancy. [This is Mitigation Measure 4.12-8b in the THSP SEIR]*

The City plans to implement a wastewater treatment system upgrade as outlined in the WWMP. Since the proposed Project is immediately surrounded by the existing THSP footprint, these future developments would also be serviced by the wastewater treatment system upgrades. With implementation of the above mitigation measures, the proposed Project's impact on new water or wastewater facilities would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (f) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

As discussed in Section IX (Hydrology and Water Quality) and the THSP SEIR, the construction of new stormwater drainage facilities or expansion of existing facilities would be required for buildout of the THSP Area as well as individual development projects. The storm drainage infrastructure within the THSP Area would incorporate terminal retention basins as the means of managing runoff from new development via storage and percolation. These basins are depicted in Figure 4.9-4 of the THSP SEIR. As discussed in the THSP SEIR, storm water runoff generated by buildout of the THSP would be self-contained and would not utilize any existing downstream City storm drainage facilities. The drainage improvements discussed in the THSP SEIR would accommodate projected runoff from the THSP Area. Thus, implementation of the THSP would not exceed the capacity of the proposed stormwater drainage system.

The proposed Project would annex and exchange 35-acres of a conservation easement with 35-acres of THSP land zoned for Residential Estate. The swapped land would locate the future development of residential estates closer to the THSP development footprint, near the footprint as what was previously analyzed in the THSP SEIR. As a result, storm water runoff generated by implementation of the proposed

Project would be self-contained and would not utilize any existing downstream City storm drainage facilities any greater than previously analyzed in the THSP SEIR. The proposed Project would allow for future development in an area that would already be served by drainage facilities as part of the THSP. Implementation of the proposed Project would not require new stormwater drainage facilities, the construction of which would cause significant environmental effects. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (g) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

As described in the Water Supply Assessment (WSA) conducted for the previously certified THSP SEIR, the THSP Area would be served by the City from its existing and future portfolio of water supplies. The WSA conducted for the THSP Area concluded that the City's existing and planned water supplies would be sufficient to meet the water demand for any hydrologic conditions to the year 2035. No water supply shortages are anticipated for any hydrologic conditions based on Year 2035 water demands. As determined in the THSP SEIR, for all hydrologic conditions, the City's existing and additional water supplies are sufficient to meet the City's Year 2035 water demands. Thus, implementation of the THSP would result in less than significant impacts regarding water supply.

The City is currently under contract with the United States Bureau of Reclamation (USBR) for the delivery of water to the City from the Central Valley Project (CVP). The City's current contract, an Interim Renewal Contract, is effective January 1, 2014 through February 29, 2016 and includes up to 20,000 af/yr of water supplies. This contract amount includes the initial 10,000 af/yr from the City's initial contract with the USBR (entered into in 1974), 7,500 af/yr from approved assignments from Banta Carbona Irrigation District (BCID) and West Side Irrigation District (WSID), and 2,500 af/yr from an additional assignment from WSID which was exercised in December 2013.

Regarding groundwater, according to the THSP SEIR, a 2,300 af/yr increase of the average annual operational groundwater yield above the groundwater yield recommended in the 1990 Kennedy/Jenks/Chilton study (6,700 af/yr) could be provided within the estimated sustainable yield of the Tracy Sub-basin in the City, without adverse impact to groundwater resources or quality in the City over a 50-year timeframe. This expansion of groundwater usage to 9,000 af/yr would be within the City's estimated share of the aquifer's sustainable yield of 22,000 af/yr of the 28,000 acre feet/year total (which includes groundwater usage within West Side Irrigation District (WSID), Naglee-Burk Irrigation District, Plain View Water District (now part of the Byron Bethany Irrigation District), and BCID. Groundwater Management Policy was adopted by the City in 2001 to establish a maximum annual groundwater extraction rate of 9,000 af/yr.

The proposed Project would not increase population growth previously analyzed in the THSP SEIR. No additional water supplies would be required. Therefore, the City would have sufficient water supplies to serve the proposed Project. This impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously

identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (h) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As explained in Threshold (e), the City of Tracy would provide wastewater services to the THSP Area. Buildout of the THSP Area would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, but not as a result of implementation of the THSP Area solely. Environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Wastewater Master Plan (WWMP).[20]

To avoid impacts associated with wastewater treatment, the THSP SEIR required that the THSP pay appropriate development impact fees. Payment of these development impact fees was determined to reduce this potentially significant impact to a less than significant level. The proposed Project would not increase population growth previously analyzed in the THSP SEIR. No additional wastewater treatment capacities would be required. Future development that may occur under the proposed Project would be surrounded by the original development footprint in the THSP Area. As discussed in the THSP SEIR, the City plans to implement a wastewater treatment system upgrade as outlined in the WWMP. Because future development that may occur under the proposed Project would be located adjacent to the footprint of the THSP, these future developments would also be serviced by the wastewater treatment system upgrades.

The proposed Project would pay the appropriate development impact fees and coordinate with the City to ensure that the City's future wastewater treatment capacity is adequate to service the proposed Project. Regardless of any additional demand on the City's wastewater treatment caused by the proposed Project, payment of development impact fees would ensure this impact is less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (i) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The THSP Area would be served by the Foothill Sanitary Landfill, which has sufficient capacity to serve the City of Tracy through the year 2082. As determined in the THSP SEIR, the buildout of the THSP Area is considered a small addition to the overall tons per day the City of Tracy currently generates.[21] For these

[20] THSP Draft EIR, page 4.12-44
[21] THSP Draft EIR, page 4.12-47

reasons, solid waste disposal needs from implementation of the THSP can be met and existing landfill and associated impacts are less than significant.

The proposed Project would be surrounded by the original THSP development footprint area and therefore solid waste generated by these future developments would be sent to the same Foothill Sanitary Landfill. No population growth would occur and therefore no additional solid waste would be generated compared to what was previously analyzed in the THSP SEIR. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (j) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

The City of Tracy has implemented 43 waste diversion programs and is currently exceeding its State residential disposal rate target by over 50 percent.[22] The THSP SEIR determined that the waste diversion programs, together with adherence to the CALGreen Code, are sufficient to ensure that implementation of the THSP would comply with applicable statutes and regulations and the impact was found to be less than significant.

Similar to the THSP, the proposed Project would comply with applicable statutes and regulations, including the City's waste diversion programs and the CALGreen Code, and the impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new public services, recreation, or utilities impact to occur, nor an increase in the severity of any public services, recreation, or utilities impacts previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

[22] THSP Draft EIR, page 4.15-45

XVI. TRANSPORTATION/TRAFFIC

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☐	☒
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☐	☒
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The traffic impact analysis prepared for THSP SEIR identified that buildout of the Project would require significant improvements to Corral Hollow Road and require the construction of Lammers Road as defined in the City's Traffic Management Plan (TMP) to accommodate the full development of the THSP. This is due to the unique location of the THSP Area, magnitude of the THSP, and access to I-580 at the Corral Hollow Road interchange and the proposed Lammers Road interchange. Both these interchanges are

included in the TMP and the City is currently collecting Transportation Impact Fees (TIFs) and seeking grant funding to implement the planned improvements. The THSP SEIR previously concluded that if, at the time interchange improvements are required to provide adequate capacity to mitigate the project impacts, the City does not have sufficient funds for implementation, the Project applicant may be required to fund the improvements upfront and enter into a reimbursement agreement with the City or receive a TIF credit.

A trigger analysis was performed to determine to what extent the THSP can be developed with TMP identified improvements at the Corral Hollow interchange for 2035 conditions. The analysis indicated that the THSP could generate up to 2,588 AM peak hour trips or build an approximately equivalent number of 2,536 single family dwelling units before the operational degradation along Corral Hollow Road would merit the construction of Lammers Road and the I-580 interchange, or result in major improvements to the Corral Hollow Road interchange. Table 4.13-21 of the THSP SEIR identified buildout of the THSP would result in increased V/C ratios to greater than 0.89 at some locations. Impacts were found to be significant and unavoidable. As identified in the THSP SEIR, implementation of Mitigation Measure 4.13-7b would reduce impacts related to overcapacity traffic conditions, but would still remain significant and unavoidable because the City cannot control the timing of the improvements as they fall outside of their immediate control.

The following mitigation measure incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure TRANS 4.13-7b****: The Applicant shall pay the applicable City TIF, County TIF, SJCOG RTF, the JPA TIF, and any other applicable transportation fees that may be in place when individual projects are processed under the THSP in accordance with applicable laws and regulations. [This is Mitigation Measure 4.13-7b in the THSP SEIR]*

The proposed Project would not change any land use densities or acreages and therefore would not alter the trip generations previously assumed in the THSP SEIR. The annexation would maintain a conservation easement where development is restricted and allow for low density residential per the zoning designation of Residential Estate – TH. Thus, the impacts to the circulation system would be the same as what was previously analyzed in the THSP SEIR. None of the identified intersection improvements in Table 4.13-68 of the THSP SEIR are anticipated to change nor are any new mitigation measures required as an implementation of the proposed Project. Under cumulative conditions, implementation of the proposed Project would generate the same amount of trips in both the a.m. and p.m. peak hours compared to the previously approved THSP. The Project applicant would still be required to pay the applicable transportation fees as identified in Mitigation Measure TRANS 4.13-7b. In addition, the Project applicant would be required to provide access to the Annexation Area consistent with city standards and the City of Tracy TMP in effect at the time of Project approval. With implementation of Mitigation Measure TRANS 4.13-7b, impacts would not be any greater than previously analyzed in the THSP SEIR. Thus, the proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

As identified in the previously certified THSP SEIR, the THSP complies with the San Joaquin Congestion Management Program (CMP) and the CMP LOS standard of D or better is maintained on all the CMP routes as identified in Tables 4.13-48 and 4.13-49 in the THSP SEIR. The THSP includes a range of travel demand management (TDM) strategies that are consistent with those identified in the City's station area plans of the General Plan and the San Joaquin Council of Governments (SJCOG) TDM goals. As such, the THSP SEIR concluded that no impacts would result from implementation of the THSP.

Implementation of the proposed Project would not result in a conflict with an applicable CMP or travel demand measure as the proposed Project would generate the same amount of trips in both AM and PM peak hours compared to the previously approved THSP. Thus, the proposed changes would not result in conflict with an applicable CMP or TDM strategies any greater than previously analyzed in the THSP SEIR.

Threshold (c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed Project does not include any aviation components or structures where height would be an aviation concern. Additionally, no substantial new air traffic would be generated at the local airports in San Joaquin County as a result of the proposed Project. No associated traffic impacts would occur.

Threshold (d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

As discussed in the previously certified THSP SEIR, the City reviews each development project, and would require conformance with City standards in terms of driveway design and location, traffic controls, and other traffic engineering requirements. Since roadway and intersection designs would be required to meet the City of Tracy roadway design criteria requirements, hazard impacts are considered less than significant. The proposed Project roadway system, including facilities for vehicles (autos, trucks and buses), bicyclists and pedestrians, would also be required to be designed in conformance with the City of Tracy Transportation Master Plan, including all design guidelines contained therein, as well as in conformance with the City's standard plans. With conformance with the City standards in terms of driveway design and location, traffic controls, and other traffic engineering requirements, the proposed Project's impact on design features would be less-than-significant. This determination of less than significant impact is supported by the previously certified SEIR prepared for the THSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (e) Result in inadequate emergency access?

The previously certified SEIR prepared for the THSP indicated that emergency access during buildout conditions would be significant and unavoidable as a result of future traffic congestion resulting from THSP implementation. Mitigation measures 4.12-1, 4.12-2a and 4.12-2b requires payment of applicable

impact fees, which would go toward development of planned facilities such as adequate emergency routes. The proposed Project would not require new mitigation and emergency access impacts are considered less than significant. This determination of less than significant impact is supported by the previously certified SEIR prepared for the THSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

As discussed in the THSP, Project applicants are required to work cooperatively with the City to modify and expand transit routes and pedestrian facilities as necessary and when feasible to efficiently accommodate demand. Projected transit route extensions were identified at the time of THSP adoption and future bus stop locations would be determined at the time of Tentative Subdivision Map approval.

The THSP includes design guidelines and elements to promote pedestrian circulation by creating pathways, linkages, and visual connections between buildings; and by including multiple connections to public sidewalks and pathways between buildings and areas throughout the THSP Area to foster connectivity. As discussed in the THSP SEIR, implementation of the THSP Project would result in potentially significant impacts to bicycle and pedestrian modes when developed. The THSP Area would include pedestrian and bicycle facilities internal to the THSP Area and that connect to the existing pedestrian system via street frontage improvements that include sidewalks and bicycle paths. Impacts were found to be less-than-significant. As identified in the THSP SEIR, implementation of Mitigation Measure 4.13-2 would require compliance with Policy P4 and P6 under General Plan Policy CIR-3 so that the bicycle and pedestrian improvement connections would connect from the THSP to the Citywide Network. However, impacts were still found to be significant and unavoidable.

The following mitigation measure incorporated herein from the previously certified THSP SEIR is applicable to the proposed Project:

> ***Mitigation Measure TRANS 4.13-2:*** To achieve compliance with CIR-3 Policy P4 and P6, the bicycle and pedestrian improvement connections from the THSP to the Citywide Network shall be implemented when the roadway infrastructure is required as determined at approval of each final map or issuance of building permits by the City Engineer. The pedestrian and bicycle facilities are included in the City of Tracy's typical cross sections and in the City TIF. Bicycle and pedestrian facilities within the THSP Area shall be implemented with each building permit application/final map approval. Widening Corral Hollow Road and constructing and widening Lammers Road shall be in place when the project generates 2,588 AM peak hour trips. *[This is Mitigation Measure 4.13-2 in the THSP SEIR]*

Under cumulative conditions, the buildout of the proposed Project would generate the same amount of trips compared to the previously approved THSP. The proposed Project would not increase the development acreages compared to the previous THSP. The proposed Project would still be required to achieve compliance with CIR-3 Policy P4 and P6 to improve bicycle and pedestrian improvement

connections from the THSP to the Citywide Network when the road infrastructure is required as determined at approval of each final map or issuance of building permits by the City Engineer. Thus, the proposed Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities any greater than already analyzed in the THSP SEIR. Further, the Project would not exceed the 2,588 AM peak hour trips identified in Mitigation Measure TRANS 4.13-2, so the widening of Corral Hollow Road and Lammers Road would not be triggered by the Project. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

Under Cumulative Conditions the City of Tracy Transportation Master Plan (TMP) Roadway improvements are assumed to be in place. Project applicants would also pay the City of Tracy Traffic Impact Fees to fund the Cumulative Improvements identified in the City Transportation Master Plan to offset potential cumulative impacts.

Project applicants would also be required to implement the Mitigation Measures identified above from the certified THSP SEIR. Cumulative Project impacts would be considered Significant and Unavoidable since the proposed Project would contribute to the cumulative significant and unavoidable impacts previously identified in the THSP SEIR. Additional environmental review is not required since this impact was addressed and would not exacerbate the previously identified impacts in the THSP SEIR.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☐	☒
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☐	☒
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

a – c. As described throughout the analysis above, the proposed Project would not result in any significant impacts to the environment that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and/or standards that were not already anticipated in the THSP SEIR. The proposed Project is required to implement a range of standard and uniformly applied development policies and standards, as well as any previously identified mitigation measures, all of which are identified in the previously certified THSP SEIR, which would reduce the majority of potentially significant impacts to a less than significant level. The cumulative impacts associated with development of the proposed Project were considered and found not to be cumulatively considerable. Further, cumulative impacts of the proposed Project would be consistent with those analyzed and disclosed in the previously certified THSP SEIR. The proposed Project would not result in any cumulative impacts that were not contemplated in the previously certified THSP SEIR. The proposed Project would not result in any peculiar site-specific impacts, impacts to biological resources or impacts to cultural and/or historical resources that were not contemplated in the previously certified THSP SEIR. The proposed Project would not result in any of the conditions or circumstances described in Section 15162(a) of the CEQA Guidelines.

DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

Section 15162 – Subsequent EIRs and Negative Declarations

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one of more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The City of Tracy proposes to implement the Amendment within the context of the THSP, as described in this Addendum. As discussed herein, the proposed Project would result in changes to the project evaluated in the THSP SEIR and include an additional 35-acres of land not previously analyzed in the THSP SEIR. However, as discussed in this Addendum, no new or substantially more severe significant environmental effects beyond what was evaluated in the THSP SEIR would occur and Project implementation would not trigger any of the criteria identified in Section 15162(a) of the CEQA Guideline. No major revisions to the Tracy Hills Specific Plan SEIR are required.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

As documented herein, no circumstances associated with the location, type, setting, or operations of the proposed Amendment have substantively changed beyond what was evaluated in the THSP SEIR; and none of the proposed Amendment elements would result in new or substantially more severe significant environmental effects than previously identified. No major revisions to the Tracy Hills Specific Plan SEIR are required.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant environmental effects not discussed in the previous EIR or negative declaration;

No new significant environmental effects beyond those addressed in the Tracy Hills Specific Plan SEIR were identified. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

No mitigation measures or alternatives were found infeasible in the certified THSP SEIR. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No other mitigation measures or feasible alternatives have been identified that would substantially reduce significant impacts. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation, no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

None of the conditions listed in subsection (a) would occur as a result of the proposed Amendment. No subsequent EIR is required.

Section 15164 – Addendum to an EIR or Negative Declaration

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

As described above, none of the conditions described in the State CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration would occur as a result of the proposed Amendment. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects. Therefore, an Addendum to the certified Final SEIR is the appropriate CEQA document for the proposed Amendment.

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

This Addendum will be attached to the Final SEIR and maintained in the administrative record files at the City of Tracy.

(d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

The City of Tracy will consider this Addendum with the Final SEIR prior to making a decision on the proposed Amendment.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This document provides substantial evidence for City of Tracy records to support the preparation of this Addendum for the proposed Amendment.

CONCLUSION

This Addendum has been prepared in accordance with the provisions of the State CEQA Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, exist in connection with the proposed Amendment. No major revisions would be required to the Tracy Hills Specific Plan SEIR prepared for the City of Tracy as a result of the proposed Specific Plan Amendment. No new significant environmental impacts have been identified. Since the certification of the Final EIR, there has been no new information showing that mitigation measures or alternatives once considered infeasible are now feasible or showing that there are feasible new mitigation measures or alternatives substantially different from those analyzed in the EIR that the City declined to adopt. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects. Therefore, preparation of a subsequent EIR is not required and the appropriate CEQA document for the proposed Amendment is this Addendum to the City of Tracy THSP SEIR. No additional environmental analysis or review is required for the proposed Specific Plan Amendment. This document will be maintained in the administrative record files at City of Tracy City Hall.

Attachment A

Biological Technical Report

TRACY HILLS
ANNEXATION PROJECT

July 2020

Biological Technical Report

Prepared By

NOREAS
Environmental Engineering and Science

16361 Scientific Way, Irvine, CA 92618
(949) 467-9100

DRAFT

TABLE OF CONTENTS

Section **Page**

1.0 INTRODUCTION AND SUMMARY 1-2

2.0 PROJECT LOCATION 2-1

3.0 METHODS 3-1

4.0 RESULTS 4-3

5.0 CONCLUSION 5-1

6.0 REFERENCES 6-1

FIGURES

Figure 1 Regional Location 2-2

Figure 2 Site Vicinity 2-3

Figure 3 Vegetation Communities and Land Cover Types 4-5

Figure 4 Literature Review 4-6

Figure 5 Critical Habitat 4-7

Figure 6 National Wetland Inventory 4-8

APPENDICES

Appendix A 2020 Special-Status Species Potential for Occurrence within the Study Area

Appendix B 2020 Photograph Log

Appendix C 2020 Plant Species Observed within the Study Area

Appendix D 2020 Wildlife Species Observed within the Study Area

Appendix E 2015 Tracy Hills Project Burrowing Owl Survey

Appendix F 2015 Tracy Hills Project California Red-legged Frog Assessment

Appendix G 2015 Tracy Hills Project California Tiger Salamander Assessment

Appendix H 2015 Tracy Hills Project San Joaquin Kit Fox Survey

Appendix I 2015 Tracy Hills Project Swainson's Hawk Survey

Appendix J 2015 Tracy Hills Project Rare Plant Survey

DRAFT

1.0 INTRODUCTION AND SUMMARY

NOREAS Inc. (NOREAS) is pleased to provide this Biological Technical Report for the Tracy Hills Annexation Project (hereafter referred to as the "Project", Figure 1). The aforementioned Project includes roughly 35-acres which are currently held in an existing conservation easement. The aforementioned acreage is a narrow peninsula of unimproved land that is bounded on three sides by developable land. This report summarizes the findings of baseline biological resources[1] surveys that have been prepared for the Project. The intended use of this document is to provide historic and current data that discloses and evaluates land cover types and determines the potential for occurrence of common and special-status species[2], and their habitats[3] within study area limits.

For the purposes of this report, the "study area" includes the Project's approximately 35-acre footprint and a buffer (Figure 2). The study area has very low species richness and diversity, and lacks high quality breeding and refuge habitats for special status species. This is likely a result of the significant cattle grazing that has occurred within it over the past quarter of a century. The aforementioned disturbance within the study area has substantially decreased its value as a migration or overland dispersal corridor, and as habitat for wildlife, as it lacks appropriate vegetative cover for native and migratory species movement and refuge, thereby exposing species to a high risk of desiccation and predation. Generally, the study area has porous soils as well which quickly absorb rainfall. As a result, any flows within it are predominately ephemeral - fast and short lived; ultimately reducing water availability for plants and wildlife within Project boundaries. Accordingly, the study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a diversity of native flora and fauna.

The study area and surrounding lands have been subjected to an incredibly extensive amount of biological analyses over the last 30 years. To these ends, NOREAS compiled, reviewed, and analyzed historical and current biological resource data relating to the study area to ascertain the presence or absence of special status flora and fauna. The literature reviews, field investigations by credentialed professionals, and 2020 pedestrian survey results indicate that the species within the study area have not changed significantly from those documented in past studies. No State or Federally-listed species have ever been detected within the study area. The study area predominately includes existing livestock grazing, and other activities which have greatly reduced the lands ability to support special status species. The data collected and analyzed herein also suggests that there is extremely low potential for special status species to recruit into the study area.

DRAFT

[1] "Biological resources" refers to the plants, wildlife, and habitats that occur, or have the potential to occur, within the study area.

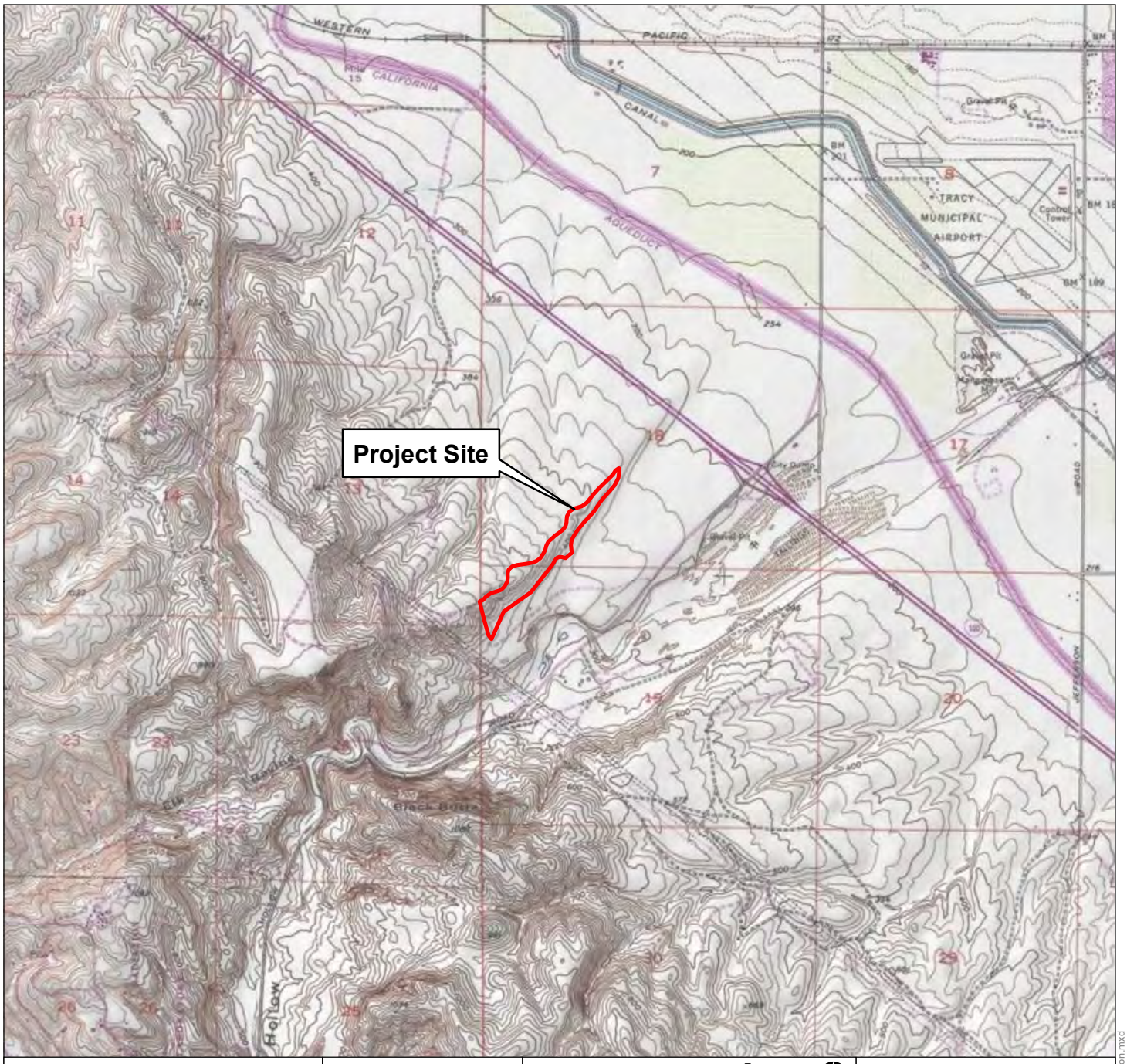
[2] For the purposes of this analysis, "special-status species" refers to any species that has been afforded special protection by federal, state, or local resource agencies (e.g., U.S. Fish and Wildlife Service, California Department of Fish and Wildlife) or resource conservation organizations (e.g., California Native Plant Society). The term "special-status species" excludes those avian species solely identified under Section 10 of the Migratory Bird Treaty Act (MBTA) for federal protection. Nonetheless, MBTA Section 10 protected species are afforded avoidance and minimization measures per state and federal requirements.

[3] A "habitat" is defined as the place or type of locale where a plant or animal naturally or normally lives and grows.

2.0 PROJECT LOCATION

The Project location is depicted within Figure 1. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint and a buffer (Figure 2). The Project occurs in the City of Tracy, San Joaquin County, CA. The Project can be found within the Tracy U.S. Geological Survey 7.5-minute Quadrangle Map (USGS 1986) - Sections 18 and 19, of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian [MDB&M).

DRAFT



Project Site

Freeway (inset)

Forest or Park (inset)

Water Body (inset)

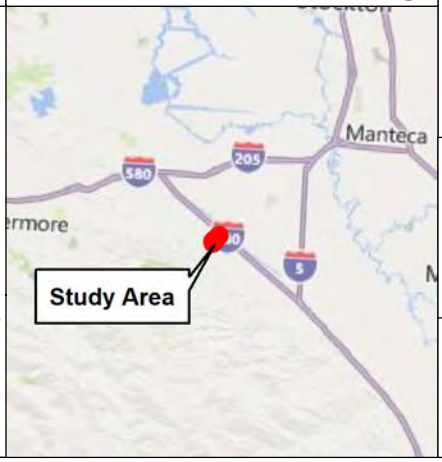
The site is located in San Joaquin County on the Tracy USGS 7.5-minute quadrangle map, Mount Diablo Base and Meridian,Township 3 South, Range 5 East, in Sections 18 and 19 of the quadrangle.PPPPPP

Center coordinates are:
Latitude 37.668, Longitude -121.472

Statewide Location

Regional Location

5 Miles



0 1,500 3,000 Feet

1 inch = 3,000 feet

Data Sources:
- Bing accessed Jun 2020
- Bureau of Land Management Cadastral GIS 2019
- ESRI US Topo Maps accessed June 2020

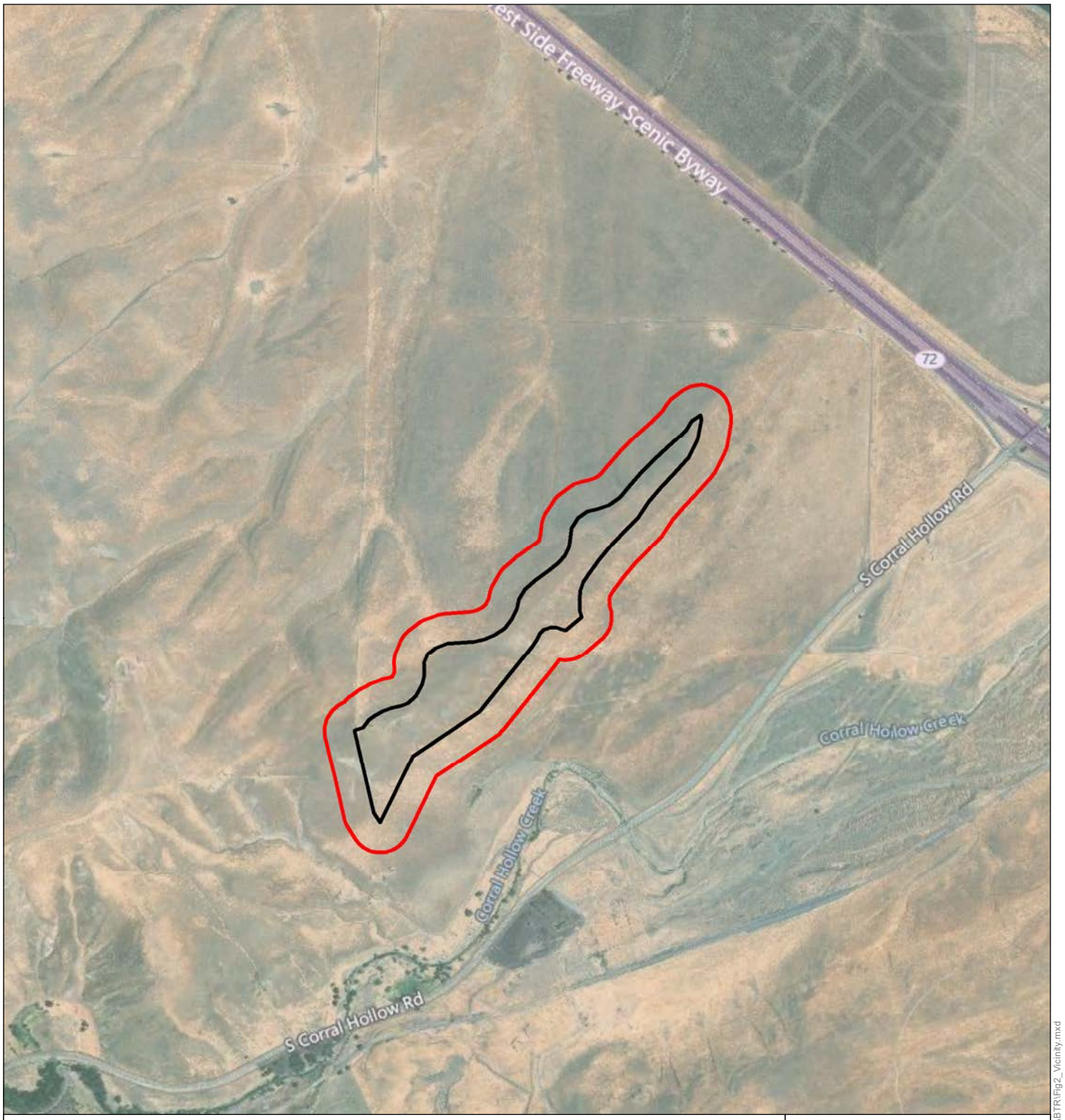
Map Prepared: 6-30-20

Prepared by:

NOREAS
Environmental Engineering and Science

OneDrive - greenmapgis.com\Noreas\Tracy_Hills\Maps\BTR\Fig1_Regional_Location.mxd

Figure 1. Regional Location



Study Area (92.8 acres)

Project Site (35 acres)

0 600 1,200 Feet

1 inch = 1,166.7 feet

Data Sources:
- Bing Maps Hybrid accessed June 2020

Map Prepared: 6-30-20

Prepared by:
NOREAS
Environmental Engineering and Science

OneDrive - greenmappgis.com\Noreas\Tracy_Hills\Maps\BTR\Fig2_Vicinity.mxd

Figure 2. Site Vicinity

3.0 METHODS

Prior to beginning field surveys, resource specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of biological resources[4] that have the potential to exist within - and adjacent to the study area. Resources were evaluated within several miles of the Project (Figures 4, 5 and 6). The primary materials reviewed included – but were not limited to commercially available databases, and technical studies associated with the presence or absence of common and special status species (flora and fauna) within the study area from 1989 through 2020.

The materials reviewed included the following:

- ✓ Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, CA (LSA 1989);
- ✓ Biological Study, Tracy Hills Community, San Joaquin County California (LSA 1991);
- ✓ Evaluation of a Proposed Corridor for the San Joaquin Kit Fox in the Tracy Hills Development (Jones & Stokes Associates, Inc. 1993);
- ✓ Multi-Species Habitat Management Plan (LSA 1996);
- ✓ Delineation of Waters of the United States – Grupe Property, Tracy, Hills, San Joaquin County California (LSA 1998);
- ✓ Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999b);
- ✓ Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- ✓ Environmental Assessment for the Tracy Hills HCP (Tracy Hills LLC 2004);
- ✓ Tracy Hills San Joaquin Kit Fox Analysis (Berryman Ecological LLC 2006);
- ✓ Tracy Triangle San Joaquin Kit Fox Surveys, Project #2689-01 (H.T. Harvey & Associates 2006);
- ✓ Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010a);
- ✓ Burrowing Owl Surveys for Tracy 580 Business Park (Berryman Ecological LLC 2010b);
- ✓ Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- ✓ Tracy Hills Project- U.S. Army Corps of Engineers Jurisdiction Assessment (Olberding Environmental, Inc. 2013);
- ✓ Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Consistency Analysis (RBF Consulting 2014);
- ✓ Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California (Working Dogs for Conservation Foundation 2010, 2012, 2013 and 2014);
- ✓ U.S Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2020a);
- ✓ USFWS Sacramento Office Species List for San Joaquin County (USFWS 2020b);
- ✓ California Natural Diversity Database (CDFW 2020);
- ✓ San Joaquin Kit Fox (*Vulpes macrotis mutica*) 5-Year Review, Summary and Evaluation (USFWS 2010);
- ✓ Aerial Photographs (Microsoft Corporation 2020);
- ✓ Stanley, R. 2015. California Department of Fish and Wildlife, Napa, California. Personal communications with NOREAS Inc.;
- ✓ Tracy Hills Project General Biological Resources Assessment. (NOREAS, September 2015a);
- ✓ Tracy Hills Project Rare Plant Survey Report. (NOREAS, September 2015b);
- ✓ Tracy Hills Project Burrowing Owl Survey. (NOREAS, September 2015c);
- ✓ Tracy Hills Project California Red-legged Frog Assessment. (NOREAS, September 2015d);
- ✓ Tracy Hills Project California Tiger Salamander Assessment. (NOREAS, September 2015e);
- ✓ Tracy Hills Project California San Joaquin Kit Fox Survey. (NOREAS, September 2015f); and

[4] For the purposes of this analysis, "biological resources" refers to the plants, wildlife, and habitats that occur, or have the potential to occur, within the study area.

DRAFT

- ✓ Tracy Hills Project Swainson's Hawk Survey. (NOREAS, September 2015g).

To support this analysis, pedestrian-based field surveys were also performed in 2020 to assess general and dominant vegetation community types, community sizes, habitat types, and species present within communities[5]. These field based surveys were conducted pursuant to professional industry standards and published guidelines. Community type descriptions were based on observed dominant vegetation composition, and derived from the criteria and definitions of widely accepted vegetation classification systems (Holland 1986; Sawyer et al. 2009).

Plants were identified to the lowest taxonomic level sufficient to determine whether the species observed were non-native, native, or special-status. Plants of uncertain identity were subsequently identified from taxonomic keys (Baldwin et al. 2012). Scientific and common names of plants were recorded according to Baldwin et al. (2012). The presence of a wildlife species was based on direct observation and/or wildlife sign (e.g., tracks, burrows, nests, scat, or vocalization). Field data compiled for wildlife species included scientific name, and common name. Wildlife of uncertain identity was documented and subsequently identified from specialized field guides and related literature (Burt and Grossenheider 1980; Halfpenny 2000; Sibley 2000 and Stebbins 2003).

All plant communities and land cover types were assessed to determine presence or absence of any special-status species that could be identified within the context of the survey. For species that could not be identified during the survey, the plant communities and land cover types were evaluated for their potential to support targeted special status species of fauna and flora. This evaluation was based on comparisons of observed habitat characteristics with reported occupied habitats and species distributions.

The following definitions were utilized within Appendix A:

- **Absent [A]** – Species distribution is restricted by substantive habitat requirements which do not occur or are negligible within the study area; no further survey or study is necessary to determine likely presence or absence of this species.
- **Habitat Present [HP]** – Species distribution is restricted by substantive habitat requirements which occur within the study area; further study may be necessary to determine likely presence or absence of species.
- **Present [P]** – Species or species sign were observed within the study area or historically have been documented within study area limits.
- **Critical Habitat [CH]** – The study area is located within a USFWS-designated critical habitat unit.

[5] Where 100% pedestrian coverage of the study area was not possible due to limited access (e.g., private property or physical barriers [vegetative cover, health and safety concerns, etc.]), field observations were made from the nearest appropriate vantage points via public right-of-ways with the aid of binoculars and spotting scopes.

4.0 RESULTS

Weather conditions during the June 2020 surveys included clear to partly cloudy skies, temperatures ranging from 72–87 °F, and winds fluctuating from 0 to 10 miles per hour (mph). Representative photos of the study area are provided in Appendix B.

The Project climate is typical of the foothills of the eastern side of the San Francisco Bay Area and the northwestern San Joaquin Valley - with temperatures rarely dropping below freezing for any duration during the winter months, and summer temperatures frequently eclipsing 100° F. This Mediterranean climate (i.e., cool, wet winters and hot dry summers) supports predominantly annual grassland plant communities with small ephemeral drainages. The study area has extremely low species richness and diversity and does not support habitat for any State or Federal-listed species.

