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MITIGATION MONITORING AND REPORTING PLAN

**for the Diablo Grande Specific Plan
and Phase 1 Preliminary Development Plan**

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of
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MITIGATION MONITORING AND REPORTING PLAN

for the Diablo Grande Specific Plan
and Preliminary Development Plan

OVERVIEW

The Final Environmental Impact Report (FEIR) for the Diablo Grande Specific Plan, dated June 15, 1993, is a Response to Comments Addendum to the Draft Environmental Impact Report (DEIR), dated August 31, 1992. Together they comprise the FEIR for the Diablo Grande Specific Plan project. The FEIR identifies potential significant affects, and suggests changes, alterations and policies that, if incorporated into the Diablo Grande Specific Plan, would avoid or substantially lessen many of these significant effects. These changes and policies are described in the FEIR as mitigation measures.

Based on the body of information adopted in the FEIR concerning the environmental effects of development and conservation of the 29,500 acre Oak Flat Ranch in Stanislaus County as provided in the Specific Plan, and the mitigation measures provided in the Final EIR, the following mitigation measures will be implemented as described herein in the Mitigation Monitoring and Reporting Plan (MMRP).

The Statement of Findings, Facts in Support of Findings, and Statement of Overriding Considerations regarding the Specific Plan (CEQA Findings) provide the reasoning for the effectiveness of the mitigation measures included herein.

AUTHORITY

As required by California Resources Code §21081.6, the MMRP contains a program for the implementation and monitoring of the individual mitigation measures which the Stanislaus County Board of Supervisors has incorporated into the Specific Plan.

PURPOSE

The purpose of this MMRP is to ensure that each mitigation measure is fully implemented in a timely manner and, where necessary, to monitor its performance once implemented to ensure its success. Consistent with this purpose, the MMRP specifies, for each mitigation measure, the measurable, objective performance criteria the measure must achieve by the end of the implementation time period in order for the measure to be deemed to have avoided or substantially lessened the significant environmental effect it addresses. The MMRP provides specific steps to ensure full implementation and enforcement of each mitigation measure. The MMRP also establishes a reporting system to document monitoring activities and compliance with mitigation measures.

RESPONSIBILITIES

Unless otherwise specified herein, the developer of any portion of the project ("Developer") has the responsibility for taking all actions necessary to (a) implement the mitigation measure according to the specifications provided for each measure and (b) demonstrating to the agency or individual responsible for monitoring (generally, Stanislaus County) that the action required by the mitigation measure has been successfully completed (i.e., submittal of reports, permits or other documentation). The government agency responsible for monitoring the mitigation measure must verify that the required action has been successfully completed. Verification by the government agency will typically be accomplished through either staff inspection of the physical result of the mitigation measure or acceptance and approval of documents or plans demonstrating compliance with the mitigation measure. The County may engage a consultant to assist staff as necessary to verify successful implementation (i.e., review technical plans and reports, field verify proper implementation). Both the Developer and the monitoring governmental agency share the responsibility for preparing the document stream (paper trail) which is ultimately maintained by Stanislaus County.

The monitoring governmental agency (generally, Stanislaus County) will also verify compliance with mitigation measures which affect other non-County agencies. This could include verification of: NPDES permits, or Waste Discharge Requirements from the Regional Water Quality Control Board ("RWQCB"); Section 404 permits from the United States Army Corps of Engineers ("Corps"); Streambed Alteration Permits from the California Department of Fish and Game ("CDFG"); Section 7 consultations with the United States Fish and Wildlife Service ("USFWS"); Direct Source permitting from the San Joaquin Valley Unified Air Pollution Control District ("SJVUAPCD"); or, permits required from the State Department of Health Services ("DHS").

The County shall designate an Environmental Coordinator who will be responsible for the monitoring compliance with the MMRP. Existing inspection officials shall be used wherever possible. The Environmental Coordinator must notify the County and the Developer immediately in the event that:

1. Any mitigation measure is not being implemented in accordance with all mitigation specifications and consistent with the implementation timing. In this case, the County may impose those sanctions available under its County Code, and/or may grant a time extension, if warranted. This MMRP is incorporated by reference as part of the Diablo Grande Specific Plan and shall be enforceable under authority of the County Ordinance Code and other appropriate County powers.
2. It reasonably appears a mitigation measure will not be effective in either avoiding or substantially lessening the significant effect toward which it is directed. In this event, a replacement mitigation measure shall be developed to the approval of the County and implemented by the Developer. Any proposed change to a mitigation measure or its enforcement which the Planning Director determines to be significant shall be subject to approval of the Planning Commission following a public hearing. Fees and processing for such modification shall be the same as for modification of a Planned Development.

The County shall take whatever steps are necessary to insure compliance with the Specific Plan, including use of stop-work orders.

Unless otherwise specified in this MMRP or in later actions taken by the County, all costs associated with the MMRP shall be borne by the Developer. Such costs include all sums expended to implement the mitigation measures and costs incurred by Stanislaus County to monitor and verify implementation of this MMRP. The Developer may be reimbursed (in accordance with reimbursement agreements concerning the improvements required by the mitigation measure) for funds expended to implement a mitigation measure to the extent that (a) the Developer's contribution is determined to be more than its fair share and (b) other funding sources for implementing that measure become available.

The County Planning Department will have primary responsibility for coordinating this MMRP. As a result, the Department will create a position of Environmental Coordinator and begin recruitment as soon as possible following project approval. The Coordinator will work directly with all monitoring agencies and with the Developer, and input will be solicited from all of these parties during the hiring process. The Developer will be responsible for all costs associated with hiring and employing the Coordinator, whose position will be originally funded for a minimum of three years. The Developer will also pay such other costs for County Staff time and/or consultants as are determined necessary for the implementation of this plan by the County following consultation with the Developer.

COMPLIANCE FILE

Stanislaus County will maintain a file (Compliance File) tracking implementation of the MMRP and containing the records upon which the County relies in determining that a mitigation measure has or has not been implemented in accordance with this MMRP. The attached Verification Report form will be used to track each mitigation measure being implemented. The Compliance File will be made available for review upon request by interested government agencies and members of the public.

CONTENTS

The MMRP is organized under the same topic structure and order contained in the FEIR and consists of a separate page (or pages) devoted to each mitigation measure in the FEIR. However, for ease of implementation, certain mitigation measures concerning the same topic are grouped and a monitoring program set up for the combined set of requirements. For each mitigation measure (or set of measures) that is being imposed, the MMRP specifies the following information:

- Mitigation Measure. Provides an identification number followed by a mitigation statement. This mitigation statement summarizes the required action of the FEIR mitigation measure as it applies to mitigate the identified impact of the Specific Plan. Although the MMRP sets forth the language of each mitigation measure in summary form only, every applicable requirement of each mitigation measure is contained in the Mitigation Specifications (see below) and will, therefore, be

implemented and verified. For the full text of each mitigation measure as originally recommended for the Specific Plan, see the FEIR. The mitigation measures provide in this report are for Phase 1 implementation that will be conducted over a 15-20 year period. Program level mitigation measures are summarized in Appendix 1. They will be updated and incorporated into the MMRP as each subsequent phase of development is revised and approved.

- Impact to be Mitigated. Describes the impact which triggers the mitigation requirement.
- Agency/Individual Responsible for Implementation. Identifies the party or parties responsible for complying with all requirements of the mitigation measure.
- Implementation Timing. Indicates when the various steps involved in implementing mitigation requirements shall be performed.
- Mitigation Specification. Details the specific steps required to fulfill mitigation requirements. Mitigation specifications are organized, where appropriate, according to pre-implementation phase, implementation phase, and post-implementation or monitoring phase. Reporting requirements are specified where applicable. The specifications not only incorporate all actions stated in the full text of the FEIR mitigation measures, but also include performance standards developed by the County or its EIR consultant to ensure that the FEIR mitigation measures are actually effective in lessening or alleviating the environmental impacts to which they are directed. Complete implementation of each mitigation measure will thus include a demonstration by the Developer that the performance criteria are met as a result of the mitigating actions.
- Agency/Individual Responsible for Monitoring. Identifies the party or parties responsible for verifying (and enforcing, if necessary) compliance with mitigation specifications.
- Action by Monitor. States the specific actions required of the monitoring individual/agency to ensure compliance with mitigation specifications.
- Monitoring Timing. Specifies when actions by the monitor shall be performed. Where appropriate, monitoring timing is linked to existing approval and permitting review processes (e.g., Final Development Plan approval, issuance of Grading Permit, issuance of Occupancy Permit).