Vegetation Communities and Land Cover Type

Annual grassland was the only vegetation communities/land cover type observed within the study area (Figure 3). The annual grassland vegetation community is characterized by a dominance of nonnative grasses and forbs that are being annually grazed. Extensive cattle grazing have occurred for numerous years within this portion of the study area, which has restricted the colonization of native shrubs and trees. Dominant plant species found in this community include wild barley (*Hordeum ssp*.), soft chess (*Bromus hordeaceus*), ripgut (*Bromus diandrus*), and wild oats (*Avena ssp*.). This community also contains small areas of anthropogenic structures that are generally associated with active cattle ranches (i.e., fences, gates, dirt and gravel roads). All plant species observed during the 2020 surveys are listed in Appendix C.

Wildlife

Wildlife species observed within the study area consisted of commonly-occurring species - including, but not limited to, Turkey Vulture (*Cathartes aura*), Common Raven (*Corvus corax*), Western meadowlark (*Sturnella neglecta*), Say's Phoebe (*Sayornis saya*), and Side-blotched Lizard *(Uta stansburiana*). Wildlife detected during the surveys are identified in Appendix D.

Special-Status Plants

No State- or Federally-listed plant species have been detected during any of pedestrian based biological surveys which were performed within discrete portions of the study area from 1989 to 2020. No State- or Federally-listed plant species have been documented within several miles of the Project (Figure 4). The study area includes no USFWS-critical habitat for plants (Figure 5). The data collected and analyzed suggests that there is extremely low potential for special-status plant species to recruit into the study area as well. The habitat within the study area includes existing livestock grazing which has greatly reduced the habitat's ability to support special status species. The study area lacks vernal pools, alkali and clay soils, and serpentine soils. The study area is dominated by non-native vegetation. The absence of the aforementioned unique habitats suggests that special status plants are not likely present within the study area. Special-status plants known to occur within 10 miles of the Project and their potential for occurrence are detailed within Appendix A.

Special-Status Wildlife

No Federal or State listed wildlife species were observed within the study area during the 2020 field survey events. Nonetheless, several have been documented within 10 miles of the Project (Figure 4). It should be noted that a discrete subset of land within the study area is collocated within designated critical habitat for California red-legged Frog (USFWS 2020, Figure 5). Also targeted surveys that were conducted for numerous special status species in 2015 (i.e., Burrowing Owl, California Red-Legged Frog, California Tiger Salamander, San Joaquin Kit Fox And Swainson's Hawk) overlap with significant portions

DRAFT

of the study area (Appendices E, F, G, H , I and J). Based on the low quality habitat present (i.e., limited prey base, lack of aquatic breeding habitat, lack of native plants and vegetative cover, and the presence of predators), the likelihood of a significant population of special status species being supported within the study area is negligible. Under the appropriate suite of environmental conditions, the study area could possibly support Prairie Falcon (*Falco mexicanus*), California Horned Lark (*Eremophila alpestris actia*), Burrowing Owl (*Athene cunicularia*), Loggerhead Shrike (*Lanius ludovicianus*) and Coast Horned Lizard (*Phrynosoma blainvillii)*. But none of these species are State or Federally-listed. Given the extent of anthropogenic disturbance (i.e., lack of appropriate cover to forage, breed and elude predators, coupled with disked fields, and livestock grazing) and low quality habitat present, the likelihood of any of special status species utilizing locales as functional habitat is slight. That said, special-status wildlife species known to occur within 10 miles of the Project and their potential for occurrence are detailed within Appendix A.

Wetlands and Waterways

The National Wetland Inventory includes no records of aquatic resources within the study area (Figure 6). No riparian habitats were observed within the study area either, however several obvious indicators of ephemeral - fast and short lived water conveyance features (i.e., bed, bank and channel) that would be assumed to provide unique functions to wildlife were detected in 2020.

DRAFT

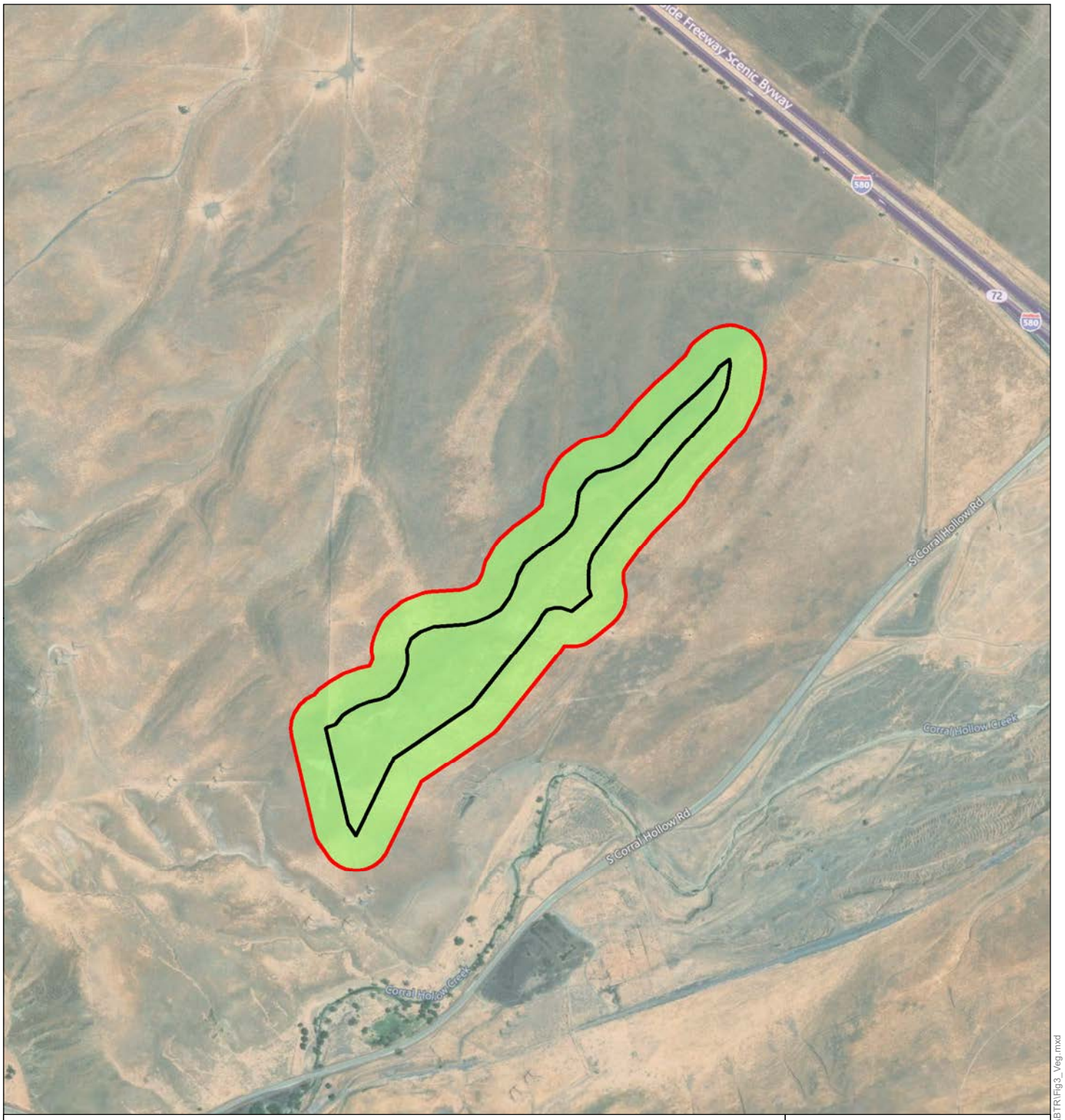


Figure 3. Vegetation Communities and Land Cover Types

Special-Status Species Occurrences

Map Code	Common Name (Scientific Name)
Plants	
P1	Big Tarplant *(Blepharizonia plumosa)*
P2	Brewer's Western Flax *(Hesperolinon breweri)*
P3	Caper-fruited Tropidocarpum *(Tropidocarpum capparideum)*
P4	Chaparral Harebell *(Campanula exigua)*
P5	Chaparral Ragwort *(Senecio aphanactis)*
P6	Diablo Helianthella *(Helianthella castanea)*
P7	Diamond-petaled California Poppy *(Eschscholzia rhombipetala)*
P8	Dwarf Soaproot *(Chlorogalum pomeridianum var. minus)*
P9	Great Valley Valley Oak Riparian Forest
P10	Hospital Canyon Larkspur *(Delphinium californicum ssp. Interius)*
P11	Large-flowered Fiddleneck *(Amsinckia grandiflora)*
P12	Lemmon's Jewelflower *(Caulanthus lemmonii)*
P13	Loma Prieta Hoita *(Hoita strobilina)*
P14	Long-styled Sand-spurrey *(Spergularia macrotheca var. longistyla)*
P15	Mason's Lilaeopsis *(Lilaeopsis masonii)*
P16	Mt. Hamilton Thistle *(Cirsium fontinale var. campylon)*
P17	Northern Claypan Vernal Pool
P18	San Joaquin Spearscale *(Extriplex joaquinana)*
P19	Santa Clara Red Ribbons *(Clarkia concinna ssp. Automixa)*
P20	Sharsmith's Onion *(Allium sharsmithiae)*
P21	Shining Navarretia *(Navarretia nigelliformis ssp. Radians)*
P22	Showy Golden Madia *(Madia radiata)*
P23	Talus Fritillary *(Fritillaria falcata)*
P24	Valley Sink Scrub
Invertebrates	
I1	California Linderiella *(Linderiella occidentalis)*
I2	Crotch Bumble Bee (*Bombus crotchii*)
I3	Curved-foot Hygrotus Diving Beetle *(Hygrotus curvipes)*
I4	Longhorn Fairy Shrimp *(Branchinecta longiantenna)*
I5	Sacramento Anthicid Beetle *(Anthicus sacramento)*
I6	Valley Elderberry Longhorn Beetle *(Desmocerus californicus dimorphus)*
I7	Western Bumble Bee *(Bombus occidentalis)*
Reptiles	
R1	Alameda whipsnake *(Masticophis lateralis euryxanthus)*
R2	California Glossy Snake (*Arizona elegans occidentalis*)
R3	Coast Horned Lizard (*Phrynosoma blainvillii*)
R4	Northern California Legless Lizard *(Anniella pulchra)*
R5	San Joaquin Coachwhip *(Masticophis flagellum ruddocki)*
R6	Western Pond Turtle (*Emys marmorata*)
Birds	
B1	Burrowing Owl *(Athene cunicularia)*
B2	California Horned Lark (*Eremophila alpestris actia*)
B3	Ferruginous Hawk *(Buteo regalis)*
B4	Golden Eagle *(Aquila chrysaetos)*
B5	Grasshopper Sparrow *(Ammodramus savannarum)*
B6	Least Bell's Vireo *(Vireo bellii pusillus)*
B7	Loggerhead Shrike *(Lanius ludovicianus)*
B8	Northern Harrier *(Circus hudsonius)*
B9	Prairie Falcon *(Falco mexicanus)*
B10	Short-eared Owl *(Asio flammeus)*
B11	Song Sparrow ("Modesto" population) *(Melospiza melodia)*
B12	Swainson's Hawk *(Buteo swainsoni)*
B13	Tricolored Blackbird *(Agelaius tricolor)*
B14	White-tailed Kite *(Elanus leucurus)*
Mammals	
M1	American Badger *(Taxidea taxus)*
M2	Pallid Bat *(Antrozous pallidus)*
M3	Riparian Brush Rabbit *(Sylvilagus bachmani riparius)*
M4	San Joaquin Kit Fox *(Vulpes macrotis mutica)*
M5	San Joaquin Pocket Mouse *(Perognathus inornatus)*
M6	Townsend's Big-eared Bat (Corynorhinus townsendii)
M7	Western Mastiff Bat *(Eumops perotis californicus)*
Fish	
F1	Steelhead - Southern California DPS *(Oncorhynchus mykiss irideus pop. 11*)
Amphibians	
A1	California Red-legged Frog *(Rana draytonii)*
A2	California Tiger Salamander *(Ambystoma californiense)*
A3	Foothill Yellow-legged Frog *(Rana boylii)*
A4	Western Spadefoot *(Spea hammondii)*

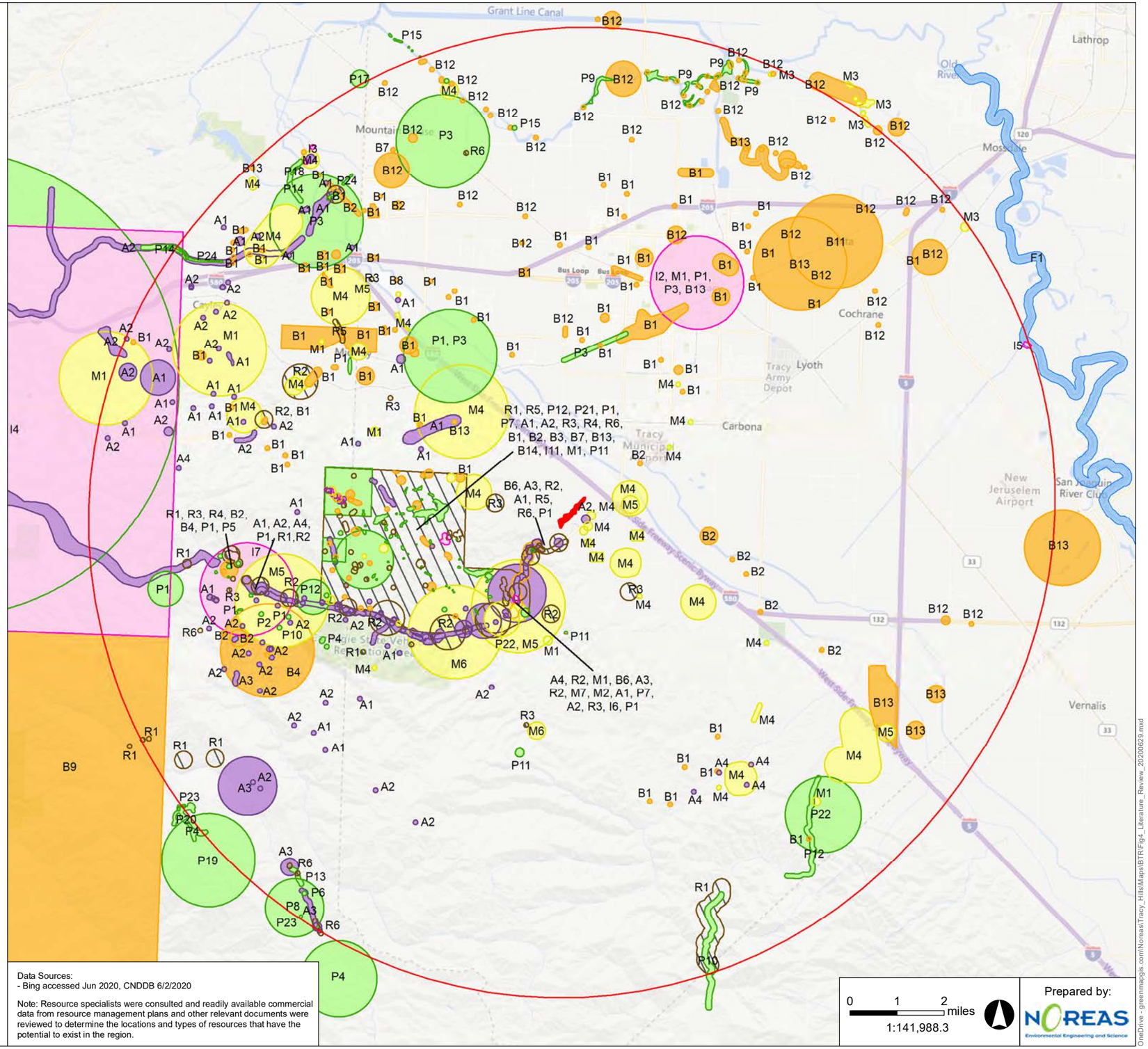
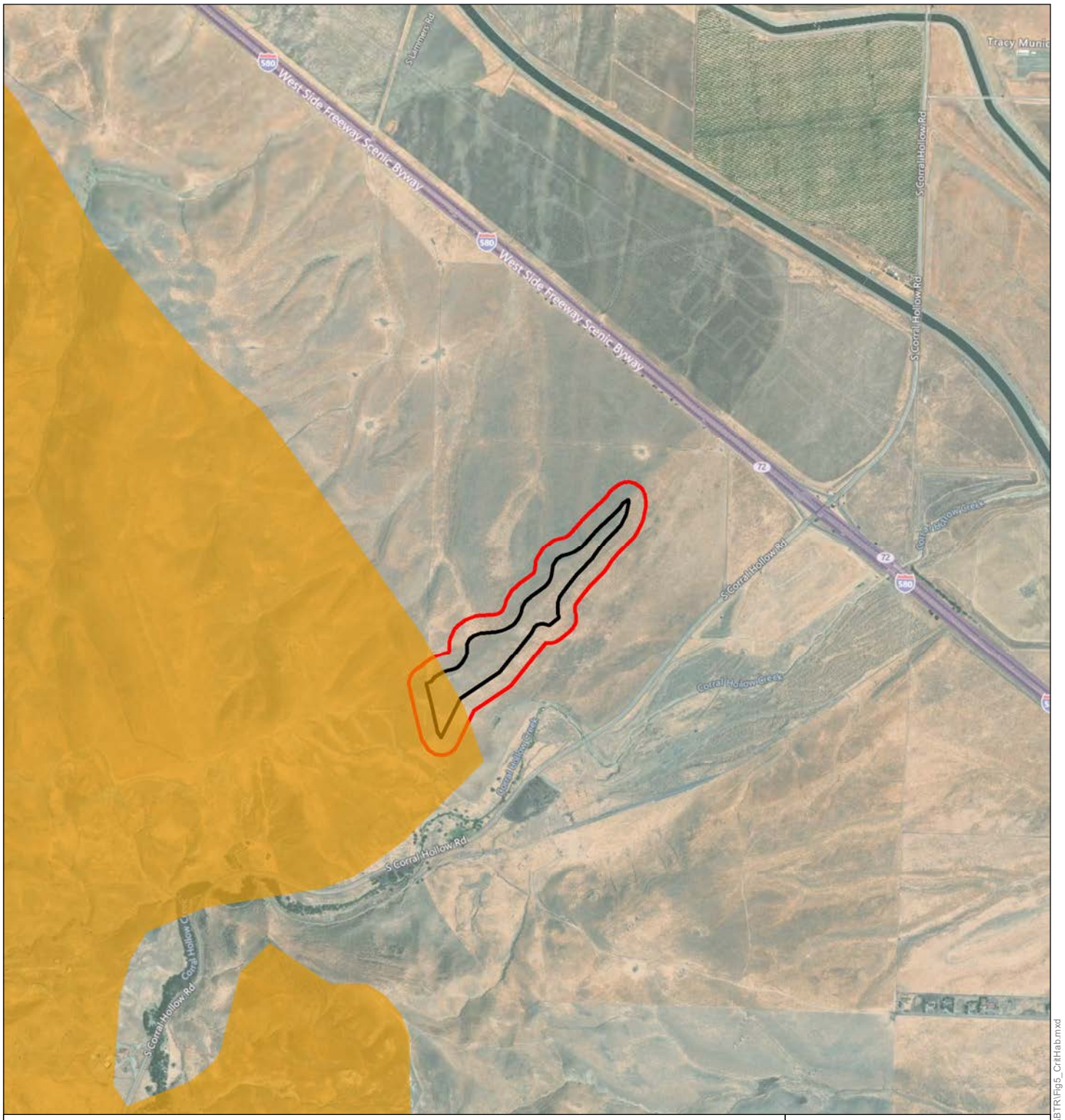


Figure 4. Literature Review



Study Area

Project Site

Critical Habitat -
California Red-legged Frog

0 1,000 2,000 Feet

1 inch = 2,000 feet

Data Sources:
- Bing Maps Hybrid accessed June 2020
- USFWS Critical Habitat (2016)

Map Prepared: 6-30-20

Prepared by:
NOREAS
Environmental Engineering and Science

OneDrive - greenmapgis.com\Noreas\Tracy_Hills\Maps\BTR\Fig5_CritHab.mxd

Figure 5. Critical Habitat

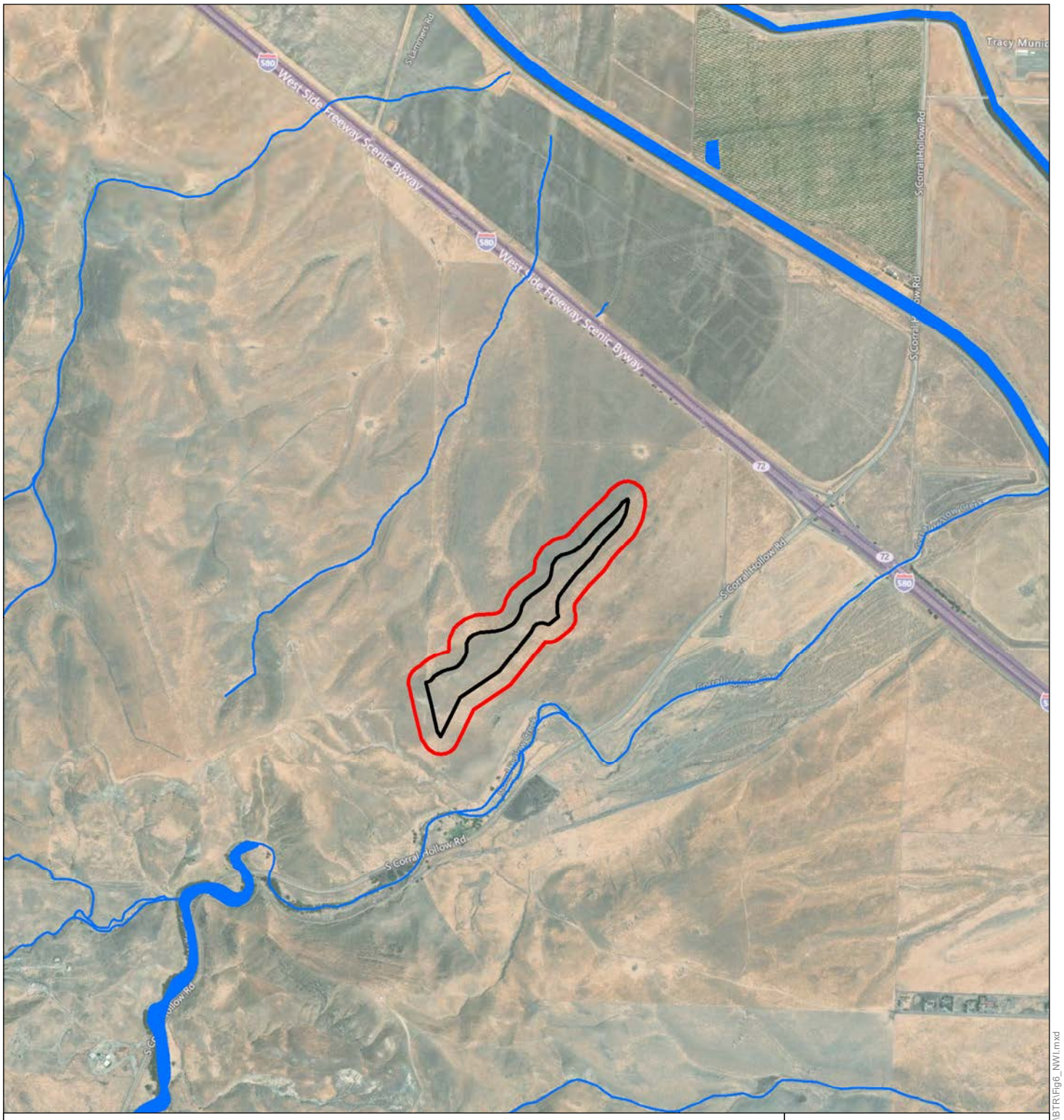


Figure 6. National Wetlands Inventory

5.0 CONCLUSION

The study area predominately consists of non-native annual grassland vegetation and it is therefore assumed that any species currently using these locales are acclimated to the disturbance regime present. Given the extent of anthropogenic influence and low quality habitat present, the likelihood of any special status species utilizing the study area as functional habitat is minor. This is a result of the amount of similar and higher-quality native habitats available within the region. No State or Federally-listed, proposed, or candidate plant or animal species were detected within the study area or on adjacent lands during field surveys from 1989 to 2020.

DRAFT

6.0 REFERENCES

Baldwin, J., D. Goldman, D. Keil, R. Patterson, and T. Rosatti. 2012. The Jepson Manual: Higher Plants of California. Berkeley: University of California Press.

Berryman Ecological LLC. 2006. Tracy Hills San Joaquin Kit Fox Analysis (Berryman Ecological LLC 2006)

Berryman Ecological LLC. 2010a. Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010a)

Berryman Ecological LLC. 2010b. Burrowing Owl Surveys for Tracy 580 Business Park (Berryman Ecological LLC 2010b);

Burt, W. H. and R. P. Grossenheider. 1980. A Field Guide to Mammals: North America; North of Mexico. New York, NY: Houghton Mifflin Company.

CDFW (California Department of Fish and Wildlife). 2020. RareFind. California Department of Fish and Game, Natural Diversity Database (CNDDB). Sacramento, CA: California Department of Fish and Game, Biogeographic Data Branch.

Foothill Associates. 2004. Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004)

Halfpenny, J.C. 2000. Scats and Tracks of the Desert Southwest, A Field Guide to the Signs of 70 Wildlife Species. Helena, MT: Falcon Publishing, Inc.

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California (California Department of Fish and Game, The Resources Agency, ed), p. 156. Sacramento, CA.

H.T. Harvey & Associates. 2006. Tracy Triangle San Joaquin Kit Fox Surveys, Project #2689-01 (H.T. Harvey & Associates 2006)

ICF International. 2011. Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011)

Jones & Stokes Associates, Inc. 1993. Evaluation of a Proposed Corridor for the San Joaquin Kit Fox in the Tracy Hills Development (Jones & Stokes Associates, Inc. 1993)

LSA. 1989. Draft Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, CA (LSA 1989)

LSA. 1991. Biological Study, Tracy Hills Community, San Joaquin County California (LSA 1991)

LSA. 1996. Multi-Species Habitat Management Plan (LSA 1996)

LSA. 1999b. Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999b)

LSA. 1998. Delineation of Waters of the United States – Grupe Property, Tracy, Hills, San Joaquin County California (LSA 1998)

Microsoft Corporation. 2015. Bing Maps Aerial Imagery. Redmond, WA

NOREAS. 2015a. Tracy Hills Project General Biological Resources Assessment. (NOREAS, September 2015a)

NOREAS. 2015b. Tracy Hills Project Rare Plant Survey Report. (NOREAS, September 2015b)

NOREAS. 2015c. Tracy Hills Project Burrowing Owl Survey. (NOREAS, September 2015c)

NOREAS. 2015d. Tracy Hills Project California Red-legged Frog Assessment. (NOREAS, September 2015d)

NOREAS. 2015e. Tracy Hills Project California Tiger Salamander Assessment. (NOREAS, September 2015e)

NOREAS. 2015f. Tracy Hills Project California San Joaquin Kit Fox Survey. (NOREAS, September 2015f)

NOREAS. 2015g. Tracy Hills Project Swainson's Hawk Survey. (NOREAS, September 2015g).

Olberding Environmental, Inc. 2013. Tracy Hills Project- U.S. Army Corps of Engineers Jurisdiction Assessment (Olberding Environmental, Inc. 2013)

Penrod, K., P. Beier, E. Garding, and C. Cabañero. 2012. Linkage Network for the California Deserts. Produced for the Bureau of Land Management and The Wildlands Conservancy. Produced by Science and Collaboration for Connected Wildlands, Fair Oaks, CA www.scwildlands.org and Northern Arizona University, Flagstaff, Arizona http://oak.ucc.nau.edu/pb1/.

PMC. 1997. Tracy Hills Specific Plan Draft Environmental Impact Report (PMC 1997)

DRAFT

RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Consistency Analysis (RBF Consulting 2014)

Sawyer, J., T. Keeler-Wolf, and J. Evens. 2009. A Manual of California Vegetation. Sacramento, CA: California Native Plant Society.

Sibley, D.A. 2000. National Audubon Society. The Sibley Guide to Birds. New York, NY: Alfred A. Knopf, Inc.

Stebbins, R.C. 2003. A Field Guide to Western Reptiles and Amphibians. New York, NY: Houghton Mifflin.

Tracy Hills LLC. 2004. Environmental Assessment for the Tracy Hills HCP (Tracy Hills LLC 2004)

USGS (United States Geological Service). 1980. 7.5-Minute Quadrangle Tracy California.

USFWS (United States Fish and Wildlife Service). 2010. San Joaquin Kit Fox (*Vulpes macrotis mutica*) 5-Year Review, Summary and Evaluation (USFWS 2010)

USFWS (United States Fish and Wildlife Service). 2020a. Critical Habitat Portal. USFWS

USFWS (United States Fish and Wildlife Service). 2020b. USFWS Sacramento Office Species List for San Joaquin County (USFWS 2020b)

PERSONAL COMMUNICATIONS

Stanley, R. 2015. California Department of Fish and Wildlife, Napa, California. Personal communications with NOREAS Inc.

DRAFT

APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list [c]	Records within 10 miles
A	California Glossy Snake (*Arizona elegans occidentalis*)	None	None	--	12
A	California Tiger Salamander *(Ambystoma californiense)*	Threatened	Threatened	--	40
CH	California Red-legged Frog *(Rana draytonii)*	Threatened	None	--	58
A	San Joaquin Kit Fox *(Vulpes macrotis mutica)*	Endangered	Threatened	--	24
A	San Joaquin Coachwhip *(Masticophis flagellum ruddocki)*	None	None	--	3
A	American Badger *(Taxidea taxus)*	None	None	--	17
A	Foothill Yellow-legged Frog *(Rana boylii)*	None	Endangered	--	7
A	Least Bell's Vireo *(Vireo bellii pusillus)*	Endangered	Endangered	--	1
A	Western Pond Turtle (*Emys marmorata*)	None	None	--	9
A	Big Tarplant *(Blepharizonia plumosa)*	None	None	1B.1	18
A	San Joaquin Pocket Mouse *(Perognathus inornatus)*	None	None	--	5
A	Showy Golden Madia *(Madia radiata)*	None	None	1B.1	2
A	Western Spadefoot *(Spea hammondii)*	None	None	--	12
HP	Coast Horned Lizard (*Phrynosoma blainvillii*)	None	None	--	14
HP	California Horned Lark (*Eremophila alpestris actia*)	None	None	--	13
A	Valley Elderberry Longhorn Beetle *(Desmocerus californicus dimorphus)*	Threatened	None	--	2
A	Pallid Bat *(Antrozous pallidus)*	None	None	--	2
A	Western Mastiff Bat *(Eumops perotis californicus)*	None	None	--	1
A	Diamond-petaled California Poppy *(Eschscholzia rhombipetala)*	None	None	1B.1	3
A	Townsend's Big-eared Bat *(Corynorhinus townsendii)*	None	None	--	2
HP	Burrowing Owl *(Athene cunicularia)*	None	None	--	72
A	Large-flowered Fiddleneck *(Amsinckia grandiflora)*	Endangered	Endangered	1B.1	5
A	Tricolored Blackbird *(Agelaius tricolor)*	None	Threatened	--	10
HP	Loggerhead Shrike *(Lanius ludovicianus)*	None	None	--	7
A	Caper-fruited Tropidocarpum *(Tropidocarpum capparideum)*	None	None	1B.1	6

DRAFT

APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list [c]	Records within 10 miles
A	Golden Eagle *(Aquila chrysaetos)*	None	None	--	3
A	Ferruginous Hawk *(Buteo regalis)*	None	None	--	2
A	Swainson's Hawk *(Buteo swainsoni)*	None	Threatened	--	55
A	Lemmon's Jewelflower *(Caulanthus lemmonii)*	None	None	1B.2	3
A	Alameda whipsnake *(Masticophis lateralis euryxanthus)*	Threatened	Threatened		11
A	Shining Navarretia *(Navarretia nigelliformis ssp. Radians)*	None	None	1B.2	1
A	Crotch Bumble Bee (*Bombus crotchii*)	None	Candidate Endangered	--	1
A	Northern California Legless Lizard *(Anniella pulchra)*	None	None	--	3
A	California Linderiella *(Linderiella occidentalis)*	None	None	--	1
A	White-tailed Kite *(Elanus leucurus)*	None	None	--	2
A	Short-eared Owl *(Asio flammeus)*	None	None	--	1
A	Chaparral Harebell *(Campanula exigua)*	None	None	1B.2	3
A	Western Bumble Bee *(Bombus occidentalis)*	None	Candidate Endangered	--	1
A	Northern Harrier *(Circus hudsonius)*	None	None	--	1
A	Hospital Canyon Larkspur *(Delphinium californicum ssp. Interius)*	None	None	1B.2	2
A	Brewer's Western Flax *(Hesperolinon breweri)*	None	None	1B.2	1
A	Song Sparrow ("Modesto" population) *(Melospiza melodia)*	None	None	--	1
A	Grasshopper Sparrow *(Ammodramus savannarum)*	None	None	--	1
A	Chaparral Ragwort *(Senecio aphanactis)*	None	None	2B.2	1
A	Mason's Lilaeopsis *(Lilaeopsis masonii)*	None	Rare	1B.1	3
A	Longhorn Fairy Shrimp *(Branchinecta longiantenna)*	Endangered	None	--	1
A	Great Valley Valley Oak Riparian Forest	None	None	--	2
HP	Prairie Falcon *(Falco mexicanus)*	None	None	--	1
A	Long-styled Sand-spurrey *(Spergularia macrotheca var. longistyla)*	None	None	1B.2	2

DRAFT

APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list [c]	Records within 10 miles
A	Loma Prieta Hoita *(Hoita strobilina)*	None	None	1B.1	1
A	Curved-foot Hygrotus Diving Beetle *(Hygrotus curvipes)*	None	None	--	2
A	Dwarf Soaproot *(Chlorogalum pomeridianum var. minus)*	None	None	1B.2	1
A	Talus Fritillary *(Fritillaria falcata)*	None	None	1B.2	2
A	San Joaquin Spearscale *(Extriplex joaquinana)*	None	None	1B.2	1
A	Santa Clara Red Ribbons *(Clarkia concinna ssp. Automixa)*	None	None	4.3	1
A	Diablo Helianthella *(Helianthella castanea)*	None	None	1B.2	1
A	Sharsmith's Onion *(Allium sharsmithiae)*	None	None	1B.3	1
A	Riparian Brush Rabbit *(Sylvilagus bachmani riparius)*	Endangered	Endangered	--	3
A	Sacramento Anthicid Beetle *(Anthicus sacramento)*	None	None	--	1
A	Steelhead - Southern California DPS (*Oncorhynchus mykiss irideus pop. 11*)	Threatened	None	--	1
A	Mt. Hamilton Thistle *(Cirsium fontinale var. campylon)*	None	None	1B.2	2
A	Northern Claypan Vernal Pool	None	None	--	1

List 1A: Plants presumed extinct in California
List 1B.1: Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California
List 1B.2: Plants rare, threatened, or endangered in California and elsewhere, fairly threatened in California
List 1B.3: Plants rare, threatened, or endangered in California and elsewhere, not very threatened in California
List 2.1: Plants rare, threatened, or endangered in California, but more common elsewhere; seriously threatened in California
List 2.2: Plants rare, threatened, or endangered in California, but more common elsewhere; fairly threatened in California
-- Data not available

DRAFT

APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

DRAFT

APPENDIX B

2020 PHOTOGRAPHIC LOG

	Photograph 1. Facing east.
	Photograph 2. Facing west.

APPENDIX B

2020 PHOTOGRAPHIC LOG

	Photograph 3. Facing east.
	Photograph 4. Facing west.

APPENDIX C

2020 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
Achyrachaena mollis	Blow wives
*Avena fatua**	Wild oat
*Brassica nigra**	Black mustard
*Bromus diandrus**	Ripgut Brome
*Bromus hordeaceus**	Soft chess
*Carduus pycnocephalus**	Italian thistle
*Cerastium arvense**	Cerastium arvense
*Chenopodium sp.**	Pig weed
*Convolvulus arvensis**	Bindweed
*Croton setigerus**	Dove weed
*Erodium botrys**	Long-beaked stork's bill
*Heterotheca grandiflora**	Telegraph weed
*Hirschfeldia incana**	Mustard
Hordeum marinum ssp. gussoneanum	Mediterranean barley
*Hordeum murinum ssp. Leporinum**	Farmer's Foxtail
*Hypochaeris radicata**	Catsear
*Lactuca serrola**	Wild lettuce
*Lepidium latifolium**	Pepper weed
*Malva parviflora**	Cheeseweed
*Sonchus oleraceus**	Sow thistle
*Stellaria media**	Chickweed
*Trichostema lanceolatum**	Vinegar weed
*Vicia sativa**	Vetch
Achyrachaena mollis	Blow wives
*Avena fatua**	Wild oat
*Brassica nigra**	Black mustard
*Bromus diandrus**	Ripgut Brome
*Bromus hordeaceus**	Soft chess
*Carduus pycnocephalus**	Italian thistle
*Cerastium arvense**	Cerastium arvense
*Chenopodium sp.**	Pig weed
*Convolvulus arvensis**	Bindweed
*Croton setigerus**	Dove weed
*Erodium botrys**	Long-beaked stork's bill
*Heterotheca grandiflora**	Telegraph weed
*Hirschfeldia incana**	Mustard
Hordeum marinum ssp. gussoneanum	Mediterranean barley
*Hordeum murinum ssp. Leporinum**	Farmer's Foxtail
*Hypochaeris radicata**	Catsear
*Lactuca serrola**	Wild lettuce
*Lepidium latifolium**	Pepper weed
*Malva parviflora**	Cheeseweed

DRAFT

APPENDIX C

2020 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
*Sonchus oleraceus**	Sow thistle
*Stellaria media**	Chickweed
*Trichostema lanceolatum**	Vinegar weed
*Vicia sativa**	Vetch

"*" non-native plant species.

DRAFT

APPENDIX D

2020 WILDLIFE SPECIES OBSERVED WITHIN THE STUDY AREA

DRAFT

Scientific name	Common name
Reptiles	
Uta stansburiana	Common Side-blotched Lizard
Birds	
Buteo jamaicensis	Red-Tailed Hawk
Carpodacus mexicanus	House Finch
Cathartes aura	Turkey Vulture
Corvus corax	Common Raven
Euphagus cyanocephalus	Brewer's Blackbird
Hirundo rustica	Barn Swallow
Icterus bullockii	Bullock's Oriole
Mimus polyglottos	Northern Mockingbird
Myiarchus cinerascens	Ash-throated Flycatcher
Passer domesticus	House Sparrow
Passerculus sandwichensis	Savannah Sparrow
Salpinctes obsoletus	Rock Wren
Sayornis saya	Say's Phoebe
Streptopelia decaocto	Eurasian Collared Dove
Sturnus vulgaris	European Starling
Sturnella neglecta	Western Meadowlark
Tyrannus verticalis	Western Kingbird
Zenaida macroura	Mourning Dove
Zonotrichia leucophrys	White-crowned Sparrow
Mammals	
Otospermophilus beecheyi	California ground squirrel

DRAFT

APPENDIX E

2015 Burrowing Owl Survey

DRAFT

TRACY HILLS PROJECT

September 2015

Burrowing Owl Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By

16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section **Page**

1.0 EXECUTIVE SUMMARY 1-1

2.0 INTRODUCTION AND PROJECT LOCATION 2-1

3.0 BURROWING OWL BACKGROUND 3-1

4.0 METHODS 4-1

5.0 SURVEY RESULTS 5-1

6.0 RECOMMENDATIONS 6-1

7.0 REFERENCES 7-1

FIGURES

Figure 1 Regional Location 1-1

Figure 2 Site Vicinity 1-2

Figure 3 Survey Results 5-3

APPENDICES

Appendix A Photograph Log

Appendix B Avian Compendium

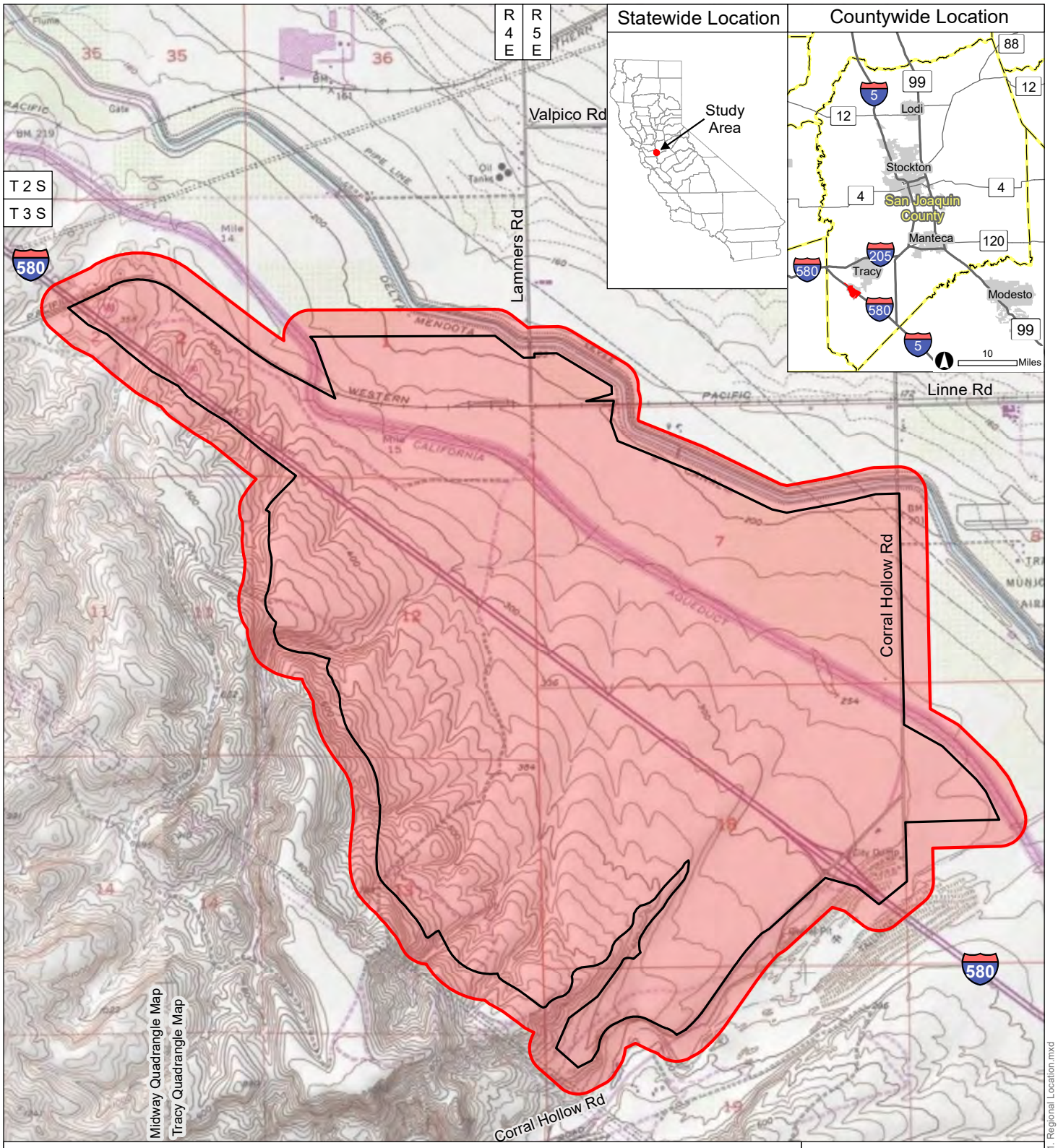
1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions and results of focused surveys for Burrowing Owl (*Athene cunicularia*) conducted within Project limits. Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site) and a 500-foot buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats.

Pedestrian-based field surveys for Burrowing Owl within discrete portions of the study area have been conducted from 2010 through the summer of 2015 to ascertain the presence or absence of the species. The results indicate that the biological resources detected within the study area have not changed significantly over the last half decade with deference to Burrowing Owls. Although the study area is large in total size – it has very low species richness and diversity, and is comparatively low quality habitat for Burrowing Owl; as much higher-quality habitats are available within the region. This is a result of the depauperate landscape and the numerous resident Burrowing Owl predators that were routinely detected within the Project Site in 2015 (e.g., American Badger, coyote, Red-Tailed Hawk, and other raptors).

The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial population of owls. One pair of Burrowing Owls – which include several juvenile birds, were detected foraging, dispersing and utilizing discrete burrow complexes during the 2015 surveys. It should also be noted that the fossorial mammals which are Burrowing Owl predators that were detected within the study area are capable of digging one or more burrows per day – which would be expected to modify the quantity, distribution and willingness of owls to inhabit burrow complexes within the Project Site over time. Given the low quality habitat present (i.e., limited prey base, absence of irrigated agricultural lands, presence of owl predators), the likelihood of a healthy population of Burrowing Owls being supported by the Project Site is negligible.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.



Study Area

Project Site

County Boundary (inset)

Urban Area (inset)

Interstate or State Highway (inset)

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- Bing accessed Jul 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Jul 2015

Map Prepared: 7-15-15

Prepared by:

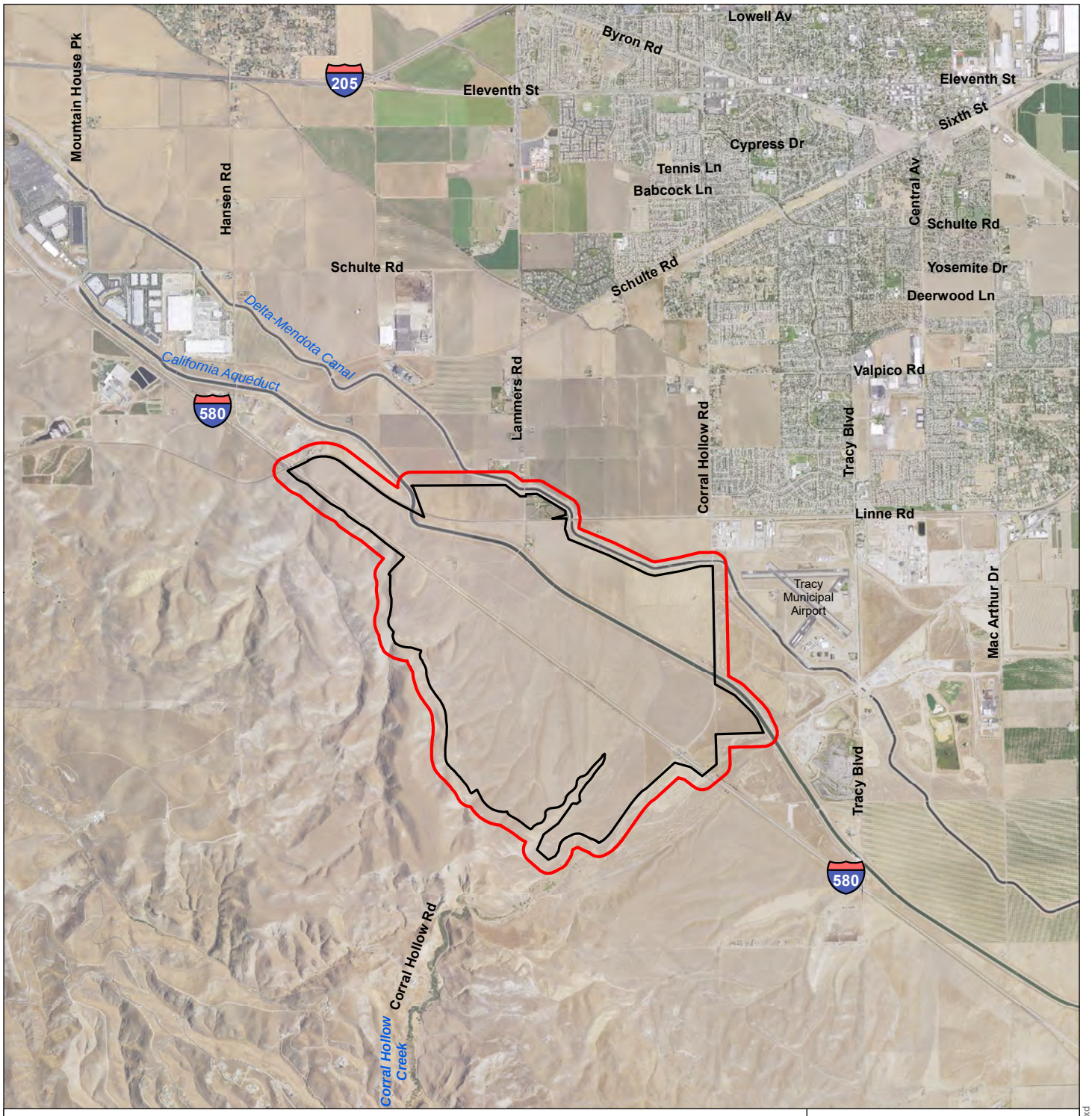
NOREAS
Environmental Engineering and Science

The Study Area is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 11, 12, 13 and 24; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Study Area are: 37.680702, -121.476315.

C:\SRM\Noreas\Tracy Hills\ArcMap\BUOW\Fig1. Regional Location.mxd

Figure 1. Regional Location



Study Area (3,430 which includes a 500-foot buffer and the Project Site)

Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-30-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\BUOW\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic Burrowing Owl census data and conduct a focused 2015 Burrowing Owl survey for the proposed Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 11, 12, 13 and 24 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and 2015 field surveys was to determine the presence – or to confirm the presumed absence of, Burrowing Owl within study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a 500-foot buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and are not merely the immediate lands involved in the action itself (Figure 2).

3.0 BURROWING OWL BACKGROUND

The Burrowing Owl has been designated by the California Department of Fish and Wildlife as a species of special concern. "State Species of Special Concern" status applies to animals not listed for protection under the federal Endangered Species Act or the California Endangered Species Act. The designation denotes that a species is declining at a rate that could result in State listing or that a species has historically occurred in low numbers and known threats to their persistence currently exist. The designation is intended to result in "special consideration" for these animals during the environmental review and discretionary permitting processes. In addition, the designation is intended to focus research and management attention on poorly-known, potentially at-risk species by stimulating the collection of additional information on their biology, distribution, and status.

Burrowing Owls prefer open, dry annual or perennial grasslands, agricultural and rangelands, deserts, and scrublands characterized by low-growing vegetation. Burrowing Owls also prefer areas inhabited by small mammals as they predominately depend on mammal burrows (particularly ground squirrels) for subterranean nesting. Owls can be found at elevations ranging from 200 feet below sea level to 9,000 feet. above (CDFG 1995). Burrowing Owls commonly perch on fence posts or on mounds outside their burrows. Northern populations of Burrowing Owls are usually migratory, while more southern populations may move short distances or not at all (Haug et al. 1993, Botelho 1996). Little is known about the winter ranges of migratory populations, although migratory Burrowing Owls are believed to mix with resident populations in California during the winter months (Coulombe 1971, Haug et al. 1993).

Burrowing Owls tend to be resident where food sources are stable and available year-round (Rosenberg et al. 1998). Typically, they disperse or migrate south in areas when food becomes seasonally scarce. Burrowing Owls tend to be opportunistic feeders. Large arthropods, mainly beetles and grasshoppers, comprise a substantial portion of their diet (Rosenberg et al. 1998). Small mammals, especially mice, rats, gophers, and ground squirrels, are also important food items. Other prey animals include reptiles and amphibians, scorpions, young cottontail rabbits, bats, and birds such as sparrows and Horned Larks. Consumption of insects increases during the breeding season. Burrowing Owls hover while hunting; after catching their prey they return to perches on fence posts or the ground. Burrowing Owls are primarily active at dusk and dawn, but if necessary will hunt at any time of day (CBOC 1993, CDFG 1995, Rosenberg et al. 1998).

The breeding season for Burrowing Owls is March to late August; the season tends to last later in the northern part of the range (CBOC 1993, CDFG 1995, Klute et al. 2003). Clutch size (number of birds hatched at the same time) ranges from 1 to 12 and averages about 7 (Ehrlich 1988). The incubation period is 28–30 days (Ehrlich 1988). The female performs all the incubation and brooding (sitting on eggs to hatch them by the warmth of the body) and is believed to remain continually in the burrow while the male does all the hunting (Rosenberg et al. 1998). The young fledge (take their first flight out of the nest) at 44 days but remain near the burrow and join the adults in foraging flights at dusk (Ehrlich 1988). The maximum life span recorded for a banded bird in the wild is approximately 8.5 years (Rosenberg et al. 1998).

In resident populations, nest site fidelity is common, with many adults nesting each year in their previous year's burrow; young from the previous year often establish nest sites near (<900 feet) their natal sites (Trulio 1997, Rosenberg et al. 1998). Burrowing Owls in migratory populations also often nest in the same burrow, particularly if the previous year's breeding was successful (Belthoff and King 1997). Other birds in the same population may move to burrows near their previous year's burrow. The species

is threatened primarily by loss, degradation, and fragmentation of habitat, although they do readily inhabit anthropogenic landscapes such as agricultural fields, golf courses, and airport grasslands (Korfanta et al. 2005).

4.0 METHODS

Prior to beginning pedestrian based field surveys in 2015, the following raptor specialists were consulted: Lenny Malo MS, Eric Dugan PhD, Ken Hashagen BS, Wayne Woodroof MS, Richard White MS, Brian Latta BS, and John Sterling BS. Available information from resource management plans and relevant documents were also reviewed to determine the locations and types of avian resources that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, Burrowing Owl field census and analysis activities have occurred within representative portions of the study area for more than 5 years. Accordingly, the primary materials reviewed included, but were not limited to, the following:

- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010a);
- Burrowing Owl Surveys for Tracy 580 Business Park Property (Berryman Ecological LLC 2010b);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

Survey methods were derived from generally accepted professional standards including the 1993 California Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CBOC 1993), 1995 and 2012 California Department of Fish and Game Staff Reports on Burrowing Owl Mitigation (CDFG 1995 and 2012). A methodical pedestrian-survey for owls, burrows and their characteristic sign was conducted by walking through areas of suitable habitat within the study (i.e., including evaluations of man-made structures, debris piles, small fossorial mammal burrows, etc.). Survey transects were spaced at approximately 50-foot intervals to allow for complete visual coverage of the study area. Where necessary, transect spacing was reduced or expanded to account for differences in terrain, vegetation density, and visibility.

The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. Avian scientific nomenclature and common names follows Sibley (2000). Field surveys were conducted when weather conditions were conducive to observing birds. Surveys were not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Where access was limited, observations were made from the nearest appropriate vantage points with the use of binoculars and spotting scopes.

5.0 SURVEY RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 64–98 degrees Fahrenheit, and winds fluctuating from 0 to 20 miles per hour. Burrowing Owl surveys dates and personnel are detailed in Table 1 below.

Table 1. Burrowing Owl Survey Dates

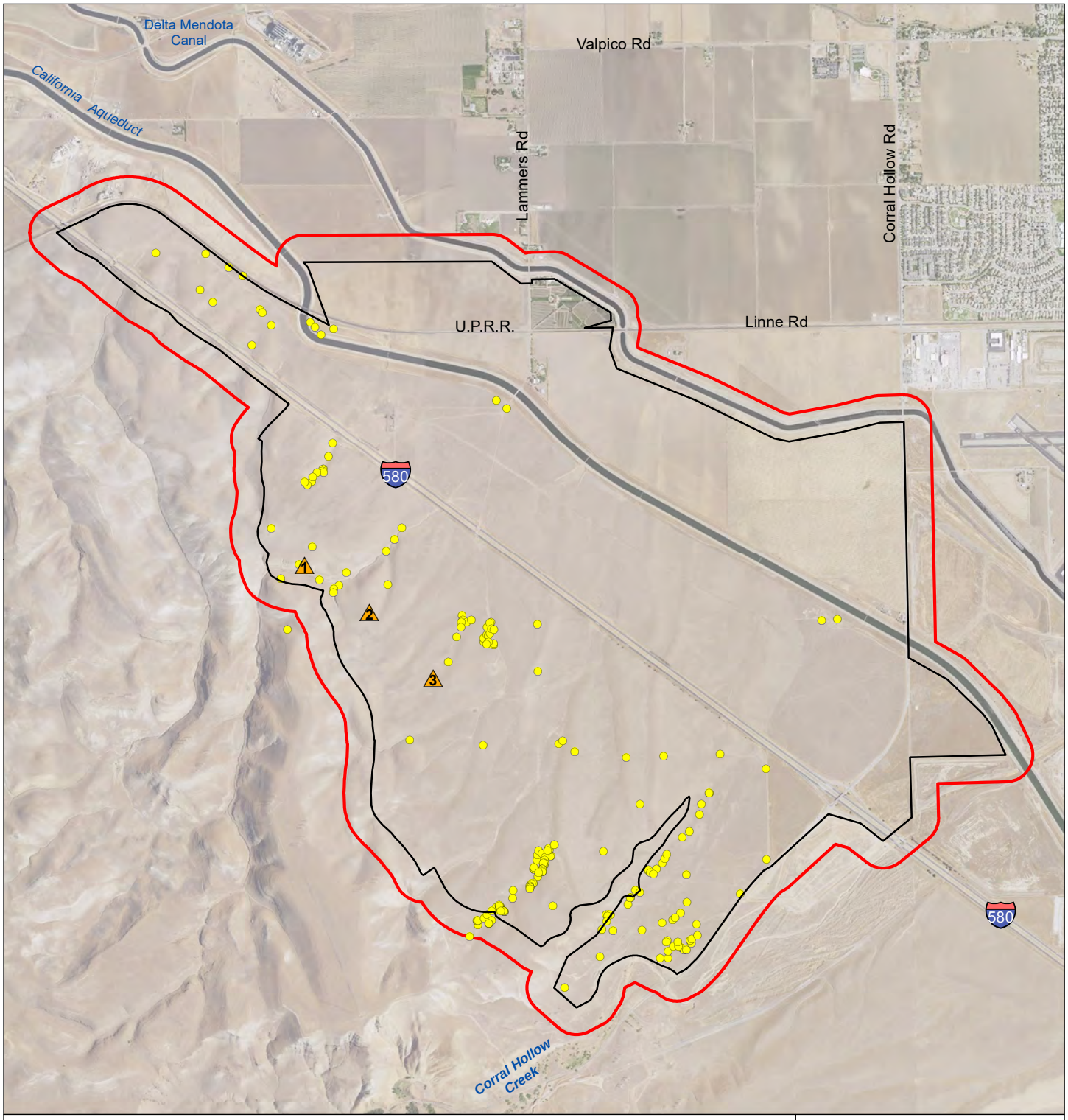
Event #	2015 Survey Dates	Personnel
1	16, 17, 21, 22 January Habitat Assessment	Brent Helm PhD, Lincoln Hulse BS, and Mark Noyes MS
2	14, 15, 16, 17, 18, 19, 24, 25, and 26 March Breeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, John Sterling BS, and Mark Noyes MS
3	23, 24, 25, 26, 27 April 5, 6, 7, 8, 9, 10, 11 and 12 May Breeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, John Sterling BS, and Theresa Hyde MS
4	5, 6, 7, 8, 9, 10, 11, 12, and 13 JuneBreeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, and Theresa Hyde MS
5	5, 6, 7, 8, 9, 10, 11 and 12 July Breeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, and Theresa Hyde MS

A habitat assessment of the study area was performed in January 2015 followed by breeding season surveys for Burrowing Owls. Where access to the entire study area was not possible due to private property or physical barriers (i.e., vegetative cover, health and safety concerns, etc.) field observations were made from the nearest appropriate vantage points via public right-of-ways with the aid of binoculars and spotting scopes. The study area predominately consists of non-native vegetation, grasslands, developed and disturbed land cover types. It is therefore assumed that any species currently using these locales are acclimated to the disturbance regime present (i.e., existing livestock grazing activities). Although the study area is large in total size – it has very low species richness and diversity, and is comparatively low quality habitat for Burrowing Owl; as much higher-quality habitats are available within the region.

This is a result of the depauperate landscape and the numerous resident Burrowing Owl predators (e.g., American Badger [*Taxadea taxus*], coyote [*Canis latrans*], Red-Tailed Hawk [*Buteo jamaicensis*], and other raptors) that were routinely detected within the Project Site. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a robust population of owls. One pair of Burrowing Owls – which include several juvenile birds, were detected foraging, dispersing and utilizing discrete burrow complexes during the 2015 surveys (Figure 3). However, given the low quality habitat present (i.e., limited prey base, absence of irrigated agricultural lands, and presence of predators), the likelihood of a significant population of Burrowing Owls being supported by the Project Site is negligible. It should also be noted that the fossorial mammals which are Burrowing Owl predators that were detected within the study area are capable of digging one or more burrows per day – which would be expected to modify the quantity, distribution and willingness of owls to inhabit burrow complexes within the Project Site over time.

As a consequence of poor quality habitat, presence of resident Burrowing Owl predators and existing protections to species in the area, it has been determined that the Project is not likely to adversely affect Burrowing Owls. With the implementation of the measures detailed within Section 6.0 of this report, there is no presumption that the Project would result in the take[2] of Burrowing Owl, loss of high quality functional owl habitat, nor that it would adversely affect local or regional populations of them. Appendix A includes representative photographs of the study area, and Appendix B includes a list of all avian species detected in 2015.

[2] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.



Study Area

Project Site

Active Burrow Complex

Inactive Burrow Complex

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- San Joaquin County GIS accessed Sep 2015, data date: Jan 2015
- USDA-NRCS-AFPO NAIP accessed Sep 2015, image date: Jun 2014

Map Prepared: 9-9-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\BUOWFig3. Survey Results.mxd

Figure 3. Survey Results

6.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to nesting passerines and raptors that have the potential to occur within the study area:

- In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code, any vegetation clearing within the study area shall take place outside of the typical avian nesting season (e.g., February 1st until September 1st) – to the maximum extent practical.
- If work needs to take place between February 1st and September 1st, a pre-construction survey for nesting birds should be completed prior to the onset of Project activities. If a lapse in Project activity occurs for 7 days or more during the bird nesting season than initial avian clearance surveys shall be repeated. A buffer zone from occupied nests should be maintained during physical ground disturbing activities. Once nesting has ended, the buffer may be removed.
- Burrowing owl survey shall be conducted prior to grading. Pre-construction surveys for burrowing owl shall begin no later than 14 - 30 days prior to construction and ending no earlier than 24 hours prior to the commencement of disturbance.
- The Project shall provide artificial replacement burrows within the conservation easement area, as permitted and in accordance with any applicable Preserve Management Plan, in the event that owls are detected, either as wintering or breeding within Project boundaries. Wintering individuals may be evicted with the use of exclusion devices followed by a period of seven days to ensure that animals have left their burrows. When it can be assured that owls are no longer using the burrows, the burrows can be hand excavated and collapsed under the supervision of the avian biologist.
- Construction activities associated with project features that occur within portions of the project site containing occupied habitat for the burrowing owl and raptor nests shall be restricted to periods outside the breeding season for this species. The breeding season for burring owl runs from February 15 through August 31.

7.0 REFERENCES

Berryman Ecological LLC. 2010a. Biological Resources on the Tracy 580 Business Park Property.

_____. 2010b. Burrowing Owl Surveys for Tracy 580 Business Park Property.

Belthoff, J. R., and R. A. King. 1997. Between-year movements and nest burrow use by burrowing owls in southwestern Idaho. Technical Report No. 97-3. Idaho Bureau of Land Management.

Botelho, E. S. 1996. Behavioral ecology and parental care of breeding western burrowing owls (Speotyto cunicularia hupugaea) in southern New Mexico, USA. Dissertation, New Mexico State University, Las Cruces.California Burrowing Owl Consortium (CBOC). 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines. San Francisco CA.

Coulombe, H. N. 1971. Behavior and population ecology of the burrowing owl, *Speotyto cunicularia*, in the Imperial Valley of California. Condor 73:162–176.

California Department of Fish and Game (CDFG). 1995. Staff Report on Burrowing Owl Mitigation. Sacramento CA.

_____. 2012. Staff Report on Burrowing Owl Mitigation. Sacramento CACalifornia Department of Fish and Wildlife (CDFW). 2015. RareFind. California Department of Fish and Game, Natural Diversity Database (CNDDB). Sacramento, CA: California Department of Fish and Game, Biogeographic Data Branch.

Ehrlich, P. R. 1988. The Birders Handbook: Natural History of North American Birds. Simon and Schuster Inc. New York.

Haug, E. A., B. A. Millsap, and M. S. Martell. 1993. The burrowing owl (*Speotyto cunicularia*). In A. Poole and F. Gill (eds.), The Birds of North America, No. 61. Philadelphia, PA: The Academy of Natural Sciences and Washington, DC: The American Ornithologists' Union.

Klute, D. S., L. W. Ayers, M. T. Green, W. H. Howe, S. L. Jones, J. A. Shaffer, S. R. Sheffield, and T. S. Zimmerman. 2003. Status Assessment and Conservation Plan for the Western Burrowing Owl in the United States. U.S. Department of Interior, Fish and Wildlife Service, Biological Technical Publication FWS/BTP-R6001-2003, Washington, D.C.

ICF International. 2011. Preserve Management Plan for the Tracy 580 Business Park Preserve.

Korfanta, N.M., D.B. McDonald, and T.C. Glenn. 2005. Burrowing owl (*Athene cunicularia*) population genetics: A comparison of North American forms and migratory habits. *Auk* 122(2): 464-478.

Microsoft Corporation. 2015. Bing Maps Aerial Imagery. Redmond, WA.

NOREAS, Inc. (NOREAS). 2015. General Biological Resources Assessment for the Tracy Hills Project.

Rosenberg, D. K., J. Gervaia, H. Ober, and D. DeSante. 1998. An adaptive management plan for the burrowing owl population at Naval Air Station Lemoore, Lemoore, California.

Sibley, D.A. 2000. The Sibley Guide to Birds. Random House Press, New York, New York. 201 pp.

Trulio, L. 1997. Burrowing owl demography and habitat use at two urban sites in Santa Clara County, California. Journal of Raptor Research 9:84–89.

United States Geological Service (USGS). 1980. 7.5-Minute Quadrangle Tracy, California.

_____. 1986. 7.5-Minute Quadrangle Midway, California.

United States Fish and Wildlife Service (USFWS). 2015a. Critical Habitat Portal.

_____. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List for San Joaquin County.

APPENDIX A

PHOTOGRAPH LOG

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. Burrowing owl burrow.
	Photograph: 2. Burrowing owl feather.

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 3. Burrowing owl burrow.
	Photograph: 4. Facing north.

APPENDIX B

AVIAN COMPENDIUM

APPENDIX B

AVIAN COMPENDIUM

Scientific name	Common name
Birds	
Athene cunicularia	Burrowing Owl
Buteo jamaicensis	Red-Tailed Hawk
Carpodacus mexicanus	House Finch
Cathartes aura	Turkey Vulture
Corvus brachyrhynchos	American crow
Corvus corax	Common Raven
Circus cyaneus	Northern harrier
Eremophila alpestris	Horned Lark
Euphagus cyanocephalus	Brewer's blackbird
Falco sparverius	American Kestrel
Lanius ludovicianus	Loggerhead shrike
Mimus polyglottos	Northern mockingbird
Passer domesticus	House sparrow
Passerculus sandwichensis	Savannah sparrow
Salpinctes obsoletus	Rock wren
Sayornis saya	Say's phoebe
Sturnus vulgaris	European starling
Sturnella neglecta	Western Meadowlark
Zenaida macroura	Mourning Dove
Zonotrichia leucophrys	White-crowned sparrow

APPENDIX F
2015 Tracy Hills Project California Red-legged Frog Assessment

DRAFT

TRACY HILLS PROJECT

September 2015

California Red-legged Frog Assessment

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By

16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section **Page**

1.0 EXECUTIVE SUMMARY 1-1

2.0 INTRODUCTION AND PROJECT LOCATION 2-1

3.0 CALIFORNIA RED-LEGGED FROG BACKGROUND 3-1

4.0 METHODS 4-1

5.0 RESULTS 5-1

6.0 CONCLUSIONS 6-1

7.0 RECOMMENDATIONS 7-1

8.0 REFERENCES 8-1

FIGURES

Figure 1 Regional Location 1-3

Figure 2 Site Vicinity 1-4

Figure 3 Habitat Assessment 5-2

Figure 4 CRLF Occurrences within 5 Miles of the Project Site 5-3

Figure 5 Critical Habitat 5-4

APPENDICES

Appendix A Photograph Log

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools, and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions, and results of a U.S. Fish and Wildlife Service (USFWS) protocol-level California Red-legged Frog (*Rana draytonii* [CRLF]) habitat assessment for the Project. Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site) and a 1-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project and not just the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water (i.e., California Aqueduct and Delta Mendota Canal), orchard, non-native grasses, and developed habitats.

As required by the *Revised Guidance on Assessments and Field Surveys for the California Red-legged Frog* (USFWS 2005), the data collected and analyzed herein addresses the following three elements relevant to the potential occurrence of CRLF within the Project Site. These parameters include:

1. The Project's position within the current and historic range of the CRLF;

2. Known records of CRLF within the study area; and

3. The existing habitats that occur in the Project Site and within 1-mile of its boundaries.

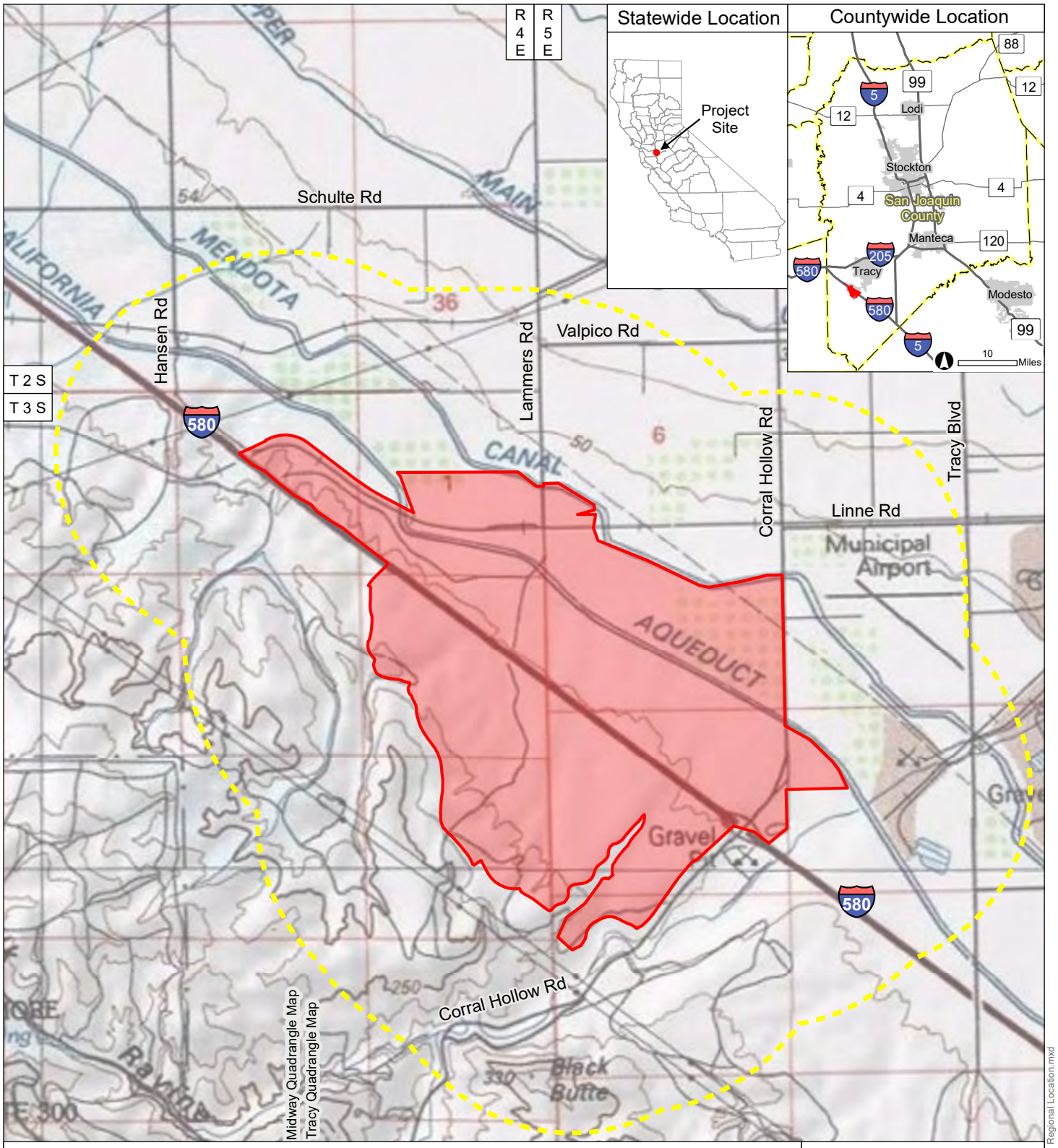
Targeted CRLF field evaluations and analysis have occurred within representative portions of the study area for approximately 16 years. This has been done to account for variations in local weather patterns and to safeguard that field investigations were adequate to maximize the potential for detecting CRLF. The literature reviews, comprehensive field investigations by credentialed biologists, and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies (LSA 1999, Foothill Associates 2004, Berryman Ecological LLC 2010, and ICF International 2011). Given the size of the Project Site, there are relatively few aquatic habitats within it.

To that end, no CRLF aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site. Nonetheless, a series of ephemeral drainages running south to north - through the southwestern portion off the study area could function as dispersal habitat – albeit extremely low quality (i.e., presumed to be fast–flowing, ephemeral features that only convey water during, and immediately following, storm events), under the appropriate suite of environmental factors. These features value as adult CRLF dispersal habitat is inconsequential because there are no known aquatic breeding habitats within the vicinity of these drainages and they are severely movement constrained (i.e., topography, freeways, aqueducts, lack of appropriate cover to elude predators or exposure to desiccation, disked fields, and livestock grazing) within the study area.

The more factors that constrain CRLF breeding habitats and movement corridors, the less likely individual frogs are to occur or continue to occur within a specific locale. The nearest historic CRLF

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.

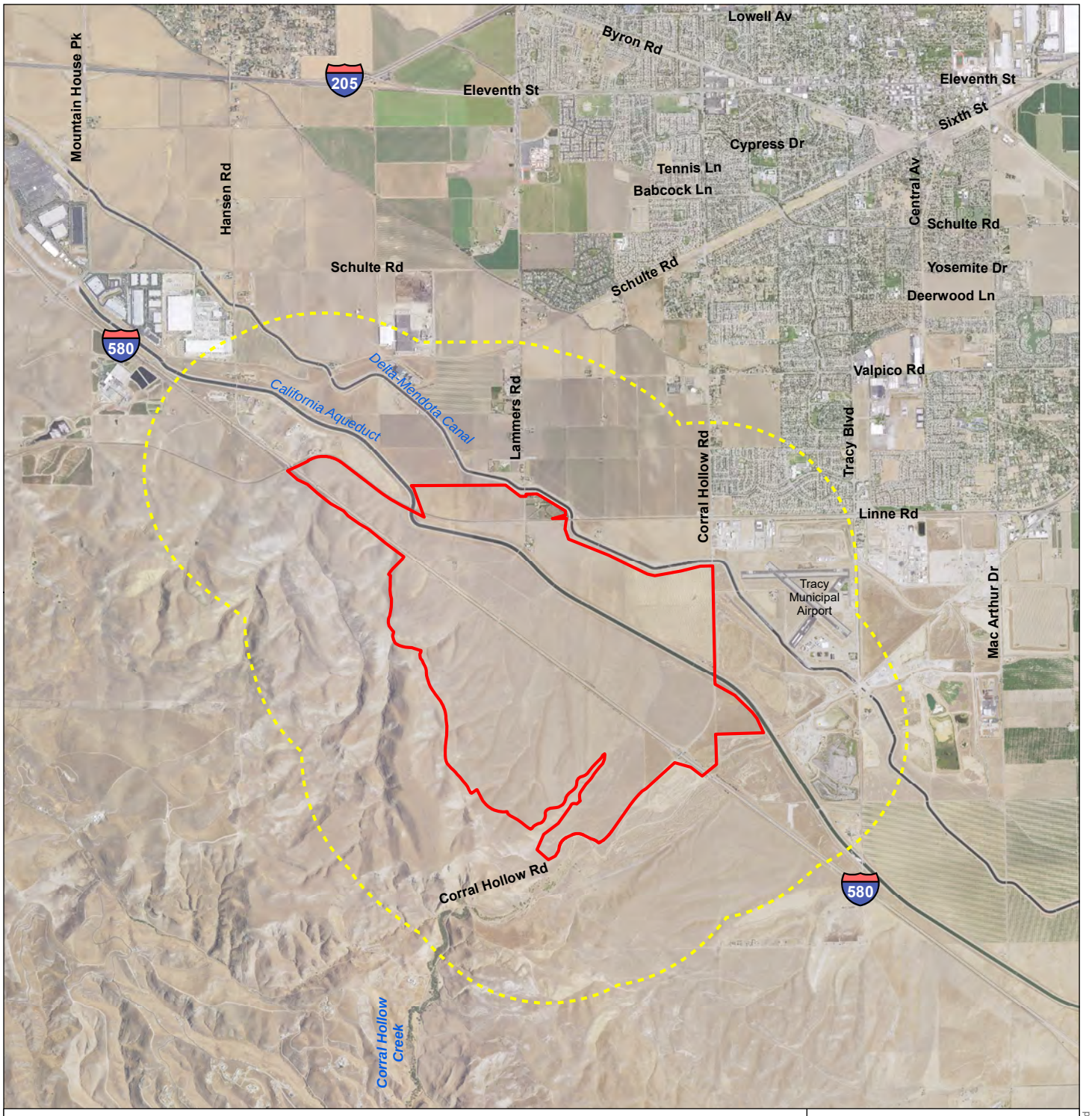
record in the surrounding area of the Project is from 2013; it is roughly 0.2 miles from the Project's southwestern limits. It should also be noted that a discrete subset of land within the Project is collocated with designated critical habitat for CRLF (USFWS 2015). The aforementioned CRLF record is within the study area, but outside the Project's proposed ground disturbance limits. Given the lack of breeding habitat and movement constrained dispersal habitat within the Project Site, the likelihood of CRLF successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CRLF are not uncommon south and west of the Project and within the approximately 3,500-acre open space conservation easement which abuts the study area. The habitat within the study area includes existing livestock grazing agricultural and other anthropogenic undertakings which have greatly reduced the lands ability to support breeding and dispersing CRLF. The data analyzed also suggests that there is extremely low potential for CRLF to recruit into the Project Site.