In sum, the MMRP describes how the Developer will comply with the mitigation measures and how compliance will be verified. Where a mitigation measure is unnecessary, infeasible or within the responsibility of a public agency other than Stanislaus County, the MMRP indicates that fact and refers to the CEQA Findings for further explanation.

CONDITIONS OF APPROVAL

As part of the project approval process, the Stanislaus County Planning Department recommended additional project "SUPPLEMENTAL CONDITIONS OF APPROVAL/ DEVELOPMENT STANDARDS" be added to the project. The Stanislaus County Planning Commission and Board of Supervisors adopted these supplemental conditions, along with a supplemental condition requested by the Stanislaus County Farm Bureau. These supplemental conditions of approval are hereby added to the project and are reiterated here as follows:

SUPPLEMENTAL CONDITIONS OF APPROVAL/ DEVELOPMENT STANDARDS

DIABLO GRANDE SPECIFIC PLAN (SP91-1)

1. This project shall be developed and operated as described in the Diablo Grande Specific Plan document and the Diablo Grande Mitigation Monitoring and Reporting Plan as adopted.
2. All mitigation measures contained with the Mitigation Monitoring and Reporting Plan shall be Conditions of Approval/Development Standards enforceable via the County Ordinance Code.
3. Prior to issuance of the Notice of Determination, the application shall pay, within two weeks of final Board of Supervisors approval, the State-mandated \$850.00 EIR review fee, made payable to the "County of Stanislaus" and the filing fee of \$50.00 to the "Stanislaus County Clerk/Recorder."
4. Within three days following final Board of Supervisors project approval and findings adoption, a legal description of both the entire project site and of the Phase 1 area sufficient to most legal publication requirements for the rezoning be submitted to and approved by the Office of the Clerk to the Board of Supervisors.
5. The applicant is required to defend, or hold harmless the County, its officers and employees from any claim, action or proceeding against the County to either set aside the approval of the project or to affect implementation of the Specific Plan or the MMP. The County shall promptly notify the applicant of any claim, action or proceeding to set aside the approval and shall cooperate fully in the defense.
6. Prior to approval of any plans for water, sewer or drainage systems, or to any issuance of building permits for new buildings, Community Services District, Homeowners Association, County Service Area, other appropriate district or some combination of the above shall be developed by the Developer and the County, and approved by the Board of Supervisors to ensure timely and professional long-term public facility maintenance. All costs associated with these formations shall be the responsibility of the Developer.

7. Items 1 and 2 on page ii shall be revised to read as follows:
- 1.) add the following sentence: This MMRP is incorporated by reference as part of the Diablo Grande Specific Plan and shall be enforceable under authority of the County Ordinance Code and other appropriate County powers.
 - 2.) add the following sentence: Any proposed change to a mitigation measure or its enforcement which the Planning Director determines to be significant shall be subject to approval of the Planning Commission following a public hearing. Fees and processing for such modification shall be the same as for modification of a Planned Development.
8. Prior to issuance of any building permit for any residential use and prior to any approval of any Site Plan, Final Development Plan or Tentative Map beyond the non-residential part of the Five-year Concept Plan area, and concurrently with submittal of the "can serve" letter (with fully documented CEQA compliance completed), the applicant shall submit for Board of Supervisor's approval a plan which shows, to the County's satisfaction, that adequate real water supplies have been made available. No residential use shall be constructed in Diablo Grande without a long-term water supply from a water source other than Marshall-Davis well water. Groundwater pumping of the Marshall-Davis wells for use at Diablo Grande shall terminate not later than five (5) years following the use of Marshall-Davis well water within Diablo Grande. except that pumping may occur in certain very limited emergency situations. For purposes of this Specific Plan and the above-mentioned plan, shut downs related to physical failures of water conveyance facilities shall constitute an emergency, but in no event shall an emergency include the lack of available water for any other reason.

The revisions requested in supplemental condition number 7 have been incorporated into the Mitigation Monitoring and Reporting Plan at the requested locations.

A. LAND USE

THE FOLLOWING MITIGATION MEASURES ARE FROM THE LAND USE SECTION OF THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGE IV-35:

Mitigation Measure: 1. Continuance of limited grazing on the site shall be considered to help offset impacts due to the termination of Oak Flat ranch facilities in Phase 1. To the satisfaction of the Planning Director, during development of Phase 1 the applicant shall develop a program for maintaining limited grazing in the overall site.

Impact to be Mitigated: Loss of grazing in the Phase 1 area, and possible loss of grazing in the remaining area of the Overall Site.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to development requests beyond the Five-year Development Plan area, i.e., prior to issuance of a Building Permit for the 201st residence.

Mitigation Specifications: During the buildout of the Five-year Development Plan, the Developer shall prepare a Grazing Plan for the balance of the Phase 1 area and the Overall Site. This Plan shall evaluate carrying capacity and designate areas for continued limited grazing within the balance of the Phase 1 area and the Overall Site. The Grazing Plan may be a stand-alone document, or be part of a Resource Management Plan ("RMP"), prepared by the Developer.

Agency/Individual Responsible for Monitoring: County Planning Department and Agricultural Commissioner.

Action by Monitor: Approval of Grazing Plan by County Planning Director following consultation with the Agricultural Commissioner.

Monitoring Timing: Prior to the issuance of any Building Permits beyond the Five-year Development Plan, i.e., the 201st residential building, the Grazing Plan shall be submitted and approved. Ongoing monitoring will occur throughout the life of the project based on the details presented in the Plan.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

2. Off-site growth inducement along Oak Flat Road shall be mitigated by requiring scenic easements or other vehicles for the maintenance of open space/agricultural uses adjacent to the road. Careful public and County review shall be conducted for any proposed development along Oak Flat Road.

Impact to be Mitigated:

Possible loss of open space and agricultural uses off-site adjacent to Oak Flat Road caused by growth pressure resulting from construction of the road.

Agency/Individual Responsible for Implementation:

County Board of Supervisors.

Implementation Timing:

During the review process for General Plan Amendment and Rezoning requests which abut Oak Flat Road.

Mitigation Specifications:

The County Planning Department, Planning Commission and Board of Supervisors shall carefully review any requests for development along the new Oak Flat Road. This review shall include an evaluation of the loss of agricultural land, open space concerns and whether the requested use is premature, and shall weigh these concerns against any perceived benefits of the proposed project. The approval authority of the Board of Supervisors is the preferred vehicle for preserving the open space and agricultural uses along Oak Flat Road.

Agency/Individual Responsible for Monitoring:

County Planning Department, Planning Commission and Board of Supervisors.

Action by Monitor:

Careful review and evaluation of any development requests along the Oak Flat Road corridor.

Monitoring Timing:

During the review and approval process for any proposed development along the Oak Flat Road corridor.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 3. To mitigate open space and agricultural land use impacts, minimal housing development shall be allowed in the proposed hill conservation areas along cul-de-sac areas east of Oak Flat Parkway.

Impact to be Mitigated: Visual impacts due to grading, tree removal and dwelling placement; and proximity to grazing.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of a Final Development Plan, i.e., a Tentative Map or Site Plan and Design Review package, for areas lying east of Oak Flat Parkway.