The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

Figure 1. Regional Location



Project Site (2,729 acres)

1-mile Radius Around the Project Site (11,150 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

Map Prepared: 8-4-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\CRL\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic California red-legged frog (*Rana draytonii* [CRLF]) census data and perform a U.S. Fish and Wildlife Service (USFWS) protocol-level assessment for the Project. The Project occurs in Sections 6, 7, 8, 17, 18, and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 11, 12, 13, and 24 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and 2015 field assessment was to determine the presence or to confirm the presumed absence of, CRLF within the study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a 1-mile buffer (Figure 2).

3.0 CALIFORNIA RED-LEGGED FROG BACKGROUND

On 24 June 1996, the U.S. Fish and Wildlife Service (USFWS) determined the CRLF to be a threatened species, based primarily on range-wide population declines and extirpation from approximately 70% of the historic range in California (USFWS 2002). The CRLF is also listed as a Species of Special Concern by the California Department of Fish and Wildlife (Jennings and Hayes 1994).

The CRLF is a large, brown to reddish-brown frog with prominent dorsolateral folds, moderate-sized dark brown to black dorsal spots, and red-orange coloration on the belly and undersurfaces of the thighs, legs, and feet (Stebbins 2003). CRLF occupy still or slow-moving water features associated with dense riparian vegetation, where permanent streams or ponds provide essential breeding habitat. CRLF requires permanent or nearly permanent ponded-water habitat (including stock ponds or pools within streams) with emergent and submergent vegetation (Storer 1925, Stebbins 1972), but CRLF may disperse far from water following breeding periods (Stebbins 1985, Zeiner et al. 1988). Adult CRLFs are highly aquatic when active, but they are less dependent upon permanent water bodies than other frog species (Brode and Bury 1984). During dry periods, adults may aestivate in rodent holes or cracks in the soil. CRLF occur most frequently in intermittent waters that lack bullfrogs and introduced fish species (Hayes and Jennings 1988). The egg clusters are deposited around aquatic vegetation and require approximately 3-5 months to complete metamorphosis (Storer 1925). CRLF breed from November to April, with males arriving at breeding sites up to a month before females. Females locate the calling males at breeding sites, where they mate and deposit 2,000–6,000 eggs on emergent vegetation. Embryos hatch in approximately 2 weeks. Sexual maturity is reached in 2-3 years, with females attaining a larger adult body size than males. CRLF are known to utilize both aquatic and terrestrial habitats, shifting habitat use between spring and fall seasons, respectively.

The CRLF occurs along Pacific slope drainages from Shasta County, CA, inland to the vicinity of Marin County, CA, southward along the coastal slopes to the vicinity of the Santo Domingo River drainage in northern Baja, Mexico (Linsdale 1932). Historically, CRLF occurred in numerous desert slope drainages in southern California and northern Baja, Mexico; however these populations are thought to be extirpated.

4.0 METHODS

Prior to beginning field surveys, resource specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of herpetofauna that have the potential to exist within and adjacent to the study area; resources were evaluated within several miles of the Project. The primary materials reviewed included, but were not limited to, the following:

- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999)
- Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010)
- USFWS, Revised Guidance on Site Assessments and Field Surveys for the CRLF (USFWS 2005);
- USFWS, Recovery Plan for the California Red-legged Frog (USFWS 2002);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- A Guide To The Amphibians And Reptiles Of California (California Herps 2013);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

Survey methods were derived from generally accepted professional standards for performing visual encounter herpetofauna surveys (Aguirre-Bravo et al. 2006) and followed the *Revised Guidance on Assessments and Field Surveys for the California Red-legged Frog* (USFWS 2005). An assessment for CRLF was performed within 1 mile of the Project Site to characterize the habitats and land cover types to the maximum extent practical with regard upland and aquatic features.

Upland and aquatic types within the study area were mapped and characterized as either not suitable, breeding[2], or dispersal[3] habitat by vegetation communities, land use, and any potential barriers to CRLF and herpetofaunal movements. In order to determine if an aquatic feature within the Project and/or study area could provide suitable CRLF habitat (i.e., breeding and dispersal), sufficient hydrologic periods needed to be observable through time-lapse images over multiple years. Perennial or semi-perennial water features that retained water through most of the year and had associated riparian

[2] CRLF egg clusters are deposited around aquatic vegetation and require approximately 3-5 months to complete metamorphosis (Storer 1925). Therefore - for the purposes of this analysis, breeding habitat for CRLF is defined as any water body that on average ponds or slowly conveys water greater than 1 foot deep for a minimum of 3 consecutive months, and supports a minimum of 10% surface area of aquatic vegetation (emergent plants).

[3] CRLF dispersal habitats are typically lotic (flowing) bodies of water (i.e., creeks and drainages) that contain a sufficient volume of water and a suitable velocity to enable the movement of adult CRLF individuals into new areas. In this instance, ephemeral drainages and intermittent water conveyance features needed to contain sufficient amounts of emergent and/or riparian vegetation to serve as a visual proxy of an adequate hydrologic period and water velocity to serve as potential habitat.

vegetation cover were considered suitable to support CRLF larval development (breeding habitat). Upland habitats were further analyzed for potential movement constraints as described below.

- High constraints to movement are barriers in which the CRLF cannot pass over, though, or under (e.g., sound walls) or that CRLF would most likely perish while trying pass over them (e.g., freeways). The high constraints to CRLF movement include urban residential and commercial development, swift-flowing aqueducts, and freeways.

- Moderate constraints to CRLF movement are those that would greatly increase the likelihood of mortality from exposure to predators or exposure to desiccation by increasing the length of movement or dispersal time. Moderate constraints on site consist of disked fields with no vegetation cover, hay fields, rural development, railroad berms and tracks, and rural paved roads.

- Low constraints are those that slightly increase the likelihood of mortality such as agricultural fields planted with row crops and orchards.

- No constraints are those that do not have permanent or significant barriers to movement, such as routinely grazed annual grasslands.

The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. The assessment was not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Where access was limited, observations were made from the nearest appropriate vantage points by means of public rights-of-way with the use of binoculars and spotting scopes. The following NOREAS biologists either performed the field work and/or contributed to data analysis: Brent Helm PhD, Mark Noyes MS, Eric Dugan PhD, Richard White MS, Jeff Alvarez BS, Lenny Malo MS, Lincoln Hulse BS, Erin Serra BS, and Ken Hashagen BS.

5.0 RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 48–74 degrees Fahrenheit, and winds fluctuating from 0 to 15 miles per hour. CRLF assessments were performed on the following dates: 17 and 18 December 2014, 25 and 26 March, 16 April, 14, 15, and 16 May, 5, 6, 7, and 8 June, 2015.

The Project Site predominately consists of upland non-native vegetation, grasslands, and developed and disturbed land cover types (Figure 3). Targeted CRLF field evaluations and analysis have occurred within representative portions of the study area since 1999. This has been done to account for variations in local weather patterns, and to safeguard that field investigations were adequate to maximize the potential for detecting CRLF. The literature reviews, comprehensive field investigations by credentialed biologists, and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies. Given the size of the Project Site, there are relatively few aquatic habitats within it.

No CRLF aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site. Nonetheless, a series of ephemeral drainages running south to north - through the southwestern portion of the study area could function as dispersal habitat – albeit extremely low quality (i.e., presumed to be fast flowing ephemeral features that only convey water during, and immediately following storm events), under the appropriate suite of environmental factors. These features value as adult CRLF dispersal habitat is inconsequential because there are no known aquatic breeding habitats within the vicinity of these drainages; and they are movement constrained (i.e., topography, freeways, aqueducts, lack of appropriate cover to elude predators or exposure to desiccation, disked and tilled fields, and livestock grazing) within the study area.

The more factors that constrain CRLF breeding habitats and movement corridors, the less likely individual frogs are to occur, or continue to occur within a specific locale. The nearest historic CRLF record in the surrounding area of the Project is from 2013; and it is roughly 0.2 miles outside of the Project Site - within Corral Hollow Creek. The Project completely avoids direct impacts to Corral Hollow Creek. It should also be noted that a discrete subset of land within the Project is collocated with designated critical habitat for CRLF (USFWS 2015). With deference to Corral Hollow Creek, it is bordered to the west by an extremely steep slope that transitions into a vertical cliff. This leaves limited area along Corral Hollow Road accessible to potential migrating or dispersing individuals moving away from aquatic habitats within the creek.

Given the lack of breeding habitat and movement constrained dispersal habitat within the Project Site, the likelihood of CRLF successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CRLF are not uncommon south and west of the Project, and within the approximately 3,500-acre open-space conservation easement which abuts the study area. The habitat within the study area includes existing livestock grazing, agricultural tilling, and other anthropogenic undertakings which have greatly reduced the lands ability to support breeding and dispersing CRLF. The data analyzed also suggests that there is extremely low potential for CRLF to recruit into the Project Site. Appendix A includes a Photograph Log, and Appendix B consists of the Project's California Red-legged Frog Assessment Data Sheets.

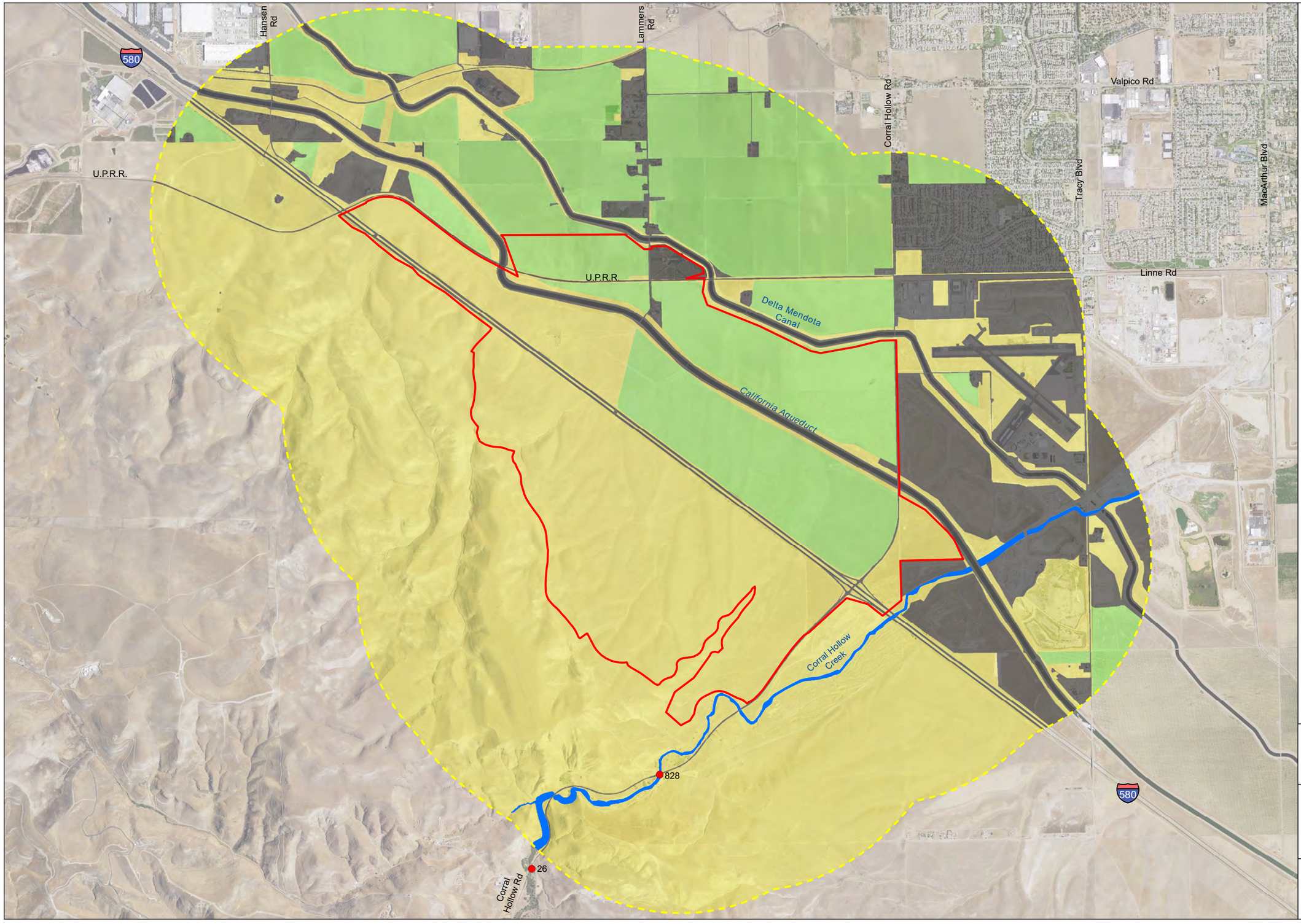
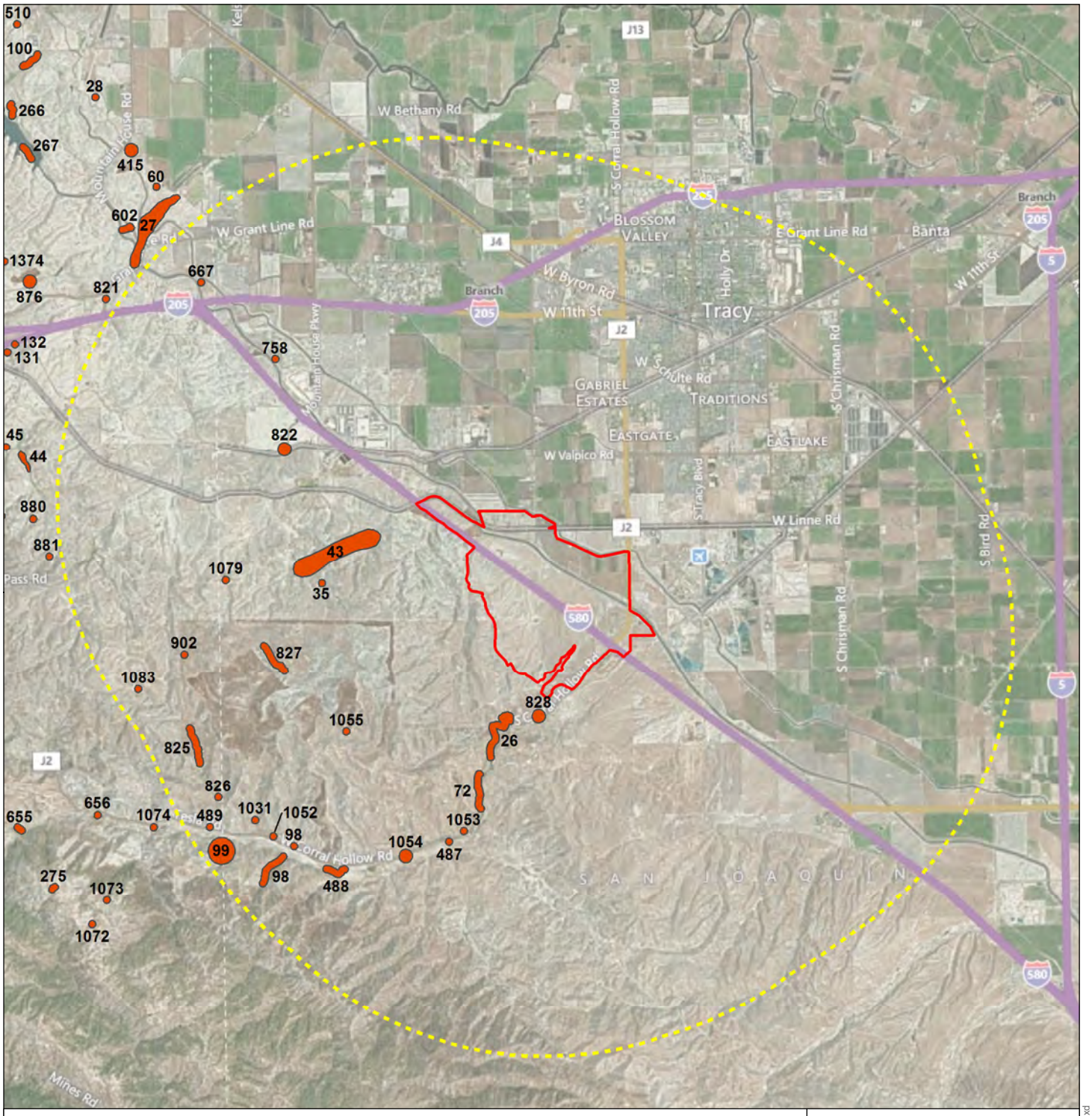


Figure 3. Habitat Assessment



Project Site

5-mile Radius Around the Project Site

California Red-Legged Frog Occurrence (with Occurrence Number)

0 1 2 Miles

1 inch = 2 miles

Data Sources:
- Bing accessed Aug 2015, imagery date range: May - Nov 2010
- California Department of Fish and Wildlife, California Natural Diversity Database (CNDDB), Jul 2015 data release

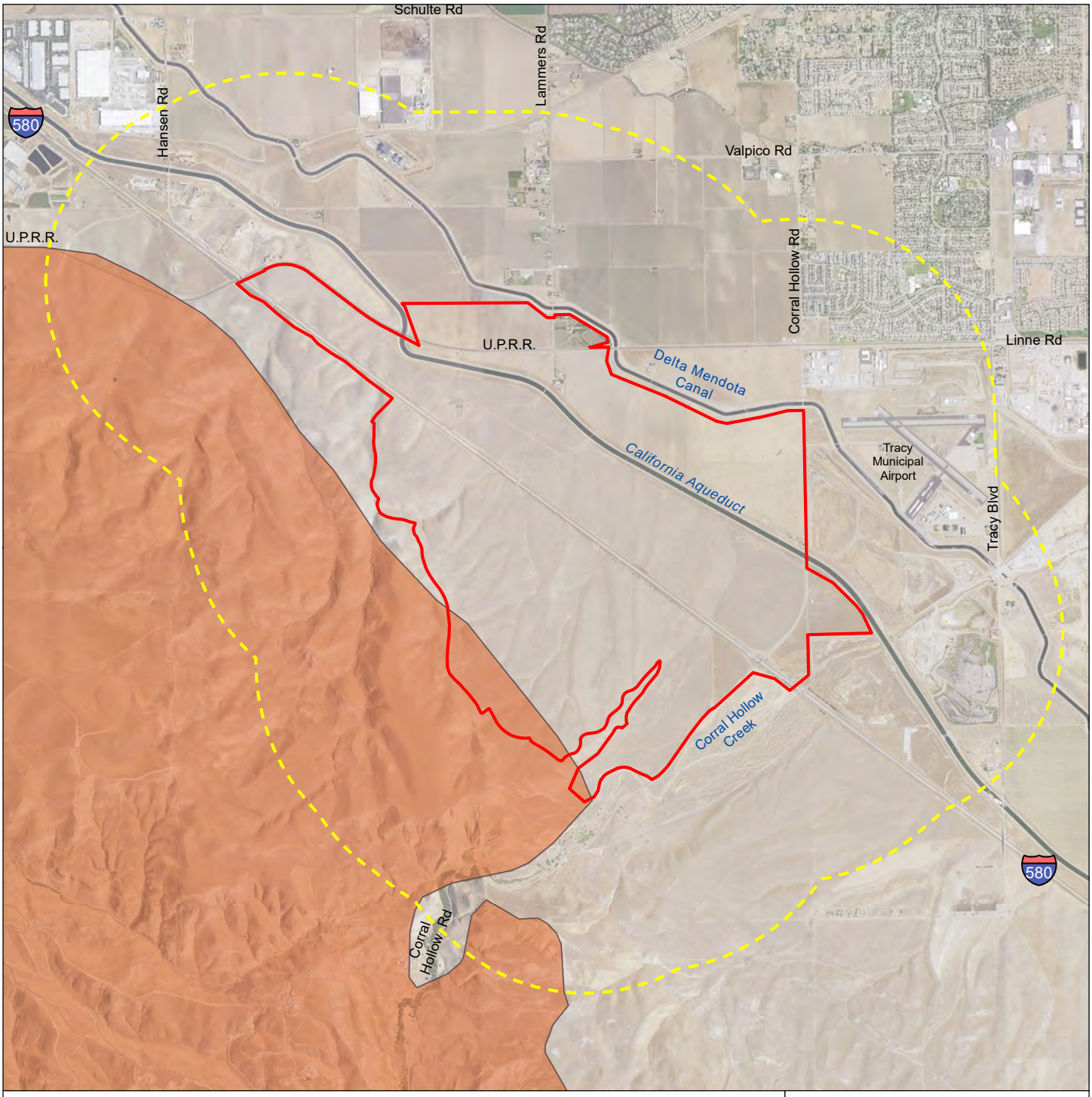
Map Prepared: 8-4-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\CRLF\Fig3. Occurrences.mxd

Figure 4. CRLF Occurrences within 5 Miles of the Project Site



Project Site

1-mile Radius Around the Project Site

Critical Habitat for California Red-Legged Frog

0 2,000 4,000 Feet

1 inch = 4,000 feet

Data Sources:
- San Joaquin County GIS accessed Aug 2015, data date: Jan 2015
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: Jun 2014
- US Fish and Wildlife Service critical habitat accessed Aug 2015, data date: Aug 2015

Map Prepared: 8-13-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\CRLF\Fig4. Critical Habitat.mxd

Figure 5. Critical Habitat

6.0 CONCLUSIONS

The habitat within the study area include existing livestock grazing, agricultural tilling and other anthropogenic undertakings which have greatly reduced the lands ability to support breeding and dispersing CRLF. No CRLF aquatic breeding habitat has ever been detected within the Project Site; and the low quality CRLF dispersal habitat present is severely constrained (i.e., freeways, urban residential/commercial development, swift-flowing aqueducts, lack of appropriate cover to elude predators or exposure to desiccation, disked fields, and livestock grazing).

Given that these findings are consistent with other assessments for CRLF within the Project Site, the Project would not be expected to result in the loss of individual CRLF, or adversely affect local or regional populations of them. Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, as impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity are maintained within the region with deference to CRLF. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to CRLF as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. With the implementation of the measures detailed within Section 7.0 of this report, there is no presumption that the Project would result in the take[4] of CRLF or the loss of valuable breeding habitat.

[4] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

7.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to CRLF that have the potential to occur within the study area:

- Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support CRLF, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence.

- Survey will occur during the wet season (generally October 15 to April 15), no more than 48 hours before any new ground disturbance.

- A worker training program that includes the CRLF will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.

- If a CRLF is found, the construction supervisor shall halt work immediately within an appropriate buffer area of any discovered CRLF. The construction supervisor will also contact the project biologist and will suspend all construction activities in the immediate construction zone until the animal leaves the site voluntarily.

- To prevent entrapment of CRLF during construction, any trenches, holes, or other excavations into which CRLF could fall and become trapped will be covered. The opening will be completely covered at the end of each workday.

8.0 REFERENCES

Aguirre-Bravo, C., P. J. Pellicane, D. P. Burns, and S. Draggan (Eds.). 2006. Monitoring Science and Technology Symposium: Unifying knowledge for sustainability in the Western hemisphere. United States Forest Service.

Berryman Ecological LLC. 2010. Biological Resources on the Tracy 580 Business Park Property.

Brode, J. M. and R. B. Bury. 1984. The importance of riparian systems to amphibians and reptiles. In R.L. Warner and K.M. Hendrix (eds.), California riparian systems: ecology, conservation, and productive management. University of California Press, Berkeley, CA.

California Department of Fish and Wildlife (CDFW). 2015. California Natural Diversity Database maintained by the California Department of Fish and Wildlife.

California Herps. 2013. A Guide To The Amphibians And Reptiles Of California.

Foothill Associates. 2004. Habitat Management Plan - Tracy Hills Project.

ICF International. 2011. Preserve Management Plan for the Tracy 580 Business Park Preserve.

Jennings, M.R. and M.P. Hayes. 1994. Amphibian and reptile species of special concern in California. Final report to the California Department of Fish and Game, Inland Fisheries Division, Rancho Cordova, California, under contract (8023).

LSA Associates, Inc. (LSA). 1999. Habitat Conservation Plan for Lakeside Tracy Development.

Linsdale, J.M. 1932. Amphibians and reptiles from Lower California. University of California Publications in Zoology 38:345-386.

Microsoft Corporation. 2015. Bing Maps Aerial Imagery. Redmond, WA.

NOREAS, Inc. (NOREAS). 2015. General Biological Resources Assessment for the Tracy Hills Project.

RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Consistency Analysis.

Stebbins, R. C. 1972. California amphibians and reptiles. University of California Press. Berkeley, CA.

Stebbins, R. C. 1985. A field guide to western reptiles and amphibians. 2nd edition. Houghton Mifflin Company. Boston, MA.

Storer, T. I. 1925. A synopsis of amphibia of California. University of California Publications in Zoology 27:1-342.

United States Geological Service (USGS). 1980. 7.5-Minute Quadrangle Tracy, California.

_____. 1986. 7.5-Minute Quadrangle Midway, California.

United States Fish and Wildlife Service (USFWS). 2002. Recovery Plan for the California Red-legged Frog.

_____. 2005. Revised Guidance on Site Assessments and Field Surveys for the CRLF.

_____. 2015a. Critical Habitat Portal.

_____. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List for San Joaquin County.

Zeiner, D. C., W. F. Laudenslayer, Jr., and K. E. Mayer (compiling eds.). 1988. California's wildlife. Volume 1 – amphibians and reptiles. (California Statewide Habitat Relationships System.) California Department of Fish and Game. Sacramento, CA.

APPENDIX A

PHOTOGRAPH LOG

	Photograph 1 California Aqueduct is an anthropogenic feature that functions as a high movement constraint for CRLF based on the steep sided walls and swift flowing water (facing west).
	Photograph 2 Despite a long hydro period sufficient for CRLF larval development, this feature is not considered suitable for CRLF due to a lack of emergent and/or riparian vegetation within/around the feature (facing north).

	Photograph 3 Agricultural tilling removes potential underground burrows and creates uneven terrain that is difficult for adult CRLF to traverse. Because of this disturbance type, the area cannot provide upland habitat to CRLF (facing east).
	Photograph 4 Due to a lack of vegetation and shallow depths, this feature does not provide breeding habitat to CRLF (facing southwest).

	Photograph 5 Illustration of the large cliff/steep-sloped area southeast of the Project near Corral Hollow Creek. Due to the steep sides of this topographic feature, dispersing CRLF would not be able to reach the Project Site (facing north).

APPENDIX G
2015 Tracy Hills Project California Tiger Salamander Assessment

DRAFT

TRACY HILLS PROJECT

September 2015

California Tiger Salamander Assessment

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By

16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section		Page
1.0	EXECUTIVE SUMMARY	1-1
2.0	INTRODUCTION AND PROJECT LOCATION	2-1
3.0	CALIFORNIA TIGER SALAMANDER BACKGROUND	3-1
4.0	METHODS	4-1
5.0	RESULTS	5-1
6.0	CONCLUSIONS	6-1
7.0	RECOMMENDATIONS	7-1
8.0	REFERENCES	8-1

FIGURES

Figure 1	Regional Location	1-3
Figure 2	Site Vicinity	1-4
Figure 3	Habitat Assessment	5-2
Figure 4	CTS Occurrences within 5 Miles of the Project Site	5-3
Figure 5	Critical Habitat	5-4

APPENDICES

Appendix A	Photograph Log

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions and results of a U.S. Fish and Wildlife Service (USFWS) protocol-level California Tiger Salamander *(Ambystoma californiense* [CTS]) habitat assessment for the Project. Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site) and a 1.24-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water (i.e., California Aqueduct and Delta Mendota Canal), orchard, non-native grasses, and developed habitats.

As required by the *Interim Guidance on Conducting Site Assessments and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (CDFG October 2003)* the data collected and analyzed herein addresses the following 3 elements relevant to the potential occurrence of CTS within the Project Site. These parameters include:

1. The Project's position within the current and historic range of the CTS;

2. Known localities of CTS within the study area; and

3. Existing habitats within the Project Site and within 1.24 miles its boundaries.

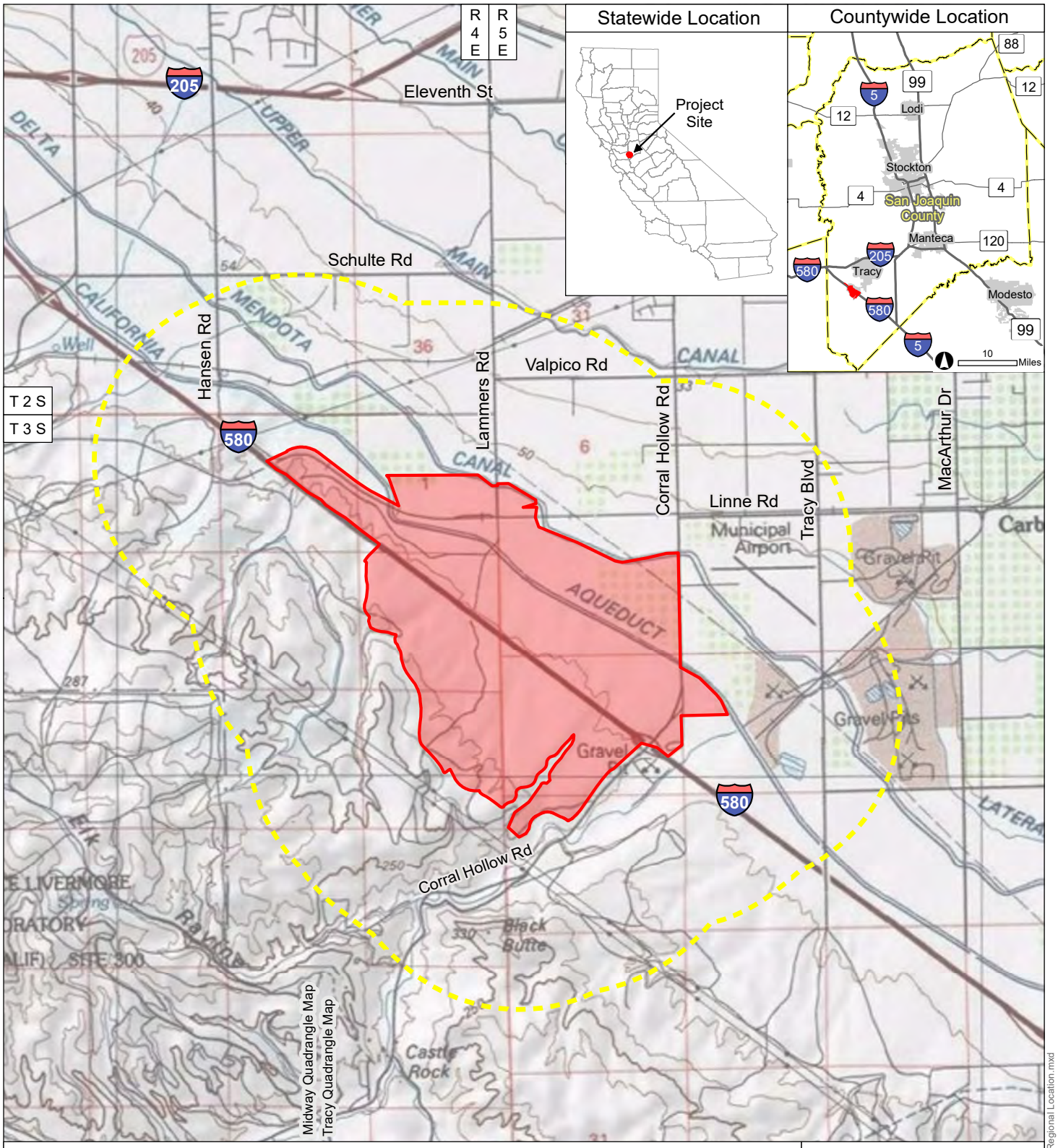
Targeted CTS field evaluations and analysis have occurred within representative portions of the study area for roughly 15 years. This has been done to account for variations in local weather patterns, and to safeguard that field investigations were adequate to maximize the potential for detecting CTS. The literature reviews; comprehensive field investigations by credentialed biologists; and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies (LSA 1999, Foothill Associates 2004, Berryman Ecological LLC 2010, and ICF International 2011). No CTS aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site.

This is likely a result of the significant ground disturbance (i.e., grading, disking, and deep ripping) associated with crop cultivation and numerous other anthropogenic undertakings that have occurred within the study area (e.g., freeways, paved roads, aqueducts, urban development and other infrastructure related appurtenances). Additionally, soils within the Project Site are generally very well drained, which contributes to the short hydro periods of the few isolated, small, shallow, seasonal depressions that support ponding water for a few weeks out of the frost free growing season – as opposed to the 10 weeks required for successful CTS larval development. Ephemeral features within the Project site are presumed to convey fast flowing water during and immediately following storm events; but they lack drop pools or other lands that could pond water for sufficient durations of time to support CTS larval development. Even concrete-lined stock ponds within the Project Site have high-walls around them that would preclude CTS from utilizing it as breeding habitat. Nonetheless, there are lands within

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.

the southwestern portion of the Project Site that could be used by adult CTS as potential refuge or as low quality overland dispersal habitats. But these areas value as adult CTS refuge or dispersal habitat is inconsequential because they are isolated from known aquatic breeding habitats within the vicinity; and are severely movement constrained (i.e., topography, freeways, paved roads, aqueducts, lack of appropriate cover or exposure to desiccation, disked fields) within the study area.

The more factors that constrain CTS breeding habitats and movement corridors, the less likely individuals are to occur, or continue to occur within a specific locale. The nearest historic CTS record in the surrounding area is from 1992; and it consists of 1 adult male along the edge of Corral Hollow Road - near the extreme southwestern limits of the Project Site. It should also be noted that these lands are not proposed for development to minimize adverse effects to special status species and their habitats. Given the lack of breeding habitat and movement constrained overland dispersal habitat within the Project Site, the likelihood of CTS successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CTS are not uncommon south of the Project, and within the approximately 3,500-acre open space conservation easement which abuts the study area. The data analyzed also suggests that there is extremely low potential for CTS to recruit into the Project Site.