Mitigation Specifications: Tentative Maps or requests for Site Plan approval for areas lying east of Oak Flat Parkway shall be designed to minimize visual impacts on the balance of the project site. The evaluation of visual impacts will include the amount of grading proposed, the number and location of trees to be removed, the number and placement of structures, and the construction materials proposed. In addition, compliance with the approved Grazing Plan will be required.

Agency/Individual Responsible for Monitoring: County Planning Director, Planning Commission, Board of Supervisors and the Diablo Grande Design Review Committee.

Action by Monitor: Review Tentative Maps or Site Plans for compliance.

Monitoring Timing: Approving authority shall be satisfied with compliance prior to approval of Tentative Maps or Site Plans. Building permit requests shall be evaluated for compliance with approved Tentative Maps or Site Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 4. To ensure open space lands remain in open space in perpetuity, scenic or open space easements shall be established for open space areas. If easements are not possible, the lands may be conveyed to the County or a deed restriction may be implemented.

Impact to be Mitigated: Long-term loss of open space and the introduction of uses incompatible with the preservation of open space.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to completion of the Five-year Development Plan.

Mitigation Specifications: Preservation of the project Open Space will be accomplished through the Specific Plan. The Specific Plan has set aside Open Space by way of the establishment of Specific Plan Land Use designations. The County Board of Supervisors through its zoning authority, its monitoring and approval authority over the Specific Plan, and its authority over the Williamson Act contracts on a majority of the project Open Space, will be responsible for maintaining the project Open Space.

Prior to the completion of development in the Five-year Development Plan area, the Developer shall prepare an Open Space Protection Plan. This Plan will detail methods proposed for protecting and enhancing the project Open Space. This Plan may be part of an overall Resource Management Plan ("RMP"), or a separate document.

Agency/Individual Responsible for Monitoring: County Planning Director, Planning Commission and Board of Supervisors.

Action by Monitor: Planning Director review and approval of the RMP or Open Space Protection Plan. Planning Commission review and approval of the RMP or Open Space Protection Plan prior to completion of the Five-year Development Plan, i.e., prior to issuance of the 201st residential Building Permit.

Monitoring Timing: The Open Space Protection Plan shall be approved by the Board of Supervisors prior to approval of Final Development Plans beyond the Five-year Development Plan area.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure: 5. A geotechnical survey and records search shall be conducted to confirm the absence of hazardous wastes on the Phase 1 site prior to Final Map approval.

Impact to be Mitigated: Potential health and safety hazards associated with any hazardous wastes on the site, especially in proximity to historic ranch area.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to filing of Final Maps for each sub-phase of development.

Mitigation Specifications: Preparation of a geotechnical report including a Preliminary Site Assessment ("PSA") to County and State standards by a qualified consulting firm concurrently with preparation of a soils and geologic report for each sub-phase of development. The County Department of Environmental Resources, Hazardous Materials Division shall approve the PSA prior to recordation of Final Maps.

Agency/Individual Responsible for Monitoring: County Planning Department, Department of Environmental Resources, Hazardous Materials Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the approval of the PSA by the Department of Environmental Resources, Hazardous Materials Division.

Monitoring Timing: Prior to recordation of Final Maps, and inspection during removal process as needed.

Monitor: **Completion Date:** _____ **Signature:** _____

THE FOLLOWING ARE NEW LAND USE MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (57;1) MEANS PAGE 57 RESPONSE NO. 1.

Mitigation Measure: 57;1 Measures shall be undertaken to limit access to the former bombing range which is adjacent to the project site by use of signs and other means of informing the public. These measures shall not interfere with wildlife movement between the project site and the former bombing range.

Impact to be Mitigated: Exposure to undetonated bombs or other hazardous materials.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to the approval of any Final Maps.

Mitigation Specifications: Provide and maintain standard cattle fencing along property line abutting U.S. Navy property. Post "no trespassing signs" every 200 feet.

Agency/Individual Responsible for Monitoring: County Planning Department, County Counsel and Sheriff's Department.

Action by Monitor: Inspect fencing and signing.

Monitoring Timing: After installation and prior to the approval of any Final Maps, and verified as part of annual review.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 189;1 Entry roadways should allow for access by the adjoining ranch land uses. The roadways should be designed to address the cattle ranching concerns of adjacent lands including access to stock water for cattle and movement of cattle on both sides of the roadways.

Impact to be Mitigated: Loss of access to abutting properties and interruption of cattle operation.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Improvement Plans for Primary Access Road and Entry Road.

Mitigation Specifications: The Entry Road Improvement Plans shall provide adequately sized undercrossings where land ownership is bisected by the Entry Road, or contain some other acceptable method for crossing of the roadway by owners and/or livestock. Any method shall be subject to the approval of the County Public Works Department.

Agency/Individual Responsible for Monitoring: County Planning Department, Agricultural Commissioner and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the Agricultural Commissioner and Public Works Department approvals of the Improvement Plans with respect to access across the roadway, prior to construction of the Entry Road. Verification of the installation of the approved crossing structures.

Monitoring Timing: Prior to approval of the Entry Road Improvement Plans for the crossing type, and prior to the opening of the Oak Flat Golf Course and Clubhouse for use and occupancy for verification of installation.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 318;14 If the Board of Supervisors determines that the project is a 'new town' or 'self-contained community,' on-site or in-lieu very low-, low-, and moderate-income housing opportunities as described in Housing Element Program 1.8 should be incorporated into the Specific Plan to the satisfaction of the Planning Director.

Impact to be Mitigated: Possible lack of low to moderate income housing to serve employees of project.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to issuance of residential Building Permits.

Mitigation Specifications: The Board of Supervisors has determined the compliance of the Diablo Grande Specific Plan with the County's General Plan. The Board has additionally accepted a Developer offer of \$250 per single family residence to the County Redevelopment Agency, to be collected prior to the issuance of each residential Building Permit.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the payment of the \$250 prior to the issuance of any residential Building Permit, and forward said funds to the County Redevelopment Agency.

Monitoring Timing: Prior to the issuance of any residential Building Permits.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 319;22 In order to reduce the potential for unnecessary migration of out-of-state workers and to increase the opportunity to bolster the local economy, the applicant should make a good-faith effort to the satisfaction of the Planning Director to provide project construction related jobs to California residents, with priority for workers who reside locally in the general region of the project site.

Impact to be Mitigated: Loss of construction job opportunities for Stanislaus County, San Joaquin Valley and California residents.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to beginning construction and ongoing with submittal of a Construction Report to Planning Director as part of annual project review.

Mitigation Specifications: A Hiring/Purchasing Plan shall be prepared by the Developer and approved by the County prior to any construction. The Plan shall include provisions to meet the following goals:

1. Priority may be given to contractors who use construction crews from the San Joaquin Valley and Northern California;
2. Stanislaus County based sub-contractors and construction workers will be used whenever possible;
3. Out-of-state construction workers will not exceed 15% of the total Phase 1 labor force; and,
4. The purchase of construction materials shall be from Stanislaus County vendors whenever possible.

Agency/Individual Responsible for Monitoring: Planning Director.

Action by Monitor: Approval of the Hiring/Purchasing Plan and ongoing approval of Construction Reports by the County following consultation with the State Employment Development Department and the Private Industry Council.

Monitoring Timing: Prior to construction and ongoing throughout construction.

Monitor: **Completion Date:** _____ **Signature:** _____

B. GEOLOGY, SEISMICITY AND SOILS

THE FOLLOWING MITIGATION MEASURES ARE FROM THE GEOLOGY, SEISMICITY AND SOILS SECTION OF THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-64 to IV-67:

Mitigation Measure: 1. A detailed geotechnical evaluation shall be prepared as part of the project design process. The evaluation shall include the exploration and assessment of soil, bedrock, groundwater, and other subsurface geologic conditions under both static and seismic conditions, and building- and roadway-specific foundation and structural engineering. Site-specific calculations on expected ground acceleration, amplitude and duration of seismic shaking shall be provided in the geotechnical study. The specific evaluation on the potential for secondary seismic impacts such as liquefaction, surface rupture and seismic-triggered landslides also will be assessed. Proposed cut and fill slopes shall be evaluated under both static and seismic conditions so that soil and slope engineering criteria for evaluating cut and fill slope stability to provide soil engineering criteria for project grading, retaining wall structures, building and road foundations and drainage systems can be provided. The evaluation shall be based on adequate surface and subsurface exploration, sampling, laboratory testing, and engineering analysis.