Project Site

2 Kilometer Radius Around the Project Site

County Boundary (inset)

Urban Area (inset)

Interstate or State Highway (inset)

0 0.5 1 Mile

1 inch = 1 mile

Data Sources:
- Bing accessed Aug 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Aug 2015

Map Prepared: 8-11-15

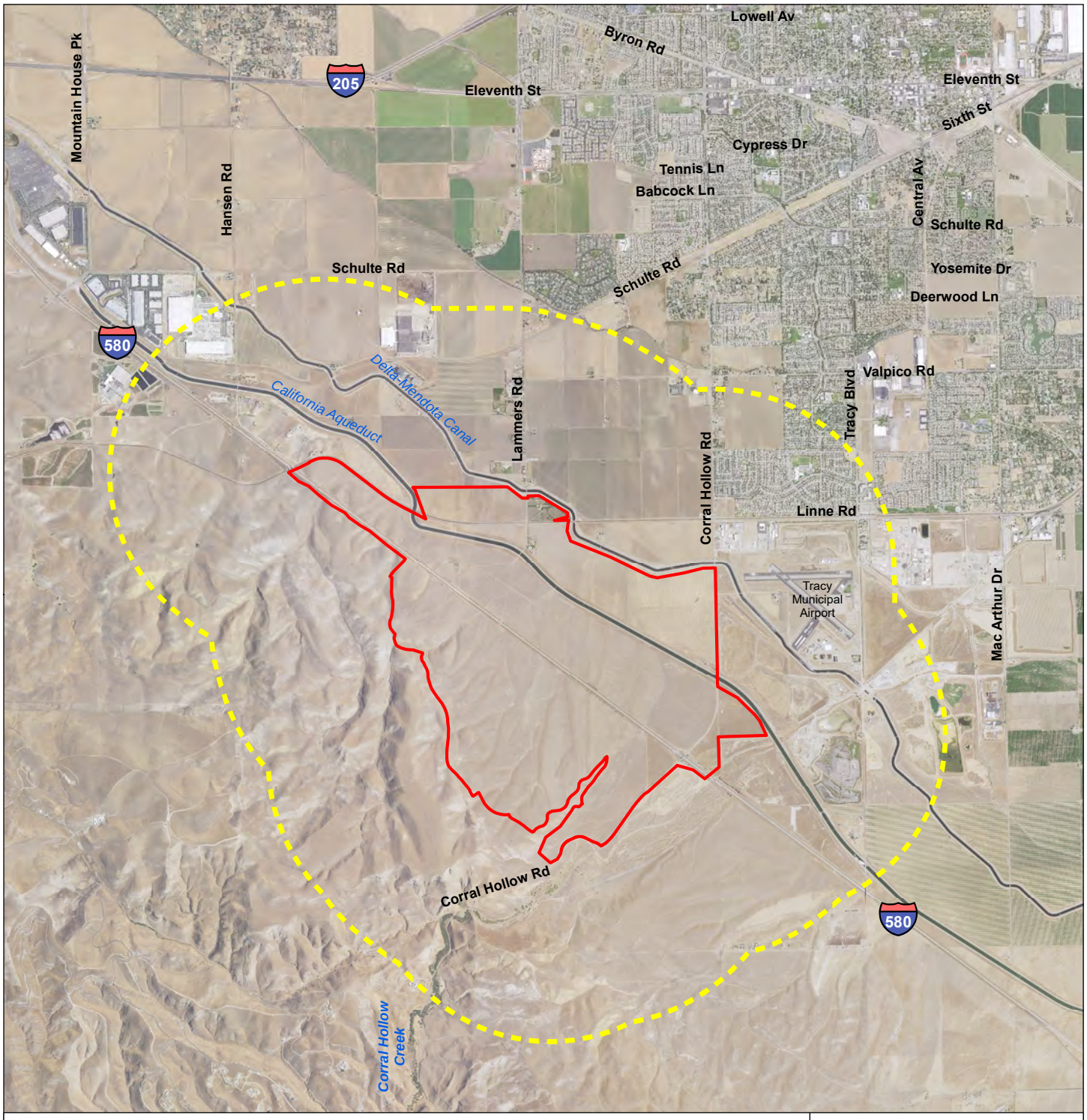
Prepared by:
NOREAS
Environmental Engineering and Science

The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

C:\SRM\Noreas\Tracy Hills\ArcMap\CTS\Fig1. Regional Location.mxd

Figure 1. Regional Location



Project Site (2,729 acres)

2-kilometer Radius Around the Project Site (13,736 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

Map Prepared: 8-11-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\CTS\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic California Tiger Salamander *(Ambystoma californiense* [CTS]) census data and perform a U.S. Fish and Wildlife Service (USFWS) protocol-level assessment for the Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 11, 12, 13 and 24 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and 2015 field assessment was to determine the presence or to confirm the presumed absence of, CTS within the study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a 1.2 mile (2 kilometer) buffer (Figure 2).

3.0 CALIFORNIA TIGER SALAMANDER BACKGROUND

CTS is an endemic species to the lowlands of central California and is listed as threatened under the federal and State Endangered Species Acts. The primary cause of CTS population decline is loss of habitat from development (USFWS 2004). CTS require both terrestrial and aquatic habitats in order to complete its life cycle. Adult salamanders will breed within seasonal ponds and wetlands. During the dry season CTS will move into the surrounding uplands, living underground in fossorial mammalian burrows (Loredo and Van Vuren 1996, Loredo at al. 1996). The CTS larvae develop within aquatic breeding habitat and then move into the adjacent upland habitat as metamorphosed juveniles. Characteristic upland habitat consists of annual grasslands, which are typically grazed by livestock. Upland habitat must also contain mammal burrows or shrink-swell cracks that provide refugia, which is used for the majority of their lifecycle (USFWS 2004).

The breeding period for CTS is generally December through February. Females lay eggs in the water of seasonal to semi-perennial wetlands attached to vegetation, twigs, debris, or in some cases, rocks (Stebbins and McGinnis 2012). The eggs of CTS hatch in approximately 10 to 14 days. Although the larvae of CTS can overwinter in appropriate habitats, the larval stage typically lasts between 3 and 6 months, and is largely dependent on the inundation period of the wetland. CTS movements have been recorded at distances of up to 1.24 miles between upland habitat and breeding ponds (USFWS 2004). However, overland movements are significantly often constrained by urban development and freeways (CDFG 2003).

4.0 METHODS

Prior to beginning field surveys, resource specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of herpetofauna that have the potential to exist within and adjacent to the study area; resources were evaluated within several miles of the Project. The primary materials reviewed included, but were not limited to, the following:

- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999)
- Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010)
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- A Guide To The Amphibians And Reptiles Of California (California Herps 2013);
- Interim Guidance on Conducting Site Assessments and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (CDFG October 2003);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

Survey methods were derived from generally accepted professional standards for performing visual encounter herpetofauna surveys (Aguirre-Bravo et al. 2006) and followed the *Interim Guidance on Conducting Site Assessments and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (CDFG October 2003).* An assessment for CTS was performed within 1.24 mile of the Project Site to characterize the habitats and land cover types to the maximum extent practical with regard upland and aquatic features.

Upland and aquatic types within the study area were mapped and characterized as either not suitable, breeding[2], or dispersal habitat by vegetation communities, land use, and any potential barriers to CTS movements. In order to determine if an aquatic feature within the Project and/or study area could provide suitable CTS habitat (i.e., breeding and dispersal), sufficient hydrologic periods needed to be observable through time-lapse images over multiple years. Perennial or semi-perennial water features that retained water through most of the year and had associated riparian vegetation cover were considered suitable to support CTS larval development (breeding habitat). Upland habitats were further analyzed for potential movement constraints as described below.

[2] Non-CTS breeding habitats are aquatic habitats that during average precipitation years, do not have sufficient hydrology for CTS larvae to complete metamorphosis. Therefore, for the purposes of this report, CTS breeding aquatic habitat is defined as any body of water deeper than 12 inches that ponds, on average, for longer than 10 weeks.

- High constraints to movement are barriers in which CTS cannot pass over, though, or under (e.g., sound walls) or that CTS would most likely perish while trying pass over them (e.g., freeways). The high constraints to CTS movement include urban residential and commercial development, swift-flowing aqueducts, and freeways.

- Moderate constraints to CTS movement are those that would greatly increase the likelihood of mortality from exposure to predators or exposure to desiccation by increasing the length of movement or dispersal time. Moderate constraints consist of disked fields with no vegetation cover, hay fields, rural development, railroad berms and tracks, and rural paved roads.

- Low constraints are those that slightly increase the likelihood of mortality such as agricultural fields planted with row crops and orchards. No constraints are those that do not have permanent or significant barriers to movement such as routinely grazed annual grasslands. Livestock grazing in annual grassland habitat reduces vegetation heights, encourages fossorial mammal occupation, and can facilitate CTS overland dispersal (Barry and Shaffer 1994).

The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. The assessment was not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Where access was limited, observations were made from the nearest appropriate vantage points by means of public rights-of-way with the use of binoculars and spotting scopes. The following NOREAS biologists either performed the field work and/or contributed to data analysis: Brent Helm PhD, Mark Noyes MS, Eric Dugan PhD, Richard White MS, Jeff Alvarez BS, Lenny Malo MS, Lincoln Hulse BS, Erin Serra BS, and Ken Hashagen BS.

5.0 RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 50–75 degrees Fahrenheit, and winds fluctuating from 0 to 15 miles per hour. CTS assessments were performed on the following dates: 17 and 18 December 2014, 25 and 26 March, 16 and 17 April, 16 May, 7 and 8 June, 2015.

The Project Site predominately consists of upland non-native vegetation, grasslands, and developed and disturbed land cover types (Figure 3). Targeted CTS field evaluations and analysis have occurred within representative portions of the study area since 1999. This has been done to account for variations in local weather patterns, and to safeguard that field investigations were adequate to maximize the potential for detecting CTS. The literature reviews; comprehensive field investigations; and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies. Given the size of the Project Site, there are relatively few aquatic habitats within it (Figure 4).

No CTS aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site. This is likely a result of the substantial ground disturbance (i.e., grading, disking, and deep ripping) associated with crop cultivation and numerous other anthropogenic undertakings that have occurred within the study area (e.g., freeways, paved roads, aqueducts and other infrastructure related appurtenances). Additionally, soils within the Project Site are generally very well drained, which contributes to the short hydro periods of the few isolated, small, shallow, seasonal depressions that support ponding water for a few weeks out of the frost free growing season – as opposed to the 10 weeks required for successful CTS larval development. This is evidenced by a lack of hydrologic indicators (e.g., rack lines, biotic crusts, and salt deposits) and a general lack of hydrophytic vegetation within the Project Site with the exceptions; hydrophytes indicative of short hydroperiods (e.g., including Italian ryegrass [*Festuca perennis*] and Mediterranean barley [*Hordeum marinum ssp. gussoneanum*]) were detected. Ephemeral features within the Project site are presumed to convey fast flowing water during and immediately following storm events; but they lack of drop pools or other lands that could pond water for sufficient durations of time to support CTS larval development. Even concrete-lined stock ponds within the Project Site that are supplemented by pumped-well water have high-walls (>2 feet tall) around them, that would preclude CTS from utilizing it as breeding habitat.

The nearest historic CTS record in the surrounding area is from 1992; and it consists of 1 adult male along the edge of Corral Hollow Road - near the extreme southwestern limits of the Project Site. It should also be noted that these lands are not proposed for development to minimize adverse effects to special status species and their habitats. Nonetheless, there are lands within the southwestern portion of the Project Site that could be used by CTS as potential refuge or as low quality overland dispersal habitats for adults. These areas value as adult CTS refuge or dispersal habitat is inconsequential because they are isolated from known aquatic breeding habitats within the vicinity; and are severely movement constrained (i.e., topography, freeways, paved roads, aqueducts, lack of appropriate cover or exposure to desiccation, disked fields) within the study area. With deference to Corral Hollow Creek, it's bordered to the west by an extremely steep slope that transitions into a vertical cliff. This leaves limited area along Corral Hollow Road accessible to potential migrating or dispersing individuals moving away from aquatic habitats within the creek. The Project Site does not include designated critical habitat for CTS either (USFWS 2015, Figure 5). Appendix A includes a Photograph Log.

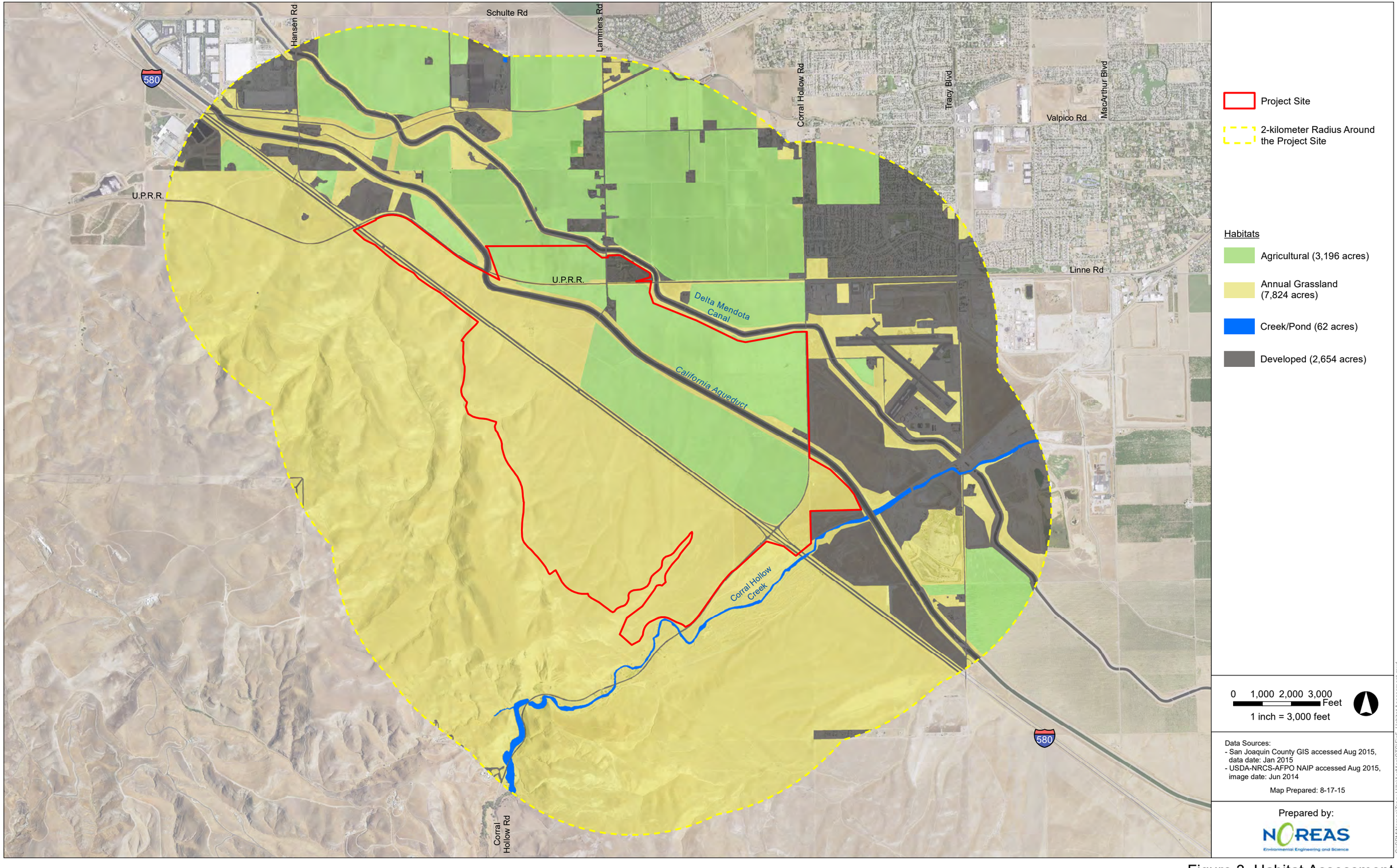


Figure 3. Habitat Assessment

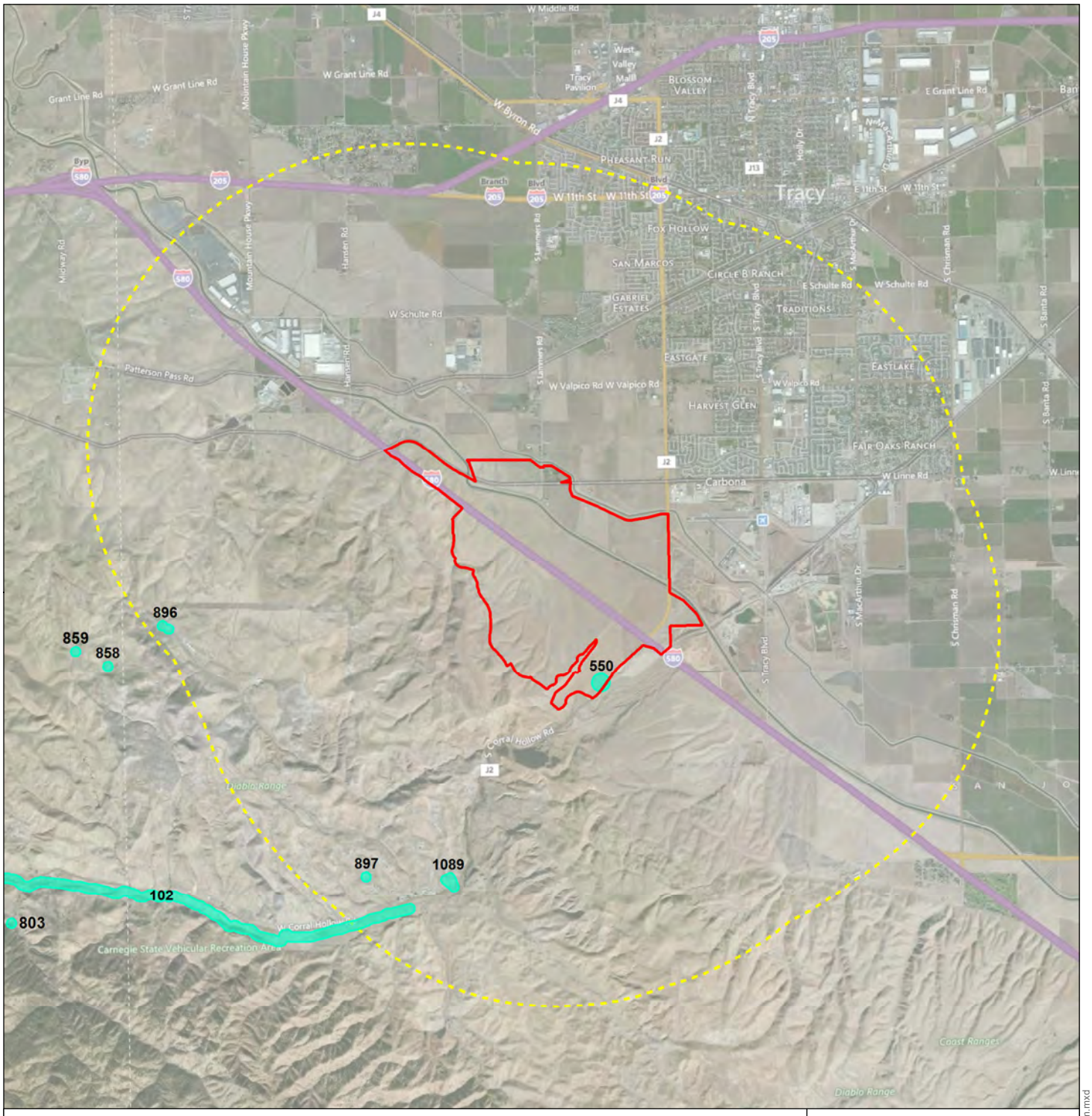


Figure 4. CTS Occurrences within 5 Kilometers of the Project Site

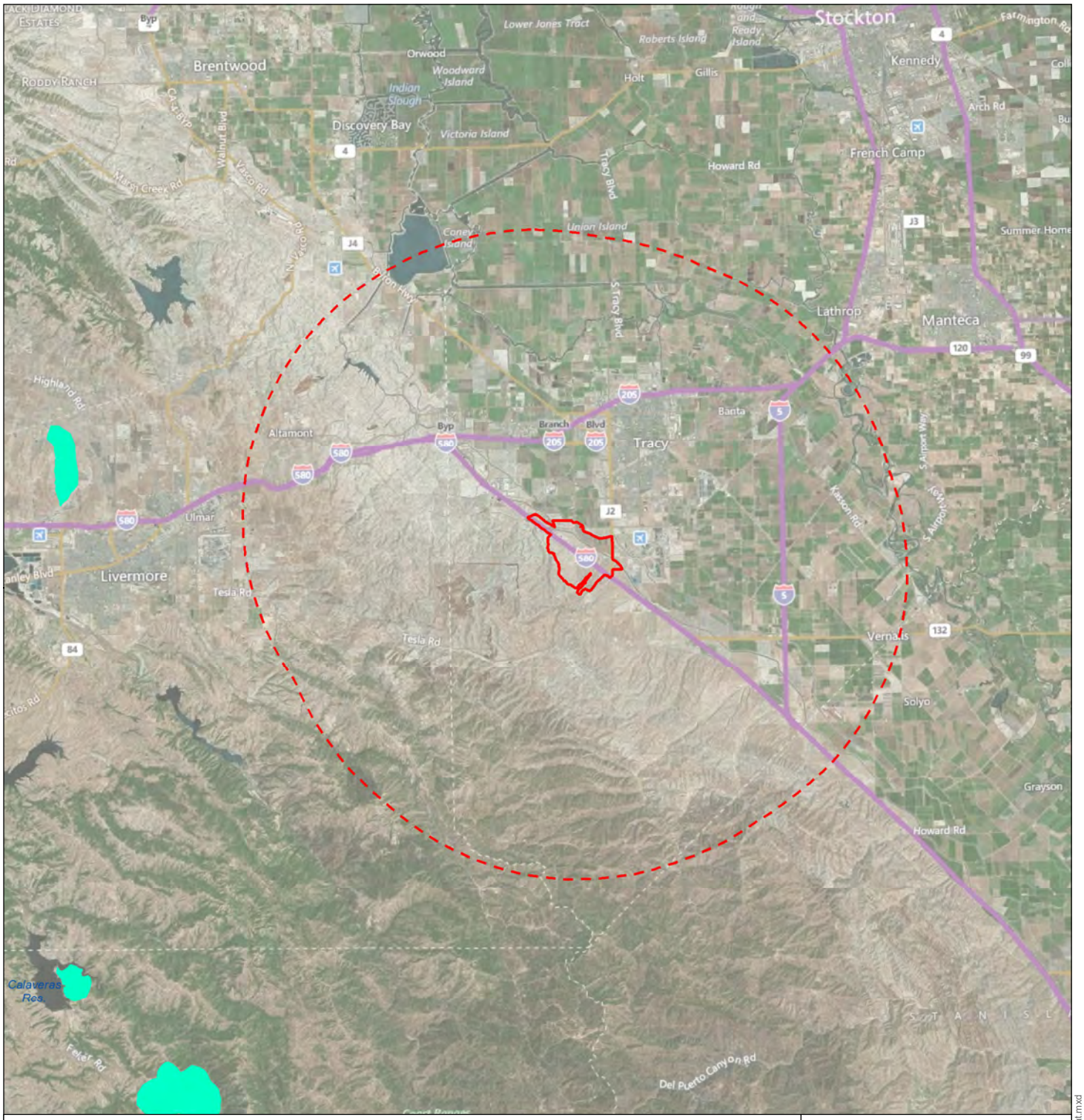


Figure 5. Critical Habitat

6.0 CONCLUSIONS

The Project Site has been exposed to substantial ground disturbance (i.e., grading, disking, tilling and deep ripping) associated with agricultural activities, crop cultivation and numerous other anthropogenic undertakings that have occurred within the study area (e.g., freeways, paved roads, aqueducts and other infrastructure related appurtenances) that have greatly reduced the lands ability to support breeding and dispersing CTS. No CTS aquatic breeding habitat has ever been detected within the Project Site; and only low quality severely constrained CTS dispersal habitat is present. The more factors that constrain CTS breeding habitats and movement corridors, the less likely individuals are to occur, or continue to occur within a specific locale. Given the lack of breeding habitat and movement constrained overland dispersal habitat within the Project Site, the likelihood of CTS successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CTS are not uncommon south of the Project, and within the approximately 3,500-acre open space conservation easement which abuts the study area.

Given that these findings are consistent with other assessments for CTS within the study area, the Project would not be expected to result in the loss of individual CTS, or adversely affect local or regional populations of them. Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, as impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity are maintained within the region with deference to CTS. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to CTS as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. With the implementation of the measures detailed within Section 7.0 of this report, there is no presumption that the Project would result in the take[3] of CTS, or the loss of valuable breeding habitat.

[3] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

7.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to CTS that have the potential to occur within the study area:

- Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support CTS, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If CTS is detected within portions of the study area proposed for development, then avoidance and minimization measures specific to CTS will be incorporated into the Project as necessary to reduce impacts to CTS to less-than significant.

- Temporary construction disturbances to California tiger salamander habitat will be minimized to the extent practicable. All Project-related vehicle traffic will be restricted to established roads, and construction areas.

- A qualified biologist will be on site during all activities that may result in the take of CTS. The biologist will be given the authority to stop any work that may result in the take of this listed species.

- The biologist will be responsible for ensuring that the exclusion fence installed around occupied CTS habitat inspected before the start of each day and remains intact until project construction is complete.

- Plastic monofilament netting (erosion control matting) or similar material will not be used for erosion control or other purposes around occupied CTS habitat because they may become entangled or trapped in it. Acceptable substitutes include coconut coir matting or tackified hydroseeding.

- The project proponent or its contractor will implement BMPs to prevent sediment from entering suitable California tiger salamander habitat through the use of silt fencing and sterile hay bales.

- A worker training program that includes the California tiger salamander will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.

- A speed limit of 20 miles per hour (mph) will be observed within construction areas, particularly on rainy nights when California tiger salamanders are most likely to be moving between their breeding ponds and upland habitat. To the extent possible, nighttime construction will be minimized. Off-road traffic outside designated construction areas will be prohibited.

- To prevent entrapment of California tiger salamanders during construction, any trenches, holes, or other excavations into which California tiger salamander could fall and become trapped will be covered. The opening will be completely covered at the end of each workday.

8.0 REFERENCES

Berryman Ecological LLC. 2010. Biological Resources on the Tracy 580 Business Park Property.

California Department of Fish and Game (CDFG). 2003. Interim Guidance on Conducting Site Assessments and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander.

California Department of Fish and Wildlife (CDFW). 2015. California Natural Diversity Database maintained by the California Department of Fish and Wildlife.

California Herps. 2013. A Guide To The Amphibians And Reptiles Of California.

Foothill Associates. 2004. Habitat Management Plan - Tracy Hills Project.

ICF International. 2011. Preserve Management Plan for the Tracy 580 Business Park Preserve.

Loredo, I., and D. Van Vuren. 1996. Reproductive ecology of a population of the California tiger salamander.

LSA Associates, Inc. (LSA). 1999. Habitat Conservation Plan for Lakeside Tracy Development.

Microsoft Corporation. 2015. Bing Maps Aerial Imagery. Redmond, WA.

NOREAS, Inc. (NOREAS). 2015. General Biological Resources Assessment for the Tracy Hills Project.

Stebbins and McGinnis 2012. A field guide to western reptiles and amphibians. Revised Edition. Houghton Mifflin Company. Boston, MA.

United States Geological Service (USGS). 1980. 7.5-Minute Quadrangle Tracy, California.

_____. 1986. 7.5-Minute Quadrangle Midway, California.

U.S Fish and Wildlife Service. 2004 August 4. 50 CFR 17. Endangered and threatened wildlife and plants; determination of threatened status for the California tiger salamander; and special rule exemption for existing routine ranching activities. Federal Register 69:47212-47248.

_____. 2015a. Critical Habitat Portal.

_____. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List for San Joaquin County.

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. California Aqueduct is a anthropogenic feature that functions as a high movement constraint for CTS based on the steep sided walls and swift flowing water (facing west).
	Photograph: 2. Due to a lack of vegetation and shallow depths, this feature does not provide breeding habitat to CTS (facing southwest).

	Photograph: 3. Agricultural tilling removes potential underground burrows and creates uneven terrain that is difficult for adult CTS to traverse (facing east).
	Photograph: 4. Illustration of the large cliff/steep-sloped area southeast of the Project near Corral Hollow Creek. Due to the steep sides of this topographic feature, dispersing CTS would not be able to reach the Project Site (facing north).

APPENDIX H
2015 Tracy Hills Project San Joaquin Kit Fox Survey

DRAFT

TRACY HILLS PROJECT

September 2015

San Joaquin Kit Fox Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By

16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section		Page
1.0	EXECUTIVE SUMMARY	1-1
2.0	INTRODUCTION AND PROJECT LOCATION	2-1
3.0	BACKGROUND INFORMATION ON SAN JOAQUIN KIT FOX	3-1
4.0	METHODS	4-1
5.0	SURVEY RESULTS	5-1
6.0	IMPACTS AND RECOMMENDATIONS	6-1
7.0	REFERENCES	7-1

FIGURES

Figure 1	Regional Location	1-3
Figure 2	Site Vicinity	1-4
Figure 3	Station Locations	4-1
Figure 4	Spotlight Results	5-2

APPENDICES

Appendix A	2015 Track Station Data
Appendix B	2015 Digital Imaging Station Data
Appendix C	Photograph Log
Appendix D	California Natural Diversity Database Form

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report documents the findings of protocol level San Joaquin Kit Fox (*Vulpes macrotis mutica*) surveys for the Project. For the purposes of this report, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) (Figure 2). Six land cover types were observed within the study area in 2015: agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats.

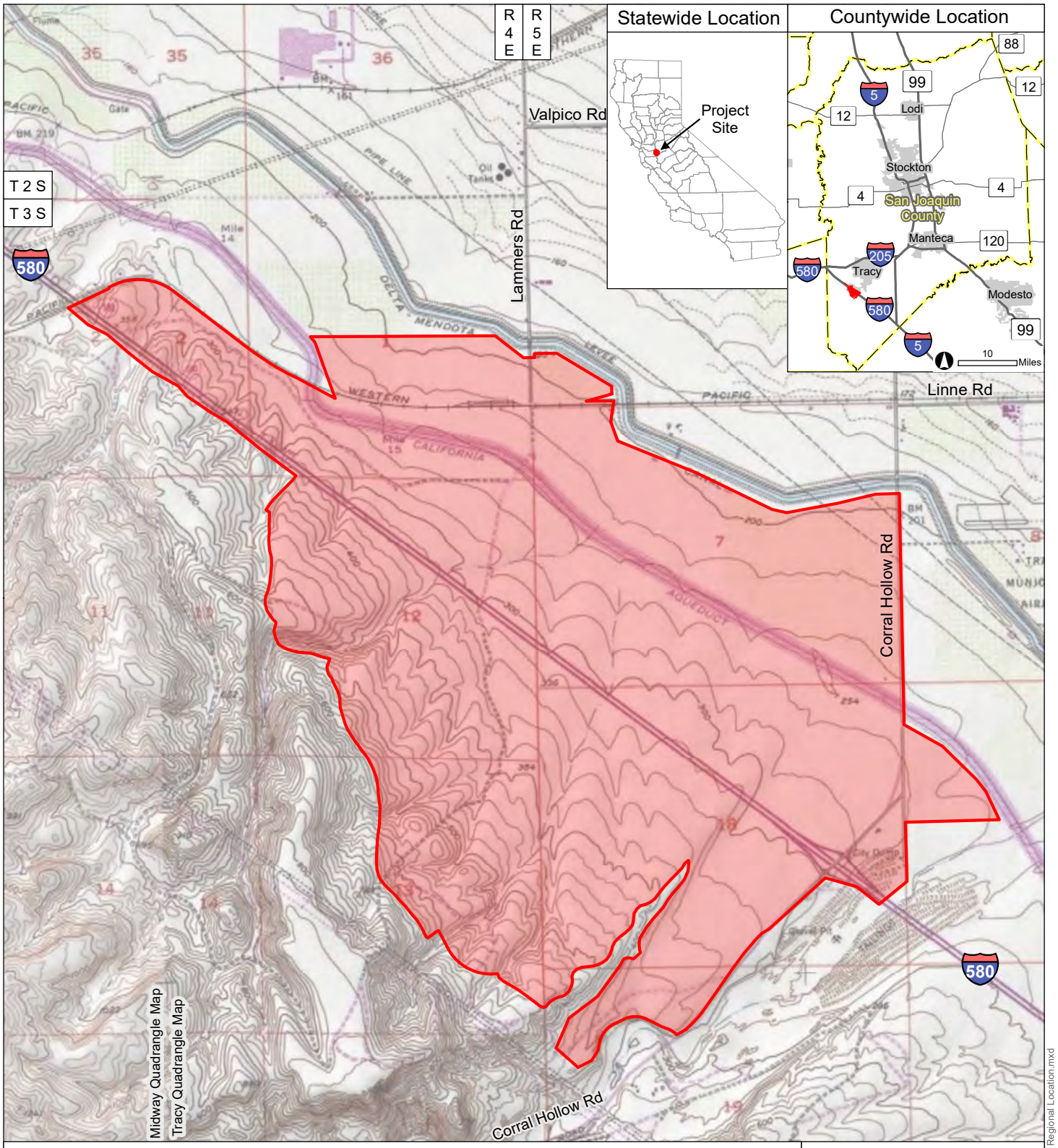
Targeted field surveys and analysis have occurred within representative portions of the study area for more than 25 years. This has been done to account for variations in local weather patterns, and to safeguard that field surveys were adequate to maximize the potential for detecting San Joaquin Kit Fox. The literature reviews; comprehensive field investigations by credentialed and experienced mammalogists; 4 consecutive years of concentrated canine San Joaquin Kit Fox scat detection census activities; and 2015 pedestrian survey results indicate that the small mammal population within the study area has not changed significantly from those documented in past studies over a quarter of a century. The study area is in the northern portion of the range of San Joaquin Kit Fox. As the range extends northward, reported observations of kit fox become fewer and fewer.

No San Joaquin Kit Fox breeding, non-natal or natal den complexes have ever been detected within the study area. No atypical, natal, or known San Joaquin Kit Fox dens have ever been located during surveys of the Project Site either. Although the study area is large in total size – it has very low species richness and diversity, and lacks high quality habitats for San Joaquin Kit Fox. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial rodent population. More specifically, no San Joaquin Kit Fox camera stations or track stations have ever documented the species within the study area.

Nonetheless, during 2015 spotlighting surveys a single San Joaquin Kit Fox was observed. The animal was foraging within the fenced right-of-way of the California Aqueduct; not within the Project Site. This observation lasted approximately 20 seconds, as the fox ultimately moved along the California Aqueduct's gravel security road in a southern direction until it was out of site. No other San Joaquin Kit Fox has ever been detected within the study area. Given the low quality habitat present (i.e., limited rodent population, depauperate landscape, competition and territorialism among other mammals within the study area [i.e., coyote]), the likelihood of San Joaquin Kit Fox successfully establishing a natal den our utilizing the Project Site as valuable foraging habitat is negligible. Although little can be concluded from a single observation of one animal, it is conceivable – albeit unlikely, that the California Aqueduct is functioning as a movement corridor for a small number of San Joaquin Kit Fox. Observations of the species are not uncommon south of Corral Hollow Road and within the approximately 3,500-acre open space conservation easement which abuts the study area.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis

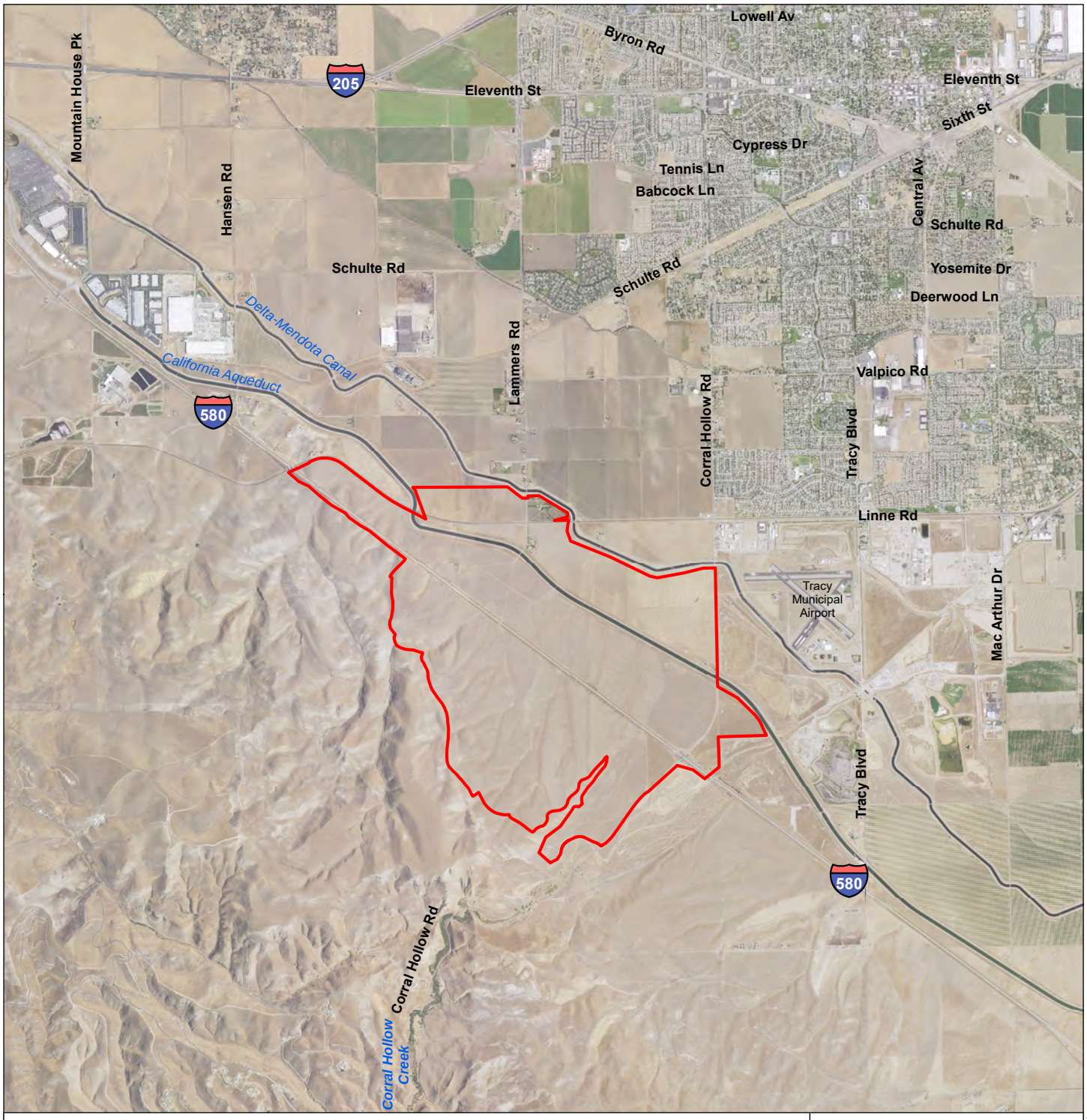
The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support San Joaquin Kit Fox. The data collected and analyzed herein also suggests that there is extremely low potential for San Joaquin Kit Fox to recruit into the Project Site. Given that targeted surveys for San Joaquin Kit Fox have been negative within the Project Site for roughly a quarter century, the Project would not be expected to result in the loss of individual San Joaquin Kit Fox, or adversely affect local or regional populations of them. Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, and impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity are maintained within the region with deference to San Joaquin Kit Fox. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to San Joaquin Kit Fox as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. Furthermore, the Project does not alter the ultimate land use in any way that would adversely affect the cohesiveness and quality of the surrounding lands ability to sustain their stated ecological and conservation purposes.



The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

Figure 1. Regional Location



Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

Map Prepared: 8-11-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SJKFIFig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS, Inc. was retained to review historic small mammal census data and conduct protocol level San Joaquin Kit Fox surveys for the Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-minute quadrangle map; and Sections 1, 2, 12 and 13 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy U.S. Geological Survey 7.5 minute quadrangle map (USGS 1980).

The primary objective of the literature review and field surveys was to determine the presence – or to confirm the presumed absence of, San Joaquin Kit Fox and their den complexes within Project boundaries. For the purposes of this document, the "study area" includes the entirety of the Project's possible proposed ground disturbance footprint (Figure 2). Therefore, the study area includes all lands likely to be affected directly by the Project, and is limited to those locales associated with proposed ground disturbances – with few exceptions (e.g., locales within the road right-of-way of the 580 Interstate Highway and the fenced right-of-way and access roads of the California Aqueduct).