(Revised by FEIR 180;32)

Impact to be Mitigated:

Physical damage to roads, utilities and structures due to seismic shaking, liquefaction and landslides, or improperly designed foundations and footings.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Tentative Maps, Improvement Plans and/or Building Plans.

**Mitigation
Specifications:**

1. Preliminary geotechnical reports shall be submitted with each Tentative Map or Site Plan generally indicating what design guidelines will be needed for residences, commercial buildings, roads and utilities.
2. Final geotechnical reports shall be submitted with each Improvement and/or Building Plan providing detailed design criteria, calculations and standards.
3. All design work shall meet the U.B.C. as adopted by Stanislaus County.
4. The County Department of Environmental Resources shall review the geotechnical reports and offer input to the plan reviewing agencies with respect to the seismicity section of these reports.
5. The County Public Works Department and Building Inspection Division shall review these reports for the purpose of determining project soil characteristics and design parameters.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, Public Works Department, Building Inspection Division and Department of Environmental Resources.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall verify that review of the other County departments has occurred, and that the recommendations of these departments, and the geotechnical report, are incorporated into Tentative Maps, Improvement Plans or Building Plans.

**Monitoring
Timing:**

1. During Tentative Map review; and
2. During Improvement Plan and/or Building Plan review.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

2. Properly qualified field engineers shall be used to perform grading observation and testing during construction. The progress of the earthworks construction shall be periodically evaluated by a certified engineering geologist and/or geotechnical engineer, and incorporated into the Mitigation Monitoring Report.

Impact to be Mitigated:

Inadequate stabilization and compaction of underlying land and slopes.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Ongoing during construction.

Mitigation Specifications:

The Developer, together with the County Public Works Department and Planning Department shall determine an appropriate Inspection Plan for the construction of the project components. This Inspection Plan will set forth: who is to perform the construction inspection, the applicant, the County, or a combination of the two; and, the necessary monitoring and reporting protocols for the inspection work. This Inspection Plan will aid in the assurance of acceptable construction practices and finished product.

Agency/Individual Responsible for Monitoring:

County Planning Department and Public Works Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall verify the existence of a Construction Inspection Plan and its acceptability to the County Department of Public Works.

Monitoring Timing:

The Construction Inspection Plan shall be in-place prior to approval of Improvement Plans. Ongoing inspection reports shall be submitted to the Environmental Coordinator, who will forward these reports to the Department of Public Works, throughout the construction of the Phase 1 development as specified in the approved report.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

3. All development and grading plans for the project shall be reviewed by a licensed civil engineer for compliance with Chapter 70 of the Uniform Building Code. The county shall make the final review of plans and provide any additional conditions of approval prior to issuance of the grading and building permits. The U.S. Army Corps of Engineers would be responsible for providing their approval of permits for grading done within their jurisdiction.

Impact to be Mitigated:

Physical damage to roads, utilities and structures due to seismic shaking, liquefaction, landslides and erosion.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to approval of Tentative Maps, Site Plans, Improvement Plans and Building Permits, as appropriate.

Mitigation Specifications:

Preliminary Grading Plans will be submitted with any Tentative Map or Site Plan. These preliminary plans will be reviewed by the County Public Works Department to determine any concerns which need to be addressed regarding grading.

Final Grading Plans will be submitted and approved by the County Public Works Department prior to the approval of any Building Permit or Improvement Plan.

The County Planning Department Environmental Coordinator shall determine if any grading will occur which will affect lands under the jurisdiction of the U.S. Army Corps of Engineers. If so, the Developer will be requested to obtain all appropriate permits from the Corps prior to the County approving the plans for the grading in question.

Agency/Individual Responsible for Monitoring:

County Planning Department, Public Works Department and Army Corps of Engineers.

Action by Monitor:

The County Planning Department Environmental Coordinator shall verify the review of the plans by the Department of Public Works, and the acquisition of any required Corps permits.

Monitoring Timing:

During the Tentative Map and Site Plan review process, and prior to issuance of Building Permits or the approval of Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

4. Potentially unstable slopes or cut and fill slopes created through project grading shall be stabilized through site-specific mitigation measures provided by a qualified geotechnical engineer. Such measures may include soil stripping, scarification and recompaction, and/or the reduction of the proposed cuts, the construction of a buttressed fill, benched slopes, and/or retaining walls. Retaining walls shall be subdrained and designed to resist lateral pressures appropriate to the size of the backslope.

Impact to be Mitigated:

Failure of unstable slopes.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to the request for approval of Improvement Plans.

Mitigation Specifications:

Geotechnical reports shall be submitted with any requests for approval of Improvement Plans. These geotechnical reports shall delineate any areas of unstable soils, and offer recommendations for stabilization or avoidance of these areas.

The County Public Works Department shall review the Improvement Plans for the inclusion of any recommendations from the geotechnical report.

Agency/Individual Responsible for Monitoring:

County Planning Department and Public Works Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall verify the approval of the final geotechnical report and inclusion of the recommendations through consultation with the Department of Public Works.

Monitoring Timing:

Prior to approval of Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 5. Grading generally shall not be permitted on slopes greater than 25 percent. Any exceptions to this shall be at the discretion of the Public Works Department, and shall be required to include geotechnical analyses and erosion control plans.

Impact to be Mitigated: Unstable slopes and erosion.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of a Tentative Map or Site Plan and Design Review package.

Mitigation Specifications:

1. Areas of 25%-plus slope shall be shown, when they occur, on Tentative Maps and Site Plans.
2. Finished slope ratios shall be recommended by a geotechnical engineer based on a Preliminary Geotechnical Report; and normally shall not exceed 2:1.
3. Retaining walls of up to eight feet in height may be used to minimize grading when designed by a geotechnical engineer.
4. Preliminary Erosion Control Plans for slopes in areas exceeding 25% shall be submitted with Tentative Maps and Site Plan Design Review packages.
5. Final Erosion Control Plans shall be submitted with Improvement Plans for any area exceeding 25% slope at the completion of grading, and shall be consistent with the recommendations of the Final Geotechnical Report.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Public Works Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall verify the compliance of the items stated above in consultation with the Public Works Department. This conformance will be achieved by review of the plans and verification of consistency of the items above with the recommendations of the geotechnical engineer in the Geotechnical Report.

**Monitoring
Timing:**

Verification of compliance will be required prior to approval of any Tentative Map, Site Plans, Improvement Plan or Building Permit where areas of grading on slopes greater than 25% occurs.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 6. In addition to grading being balanced on-site within each phase, grading activities shall be staggered so as to minimize the total area affected by grading at any given time.

Impact to be Mitigated: Off-site and on-site construction noise, dust and erosion; and premature modification of existing open space.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Preliminary Grading Plans with Tentative Maps or Site Plan Design Review packages and Final Grading Plans with Final Maps or Improvement Plans.

Mitigation Specifications:

1. Grading shall be balanced, to the extent possible, within each major phase of development (e.g. - Phase 1 Preliminary Development Plan Area)
2. Wherever possible, grading shall be balanced within each sub-area phase of development (e.g. - Five-year Development Plan Area).
3. Grading of single family hill area lots will be done on a lot-by-lot or block-by-block basis, and balanced grading will be achieved where possible.
4. Large grading projects shall be phased, where possible, based upon consultation with the County Public Works Department and the County Planning Department Environmental Coordinator.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review Grading Plans with the Public Works Department for compliance prior to approval of Improvement Plans which contain substantial grading.

Monitoring Timing: Prior to approval of Improvement Plans which contain substantial grading.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 7. Lots shall be set back from the toe of slopes as recommended by the geotechnical engineer.

Impact to be Mitigated: Potential landslides.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Tentative Maps, Site Plans, Improvement Plans and requests for Building Permits.

Mitigation Specifications: A Preliminary Geotechnical Report shall be submitted with all Tentative Map and Site Plan approval requests. The Geotechnical Report shall spell out any required setbacks from the toes of slopes. All lots shall be setback a minimum of 10 feet or greater as required by the geotechnical engineer.

Final Geotechnical Reports shall be submitted with Improvement Plans or requests for Building Permits. The County Public Works Department shall review Improvement Plans for the incorporation of setback requirements, and all building pads shall be reviewed by the County Building Inspector for compliance with setback requirements.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department and Building Inspection Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall review all Tentative Map or Site Plan requests for compliance with the Preliminary Geotechnical Report. The Environmental Coordinator shall verify compliance prior to approval of Improvement Plans or issuance of Building Permits through consultation with the Public Works Department or Building Inspection Division. The Building Inspection Division shall verify compliance in the field.

Monitoring Timing: Prior to approval of Tentative Maps, Site Plans, Improvement Plans and Building Permits.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

8. The four development areas east of Oak Flat Road within Phase 1 shall be given special treatment to reduce the extent of topographic alterations and limit grading to retain natural contours.

Impact to be

Mitigated:

Modification of existing natural setting behind proposed residential clusters.

**Agency/Individual
Responsible for
Implementation:**

Developer.

**Implementation
Timing:**

At the submittal of Tentative Maps and Site Plans.

**Mitigation
Specifications:**

Preliminary Grading Plans shall be submitted with Tentative Map or Site Plan approval requests for the areas east of Oak Flat Road. These Preliminary Grading Plans shall incorporate the following:

1. Hillside graded areas shall be minimized and, where graded, they shall be recontoured and "feathered" on edges to match existing terrain wherever possible.
2. Grading shall be kept within transitional buffer areas and outside of oak woodland areas.
3. Graded areas shall be revegetated with native grasses and plants to the maximum extent feasible.

Final Grading Plans incorporated into Improvement Plans shall be reviewed for conformance with the approved Tentative Map or Site Plan.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Public Works Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator, in consultation with the Public Works Department, shall review Preliminary and Final Grading Plans for compliance.

**Monitoring
Timing:**

Prior to Tentative Map and Site Plan and Design Review approvals, and prior to issuance of grading permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

9. Interim and Final erosion control plans shall be prepared and submitted to the County for review and approval prior to the issuance of grading permits. If earthworks construction is to take place during the rainy season, a wet weather erosion protection program shall be developed and implemented. Measures that would be needed at any crossings of Salado, Crow, or Orestimba creeks as well as their main tributaries include the installation of filter berms, sandbag or straw bailed barriers anchored by rebar, siltation retention fences, and the retention of natural vegetation between the erosion source and the sensitive area. Soil piles shall be covered at the end of each day. During the rainy season, these wet weather erosion protection measures shall be stored on site. Prior to the onset of wet weather, areas disturbed by partially or completed grading shall be hydroseeded.

Impact to be Mitigated:

On-site erosion and creek sedimentation.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Improvement Plans.

Mitigation Specifications:

A Final Geotechnical Report shall be submitted with Improvement Plans. This report shall include erosion control measures to be incorporated into the construction of the improvements if work is to occur during the rainy season from November through April.

The erosion control section of the Geotechnical Report shall include, at a minimum: inclusion of the measures described above where construction takes place at major creek crossings; soil piles shall be covered if planned to be unused for over one week, and in a location where erosion of the soil pile could find its way directly into a creek; that wet weather protection devices will be stored at Maintenance Center; and, that hydroseeding will be completed by the end of October.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Public Works Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall consult with the Public Works Department for the adequacy of the erosion control measures in the Geotechnical Report. Construction inspection reports, submitted to the Environmental Coordinator, shall specify that the erosion control measures have been implemented for work occurring during the rainy season and these reports shall be reviewed by the Public Works Department.

**Monitoring
Timing:**

Prior to approval of Improvement Plans, and ongoing through the construction inspection process, when appropriate.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 10. To minimize erosion, siltation, and stream impacts, as little of the surface soils as possible shall be exposed during project grading and construction activities.

Impact to be Mitigated: Potential erosion, siltation and sedimentation.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the grading of development areas and roads.

Mitigation Specifications: Compliance with Mitigation Measures 6 and 9 on the preceding pages will satisfy compliance with this Mitigation Measure. In addition, the following construction methods will be incorporated whenever feasible:

1. Preliminary grading in sub-area phases in advance of detailed grading operations;
2. Covering of exposed soil piles at end of each workday;
3. Restricting the construction area and size of grading equipment at creek crossings; and,
4. Implementation of interim and final erosion control measures from Mitigation Measure 9, within one week after completion of earthwork in a sub-area.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review construction inspection reports for compliance with the above specifications, and those for Mitigation Measures 6 and 9 on the preceding pages.

Monitoring Timing: At start of grading and ongoing as part of the construction inspection process.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 11. Excavated materials shall not be sidecast during site preparation, construction, and final grooming of cuts and fills, when such materials could come to rest in proximity to streams or gullies. Grading shall be conducted in such a manner that downslope roll of rocks, boulders, and other soil material is minimized.

Impact to be Mitigated: Impact of grading on streams, riparian corridors and gullies.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the grading of development areas and roads.

Mitigation Specifications: Grading shall be monitored by Construction Superintendent or Project Engineer, consistent with the approved Inspection Plan, to ensure that mitigation intent is adhered to. Any graded materials entering stream courses or gullies shall be removed, and those features restored to their pre-grading state. Compliance with Mitigation Measures 6, 9 and 10 will aid in mitigating this impact.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review the construction inspection reports for compliance with this Mitigation Measure along with compliance with Mitigation Measures 6, 9 and 10. The Environmental Coordinator shall consult with the Public Works Department for help in reviewing the construction inspection reports, if needed.

Monitoring Timing: At start of grading and ongoing as part of the construction inspection process.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 12. If a borrow site must be developed, it shall be located at an environmentally acceptable area, that avoids sensitive areas such as drainage courses or steep slopes where stream siltation or erosion would result. The borrow site shall be reclaimed following its use.

Impact to be Mitigated: Topographic alteration, stream siltation and hill area erosion.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Borrow Site Plan.

Mitigation Specifications: Prior to approving a borrow pit, the proposed site shall be evaluated for compliance with the Mitigation Measures set forth in this document. A Reclamation Plan, consistent with State standards, shall be submitted with any plan for establishing a borrow site. A Use Permit shall be obtained for the site if determined necessary for compliance with zoning and the Surface Mining and Reclamation Act standards.

Agency/Individual Responsible for Monitoring: County Planning Department, Planning Commission and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator, along with the Public Works Department, shall review any Borrow Site Plan and Reclamation Plan for compliance with the Mitigation Measures in this document. If compliance cannot be achieved, then the Use Permit for the borrow site shall not be approved by the Planning Commission. At the termination of the use of the borrow site, the Reclamation Plan shall be implemented and its completion shall be field verified.

Monitoring Timing: Prior to grading of borrow site and after reclamation.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 13. In areas which require the removal of brush but not grading, the root crowns shall be left intact, so as to retard soil erosion.

Impact to be Mitigated: Erosion of creekside and hill areas.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Ongoing during construction.

Mitigation Specifications: The Construction Superintendent or Project Engineer shall include in the inspection report, areas where brush removal has been performed, and verification of compliance with this mitigation measure, if feasible.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review the project construction inspection reports for compliance with this mitigation measure.

Monitoring Timing: Ongoing during the construction of Phase 1.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 14. Project landscaping shall consist of deep-rooted drought resistant shrubs, trees, and ground covers instead of shallow-rooted species.