3.0 BACKGROUND INFORMATION ON SAN JOAQUIN KIT FOX

The San Joaquin Kit Fox is one of the eight recognized subspecies of kit fox. It resembles a small lanky dog in appearance, is cat-size, and has disproportionately large ears. Total length is about 32 inches, including a 12-inch black-tipped tail. Coloration ranges from light buff to grayish along the back and tail; gray, rust, or yellowish along the sides with white along the belly.

Kit fox dens are typically excavated in loose soil and individual animals may utilize from multiple separate dens. The number of den entrances vary, and they may extend into several individual tunnels and chambers reaching depths of 10 feet. Man-made structures such as culverts and pipes may also be used as dens. The den entrance is characteristically higher than wide, and is sufficiently small to prevent access by large carnivores such as coyotes and dogs. The den entrance holes are generally about 6 to 10 inches in height and less than 8 inches in width, but may be as small as 4 inches in width.

Burrows of other animals particularly California Ground Squirrel, may also be enlarged and utilized as den sites. Although occupied dens commonly show freshly excavated soil, scats, and prey remains, such obvious sign may be inconspicuous or absent. Kit fox forage and live in an area of 1 to 2 square miles. San Joaquin Kit Fox typically hunt for rodents, rabbits, and other prey by night. Typical prey include California Ground Squirrel, Audubon's Cottontail, Black-tailed Hare, kangaroo rats, pocket mice, other small mammals, insects, and ground-nesting birds. Mating occurs in December to January. Pups are born in February to March, and begin to disperse at around five months of age. Survival rates of pups are low, about 75 percent of them die before the age of eight months.

The kit fox is distributed over a large portion of central California, extending roughly from southeastern Contra Costa County south along the eastern edge of the Interior Coast Range to the southern San Joaquin Valley - including major portions of western Kern County and Tulare County. Kit fox are also distributed through adjacent valleys, foothills, and plains, including portions of San Luis Obispo County, Monterey County, and the Santa Clara Valley on the western side of the Interior Coast Range. Mortality to kit fox has been documented from attacks by coyotes, road kills, shooting, drowning, entombment, pneumonia, and starvation. Additionally, widespread use of rodenticides may result in mortality, since kit fox are extremely vulnerable to secondary poisoning through consumption of poisoned ground squirrels or other scavenged rodents.

4.0 METHODS

Prior to beginning pedestrian based field surveys in 2015, mammalogists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of wildlife that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, field census and analysis activities have occurred within representative portions of the study area for more than 25 years. The primary materials reviewed included, but were not limited to, the following:

- Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, California (LSA 1989);
- Evaluation of a Proposed Corridor for the San Joaquin Kit Fox in the Tracy Hills Development (Jones & Stokes Associates, Inc. 1993);
- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999);
- Habitat Management Plan – Tracy Hills Project (Foothill Associates 2004);
- Environmental Assessment for the Tracy Hills Habitat Conservation Plan (Tracy Hills LLC 2004);
- Tracy Hills San Joaquin Kit Fox Analysis (Berryman Ecological LLC 2006);
- Tracy Triangle San Joaquin Kit Fox Surveys, Project #2689-01 (H.T. Harvey & Associates 2006);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California (Working Dogs for Conservation Foundation 2011, 2012, 2013 and 2014);
- United States Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

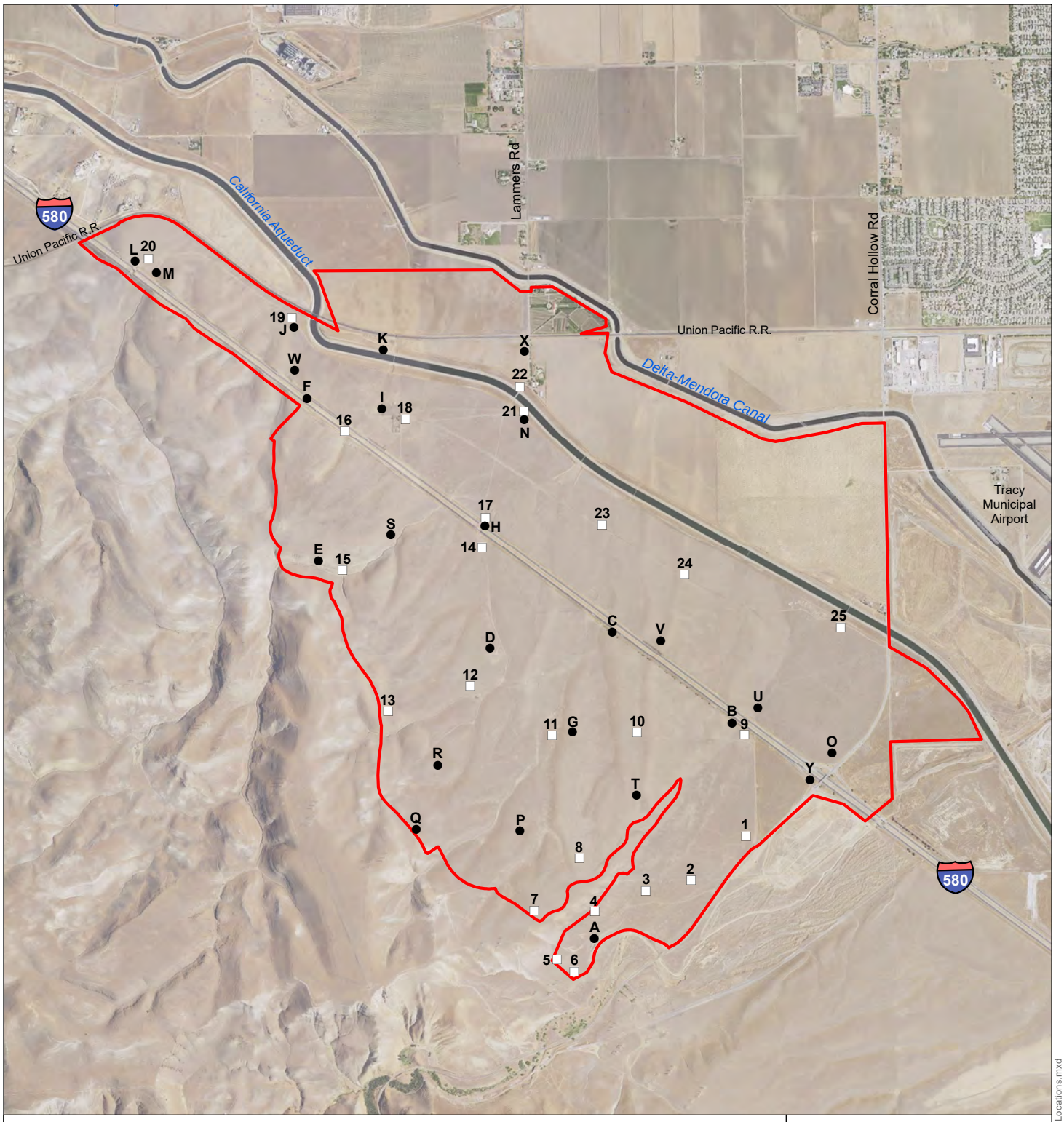
To support the analysis, pedestrian-based field surveys were performed. San Joaquin Kit Fox survey methods were derived from the most current versions of resource agency's recommended survey guidelines for the species[2]; and those special terms and conditions outlined within Jeff A. Alvarez's Federal 10(a)1(A) Recovery Permit and State Scientific Collecting Permit. As such, the study area was slowly and methodically inspected for drainages, wildlife trails, water sources, potential wildlife corridors, waterway crossings, and other micro-habitats that could encourage *Canidae* visitation. The

[2] California Department of Fish and Game 1990 Survey Methodologies for San Joaquin Kit Fox, and the U.S. Fish and Wildlife Service 1999 San Joaquin Kit Fox Survey Protocol For The Northern Range Prepared By The Sacramento Fish And Wildlife Office

aforementioned locales and a series of objectively selected sites, were then chosen for installation of either 1 of 25 digital infrared imaging stations (camera stations), or 1 of 25 wildlife track stations. Digital imaging and track stations were placed separately in areas that included gates, bends in fences (i.e., corners), concentrations of rodent burrow complexes, and were combined with natural and artificial corridors where mammals would be presumed to forage, rest, disperse, breed or otherwise visit (Figure 3). Track and digital imaging stations were baited with canned cat food and refreshed on a daily basis.

Track stations consisted of a 1-square yard area covered in bentonite clay powder, and were visited by biologists on a daily basis. Sign detected was read, recorded and cleared daily. This form of track station is preferable to metal plates, because they don't heat up to more than 150 degrees Fahrenheit during the day. Digital imaging stations included a stake-mounted motion detection infrared camera, and were also visited frequently to refresh bait, download data, check and change batteries. Track and digital imaging stations were maintained for 11 consecutive days in May of 2015, and an additional 6 days following spotlighting surveys.

Spotlighting activities occurred along passable roads within the study area for 10 consecutive nights in May of 2015 as well. Spotlighting was performed beside paved and unpaved roads that were open and accessible within 2-miles of the Project Site to the greatest extent practical (i.e., private property, high-speed roadways and freeways curtailed the amount of lands that could be spotlighted outside of the study area). Due to the limited area outside of the Project Site that could be spotlighted, some portions of the proposed Project were spotlighted twice each night. In order to decrease the potential disturbance to foraging wildlife from the survey effort, the roads that were spotlighted a second time in the same night were alternated with other roads on successive days; such that two passes over a single road in one night did not occur on two consecutive evenings. Spotlighting was conducted by senior-level biologists who have observed San Joaquin Kit Fox - while spotlighting, in the Carrizo Plain within the last 18 months. Surveyors used separate 750,000 candlelight illumination which was directed out either side of a moving vehicle. When animals were encountered, both biologists made independent identifications of the individual, using 8x40 power binoculars or a spotting scope, data was recorded and mapped. Burrow and den complex census activities were performed on foot. Burrows were detected, recorded and mapped. Location of high densities rodent colonies were a focal point for image and tract stations.



Project Site

Station Locations

A Camera

1 Track Station

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- San Joaquin County GIS accessed Aug 2015, data date: Jul 2014
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

Map Prepared: 8-11-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SJKF\Fig3. Station Locations.mxd

Figure 3. Station Locations

5.0 SURVEY RESULTS

Weather conditions during the 2015 May surveys included cloudy to clear skies, temperatures ranging from 52–94 degrees Fahrenheit, and winds fluctuating from 0 to 20 miles per hour. Surveys were performed on the following dates in 2015: 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 May and 01, 02 and 03 June.

Four hundred and twenty five digital imaging station nights and 425 track station nights of census were performed within the study area in 2015. Track stations detected 12 distinct wildlife species, which included only a single member of the *Canidae* family (i.e., coyote [*Canis latrans*]) (Appendix A). All track stations contained sign during almost every daily visit – with the vast majority of tracks being left by coyote and various rodents. Digital imaging stations produced identifiable photographs of 4 unique species, with a single canid species ass well (i.e., coyote) (Appendix B). Nineteen of the 25 camera stations produced 0 photographs, despite being fully charged, operational and functional.

The study area is in the northern portion of the range of San Joaquin Kit Fox. As the range extends northward, reported observations of kit fox become fewer and fewer. No San Joaquin Kit Fox breeding, non-natal or natal (pups are present) den complexes have ever been detected within the study area. No atypical, natal, or known San Joaquin Kit Fox dens have ever been located during surveys of the Project Site either. Although the study area is large in total size – it has very low species richness and diversity, and lacks high quality habitats for San Joaquin Kit Fox. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial rodent population. More specifically, no San Joaquin Kit Fox camera stations or track stations have ever documented the species within the study area.

Spotlighting surveys produced 10 observations of coyote. Additionally, 4 unknown canids were observed along the California Aqueduct. It is presumed that these 4 individuals were the non-native Red Fox (*Vulpes vulpes*), but observations were extremely brief and not confirmed by both surveyors - which resulted in a classification of "unknown canid." A single San Joaquin Kit Fox was observed by two distinct biologists in May of 2015 with binoculars during spotlighting surveys[3] (Figure 4). The animal was foraging within the fenced right-of-way of the California Aqueduct; not within the Project Site. This observation lasted approximately 20 seconds, as the fox ultimately moved along the California Aqueduct's gravel security road in a southern direction until it was out of site. No other San Joaquin Kit Fox has ever been detected within the study area.

Given the low quality habitat present (i.e., limited rodent population, depauperate landscape, competition and territorialism among other mammals within the study area [i.e., coyote]), the likelihood of San Joaquin Kit Fox successfully establishing a natal den or utilizing the Project Site as valuable foraging habitat is negligible. Although little can be concluded from a single observation of one animal, it is conceivable – albeit unlikely, that the California Aqueduct is functioning as a movement corridor for a small number of San Joaquin Kit Fox. Observations of the species are not uncommon south of Corral Hollow Road and within the approximately 3,500-acre open space conservation easement which abuts the study area. Appendix C includes representative photographs of the study area. A California Natural Diversity Database Form associated with the San Joaquin Kit Fox is provided within Appendix D.

[3] Howard O. Clark, JR in 2007 authored "*Analysis of San Joaquin Kit Fox Element Data with The California Diversity Database: A Case For Data Reliability*" which is a publication that evaluated a subset of existing spotlighting census efforts detailed within the Diversity Database and determined that spotlighting may be less reliable compared to other forms of surveys because it relies on observations made under poor lighting conditions.

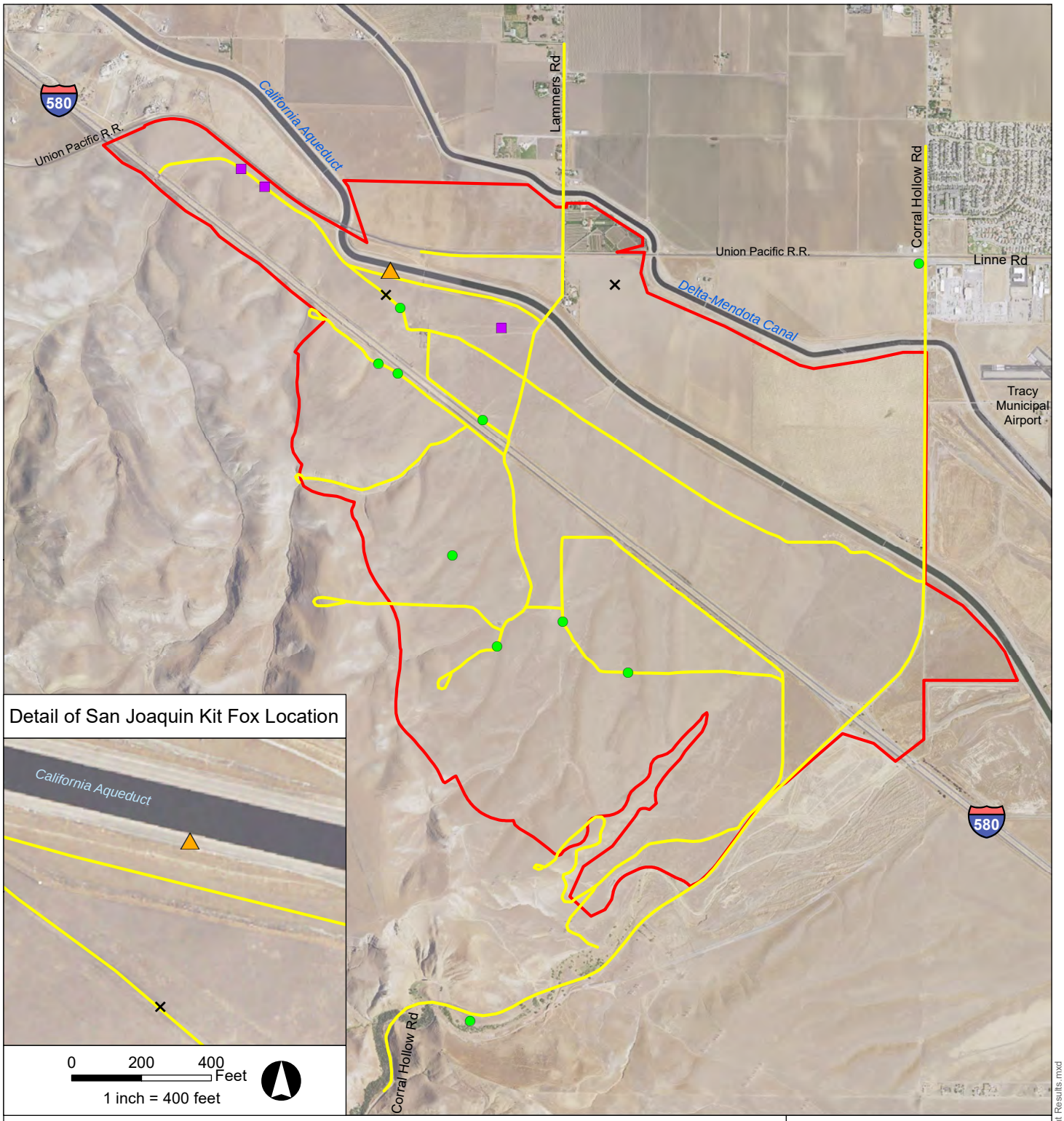


Figure 4. Spotlight Results

6.0 IMPACTS AND RECOMMENDATIONS

The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support San Joaquin Kit Fox. The data collected and analyzed herein also suggests that there is extremely low potential for San Joaquin Kit Fox to recruit into the Project Site. Given that targeted surveys for San Joaquin Kit Fox have been negative within the Project Site for roughly a quarter century, the Project would not be expected to result in the loss of individual San Joaquin Kit Fox, or adversely affect local or regional populations of them.

Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, and impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity that are maintained within the region with deference to San Joaquin Kit Fox. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to San Joaquin Kit Fox as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. Furthermore, the Project does not alter the ultimate land use in any way that would adversely affect the cohesiveness and quality of the surrounding lands ability to sustain their stated ecological and conservation purposes. No atypical, natal, or known dens were located during surveys of the study area. It should be noted however that several burrows appeared to be constructed by an American Badger (*Taxadea taxus*), which was also detected through track stations within the study area. Badgers are known to dig one or more burrows in a day, which will change the quantity, quality, distribution and willingness of San Joaquin Kit Fox to utilize locales within the study area over time.

To that end, the following measures are recommended as a means of further avoiding, minimizing, and reducing adverse effects to San Joaquin Kit Fox within the study area and on adjacent lands to a less-than-significant level.

- Construction operations will be overseen by an appropriately-credentialed biologist (biological monitor), and the Project will implement a worker environmental awareness training program to reduce the Project's potential adverse effects to special status species.
- Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support San Joaquin Kit Fox, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If San Joaquin Kit Fox are detected within portions of the study area proposed for development, then avoidance and minimization measures specific to San Joaquin kit fox will be incorporated into the Project as described in the USFWS "Standard Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbing Activities (1999)" and the USFWS "San Joaquin Kit Fox Habitat Evaluation Forms (2001)" to reduce impacts to this species to less-than-significant. This measure is specific Area B and C.
- Project-related construction vehicles will observe a daytime speed limit of 20-miles per hour, except on County roads and State and Federal highways.
- Night-time construction will be minimized to the greatest extent feasible. However if it does occur, then the speed limit will be reduced to 10-miles per hour.
- Off-road traffic outside of designated Project areas undergoing construction will be prohibited.
- To prevent inadvertent entrapment of small mammals during construction, excavated, steep-walled holes or trenches more than 2-feet deep will be covered at the close of each

working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks will be installed. Before such holes or trenches are filled, they will be thoroughly inspected for trapped wildlife. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW will be contacted.

- Construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored within Project limits for one or more overnight periods will be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS and CDFW has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
- Use of rodenticides and herbicides within Project limits will be restricted. Uses of such compounds will observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide or an equivalent material will be used because of a lower adverse health risk to kit fox.

7.0 REFERENCES

Berryman Ecological LLC. 2006. Tracy Hills San Joaquin Kit Fox Analysis.

_____. 2010. Biological Resources on the Tracy 580 Business Park Property.

California Department of Fish and Wildlife (CDFW). 2015. RareFind. California Department of Fish and Game, Natural Diversity Database (CNDDB). Sacramento, CA: California Department of Fish and Game, Biogeographic Data Branch.

Foothill Associates. 2004. Habitat Management Plan – Tracy Hills Project.

Howard O. Clark, JR. 2007. Analysis of San Joaquin Kit Fox Element Data with The California Diversity Database: A Case For Data Reliability.

H.T. Harvey & Associates. 2006. Tracy Triangle San Joaquin Kit Fox Surveys, Project #2689-01.

ICF International. 2011. Preserve Management Plan for the Tracy 580 Business Park Preserve.

Jones & Stokes Associates, Inc. 1993. Evaluation of a Proposed Corridor for the San Joaquin Kit Fox in the Tracy Hills Development.

LSA Associates, Inc. (LSA). 1989. Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, California.

_____. 1999. Habitat Conservation Plan for Lakeside Tracy Development.

Microsoft Corporation. 2015. Bing Maps Aerial Imagery. Redmond, WA.

NOREAS, Inc. (NOREAS). 2015. General Biological Resources Assessment for the Tracy Hills Project.

Tracy Hills LLC. 2004. Environmental Assessment for the Tracy Hills Habitat Conservation Plan.

U.S. Geological Survey (USGS). 1980. 7.5-Minute Quadrangle Tracy, California.

_____. 1986. 7.5-Minute Quadrangle Midway, California.

United States Fish and Wildlife Service (USFWS). 2015a. Critical Habitat Portal.

_____. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List.

_____. 1999. Standard Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbing Activities.

_____. 2001. San Joaquin Kit Fox Habitat Evaluation Forms.

Working Dogs for Conservation Foundation. 2011. Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California.

_____. 2012. Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California.

_____. 2013. Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California.

_____. 2014. Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California.

APPENDIX A

2015 TRACK STATION DATA

APPENDIX A

2015 TRACK STATION DATA

Track Station	Coyote (*Canis latrans*)	San Joaquin Kit Fox (*Vulpes macrotis mutica*)	Feral Cat	Striped Skunk (*Mephitis mephitis*)	American Badger (*Taxidea taxus*)	Black-Tailed Hare (*Lepus californicus*)	Desert Cottontail (*Sylvilagus audubonii*)	Heerman's Kangaroo Rat (*Dipodomys heermanni*)	California Ground Squirrel (*Otospermophilus beecheyi*)	Other Rodent	American Crow (*Corvus brachyrhynchos*)	Unknown	Cattle
1	X		X		X					X			
2	X												
3								X		X	X		
4	X			X		X							
5	X												
6	X			X	X	X	X						
7	X												
8											X		
9										X	X		
10										X	X		
11	X												
12											X		
13	X												
14	X												
15	X											X	
16			X		X				X	X	X		
17	X					X	X			X	X	X	
18								X		X	X		X
19						X	X			X			
20						X		X					
21	X									X			
22										X			
23	X					X						X	
24	X									X			
25	X					X							

APPENDIX B

2015 DIGITAL IMAGING STATION DATA

APPENDIX B

2015 DIGITAL IMAGING STATION DATA

Image Station	No Data	Coyote (*Canis latrans*)	Red Fox (Vulpes vulpes)	San Joaquin Kit Fox (*Vulpes macrotis mutica*)	Striped Skunk (*Mephitis mephitis*)	American Badger (*Taxidea taxus*)	Black-Tailed Hare (*Lepus californicus*)	Desert Cottontail (*Sylvilagus audubonii*)	Heerman's Kangaroo Rat (*Dipodomys heermanni*)	California Ground Squirrel (*Otospermophilus beecheyi*)	American Crow (*Corvus brachyrhynchos*)	Cattle
A	X											
B	X											
C											X	
D	X											
E	X											
F		X										
G		X								X		
H	X											
I												X
J	X											
K		X										
L	X											
M												X
N												X
O	X											
P	X											
Q	X											
R	X											
S	X											
T	X											
U	X											
V	X											
W	X											
X	X											
Y	X											

APPENDIX C

PHOTOGRAPH LOG

APPENDIX C

PHOTOGRAPH LOG

	Photograph: 1. Camera station.
	Photograph: 2. Track Station

APPENDIX C

PHOTOGRAPH LOG

	Photograph: 3. Coyote and cottontail tracks.
	Photograph: 4. Coyote tracks.

APPENDIX D

CALIFORNIA NATURAL DIVERSITY DATABASE FORM

Mail to:
California Natural Diversity Database
California Dept. of Fish & Wildlife
1416 9th Street, Suite 1266
Sacramento, CA 95814
Fax: (916) 324-0475 email: CNDDB@wildlife.ca.gov

Date of Field Work (mm/dd/yyyy): 05/26/2015

For Office Use Only
Source Code: _____ Quad Code: _____
Elm Code: _____ Occ No.: _____
EO Index: _____ Map Index: _____

Clear Form

California Native Species Field Survey Form

Print Form

Scientific Name: *Vulpes macrotis mutica*

Common Name: San Joaquin kit fox

Species Found? (●) Yes ( ) No _____ If not found, why?

Total No. Individuals: 1 Subsequent Visit? ( ) Yes (●) No

Is this an existing NDDB occurrence? _____ Yes, Occ. # [X] No [ ] Unk.

Collection? If yes: _____ Number _____ Museum / Herbarium

Reporter: NOREAS Inc.
Address: 16361 Scientific Way
Irvine, California 92618
E-mail Address: lincoln.hulse@noreasinc.com
Phone: 949-467-9116

Plant Information

Phenology:

_____ % vegetative _____ % flowering _____ % fruiting

Animal Information

1 # adults _____ # juveniles _____ # larvae _____ # egg masses _____ # unknown

[ ] wintering [ ] breeding [ ] nesting [ ] rookery [ ] burrow site [ ] lek [X] other

Location Description (please attach map AND/OR fill out your choice of coordinates, below)

County: San Joaquin Landowner / Mgr: Unknown

Quad Name: Tracy Elevation: 260

T 3 S R 4 E Sec 1 , SW 1/4 of ___ 1/4, Meridian: H ( ) M (●) S ( ) Source of Coordinates (GPS, topo. map & type): GPS

T ___ R ___ Sec ___ , ___ 1/4 of ___ 1/4, Meridian: H ( ) M ( ) S ( ) GPS Make & Model: Garmin

DATUM: **NAD27** ( ) **NAD83** (●) **WGS84** ( ) Horizontal Accuracy: 3 meters meters/feet

Coordinate System: UTM Zone 10 (●) UTM Zone 11 ( ) ***OR*** Geographic (Latitude & Longitude) ( )

Coordinates: Northing 4173077, Easting 633323

Habitat Description (plants & animals) *plant communities, dominants, associates, substrates/soils, aspects/slope:*
Animal Behavior *(Describe observed behavior, such as territoriality, foraging, singing, calling, copulating, perching, roosting, etc., especially for avifauna):*

During 2015 spotlighting surveys a single San Joaquin Kit Fox was observed. The animal was foraging within the fenced right-of-way of the California Aqueduct. This observation lasted approximately 20 seconds, as the fox ultimately moved along the California Aqueduct's gravel security road in a southern direction until it was out of site.

Please fill out separate form for other rare taxa seen at this site.

Site Information Overall site/occurrence quality/viability (site + population): ( ) Excellent ( ) Good ( ) Fair (●) Poor

Immediate AND surrounding land use: California Aqueduct right-of-way.

Visible disturbances: _____

Threats: _____

Comments:

Determination: *(check one or more, and fill in blanks)*

- [X] Keyed (cite reference): Jameson and Peeters 2004
- [ ] Compared with specimen housed at: _____
- [ ] Compared with photo / drawing in: _____
- [X] By another person (name): Jeff Alvarez
- [X] Other: Mathew Kline

Photographs: *(check one or more)*

	Slide	Print	Digital
Plant / animal	[ ]	[ ]	[ ]
Habitat	[ ]	[ ]	[X]
Diagnostic feature	[ ]	[ ]	[ ]

May we obtain duplicates at our expense? (●) yes ( ) no

APPENDIX I

2015 Tracy Hills Project Swainson's Hawk Survey

DRAFT

TRACY HILLS PROJECT

September 2015

Swainson's Hawk Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By

16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section		Page
1.0	EXECUTIVE SUMMARY	1-1
2.0	INTRODUCTION AND PROJECT LOCATION	2-1
3.0	SWAINSON'S HAWK BACKGROUND	3-1
4.0	METHODS	4-1
5.0	SURVEY RESULTS	5-1
6.0	RECOMMENDATIONS	6-1
7.0	REFERENCES	7-1

FIGURES

Figure 1	Regional Location	1-1
Figure 2	Site Vicinity	1-2
Figure 3	Occurrences within 5 Miles of the Study Area	5-2
Figure 4	Survey Results	5-3

APPENDICES

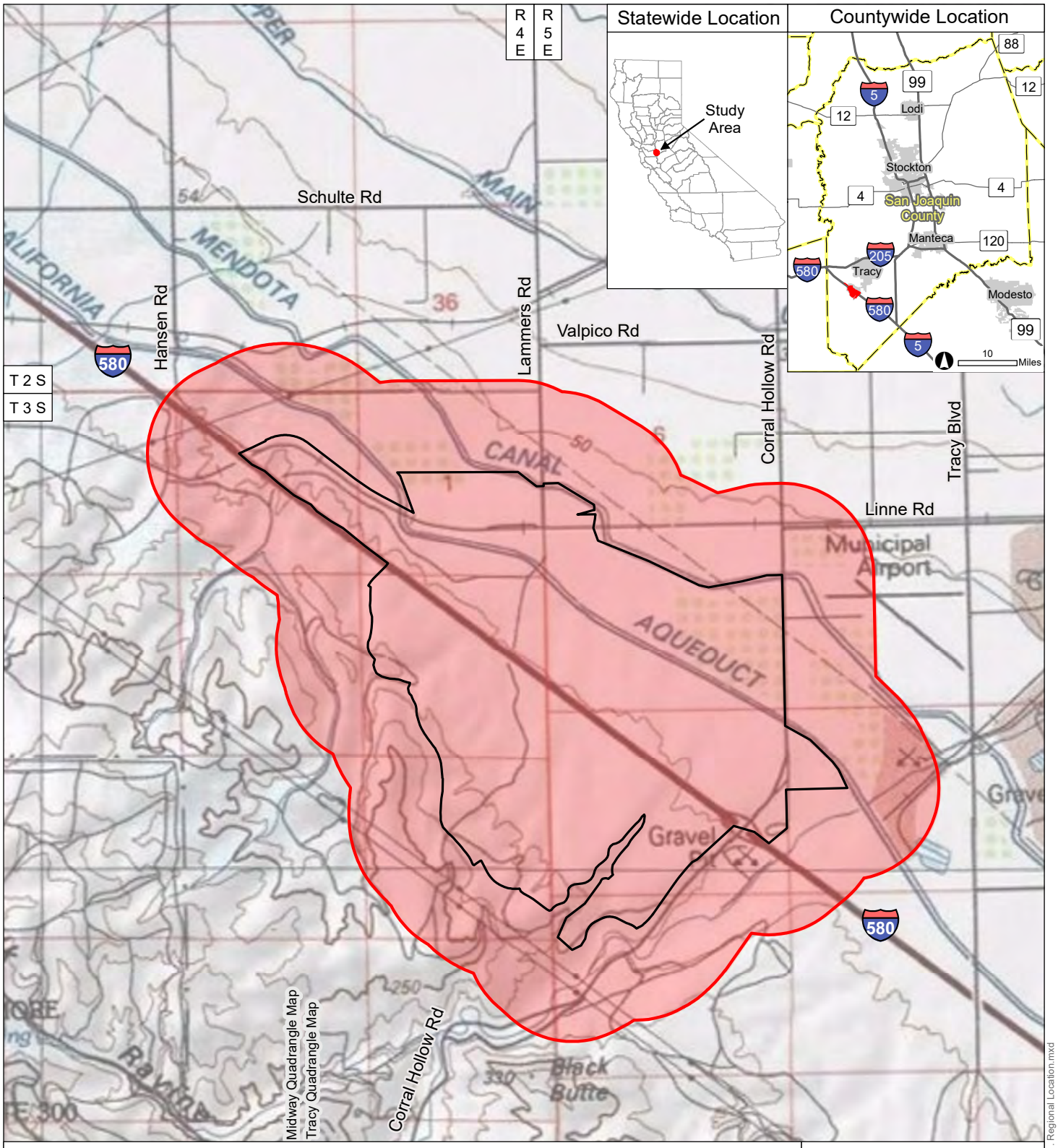
Appendix A	Photograph Log
Appendix B	Avian Compendium
Appendix C	California Natural Diversity Database Form

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools, and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions, and results of protocol surveys for Swainson's Hawk (*Buteo swainsoni*). Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site), and a ½-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats.

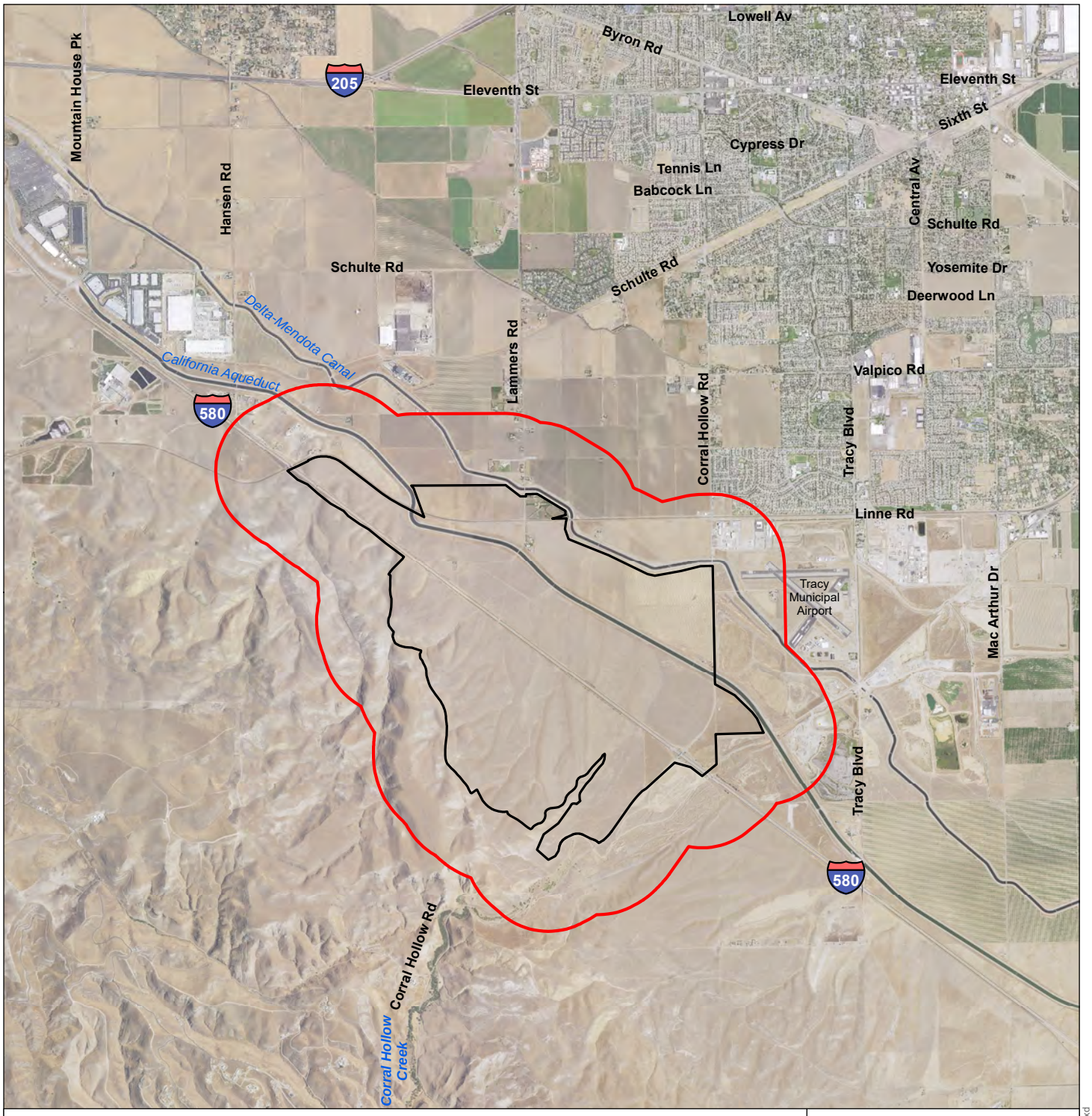
Pedestrian-based field surveys for raptors have been conducted from 2010 through the summer of 2015 within discrete portions of the study area to ascertain the presence or absence of special-status species. The results indicate that the biological resources detected within the study area have not changed significantly over the last half decade. The nearest Swainson's Hawk nest location in the vicinity of the Project is from 2012; and the nest is roughly 1.9 miles from the study area (Figure 3). Although the study area is large in total size, it has very low species richness and diversity, and lacks high quality nesting and foraging habitats for Swainson's Hawk. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial prey population for raptors. More specifically, one unpaired Swainson's Hawk was detected soaring and sitting on a remnant/abandoned nest within the study area in 2015. The abandoned nest was positioned in a Eucalyptus tree, situated within the road right-of-way of Interstate Highway 580, outside of Project Site boundaries (Figure 4). This individual hawk was never observed actively nesting and no mate was detected during any of the 2015 survey events. Given the low quality habitat present (i.e., limited prey base, depauperate landscape, competition, and territorialism among other nesting raptors), the likelihood of Swainson's Hawk successfully nesting or utilizing the Project Site as valuable foraging habitat is negligible as much higher quality habitats are available within the region.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.



The Study Area is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 2 South, Range 4 East, Sections 35 and 36;
Township 3 South, Range 4 East, Sections 1-3, 11-14 and 24; and
Township 3 South, Range 5 East, Sections 5-8, and 17-20.
Center coordinates for the Study Area are: 37.680702, -121.476315.

Figure 1. Regional Location



Study Area (6,525 acres which includes a 0.5-mile buffer and the Project Site)

Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-30-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SWHA\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic raptor census data and conduct a protocol level Swainson's Hawk survey for the proposed Project in 2015. The Project occurs in Sections 5, 6, 7, 8, 17, 18, 19, and 20 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 3, 11, 12, 13,14 and 24 of Township 3 South, and Range 4 East and Sections 35 and 36 Township 2 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and the 2015 field surveys was to determine the presence – or to confirm the presumed absence of - Swainson's Hawk within the study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a ½-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the proposed project itself (Figure 2).