Impact to be Mitigated: On-site erosion and creek sedimentation.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Landscape Plans.

Mitigation Specifications: "Project landscaping" refers to landscaping in public areas. Landscape Plans will be submitted for any development in the Specific Plan zoning designations of RC and R+D. In addition, Landscape Plans will be prepared for the Oak Flat Parkway, Golf Courses, Parks, attached single family and multi-family developments.

As part of the design of the initial golf course and clubhouse remodel, a landscaping materials list will be prepared for the entire Phase 1 area. This landscaping materials list will set the theme for landscaping in the Phase 1 area. The materials on this list will be determined based upon the Mitigation Measure above, Mitigation Measure 22 in the Hydrology and Water Quality Section, Mitigation Measure 40 in the Vegetation and Wildlife Section of this document, and based upon the applicants experience and desires.

Landscape Plans shall consist of a minimum of 75% of the materials specified in the landscape materials list, or new materials may be added upon the approval of the Planning Director.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Agricultural Commissioner.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator and the Agricultural Commissioner shall review and approve Landscape Plans consistent with the specifications above. Landscape Plans will be approved prior to issuance of permits for construction of the Oak Flat Parkway, Golf Courses, Parks, or Building Permits for RC and R+D projects. The Golf Course Clubhouse remodel permit may be issued without Landscaping Plans, but Landscaping Plans must be submitted and approved prior to the opening for public play of the first Golf Course.

**Monitoring
Timing:**

Landscape Plans will be approved prior to issuance of permits for construction of the Oak Flat Parkway, Golf Courses, Parks, or Building Permits for RC and R+D projects. The Golf Course Clubhouse remodel permit may be issued without Landscape Plans, but Landscape Plans must be submitted and approved prior to the opening for public play of the first Golf Course.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:
(Revised by FEIR 180;32)

15. All project components (cut and fill slopes, structures, utilities, roadways) shall be constructed according to all State and local building design standards that have been adopted by the County. Should the geotechnical study determine that the project site could be subject to more severe seismic parameters than those that were used as the basis for the county-adopted design standards, the project components shall be built to withstand the most conservative measures.

Impact to be Mitigated:

Seismic hazards.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Improvement Plans or requests for Building Permits.

Mitigation Specifications:

Final Geotechnical Reports shall be submitted with each Improvement and/or Building Plan, providing detailed design criteria, calculations and standards. If the Geotechnical Report, prepared in conformance with Mitigation Measure 1 above recommends a higher standard than currently exists, and this higher standard is verified by the County Department of Environmental Resources and Department of Public Works, then the higher standard shall be used for the design of project components.

All design work shall, at a minimum, meet the U.B.C. as adopted by Stanislaus County.

Agency/Individual Responsible for Monitoring:

County Planning Department, Department of Environmental Resources and Department of Public Works.

Action by Monitor:

The County Planning Department Environmental Coordinator shall, in consultation with the County Department of Environmental Resources and Department of Public Works, review the Final Geotechnical Reports with Improvement Plans and requests for Building Permits for compliance with the Geotechnical Reports.

Monitoring Timing:

Prior to approval of Improvement Plans or Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 16. All interior fixtures and utilities (i.e., water heaters) in public places, and those built into homes by homebuilders, shall be securely attached to reduce the risk of damage or injury from falling objects.
(Revised by FEIR 264;4)

Impact to be Mitigated: Loss of property and life due to seismic ground shaking.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Building Plans.

Mitigation Specifications: Building Plans shall be designed to all State and local building standards, and to more restrictive standards if the geotechnical evaluations of the site warrant such. Plans should also include specifications for securing major fixtures such as water heaters, and major built-in appliances/cabinets against toppling in case of seismic shaking, to the extent that the Uniform Building Code contains standards for the attachment of these components. The ongoing building inspection process by the County shall verify compliance with the building standards.

Agency/Individual Responsible for Monitoring: County Building Inspection Division.

Action by Monitor: The County Building Inspection Division, through the plan check and building inspection process, shall verify compliance of structures with applicable codes and standards.

Monitoring Timing: Prior to Building Permit approval and prior to issuance of certificate of occupancy for public structures.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 17. An earthquake emergency plan for the project shall be prepared and incorporated into the proposed project. The plan shall address what project residents and employees shall do in the event of an earthquake. Community shelter locations shall be established and emergency exit routes made known.

Impact to be Mitigated: Injury and loss of life due to seismic ground shaking.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to approval of first residential Building Permit or the opening of the first golf course for public play.

Mitigation Specifications: An Earthquake Emergency Plan shall be prepared which will include: what should be done in the event of an earthquake; set forth personal protection safety tips; and, detail evacuation routes and assembly locations.

Agency/Individual Responsible for Monitoring: County Planning Department and Fire Warden (Office of Emergency Services ("OES")).

Action by Monitor: The County Planning Department Environmental Coordinator and the Fire Warden shall review and approve the Earthquake Emergency Plan.

Monitoring Timing: Prior to issuance of residential Building Permits and prior to the opening of the first golf course for public play.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 18. The foundations of structures within areas of high liquefaction potential shall be extended down beyond the sandy deposits into solid bedrock material. Special engineering procedures shall also be implemented to ensure roadway protection from damage and/or closure due to liquefaction.

Impact to be Mitigated: Road and structure failure due to liquefaction.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Building Plans and/or Improvement Plans to the County.

Mitigation Specifications: The Final Geotechnical Reports which are required to be submitted under Mitigation Measure 1 above shall: include liquefaction potential as one of the parameters analyzed; denote areas of high liquefaction hazard; and, offer construction methods to minimize the likelihood of structural failures. This Final Geotechnical Report will be implemented as spelled out in Mitigation Measure 1 above. Compliance with the construction methods will be as a part of the ongoing construction inspection program.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department and Building Inspection Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify that review of the other County departments has occurred, and that the recommendations of these departments, and the Geotechnical Report, are incorporated into Improvement Plans or Building Plans.

Monitoring Timing: Prior to issuance of Building Permits or approval of Improvement Plans and as part of the construction inspection process.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

19. Adverse effects of expansive soils shall be mitigated by extending building foundations below the zone of expansive soils subject to seasonal moisture variations, or by moisture conditioning and capping these soils with non-expansive soils to support footings and slabs. If relatively shallow, expansive soils could be removed below buildings or other improvements. However, the expansive potential of materials exposed beneath the soils shall be evaluated to determine if soil removal is appropriate. Roadways may require relatively thick layers of aggregate base and subbase as well as a thick section of asphaltic-concrete to minimize the potential damage due to shrinking and swelling of soils. The project geotechnical and structural engineers shall provide recommendations on the foundation design criteria and spacing, depth and diameter of foundation support piers upon review of soil strength data provided in the detailed geotechnical report.

Impact to be**Mitigated:**

Structural failure due to expansive soils.

**Agency/Individual
Responsible for****Implementation:**

Developer.

Implementation**Timing:**

At the submittal of Building Permits and Improvement Plans.

Mitigation**Specifications:**

Adhere to recommendations of geotechnical consultant as specified in the Final Geotechnical Report submitted with plans, consistent with Mitigation Measures 1 and 18, in addition to the mitigation stated above.

Building foundations and road base designs shall be as specified in the Final Geotechnical Report.

**Agency/Individual
Responsible for**

Monitoring:

County Planning Department, Building Inspection Division and
Public Works Department.

Action by

Monitor:

The County Planning Department Environmental Coordinator shall
consult with the Public Works Department to verify that all
required information has been included in the Final Geotechnical
Report and incorporated into the project plans.

Monitoring

Timing:

Prior to issuance of Building Permits or approval of Improvement
Plans where the Final Geotechnical Report has shown that
expansive soils exist.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 20. Expansive soil removed from one area shall be placed in an area where the shrinking and swelling nature of the soil would not create significant adverse impact or result in damage to structures.

Impact to be Mitigated: Failure of structures or roads.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: During construction.

Mitigation Specifications: Areas of expansive soils shall be delineated in the Final Geotechnical Report, or determined through construction testing, and placed in landscape areas such as mounds or in passive park areas, as directed by the Project Engineer.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review the inspection reports, in consultation with the Public Works Department, to determine the appropriate use of expansive soils.

Monitoring Timing: During grading and landscape construction.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:
(Revised by FEIR 264;5)

21. Where corrosive soils pose a threat, underground and subsurface steel and cement structures shall be protected either through the provision of a buffer zone or trench filled with non-corrosive material such as gravel or neutral soil, or the encasement or lining of the underground project improvements.

Impact to be Mitigated:

Corrosion of underground utilities.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Underground Utilities Improvement Plans.

Mitigation Specifications:

Areas of corrosive soils shall be detailed in the Final Geotechnical Report. Mitigation shall include those spelled out: in the Final Geotechnical Report; as described above; and, those measures proposed by the underground utilities consultants.

Agency/Individual Responsible for Monitoring:

County Planning Department and Public Works Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall, in consultation with the Public Works Department, review the Final Geotechnical Reports and the Improvement Plans to insure that mitigation for corrosive materials, if required, has been incorporated into the project design. Review of the construction inspection reports shall verify the actual implementation of the necessary construction methods.

Monitoring Timing:

Prior to approval of Improvement Plans and during underground construction and backfill.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 22. Grading plans shall be prepared for the earthwork necessary to construct the Oak Flat Parkway, Primary Access Road, and Oak Flat Road. The plans shall be reviewed and approved by the County prior to issuance of the grading permit.

Impact to be Mitigated: Structural failure, slope stabilization and creek siltation.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: At the submittal of Improvement Plans.

Mitigation Specifications: Improvement Plans shall comply with the County Public Works Department specifications and geotechnical consultants recommendations in the Final Geotechnical Report.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review the Improvement Plans with the Public Works Department for compliance with the Final Geotechnical Report.

Monitoring Timing: Prior to approval of Improvement Plans involving grading.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 23. A slope stability analysis of the large landslide along the Oak Flat Road access shall be included as part of the detailed geotechnical report for the project. The report shall provide recommendations for slope stability measures to ensure that future landsliding activities not impact the proposed roadway at its base. All recommended measures shall be incorporated into the proposed project plans.

Impact to be Mitigated: Landslide damage to a portion of Oak Flat Road.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of the Oak Flat Road Improvement Plans.

Mitigation Specifications: A Final Geotechnical Report on the landslide shall be submitted to the County along with the Oak Flat Road Improvement Plans. These plans shall include all stabilization measures offered in the Final Geotechnical Report and these measures shall be completed as part of the road construction, prior to occupancy of any project residences.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Public Works Department to assure compliance with this mitigation measure. In addition, the Environmental Coordinator shall receive an inspection report from the Project Engineer certifying that the work has been accomplished, verified by the Public Works Department, prior to issuing any residential Building Permits.

Monitoring Timing: During review of Improvement Plans for affected section of Oak Flat Road; and during construction of that road segment.

Monitor: **Completion Date:** _____ **Signature:** _____

C. HYDROLOGY AND WATER QUALITY

THE FOLLOWING MITIGATION MEASURES ARE FROM THE HYDROLOGY AND WATER QUALITY SECTION OF THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-91 to IV-96:

Mitigation Measure: 1. NPDES permit requirements for stormwater discharge
(Revised by FEIR 176;22) shall be complied with prior to starting any construction activities, either on a phase basis or by individual project components. The Stormwater Pollution Prevention Plan must be developed and required protection in place before earthwork begins. Additional NPDES permits for the proposed land uses, if required, shall be obtained prior to their operation. The project shall provide measures and practices to prevent pollution and prepare a stormwater discharge monitoring program to ensure compliance with state and federal water quality objectives.

Impact to be Mitigated: Flooding and siltation.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to construction of any Phase 1 development proposals, which are subject to the State requirements for NPDES permitting.

Mitigation Specifications: All NPDES requirements shall be complied with. The County does not have a general permit, therefore, the project shall complete the NPDES process with the Regional Water Quality Control Board ("RWQCB"). The County Department of Environmental Resources will be the agency which the Developer will work with in completing the permitting requirements. Once the permit is achieved, the project construction shall comply with the permit requirements.

Agency/Individual Responsible for Monitoring: County Planning Department, Department of Environmental Resources and the RWQCB.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the acquisition, if required, of all appropriate NPDES permits. This verification shall occur through consultation with the Department of Environmental Resources and the RWQCB.

Monitoring Timing: Prior to issuance of construction permits.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

2. Although it was noted that the expected amount of surface runoff generated would not be significant, when compared with the total annual surface runoff from the watersheds, the increased flows could impact the conditions of receiving creeks. In order to offset this impact the amount of created impervious surfaces should be minimized.

Impact to be Mitigated:

Cumulative storm run-off on receiving creeks.

Agency/Individual Responsible for Implementation:

Developer

Implementation Timing:

With submittal of Site Plan and Design Review package.

Mitigation Specifications:

1. Meet or exceed the development guidelines for maximum building coverage in Specific Plan.
2. Employ techniques such as increased landscaping and reduced asphalt in parking areas (e.g. - curb stops with landscaping abutting, turf-block driveways where feasible).
3. Provide narrower streets, where possible, based on Specific Plan.

Agency/Individual Responsible for Monitoring:

County Planning Department, Building Inspection Division, Public Works Department and Planning Commission.

Action by Monitor:

Review and approve Site Plan and Design Review packages, evaluating whether the amount of impervious area has been minimized.

Monitoring Timing:

Prior to approval of Site Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 3. The final project drainage systems shall be designed to control runoff volumes and velocities efficiently both during and after construction. Flow control measures could include terraces, detention basins, subsurface drains, berms and other diversions to keep water off exposed slopes and control water velocity.

Impact to be Mitigated: Flooding, erosion and siltation.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: With submittal of Final Drainage Plans.

Mitigation Specifications: Final Drainage Plans shall be based on County Public Works Department guidelines and recommendations.

Agency/Individual Responsible for Monitoring: Public Works Department.

Action by Monitor: Review Improvement Plans, prior to approval, for compliance with the above mentioned requirements and County standards.

Monitoring Timing: Prior to approval of Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 4. Erosion control measures shall be provided along project creeks in the vicinities of outfall structures to protect against erosion from increased surface flows. The level of erosion control needed should be determined by the project engineer and should not significantly detract from the creek's biotic value.

Impact to be Mitigated: Creek erosion and loss of biotic habitat.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Submittal of Riparian Corridor Plans and Final Drainage Plans.

Mitigation Specifications: Drainage Plans which affect creeks shall be reviewed by all agencies with jurisdiction over such work. This review will involve the Public Works Department, and could additionally include permitting by the U.S. Army Corps of Engineers and the State Department of Fish and Game. The following are a list of items which may be employed at outfall structures where storm drainage enters creeks:

1. Use of local stones in creek bed.
2. Minimize use of rip-rap at outfall as required by Public Works Department. Use gabions for erosion control to allow revegetation.
3. Replanting of plant material lost due to construction.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, Army Corps of Engineers and State Department of Fish and Game.

Action by Monitor: The County Planning Department Environmental Coordinator shall review Improvement Plans to determine if outfall into creeks occurs, and if so, shall verify that all appropriate permits have been acquired.

Monitoring Timing: Prior to approval of Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 5. All project drainage systems shall be designed and constructed in conformance with the Stanislaus County Drainage Ordinance, and FEMA and RWQCB regulations.

Impact to be Mitigated: Flooding erosion and siltation.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With submittal of Improvement Plans containing Drainage Plans.

Mitigation Specifications: Conformance with County, FEMA and RWQCB regulations. For RWQCB regulations, any requirements of a NPDES permit shall be followed as specified in Mitigation Measure 1, above. The County Public Works Department shall review the Improvement Plans for the inclusion of any NPDES requirements, and for compliance with the County and FEMA requirements.