3.0 SWAINSON'S HAWK BACKGROUND

The Swainson's Hawk breeds in open habitats in western North America from Alaska south to Mexico. In California, it is found mainly in the Central Valley, Klamath Basin, Northeastern Plateau, and Mojave Desert. It winters primarily in southern South America, and Mexico, but a few winter in California, the southwestern U.S., and Florida. It is absent from most of its former range in California, where its population has declined by more than 90 percent (CDFG 1994). In California, Swainson's Hawk usually arrives in March and leave in September or October.

This species forages in grassland or areas of sparse trees or shrubs, and often forages in agricultural areas in the Central Valley. It nests in scattered trees within these habitats, particularly those along waterways. During the breeding season, it feeds primarily on small mammals and reptiles. During other seasons, large insects (e.g., dragonflies) are the bulk of its diet. The following vegetation types are considered small mammal and insect foraging habitat for Swainson's Hawk: alfalfa; fallow fields; beet, tomato, and other crops, dry-land and irrigated pasture, rice land (when not flooded), and cereal grain crops (including corn after harvest) (CDFG 1994).

Irrigated agricultural lands (e.g., alfalfa and hay) are widely recognized as an essential element of viable Swainson's Hawk foraging habitat, and hawks are highly dependent upon it to support their prey populations. Irrigated agricultural lands support the abundant small mammal (i.e., pocket gophers and voles) and the invertebrate prey base that Swainson's Hawks need to subsist. Alfalfa production – and other similar low-growing row or field crops contribute substantial amounts of nitrogen to the soil; high nitrogen content promotes invertebrate growth and increases their protein content. Alfalfa production also supports high densities of voles and pocket gophers. Swainson's Hawks subsequently exploit the prey base typical of irrigated agricultural lands with limited effort; the regular harvesting and irrigating makes prey items available for capture with decreased energy expenditure.

4.0 METHODS

Prior to beginning pedestrian-based field surveys in 2015, raptor specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of avian resources that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, raptor field census and analysis activities have occurred within representative portions of the study area for more than 5 years. Accordingly, the primary materials reviewed included, but were not limited to, the following:

- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010a);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015);
- Aerial Photographs (Microsoft Corporation 2015);
- Home Range and Habitat Use of Breeding Swainson's Hawks in California. Journal of Raptor Research 29:193–197 (Babcock 1995);
- Effect of Vegetative Cover on Foraging Site Selection by Swainson's Hawk. Condor 84:153–159 (Bechard 1982);
- Biology, movements, and habitat relationships of the Swainson's Hawk in California (Estep 1989); and
- Foraging by Swainson's Hawks on the landscape (Swolgaard et al. 2008).

Survey methods were derived from generally accepted professional standards including the 2000 Recommended Timing and Method for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). Surveys were conducted in a manner that maximized the potential to observe adult Swainson's Hawks, as well as their nests and chicks. Field surveys were conducted when weather conditions were conducive to observing birds. Surveys were not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Census activities were conducted within a ½ mile of the Project Site. All avian species detected were noted. When a raptor was detected, either binoculars or a spotting scope was employed to identify the species. Behavior was also noted. The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. Avian scientific nomenclature and common names follows Sibley (2000). Where access was limited, observations were made from the nearest appropriate vantage points within public rights-of-way. The following NOREAS biologists either performed the field work and/or contributed to data analysis: John Sterling BS, Brian Latta BS, Richard White MS, Lenny Malo MS, Lincoln Hulse BS, Erin Serra BS, Ken Hashagen BS, Eric Dugan PhD, Brent Helm PhD, and Wayne Woodroof MS.

5.0 SURVEY RESULTS

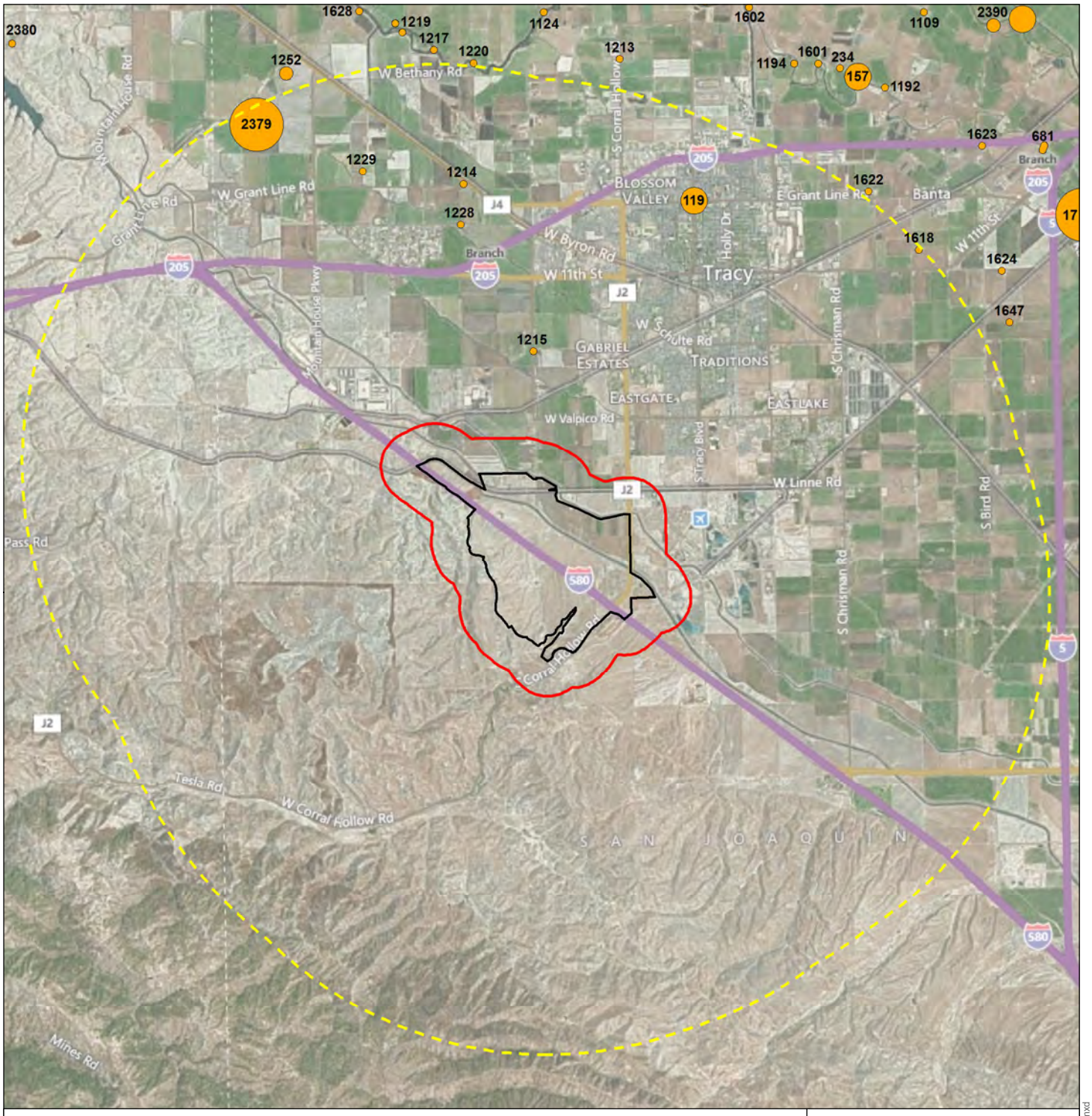
Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 65–90 degrees Fahrenheit, and winds fluctuating from 0 to 15 miles per hour. Swainson's Hawk surveys were performed on the following dates: 14, 15, 16, 17, 18, 19, 24, 25, and 26 March, 17, 18, 23, 24, 25, 26, 27, and 30 April, 5, 6, 7, 8, 9, 10, 11, 12, and 15 May, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, and 30 June, 5, 6, 7, 8, 9, 10, 11, and 12 July 2015.

The study area predominately consists of non-native vegetation, grasslands, developed and disturbed land cover types. It is assumed that any species currently using these locales are acclimated to the disturbance regime present (i.e., existing livestock and grazing activities). The nearest Swainson's Hawk nest record location in the vicinity of the Project is from 2012 and is roughly 1.9 miles from the study area (Figure 3). Although the study area is large in total size, it has very low species richness and diversity and lacks high quality nesting and foraging habitats for Swainson's Hawk. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a sufficient density of biomass to support a substantial prey population for raptors. Great-Horned Owls (*Bubo virginianus*) and other species of raptors were detected nesting within the study area. Due to competition and territorialism, Swainson's Hawk will typically not nest immediately adjacent to another raptor.

To that end, one unpaired Swainson's Hawk was detected soaring and sitting on a remnant/abandoned nest within the study area in 2015 (Figure 4). The abandoned nest was positioned in a Eucalyptus tree – situated within the road right-of-way of Interstate Highway 580, outside of the Project Site boundaries. This individual hawk was never observed actively nesting and no mate was detected during any of the 2015 survey events. Given the low quality habitat present (i.e., limited prey base, depauperate landscape, competition, and territorialism among nesting raptors), the likelihood of Swainson's Hawk successfully nesting or utilizing the Project Site as valuable foraging habitat is negligible; much higher quality habitats are available within the region.

As a consequence of poor-quality habitat and existing protections to Swainson's Hawk in the area, it has been determined that the Project is not likely to adversely affect the species. With the implementation of the measures detailed within Section 6.0 of this report, there is no presumption that the Project would result in the take[2] of Swainson's Hawk, loss of valuable functional habitat within the area, nor that it would adversely affect local or regional populations of them. Appendix A includes representative photographs of the study area, and Appendix B includes a list of avian species detected in 2015. A California Natural Diversity Database Form associated with the Swainson's Hawk abandoned nest is provided within Appendix C.

[2] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.



Study Area

Project Site

5-Mile Radius Around the Study Area

Swainson's Hawk Nest with Occurrence Number

0 1 2 Miles

1 inch = 2 miles

Data Sources:
- Bing accessed Aug 2015
- California Department of Fish and Wildlife, California Natural Diversity Database, Jul 2015 data release
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

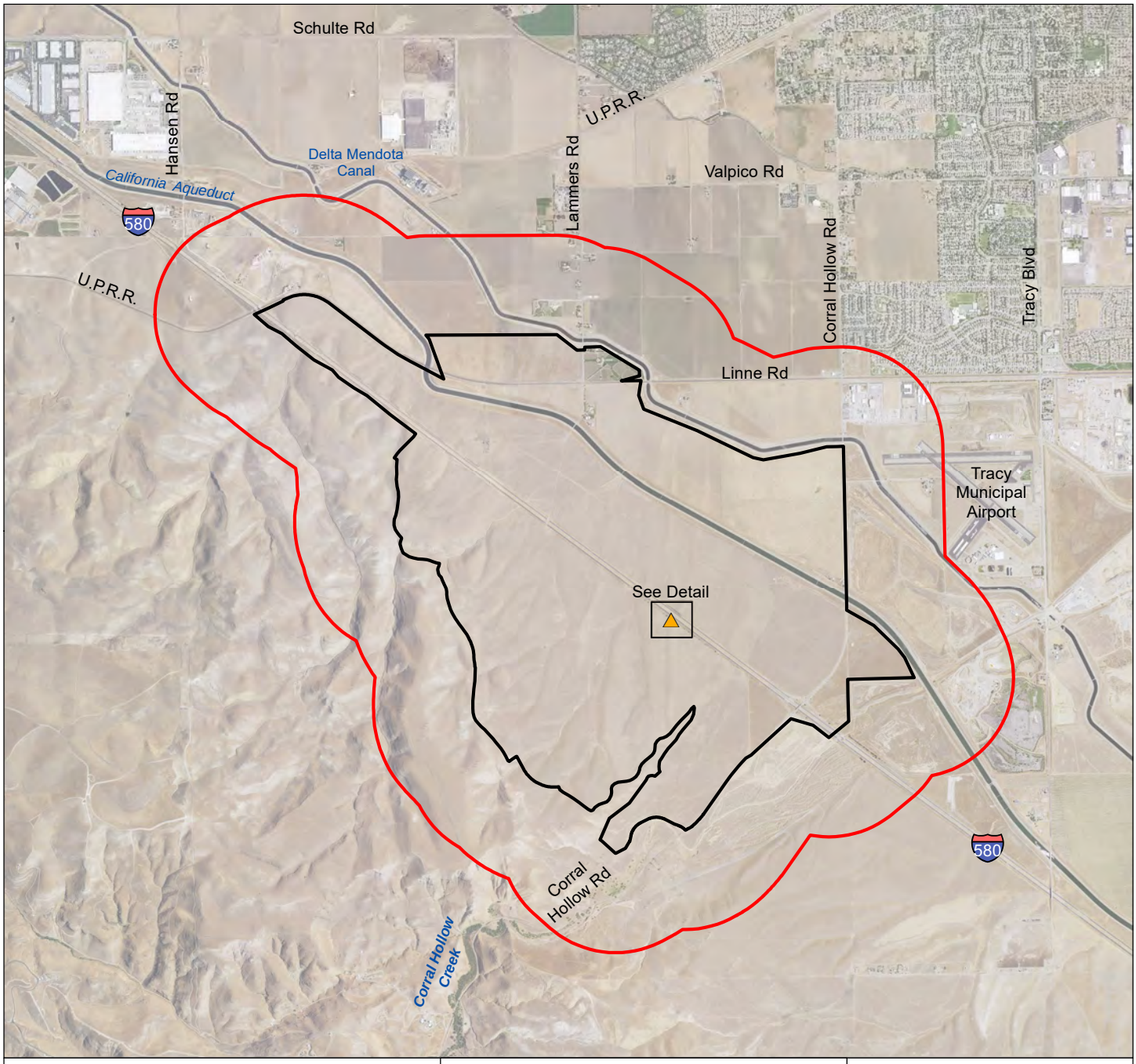
Map Prepared: 8-12-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SWHA\Fig3. Occurrences.mxd

Figure 3. Occurrences within 5 Miles of the Study Area



Study Area

Project Site

Abandoned Swainson's Hawk Nest

Detail

0 200 Feet

1 inch = 400 feet

0 2,000 4,000 Feet

1 inch = 4,000 feet

Data Sources:
- San Joaquin County GIS accessed Aug 2015, data date: Jan 2015
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: Jun 2014

Map Prepared: 8-12-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SWHA\Fig4. Survey Results.mxd

Figure 4. Survey Results

6.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to nesting raptors that have the potential to occur within the study area:

- Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support Swainson's Hawk, pre-activity clearance surveys shall be initiated by a qualified biologist to reinforce positive or negative findings with substantial evidence. If Swainson's Hawk is detected within portions of the Project Site proposed for development, then avoidance and minimization measures specific to Swainson's Hawk will be incorporated into the Project as described in the 2012 California Department of Fish and Wildlife (CDFW) Staff Report on Mitigation for Impacts to Swainson's Hawk to reduce impacts to Swainson's Hawk to less-than significant.

- If an active nest site is found within the Project Site, the Project will allow sufficient foraging and fledging area to maintain the nest.

- The Project will not remove historic or known Swainson's Hawk nest trees unless avoidance measures are determined to be infeasible. Removal of such trees should occur only during the timeframe of October 1 and the last day in February.

7.0 REFERENCES

Babcock. 1995. Home Range and Habitat Use of Breeding Swainson's Hawks in California. Journal of Raptor Research 29:193–197

Bechard. 1982. Effect of Vegetative Cover on Foraging Site Selection by Swainson's Hawk. Condor 84:153–159

Berryman Ecological LLC. 2010a. Biological Resources on the Tracy 580 Business Park Property.

California Department of Fish and Game. 1994. State Fish and Game Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California.

California Department of Fish and Wildlife. 2015. California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);

Estep. 1989. Biology, movements, and habitat relationships of the Swainson's Hawk in California

ICF International. 2011. Preserve Management Plan for the Tracy 580 Business Park Preserve.

Microsoft Corporation. 2015. Bing Maps Aerial Imagery. Redmond, WA.

NOREAS, Inc. (NOREAS). 2015. General Biological Resources Assessment for the Tracy Hills Project.

Sibley, D.A. 2000. The Sibley Guide to Birds. Random House Press, New York, New York. 201 pp.

Swainson's Hawk Technical Advisory Committee (SHTAC). 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys for the California Central Valley.

Swolgaard, Reeves, and Bell. 2008. Foraging by Swainson's Hawks on the landscape

United States Geological Service (USGS). 1980. 7.5-Minute Quadrangle Tracy, California.

_____. 1986. 7.5-Minute Quadrangle Midway, California.

United States Fish and Wildlife Service (USFWS). 2015a. Critical Habitat Portal.

_____. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List for San Joaquin County.

APPENDIX A

PHOTOGRAPH LOG

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. Location of abandoned Swainson's Hawk nest in a Eucalyptus tree – situated within the road right-of-way of Interstate Highway 580, outside of Project Site boundaries.
	Photograph: 2. Swainson's hawk was observed perched on left tree and abandoned nest was identified within the tree on the right.

APPENDIX B

AVIAN COMPENDIUM

APPENDIX B

Scientific name	Common name
Avian Compendium	
Athene cunicularia	Burrowing Owl
Buteo jamaicensis	Red-Tailed Hawk
Buteo swainsoni	Swainson's Hawk
Carpodacus mexicanus	House Finch
Cathartes aura	Turkey Vulture
Corvus brachyrhynchos	American Crow
Corvus corax	Common Raven
Circus cyaneus	Northern Harrier
Eremophila alpestris	Horned Lark
Euphagus cyanocephalus	Brewer's Blackbird
Falco mexicanus	Prairie Falcon
Falco sparverius	American Kestrel
Hirundo rustica	Barn Swallow
Icterus bullockii	Bullock's Oriole
Lanius ludovicianus	Loggerhead Shrike
Mimus polyglottos	Northern Mockingbird
Myiarchus cinerascens	Ash-throated Flycatcher
Passer domesticus	House Sparrow
Passerculus sandwichensis	Savannah Sparrow
Salpinctes obsoletus	Rock Wren
Sayornis saya	Say's Phoebe
Streptopelia decaocto	Eurasian Collared Dove
Sturnus vulgaris	European Starling
Sturnella neglecta	Western Meadowlark
Tyrannus verticalis	Western Kingbird
Zenaida macroura	Mourning Dove
Zonotrichia leucophrys	White-crowned Sparrow

APPENDIX C

CALIFORNIA NATURAL DIVERSITY DATABASE FORM

Mail to:
California Natural Diversity Database
California Dept. of Fish & Wildlife
1416 9th Street, Suite 1266
Sacramento, CA 95814
Fax: (916) 324-0475 email: CNDDB@wildlife.ca.gov

Date of Field Work (mm/dd/yyyy): 04/23/2015

For Office Use Only
Source Code: _____ Quad Code: _____
Elm Code: _____ Occ No.: _____
EO Index: _____ Map Index: _____

Clear Form

California Native Species Field Survey Form

Print Form

Scientific Name: *Buteo swainsoni*

Common Name: Swainson's Hawk

Species Found? (●) Yes ( ) No _____ If not found, why?

Total No. Individuals: 1 Subsequent Visit? ( ) Yes (●) No

Is this an existing NDDB occurrence? _____ Yes, Occ. # [X] No [ ] Unk.

Collection? If yes: _____ Number _____ Museum / Herbarium

Reporter: NOREAS Inc.
Address: 16361 Scientific Way
Irvine, California 92618
E-mail Address: lincoln.hulse@noreasinc.com
Phone: 949-467-9116

Plant Information

Phenology:

_____ % vegetative _____ % flowering _____ % fruiting

Animal Information

1 # adults _____ # juveniles _____ # larvae _____ # egg masses _____ # unknown

[ ] wintering [ ] breeding [ ] nesting [ ] rookery [ ] burrow site [ ] lek [X] other

Location Description (please attach map AND/OR fill out your choice of coordinates, below)

County: San Joaquin Landowner / Mgr: Unknown

Quad Name: Tracy Elevation: 320

T 3N R 5E Sec 18, NW 1/4 of ___ 1/4, Meridian: H ( ) M (●) S ( ) Source of Coordinates (GPS, topo. map & type): GPS

T ___ R ___ Sec ___, ___ 1/4 of ___ 1/4, Meridian: H ( ) M ( ) S ( ) GPS Make & Model: Garmin

DATUM: **NAD27** ( ) **NAD83** (●) **WGS84** ( ) Horizontal Accuracy: 3 meters meters/feet

Coordinate System: UTM Zone 10 (●) UTM Zone 11 ( ) ***OR*** Geographic (Latitude & Longitude) ( )

Coordinates: Northing 635026, Easting 4171280

Habitat Description (plants & animals) *plant communities, dominants, associates, substrates/soils, aspects/slope:*
Animal Behavior *(Describe observed behavior, such as territoriality, foraging, singing, calling, copulating, perching, roosting, etc., especially for avifauna):*

One unpaired Swainson's Hawk was detected soaring and sitting on a remnant/abandoned nest within a Eucalyptus tree, situated within the road right-of-way of Interstate Highway 580. This individual hawk was never observed actively nesting and no mate was detected during any of the 2015 survey events.

Please fill out separate form for other rare taxa seen at this site.

Site Information

Overall site/occurrence quality/viability (site + population): ( ) Excellent ( ) Good ( ) Fair (●) Poor

Immediate AND surrounding land use: Eucalyptus tree, situated within the road right-of-way of Interstate Highway 580.

Visible disturbances: _____

Threats: _____

Comments:

Determination: *(check one or more, and fill in blanks)*

- [ ] Keyed (cite reference): _____
- [ ] Compared with specimen housed at: _____
- [ ] Compared with photo / drawing in: _____
- [X] By another person (name): John Sterling
- [X] Other: Richard White

Photographs: *(check one or more)*

	Slide	Print	Digital
Plant / animal	[ ]	[ ]	[ ]
Habitat	[ ]	[ ]	[X]
Diagnostic feature	[ ]	[ ]	[ ]

May we obtain duplicates at our expense? (●) yes ( ) no

APPENDIX J

2015 Tracy Hills Project Rare Plant Survey

DRAFT

TRACY HILLS PROJECT

September 2015

Rare Plant Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By

16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section **Page**

1.0 EXECUTIVE SUMMARY 1-1

2.0 INTRODUCTION AND PROJECT LOCATION 2-1

3.0 METHODS 3-1

4.0 BOTANICAL SURVEY RESULTS 4-1
4.1 Vegetation Communities and Land Cover Types 4-1
4.2 Special-Status Plants 4-2

5.0 IMPACTS AND RECOMMENDATIONS 5-1

6.0 REFERENCES 6-1

FIGURES

Figure 1 Regional Location 1-2
Figure 2 Site Vicinity 1-3
Figure 3 Reference Population Map 3-1
Figure 4 Vegetation Communities/Land Cover Types 4-3
Figure 5 Literature Review 4-4
Figure 6 Critical Habitat 4-5
Figure 7 Results 4-6

APPENDICES

Appendix A Photograph Log
Appendix B 2015 Plant Species Observed within the Study Area

1.0 EXECUTIVE SUMMARY

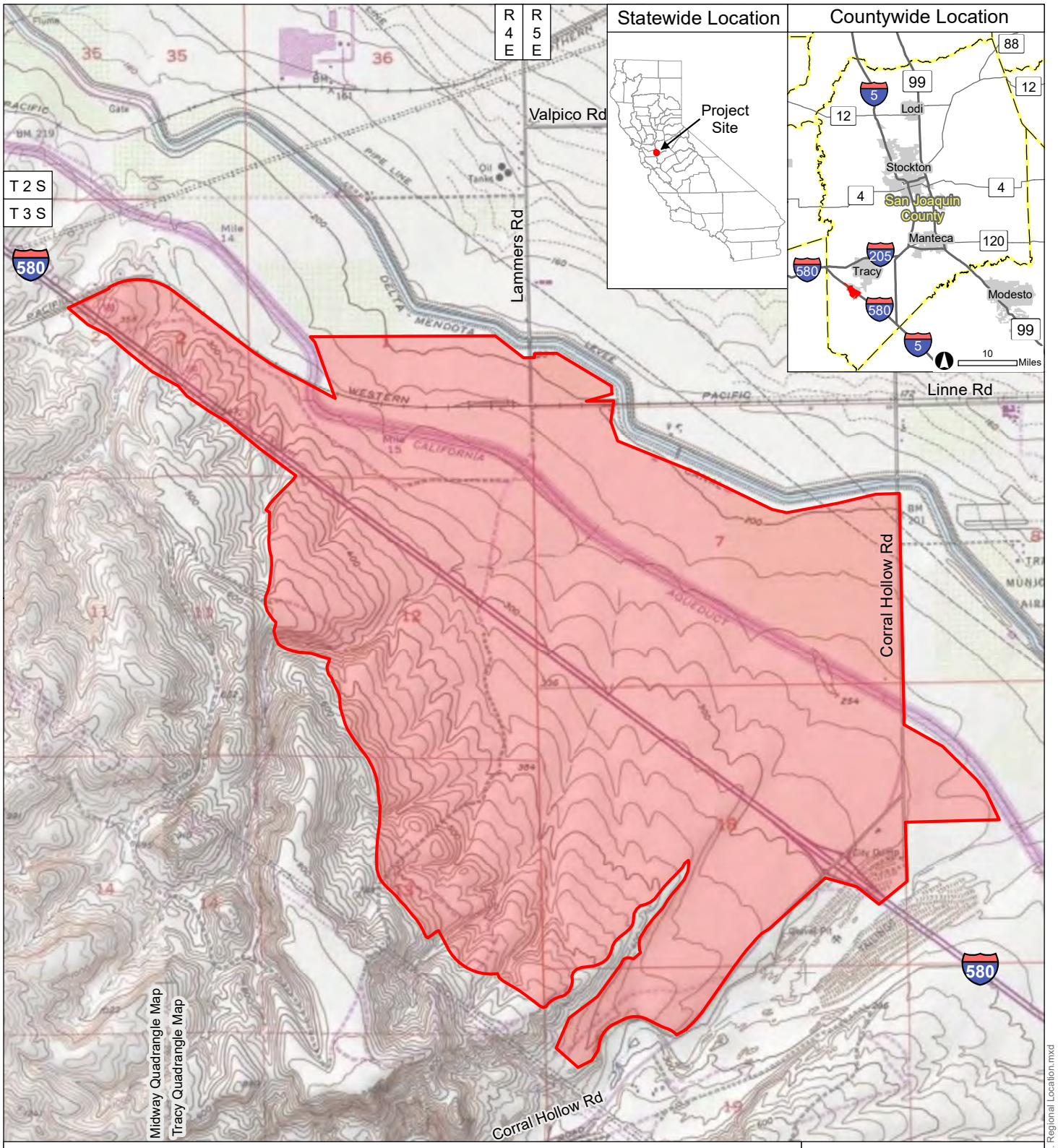
The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report documents the findings of rare[2] plant surveys for the Project. For the purposes of this report, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) (Figure 2). Six land cover types were observed within the study area in 2015: agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats. It should also be noted that the study area is not collocated with any U.S. Fish and Wildlife Service (USFWS)-designated critical habitat for plants.

In-depth botanical field census and analysis activities have occurred within representative portions of the study area for more than 25 years to account for variations in local precipitation patterns; and to safeguard that field surveys were conducted during a year when winter/spring rainfall was adequate, to maximize the potential for detecting rare flora. The literature review and 2015 pedestrian survey results indicate that the flora detected within the study area have not changed significantly from those documented in past studies over roughly quarter of a century. Accordingly, roughly 80% of the 58 plant species detected within the study area during 2015 surveys were non-native plants. Although the Project footprint is large in total size, the study area has very low species richness and diversity; and those lands proposed for development do not support habitat for any State- or Federal-listed plant species. To that end, no state- or federally-listed plant species have been detected during any pedestrian-based biological surveys from 1989 through the current 2015 rare plant surveys. Additionally, no state- or federally-listed plant species have been documented within 1 mile of the Project.

Botanical surveys have been conducted to assess overall baseline conditions and evaluate the study area's ability to support special-status plant species. The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support special status species. The surveys performed have been floristic in nature. No state- or federally-listed plant species have ever been detected during surveys within any portion of the study area. The data collected and analyzed herein also suggests that there is extremely low potential for rare plants to recruit into the Project Site. Given that targeted surveys for rare plants are negative within the study area, the Project would not be expected to result in the loss of individual special status plants or that it would adversely affect local or regional populations of them.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis

[2] For the purposes of this analysis, "rare plants" are defined as any species that have been afforded special protection by federal, state, or local resource agencies (e.g., USFWS, California Department of Fish and Wildlife) or resource conservation organizations (e.g., California Native Plant Society).



Project Site

Urban Area (inset)

County Boundary (inset)

Interstate or State Highway (inset)

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- Bing accessed Jul 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Jul 2015

Map Prepared: 7-15-15

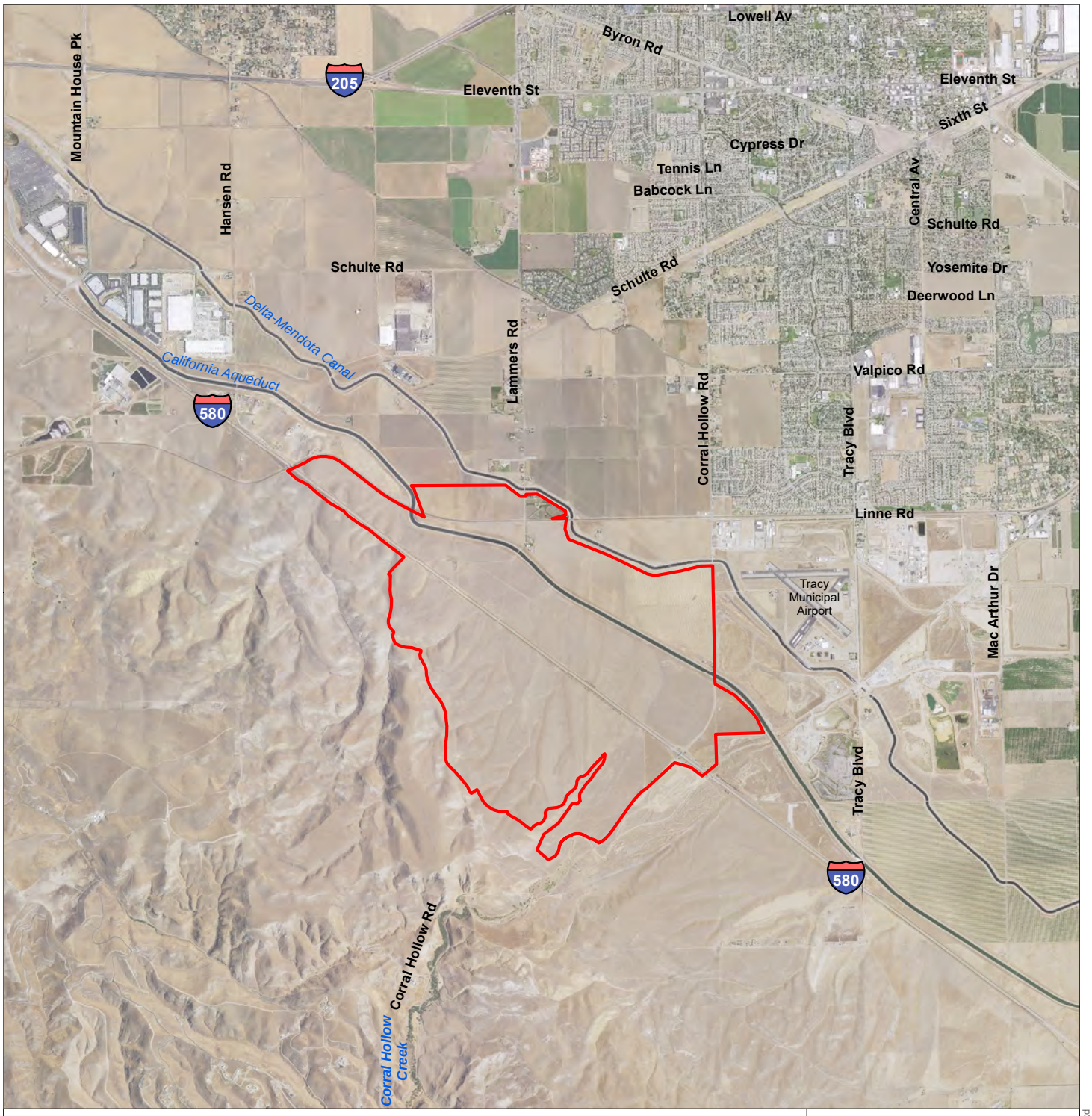
Prepared by:
NOREAS
Environmental Engineering and Science

The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig1. Regional Location.mxd

Figure 1. Regional Location



Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-15-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS, Inc. was retained to review historic floristic census data and conduct rare plant surveys within the development footprint of the proposed Tracy Hills Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-minute quadrangle map; and Sections 1, 2, 12 and 13 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy U.S. Geological Survey 7.5 minute quadrangle map (USGS 1980).

The primary objective of the literature review and field surveys was to determine the presence – or to confirm the presumed absence of, rare plant species and their habitats within Project boundaries. For the purposes of this document, the "study area" includes the entirety of the Project's possible proposed ground disturbance footprint (Figure 2). Therefore, the study area includes all lands likely to be affected directly by the Project, and is limited to those locales associated with proposed ground disturbances.

3.0 METHODS

Prior to beginning pedestrian based field surveys in 2015, botanical specialists were consulted and available information from resource management plans and relevant documents were also reviewed to determine the locations and types of botanical resources that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, botanical field census and analysis activities have occurred within representative portions of the study area for more than 25 years. The primary materials reviewed included, but were not limited to, the following:

- Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, California (LSA 1989);
- Biological Study, Tracy Hills Community, San Joaquin County California (LSA 1991);
- Multi-Species Habitat Management Plan (LSA 1996);
- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999);
- Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- Environmental Assessment for the Tracy Hills Habitat Conservation Plan (Tracy Hills LLC 2004);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010);
- USFWS Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- California Native Plant Society Electronic Inventory (CNPS 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

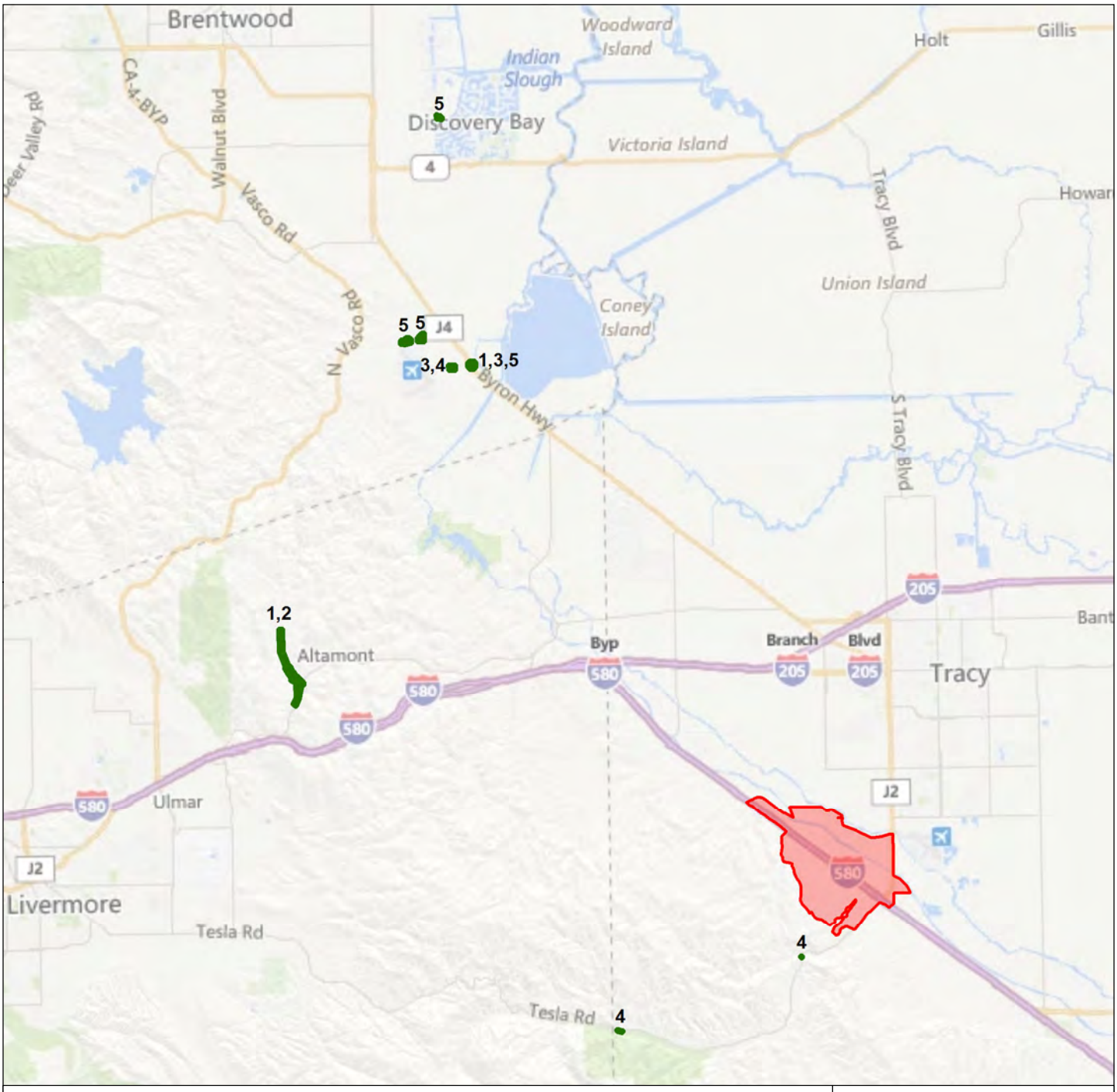
To support the analysis, pedestrian-based field surveys were performed to assess general and dominant vegetation community types, community sizes, habitat types, and plant species present within communities. Community type descriptions are based on observed dominant vegetation composition and derived from the criteria and definitions of widely accepted vegetation classification systems (Holland 1986; Sawyer et al. 2009). Plants were identified to the lowest taxonomic level sufficient to determine whether the species detected were non-native, native, or special-status. Plants of uncertain identity were subsequently identified from taxonomic keys (Baldwin et al. 2012). Scientific and common species names were recorded according to Baldwin et al. (2012).