Agency/Individual Responsible for Monitoring: County Public Works Department.

Action by Monitor: Review and approve Improvement Plans containing Drainage Plans.

Monitoring Timing: Prior to approval of Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 6. Landscape irrigation practices shall be designed to maximize infiltration of surface water and minimize runoff.

Impact to be Mitigated: Excessive surface runoff.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With submittal of Landscape Plans and Landscape Irrigation Plans.

Mitigation Specifications: Golf course plans will be accompanied by a Golf Course Management Plan, and Site Plans shall be conditioned with the requirement for Landscaping Plans. These plans shall incorporate, to the highest extent possible, the following:

1. Maximize use of pervious surfaces.
2. Use timed irrigation systems to maximum extent possible.
3. Aerate golf courses on a scheduled basis.
4. Adequate preparation of soils.

Agency/Individual Responsible for Monitoring: County Planning Department, Agricultural Commissioner and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review Landscape Plans for compliance with the mitigation specifications, with referral of Landscape Irrigation Plans to Public Works Department and the Agricultural Commissioner for recommendations.

Monitoring Timing: Prior to approval of Landscape or Landscape Irrigation Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:
(Revised by FEIR 157;1)

7. Prior to approval of project drainage plans, floodplain studies shall be conducted along Salado, Crow, and Orestimba creeks. Study findings should be incorporated and mitigated (if necessary) in the final drainage plans. The project drainage plans shall be designed to ensure that areas historically subject to flooding will experience no increase in the historical amount of flow or increase in the length of time of inundation.

Impact to be Mitigated:

Increased flooding.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to submittal of Final Drainage Plans.

Mitigation Specifications:

The items listed below shall be performed prior to completion of Drainage Plans, and shall accompany the Drainage Plans as they are submitted to the Public Works Department for review:

1. Preparation of floodplain studies, both off-site and on-site as applicable.
2. Preparation of Final Drainage Plans based on results of floodplain studies.
3. No increased storm water runoff off-site; and reduction of off-site runoff when possible.
4. Updating and implementation of Preliminary Storm Water Management Study for Phase 1 prepared March 1992 (see Specific Plan Technical Appendix).

Agency/Individual Responsible for Monitoring:

County Planning Department and Public Works Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall consult with the Public Works Department to verify compliance with the intent of the Mitigation Measure.

Monitoring Timing:

Prior to approval of Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

8. The final project drainage plans shall be designed to ensure no net increase in 100-year storm flows downstream of the site near I-5. Drainage plans for project phases constructed upstream of existing phases should include the reevaluation of the existing phase drainage system and the upgrading (if necessary) should the system not be of adequate size to handle additional flows from upstream future phases. Upgrading measures could include the replacement of smaller-sized drainage pipes with pipes of larger diameter, the construction of additional detention basins, and/or the enlargement of existing detention basins.

Impact to be Mitigated:

Increased off-site flooding.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

With submittal of Final Drainage Plans for each phase of development.

Mitigation Specifications:

All Final Drainage Plans shall be accompanied by satisfactory engineering calculations which show that the 100-year downstream flow will not be increased. Final Drainage Plans will incorporate:

1. No net increase of storm water runoff in flood prone area downstream near I-5.
2. Use of storage ponds, detention ponds, pipe sizing, pervious materials and designs.

Agency/Individual Responsible for Monitoring:

County Planning Department and Public Works Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall consult with the Public Works Department to verify compliance with the intent of the Mitigation Measure.

Monitoring Timing:

Prior to approval of Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 9. Project structures, utilities, and roadways shall be located outside the 100-year floodplain.

Impact to be Mitigated: Flooding of roads, utilities and buildings.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Improvement Plans for Oak Flat Road and Primary Access Road to the County, and as part of the Building Permit Review process.

Mitigation Specifications: The 100-year floodplain shall be shown on any Improvement Plans or Final Maps where it occurs. Improvement Plans shall be reviewed by the Public Works Department and Building Plans shall be reviewed by the Building Inspection Division for compliance with this mitigation measure. As stated in this mitigation measure "outside the 100-year floodplain" shall mean: outside of the limits of the 100-year floodplain: or, if within the limits of the 100-year floodplain, a minimum distance above the 100-year flood elevation, as now required by the County Code.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department and Building Inspection Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Public Works Department or Building Inspection Division to ensure compliance with this mitigation measure.

Monitoring Timing: Prior to approval of Improvement Plans or Building Permits.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

10. The project drainage system shall be adequately maintained and cleaned on a regular basis to ensure efficient transport of stormwater through the project site and to avoid localized flooding due to debris blockage. Sections of project creeks that are too narrow to allow proper flow of expected runoff should be widened and protected from erosion where necessary. The appropriate U.S. Army Corps and State Fish and Game Department permits should be obtained prior to any creek improvements.

Impact to be Mitigated:

On-site flooding.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Annually in early fall before rainy season and ongoing during the rainy season.

Mitigation Specifications:

1. The Developer shall prepare an annual maintenance program, in conjunction with the County's Department of Public Works. This program may be established in the Resource Management Plan, or as a separate document.
2. No widening of creekways shall occur without approval of U.S. Army Corps of Engineers and the State Department of Fish and Game.

Agency/Individual Responsible for Monitoring:

County Planning Department, Public Works Department, U.S. Army Corps of Engineers and the State Department of Fish and Game.

Action by Monitor:

The County Planning Department Environmental Coordinator shall, in consultation with the Public Works Department, approve the storm drain facilities maintenance program. In addition, the Environmental Coordinator shall verify the acquisition of all appropriate permits prior to any widening of creekways.

Monitoring Timing:

Annually in early fall and ongoing during the rainy season as per the approved maintenance program.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

11. Grading should be confined to the dry season, or be mitigated as summarized in mitigation 13.

13. Interim and final erosion control plans should be prepared prior to approval of grading permits. Temporary measures could include the construction of berms and siltation fences that would direct runoff to siltation ponds, the covering of soil piles, and the covering of bare slopes with hydroseed. Final erosion control plans would include stable terraced slopes, retaining walls, an adequate drainage plan, and permanent project landscaping. Part of the erosion control plans should include the preservation of as much natural vegetation as feasible and the maintenance of natural vegetation along stream channels. If grading is expected to continue into the wet season, a special wet weather erosion control plan should be prepared and approved. The erosion control plans should be in conformance with the County grading and building ordinances and the RWQCB's NPDES construction permit.

Impact to be Mitigated:

Soil erosion.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Submit Interim Erosion Control Plan with Tentative Maps or Site Plans; and Final Erosion Control Plans with Improvement Plans.

Mitigation Specifications:

Interim and Final Erosion Control Plans shall incorporate the recommendations of the Geotechnical Report and the project geotechnical consultant. The text of Mitigation Measure 9 from the *Geology, Seismicity and Soils* section of this document is reiterated below for reference:

A Final Geotechnical Report shall be submitted with Improvement Plans. This report shall include erosion control measures to be incorporated into the construction of the improvements if work is to occur during the rainy season from November through April.

The erosion control section of the Geotechnical Report shall include, at a minimum: inclusion of the measures described above where construction takes place at major creek crossings; that soil piles shall be covered and affixed to ground at end of each work day; that wet weather protection devices will be stored at Maintenance Center; and, that hydroseeding will be completed by the end of October.

In addition, Wet Weather Erosion Control may include: use of sandbags or hay bales, hydroseeding graded areas before the wet season, covering of stock piles if unused or may directly affect creeks, and others as determined by County Public Works Department. Erosion Control Plans shall conform to the RWQCB's Stormwater Pollution Prevention Plan requirements.

Interim Erosion Control Plans shall be general in nature, and set forth general plans for the control of erosion. Final Erosion Control Plans shall be construction drawings incorporating the recommendations of the Geotechnical consultant.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, Public Works Department and RWQCB.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall consult with the Public Works