Focused pedestrian based botanical surveys were conducted within the study area In March, April, May, June and July of 2015. Field survey methods were derived from the standardized guidelines issued by the USFWS (2000), California Department of Fish and Wildlife (CDFW 2009) and the California Native Plant Society (CNPS 2001). The field surveys were conducted to determine the presence/absence of

special-status plant species within the study area, and were conducted during the appropriate blooming period[3] for the majority of annual plant species within the region.

An evaluation of reference populations was also performed prior to initiating surveys in March, April and June 2015 to assess local variations in plant phenology; and to objectively validate survey timing (Figure 3). The field surveys within the study area were completed by walking parallel belt transects spaced approximately 30 feet apart. Where necessary, transect spacing was reduced or expanded to account for differences in terrain, vegetation density and visibility.

[3] Appropriate blooming periods were obtained from the California Native plant Society's Inventory of Rare and Endangered Vascular Plants of California, 1994.



Project Site

Reference Population

Map Code	Common Name (Scientific Name)
1	Lesser Saltscale (*Atriplex miniscula*)
2	Congdon's Tarplant (*Centromadia parryi* ssp. *congdonii*)
3	Recurved Larkspur (*Delphinium recurvatum*)
4	Diamond-Petaled California Poppy (*Eschscholzia rhombipetala*)
5	San Joaquin Spearscale (*Extriplex joaquinana*)

0 1 2 3 Miles

1 inch = 3 miles

Data Source:
- Bing accessed Aug 2015

Map Prepared: 8-4-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig3. Reference Population Map.mxd

Figure 3. Reference Population Map

4.0 BOTANICAL SURVEY RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 48–102 degrees Fahrenheit, and winds fluctuating from 0 to 20 miles per hour. Botanical surveys were performed on the following dates in 2015: 18, 19, 24, 25, 26, 27, 30 and 31 March, 01, 02, 03, 04, 16, 17, 18, 20, 21, 22, 23, 24, 27, 28, 29, and 30 April, 07, 08, 09, 25, 26, 27, 28 May, 01, 02, 03, 04, 08, 09, 10, 11, 12, 22, 23, June, 07, 08, 09, 10, 11, 12, 20, 21, 22, 23 July.

4.1 Vegetation Communities and Land Cover Types

Six vegetation communities/land cover types were observed within the study area: agricultural, annual grassland, open water, orchard, non-native grasses, and developed (Figure 4). Cover types are described in detail below.

Agricultural

The agricultural land cover type is actively utilized crop production and includes areas bound by the Union Pacific Railroad and the California Aqueduct to the south, the Delta-Mendota Canal to the north, and the Corral Hollow Road to the east. This type is used for annual and biannual row crops, and an orchard within the study area.

Annual Grassland

The annual grassland vegetation community is characterized by a dominance of nonnative grasses and forbs that are being annually grazed within the study area. Extensive cattle grazing have occurred for numerous years within this portion of the study area as well; which has restricted the colonization of native shrubs and trees. Dominant plant species found in this community include wild barley (*Hordeum ssp*.), soft chess (*Bromus hordeaceus*), ripgut (*Bromus diandrus*), and wild oats (*Avena ssp*.). This community also contains small areas of anthropogenic structures that are generally associated with active cattle ranches (i.e., fences, gates, water tanks, troughs, wells, cattle guards, corrals, dirt and gravel roads). Some structures also occur within the study area (e.g., cabin, out buildings, remnant ornamental trees, power poles and lines).In addition the southeastern portion of this land cover type has been leveled. Therefore remnant berms are present as well; indicating signs of historically irrigated pasture lands. A few ornamental trees, mostly blue gum (*Eucalyptus globulosus*) also occur in this vegetation community. The annual grassland community occurs south of the California Aqueduct and is bisected by Interstate 580 within the study area.

Open Water

Open water occurring within the study area is characterized by deep water (>4 feet in depth) that is general devoid of vegetation. This habitat occurs within the California Aqueduct and is of human construction. It is a maintained water conveyance system positioned within a concrete lined trapezoidal (in cross-section) channel that flows from the northwest to southeast.

Orchard

The orchard land cover type within the study area includes active orchards with regular applications of herbicides to manage weed populations. These orchards include annual and biannual crops.

Non-Native Grasses

The non-native grasses vegetation community is characterized by nonnative – typically early successional plant species within the study area, which are tall and accumulate as thatch due to their

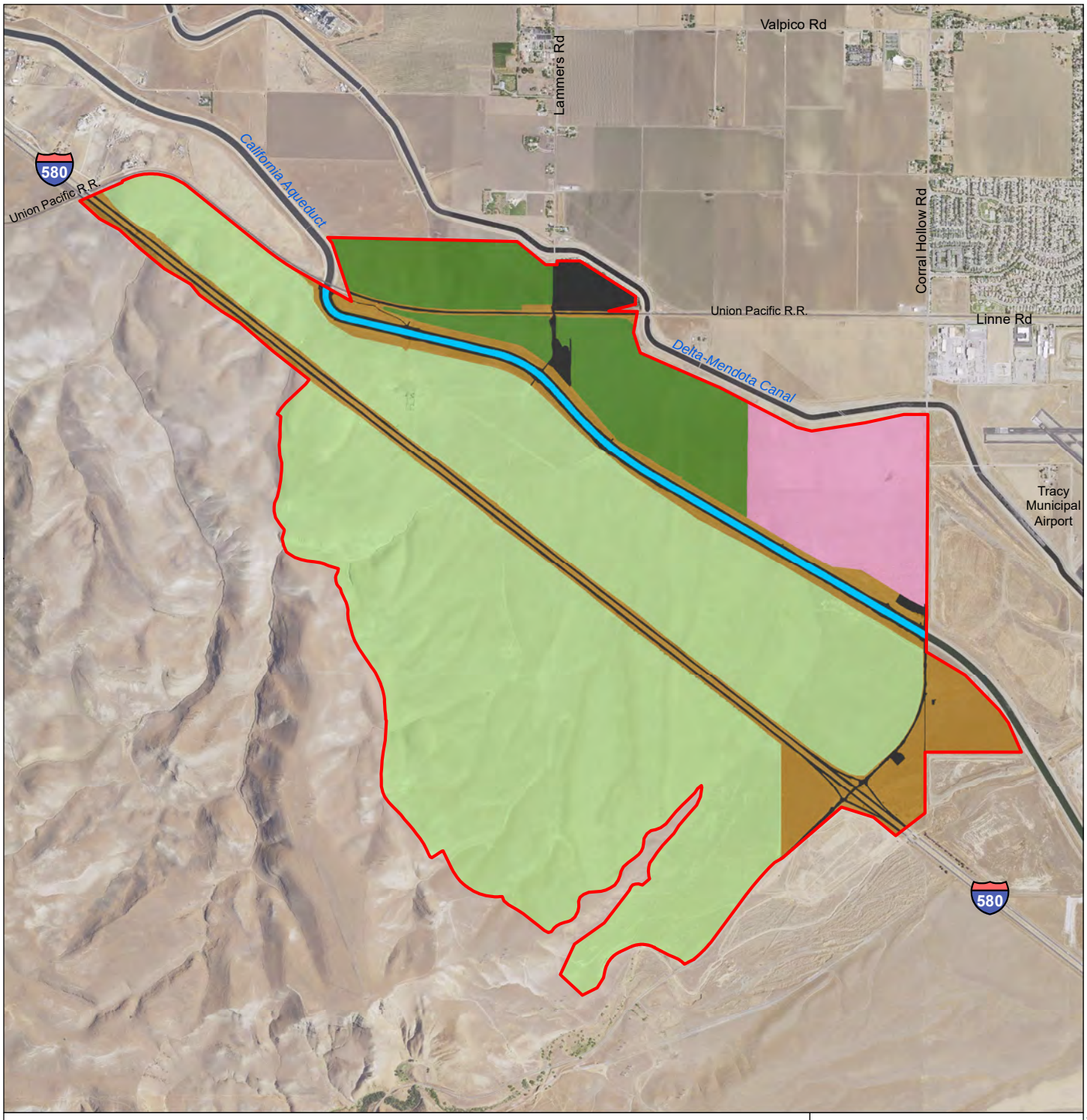
non-grazed condition. This plant community generally occurs on the sides of elevated berms of the California Aqueduct and roads. Dominant plant species observed in this plant community include short-pod mustard (*Hirschfeldia incana*), gumweed (*Grindelia ssp*.) and telegraph weed.

Developed

Developed communities in the study area are characterized by significant anthropogenic structures (i.e., highways, paved surface streets, rail road appurtenances, and residences). This land cover type also includes remnant buildings and foundations not currently associated with a commercial grazing operation.

4.2 Special-Status Plants

No state- or federally-listed plant species have been documented within 1 mile of the Project (Figure 5); and the study area includes no USFWS-critical habitat for plants (Figure 6). Furthermore, no rare plant species were detected during any of the historic, or during the 2015 pedestrian based botanical surveys which were performed within the study area (Figure 7). Representative photographs of the study area are provided in Appendix A. Plant species observed during the surveys are listed in Appendix B. It should also be noted that approximately 80% of the 58 plant species detected within the study area during 2015 surveys are non-native plants.



Project Site

Vegetation Communities/Land Cover Types

- Agricultural (277 acres)
- Annual Grassland (1,821 acres)
- Developed (103 acres)
- Non-Native Grasses (289 acres)
- Open Water (California Aqueduct) [38 acres]
- Orchard (201 acres)

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- San Joaquin County GIS accessed Jul 2015, data date: Jul 2014
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-31-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig4. Vegetation.mxd

Figure 4. Vegetation Communities/Land Cover Types

- Project Site
- 10-Mile Radius Around the Project Site
- Freeway
- Major Road
- Golf Course or Park
- Water Body
- Special-Status Plant Occurrences

Map Code	Common Name (Scientific Name)
1	Sharsmith's Onion (*Allium sharsmithiae*)
2	Large-Flowered Fiddleneck (*Amsinckia grandiflora*)
3	Heartscale (*Atriplex cordulata* var. *cordulata*)
4	Brittlescale (*Atriplex depressa*)
5	Lesser Saltscale (*Atriplex minuscula*)
6	Big Tarplant (*Blepharizonia plumosa*)
7	Round-Leaved Filaree (*California macrophylla*)
8	Chaparral Harebell (*Campanula exigua*)
9	Lemmon's Jewel-Flower (*Caulanthus lemmonii*)
10	Congdon's Tarplant (*Centromadia parryi* ssp. *congdonii*)
11	Slough Thistle (*Cirsium crassicaule*)
12	Mt. Hamilton Fountain Thistle (*Cirsium fontinale* var. *campylon*)
13	Santa Clara Red Ribbons (*Clarkia concinna* ssp. *automixa*)
14	Hospital Canyon Larkspur (*Delphinium californicum* ssp. *interius*)
15	Recurved Larkspur (*Delphinium recurvatum*)
16	Delta Button-Celery (*Eryngium racemosum*)
17	Diamond-Petaled California Poppy (*Eschscholzia rhombipetala*)
18	San Joaquin Spearscale (*Extriplex joaquinana*)
19	Talus Fritillary (*Fritillaria falcata*)
20	Diablo Helianthella (*Helianthella castanea*)
21	Woolly Rose-Mallow (*Hibiscus lasiocarpos* var. *occidentalis*)
22	Loma Prieta Hoita (*Hoita strobilina*)
23	Mason's Lilaeopsis (*Lilaeopsis masonii*)
24	Showy Golden Madia (*Madia radiata*)
25	Shining Navarretia (*Navarretia nigelliformis* ssp. *radians*)
26	Chaparral Ragwort (*Senecio aphanactis*)
27	Wright's Trichocoronis (*Trichocoronis wrightii* var. *wrightii*)
28	Caper-Fruited Tropidocarpum (*Tropidocarpum capparideum*)

Data Sources:
- Bing accessed Jul 2015

Note: Resource specialists were consulted and readily available commercial data from resource management plans and other relevant documents were reviewed to determine the locations and types of resources that have the potential to exist in the region.

0 1 2 Miles
1:150,000

Prepared by:
NOREAS Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig5. Literature Review.mxd

Figure 5. Literature Review

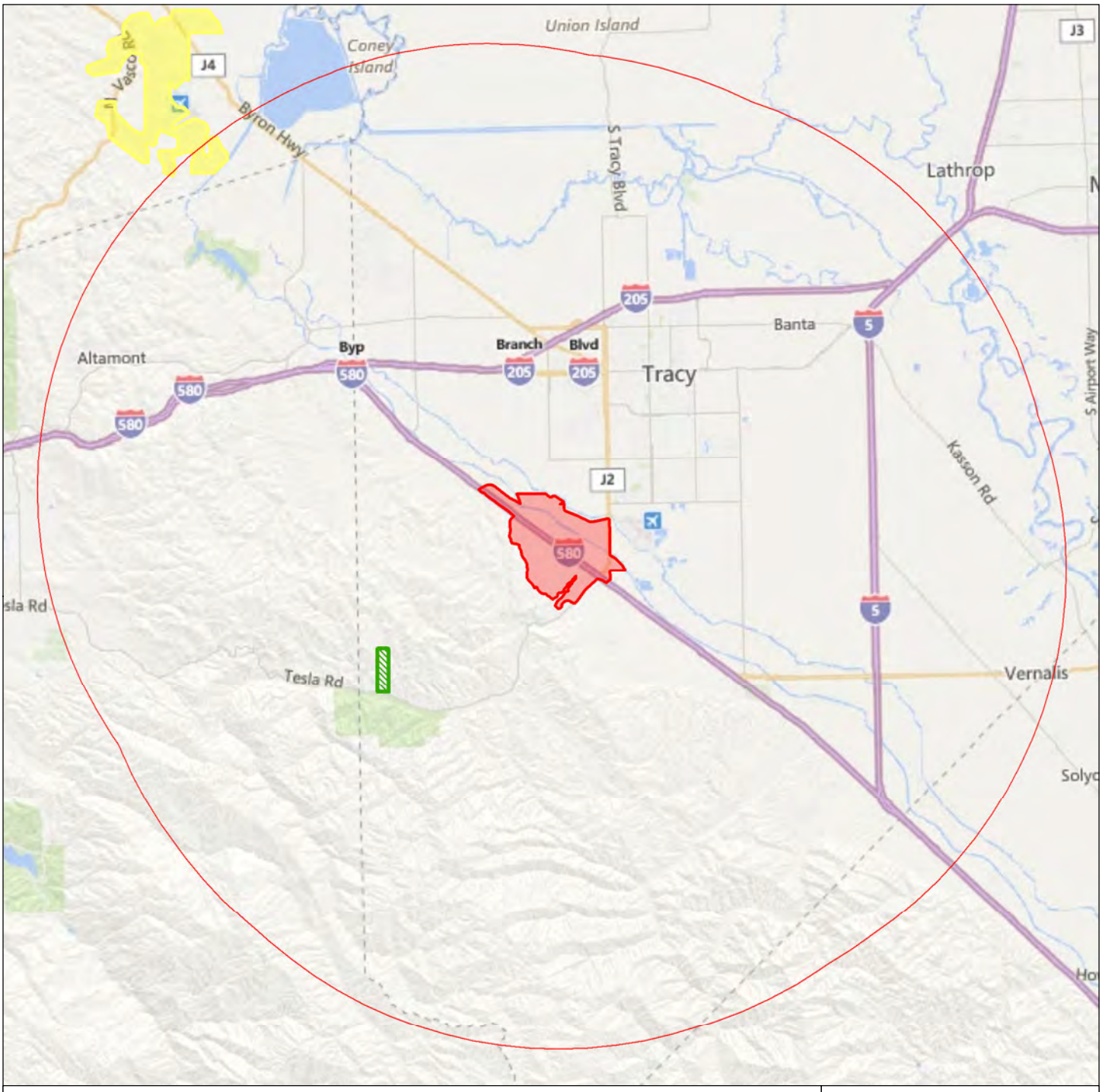
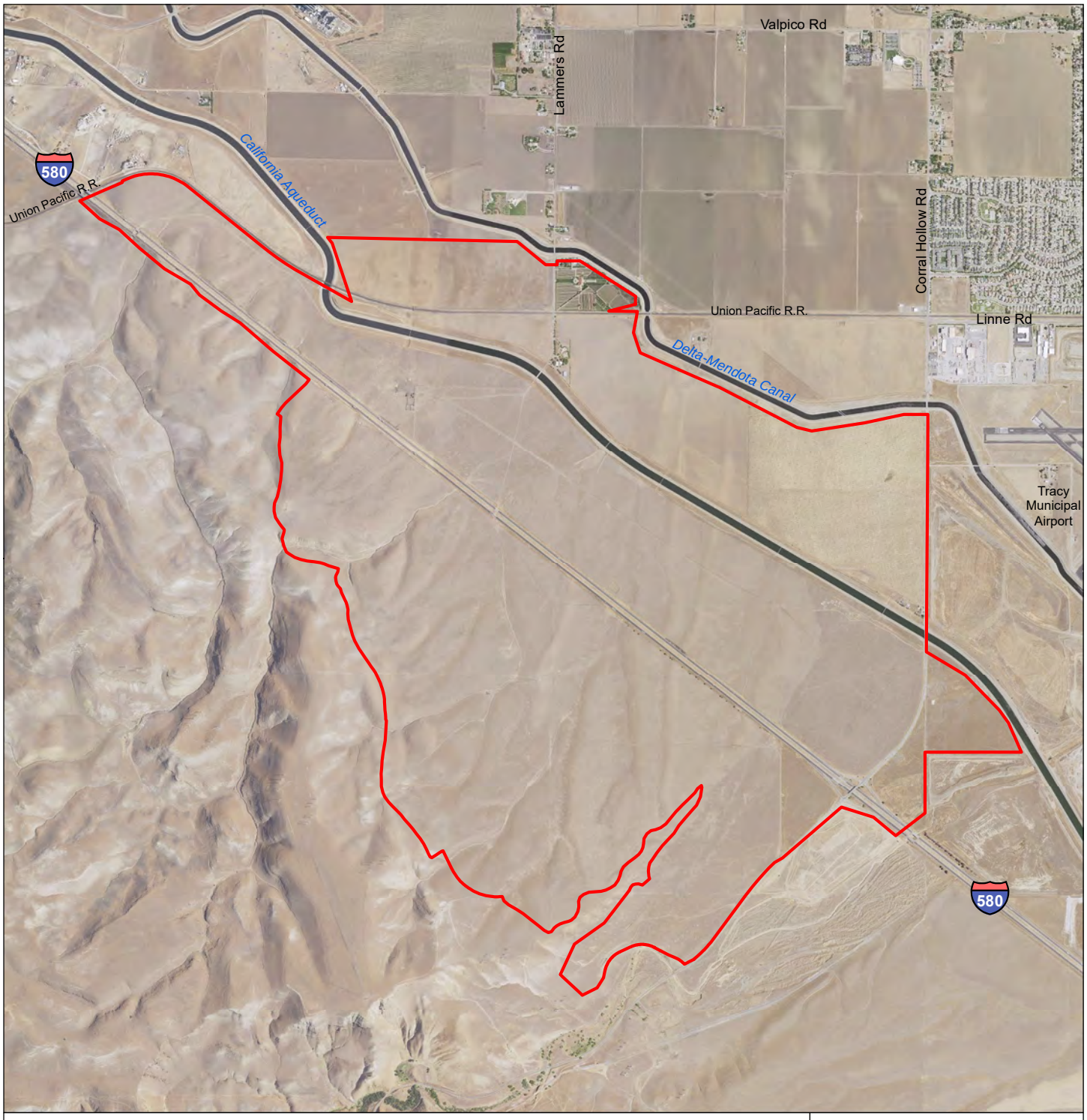


Figure 6. Critical Habitat



Project Site

Note: No rare plants were observed within the Project Site.

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- San Joaquin County GIS accessed Jul 2015, data date: Jul 2014
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-17-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig7. Results.mxd

Figure 7. Results

5.0 IMPACTS AND RECOMMENDATIONS

The study area is not collocated with any USFWS-designated critical habitat for plants. No state- or federally-listed plant species have ever been detected during any pedestrian-based biological surveys from 1989 through the current 2015 rare plant surveys. Additionally, no state- or federally-listed plant species have been documented within 1 mile of the Project. Furthermore, botanical field census and analysis activities have occurred within portions of the study area for more than 25 years to safeguard that field surveys were conducted during a year when winter/spring rainfall was adequate, to maximize the potential for detecting rare flora. The literature review and 2015 pedestrian survey results indicate that the flora detected within the study area have not changed considerably from those documented in past studies. Roughly 80% of the 58 distinct species detected within the study area during 2015 are non-native plants. Although the Project footprint is large in total size, the study area has very low species richness and diversity; and those lands proposed for development do not support habitat for any State or Federal-listed plant species.

The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support special status plants. The surveys performed in 2015 and over the past quarter century have been floristic in nature. The data collected and analyzed implies that there is extremely low potential for rare plants to recruit into the Project Site as well. Given that targeted surveys for rare plants are negative within the study area, the Project would not be expected to result in the loss of individual special status plants or that it would adversely affect local or regional populations of them.

6.0 REFERENCES

Baldwin, J., D. Goldman, D. Keil, R. Patterson, and T. Rosatti. 2012. The Jepson Manual: Higher Plants of California. Berkeley: University of California Press.

Berryman Ecological LLC. 2010. Biological Resources on the Tracy 580 Business Park Property.

California Department of Fish and Game CDFG (CDFG). 2009. Protocols for surveying and evaluating impacts to special status native plant populations and natural communities. Available at:http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdfCalifornia Department of Fish and Wildlife (CDFW). 2015. RareFind. California Department of Fish and Game, Natural Diversity Database (CNDDB). Sacramento, CA: California Department of Fish and Game, Biogeographic Data Branch.

California Native Plant Society (CNPS). 2001. Botanical Survey Guidelines of the California Native Plant Society.

_____. 2015. CNPS Electronic Inventory of Rare and Endangered Plants: CNPS.

Foothill Associates. 2004. Habitat Management Plan - Tracy Hills Project.

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California (California Department of Fish and Game, The Resources Agency, ed), p. 156. Sacramento, CA.

LSA Associates, Inc. (LSA). 1989. Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, California.

_____. 1991. Biological Study, Tracy Hills Community, San Joaquin County California.

_____. 1996. Multi-Species Habitat Management Plan.

_____. 1999. Habitat Conservation Plan for Lakeside Tracy Development.

Microsoft Corporation. 2015. Bing Maps Aerial Imagery. Redmond, WA

NOREAS, Inc. (NOREAS). 2015. General Biological Resources Assessment for the Tracy Hills Project.

Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. A Manual of California Vegetation. Second Edition. California Native Plant Society, Sacramento, California.

Tracy Hills LLC. 2004. Environmental Assessment for the Tracy Hills Habitat Conservation Plan.

U.S. Geological Survey (USGS). 1980. 7.5-Minute Quadrangle Tracy, California.

_____. 1986. 7.5-Minute Quadrangle Midway, California.

United States Fish and Wildlife Service (USFWS). 2000. Guidelines for Conducting and Reporting Botanical Inventories Federally Listed, Proposed, and Candidate Plants (U.S. Department of the Interior): USFWS.

_____. 2015a. Critical Habitat Portal.

_____.. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List.

APPENDIX A

PHOTOGRAPH LOG

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. Lesser Saltscale (*Atriplex miniscula*) observed at reference site.
	Photograph: 2. San Joaquin Spearscale (*Extriplex joaquinana*) observed at reference site.

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 3. Congdon's Tarplant (*Centromadia parryi ssp. congdonii*) observed at reference site.
	Photograph: 4. Facing South West from the northern portion of the study area.

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 5. Facing South East from the northern portion of the study area.
	Photograph: 6. Facing North from the central portion of the study area.

APPENDIX B

2015 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

APPENDIX B

2015 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
Achyrachaena mollis	Blow wives
*Amaranthus blitoides**	Matweed
Amsinckia menziesii	Fiddleneck
*Asclepias fascicularis**	Narrow leaf milkweed
Avena fatua	Wild oat
*Brassica nigra**	Black mustard
*Bromus diandrus**	Ripgut
*Bromus hordeaceus**	Soft chess
*Carduus pycnocephalus**	Italian thistle
*Cerastium arvense**	Cerastium arvense
*Chenopodium sp.**	Pig weed
*Cirsium vulgare**	Spear Thistle
*Capsella bursa-pastoris**	Shepherd's-purse
*Convolvulus arvensis**	Bindweed
*Cynodon dactylon**	Bermuda grass
*Croton setigerus**	Dove weed
*Datura wrightii**	Jimson weed
*Eremocarpus setigerus**	Croton
*Erodium botrys**	Long-beaked stork's bill
*Erodium ssp.**	Filaree
Eucalyptus ssp.*	Eucalyptus
*Festuca perennis**	Italian rye grass
*Grindelia camporum**	Gumweed
Hemizonia fitchii	Fitch spikeweed
*Heterotheca grandiflora**	Telegraph weed
*Hirschfeldia incana**	Mustard
Holocarpha obconica	Tarplant
Hordeum marinum ssp. gussoneanum	Mediterranean barley
*Hordeum murinum ssp. Leporinum**	Farmer's Foxtail
*Hordeum ssp.**	Barley
*Hypochaeris radicata**	Catsear
Lactuca serrola	Wild lettuce
*Lepidium latifolium**	Pepper weed
*Lepidium nitidum**	Shiny pepper grass
*Malva parviflora**	Cheeseweed
*Malva neglecta**	Buttonweed
*Matricaria discoidea**	Pineapple weed
*Marrubium vulgare**	Horehound
*Medicago polymorpha**	Burweed
Myriophyllum sp.	Water milfoil
Phacelia sp.	Phacelia
*Poa annua**	Annual meadow grass
*Polygonum aviculare**	Knotweed
*Polypogon monspelensis**	Rabbitfoot grass
Populus fremontii	Cottonwood
Rumex crispus	Curly dock
Salix gooddingii	Black willow

APPENDIX B

2015 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
*Salsola tragus**	Tumbleweed
*Schinus molle**	Peruvian pepper
*Silybum marinum**	Milk thistle
*Sonchus oleraceus**	Sow thistle
Spergularia sp.	Sand spurry
*Stellaria media**	Chickweed
*Trichostema lanceolatum**	Vinegar weed
*Trifolium hybridum**	Alsike clover
Typha ssp.	Cattail
*Urtica urens**	Dwarf nettle
*Vicia sativa**	Vetch

An "*" non-native plant species.

Attachment B

CHRIS Search Results

CENTRAL CALIFORNIA INFORMATION CENTER
California Historical Resources Information System
Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: 1/18/2021

Records Search File#: 11638L
Project: Tracy Hills 35.7-Acre Annexation Project, Tracy, San Joaquin County, CA #097008115.3.200

Danae Hall, Project Manager
Kimley-Horn
1300 Clay Street, Suite #325
Oakland, CA 94612
408-785-3523 danae.hall@kimley-horn.com

Dear Ms. Hall:

We have conducted a records search as per your **Priority Response** request for the above-referenced project area located on the Tracy USGS 7.5-minute quadrangle map in San Joaquin County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the following:

National Register of Historic Places (NRHP)
California Register of Historical Resources (CRHR)
California Inventory of Historic Resources (1976)
California Historical Landmarks
California Points of Historical Interest listing
Office of Historic Preservation Built Environment Resource Directory (BERD) and the Archaeological Determinations of Eligibility (ADOE)
Survey of Surveys (1989)
Caltrans State and Local Bridges Inventory
General Land Office Plats
Other pertinent historic data available at the CCaIC for each specific county

The following details the results of the records search:

Prehistoric or historic resources within the project area:

- There are no formally recorded prehistoric or historic archaeological resources within the two project areas.

- There is one recorded historic structural feature, the Tesla-Salado-Manteca Transmission

Line (P-39-005337) within the two project areas.

- The General Land Office Survey Plats for T3S R4E (approximately Sections 11, 13, 14, & 24, dated 1862) and T3S R5E (approximately Section 18 and 19, dated 1860 and 1871) do not show any historic features within the project areas. The sections in T3S R5E have been divided into parcels of various acreages as early as 1860.

- Map Number Four in *History of San Joaquin County, California with Illustrations* (1879; 1968 reprint) references Arroyo Buenos Ayres or "Carral Hollow" south of the project area.

- Map of the County of San Joaquin, California (1883) references numerous historic landowners within the project vicinity:

  P. Fabian & L. Levinsky
  Savings and Loan Society
  C. M. Laughlin
  Mrs. Ann Carroll
  Louis Greenaur
  Mary Peterson
  Edward Wacksmuth

- The 1916 edition of the Tracy USGS quadrangle as well as the 1954 edition show several historic roads with the project area.

Prehistoric or historic resources within the immediate vicinity of the project area: There are both recorded prehistoric and historic archaeological resources as well as historic homesteads recorded within the immediate vicinity of the project area.

Resources that are known to have value to local cultural groups: None has been formally reported to the Information Center.

Previous investigations within the project area: There has been one investigation, referenced as follows:

CCaIC Report #SJ-02857

Foster, J., 1996 An Archaeological and Historical Resource Investigations of the Proposed Tracy Hills Project, Tracy, California (6175 acres). Foothill Archaeological Services.

Recommendations/Comments: Based on existing data in our files the project area is considered to be highly sensitivity in reference to the possible discovery of both prehistoric and historic archaeological resources.

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. Since the proposed 35.7 acres has not been subject to project-specific investigations, there may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

If the current project does not include ground disturbance, further study for archaeological resources is not recommended at this time. If ground disturbance is considered a part of the current project, we recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources.

If the proposed project contains buildings or structures that meet the minimum age requirement (45 years in age or older) it is recommended that the resource/s be assessed by a professional familiar with architecture and history of the county. Review of the available historic building/structure data has included only those sources listed above and should not be considered comprehensive.

If at any time you might require the services of a qualified professional the Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at http://chrisinfo.org

If archaeological resources are encountered during project-related activities**,** work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources.

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section 5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the State Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain

information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Please sign and return the attached **Access Agreement Short Form.**

Note: Billing will be transmitted separately via email from the Financial Services office ($225.00), payable within 60 days of receipt of the invoice.

If you wish to include payment by Credit Card, you must wait to receive the official invoice from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:

https://commerce.cashnet.com/ANTHROPOLOGY

Sincerely,

E. A. Greathouse

E. A. Greathouse, Coordinator
Central California Information Center
California Historical Resources Information System

Copy of invoice to Laurie Marroquin, Financial Services (lamarroquin@csustan.edu)

Attachment E

RESOLUTION 2021-_____

RECOMMENDING THAT THE CITY COUNCIL APPROVE A GENERAL PLAN AMENDMENT, INTRODUCE AND ADOPT AN ORDINANCE APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT, AND APPROVE THE PRE-ZONING AND ANNEXATION TO THE CITY OF TRACY OF APPROXIMATELY 35 ACRES LOCATED SOUTH OF I-580 IN THE VICINITY OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 253-030-13 AND 253-040-10, APPLICATION NUMBERS GPA20-0001, SPA20-0001, AND AP20-0002

WHEREAS, The Tracy Hills Specific Plan consists of approximately 2,732 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580; and

WHEREAS, On April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan; and

WHEREAS, Applications were submitted regarding the Tracy Hills 35-Acre Annexation Project, which includes a proposed General Plan Amendment, Tracy Hills Specific Plan Amendment, Pre-zoning, and annexation to the City of Tracy of approximately 35 acres located south of I-580 in the vicinity of Corral Hollow Road, Assessor's Parcel Numbers 253-030-13 and 253-040-10, Application Numbers GPA20-0001, SPA20-0001, and AP20-0002; and

WHEREAS, The proposed General Plan Amendment would change the General Plan land use designation from Open Space to Residential Low for the approximately 35-acre annexation area, and also change the General Plan land use designation from Residential Very Low to Open Space for an equivalent sized 35-acre area located within the Tracy Hills Specific Plan area, adjacent to the southwestern boundary of the Specific Plan area; and

WHEREAS, The proposed Tracy Hills Specific Plan Amendment would revise the Specific Plan Area boundary to include the approximately 35-acre annexation area and apply the zoning district of Low Density Residential (LDR-TH) to the subject property, and also change the zoning district from Residential Estate (RE-TH) to Tracy Hills Conservation (C-TH) for an equivalent sized 35-acre area located within the Tracy Hills Specific Plan area, adjacent to the southwestern boundary of the Specific Plan; and

WHEREAS, The overall Specific Plan area would increase by approximately 35 acres from 2,731.6 acres to 2,767.3 acres, but the proposed amendment would result in no change to the number of projected dwelling units for the overall Tracy Hills Specific Plan area, as a result of this 35-acre annexation project, because the Residential Estate (RE-TH) zoning district would be reduced from 95.6 acres to 59.9 acres for a reduction of 35.7 acres, the Low Density Residential (LDR-TH) zoning district would be increased from 1,316.2 acres to 1,351.9 acres for an increase of 35.7 acres, the Tracy Hills Conservation (C-TH) zoning district would be increased from 126.5 acres to 162.2 acres for an increase of 35.7 acres, the projected dwelling units for the Residential Estate (RE-TH) zoning district would be reduced from 122 to 76 for a reduction of 46 dwelling units, and the projected dwelling units for the Low Density Residential (LDR-TH) zoning district would be increased from 3,558 to 3,604 for an increase of 46 dwelling units; and

WHEREAS, The proposal includes annexing the Tracy Hills 35-Acre Annexation Area into the City limits, and upon annexation, the Tracy Hills 35-Acre Annexation area would be zoned Tracy Hills Specific Plan (THSP) Zone, and the Tracy Hills Specific Plan (THSP) Zone would be the pre-zoning for the application for annexation request to Local Agency Formation Commission (LAFCo); and

WHEREAS, Future infrastructure serving the 35-Acre Annexation Area, including water, sewer, storm drain and roadways, would be provided in accordance with the Tracy Hills Specific Plan and the Citywide Infrastructure Master Plans, and incorporated into the development plans, subdivision maps, and infrastructure designs for the Tracy Hills Phase 2 Area; and

WHEREAS, The 35-acre annexation area is currently split between Tracy Rural Fire Protection District and CAL FIRE (Department of Forestry), and based on current LAFCo policy, the annexation of this area into the City limits is expected to result in this area being detached from Tracy Rural and CAL FIRE jurisdictions and incorporated into the South San Joaquin County Fire Authority; and

WHEREAS, An Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan; and

WHEREAS, An Addendum to the EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15164 of the CEQA Guidelines, exist in connection with the Tracy Hills 35-Acre Annexation Project, and therefore, no further environmental review is required; and

WHEREAS, On May 12, 2021, the Planning Commission conducted a duly noticed public hearing to consider the Tracy Hills 35-Acre Annexation Project;

NOW, THEREFORE BE IT RESOLVED as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein as findings.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council take the following actions:

1. General Plan Amendment. Approve the General Plan Amendment (Application Number GPA20-0001), as shown in Attachment A of the Planning Commission staff report dated May 12, 2021.

2. Tracy Hills Specific Plan Amendment. Introduce and adopt an ordinance, as shown in Exhibit “1” attached, approving the Tracy Hills Specific Plan Amendment (Application Number SPA20-0001), as shown in Attachment B of the Planning Commission staff report dated May 12, 2021.

3. Pre-zoning and Annexation. Approve annexation of the Tracy Hills 35-Acre Annexation Area to the City of Tracy, approve pre-zoning the Tracy Hills 35-Acre Annexation Area as Tracy Hills Specific Plan Zone, and approve the City preparing and submitting an application for approval of annexation request to the San Joaquin Local Agency Formation Commission (Application Number AP20-0002).

* *

The foregoing Resolution 2021-_____ was passed and adopted by the Planning Commission of the City of Tracy on the 12th day of May 2021, by the following vote:

AYES: COMMISSION MEMBERS:
NOES: COMMISSION MEMBERS:
ABSENT: COMMISSION MEMBERS:
ABSTAIN: COMMISSION MEMBERS:

_____
CHAIR

ATTEST:

_____
STAFF LIAISON

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE TRACY HILL SPECIFIC PLAN REGARDING THE TRACY HILLS 35-ACRE ANNEXATION PROJECT, APPLICATION NUMBER SPA20-0001

WHEREAS, The Tracy Hills Specific Plan consists of approximately 2,732 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580; and

WHEREAS, On April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan; and

WHEREAS, An application was submitted for an amendment to the Tracy Hills Specific Plan regarding the Tracy Hills 35-Acre Annexation Project, Application Number SPA20-0001; and

WHEREAS, The proposed Tracy Hills Specific Plan Amendment would revise the Specific Plan Area boundary to include the approximately 35-acre annexation area and apply the zoning district of Low Density Residential (LDR-TH) to the subject property, and also change the zoning district from Residential Estate (RE-TH) to Tracy Hills Conservation (C-TH) for an equivalent sized 35-acre area located within the Tracy Hills Specific Plan area, adjacent to the southwestern boundary of the Specific Plan; and

WHEREAS, The overall Specific Plan area would increase by approximately 35 acres from 2,731.6 acres to 2,767.3 acres, but the proposed amendment would result in no change to the number of projected dwelling units for the overall Tracy Hills Specific Plan area, as a result of this 35-acre annexation project, because the Residential Estate (RE-TH) zoning district would be reduced from 95.6 acres to 59.9 acres for a reduction of 35.7 acres, the Low Density Residential (LDR-TH) zoning district would be increased from 1,316.2 acres to 1,351.9 acres for an increase of 35.7 acres, the Tracy Hills Conservation (C-TH) zoning district would be increased from 126.5 acres to 162.2 acres for an increase of 35.7 acres, the projected dwelling units for the Residential Estate (RE-TH) zoning district would be reduced from 122 to 76 for a reduction of 46 dwelling units, and the projected dwelling units for the Low Density Residential (LDR-TH) zoning district would be increased from 3,558 to 3,604 for an increase of 46 dwelling units; and

WHEREAS, An Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan; and

WHEREAS, An Addendum to the EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines to document the

finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15164 of the CEQA Guidelines, exist in connection with the Tracy Hills Specific Plan Amendment regarding the Tracy Hills 35-Acre Annexation Project, and therefore, no further environmental review is required; and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on May 12, 2021 and recommended that the City Council _____ the proposed amendment to the Tracy Hills Specific Plan, Application Number SPA20-0001; and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on _____, 2021;

The City Council of the City of Tracy does ordain as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2. The City Council hereby approves the Tracy Hills Specific Plan Amendment, Application Number SPA20-0001, as attached to the _____, 2021 City Council staff report as Attachment "B".

SECTION 3. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 4. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* *

This Ordinance _____ was introduced at a regular meeting of the Tracy City Council on the _____day of _____, 2021, and finally adopted on the _____ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK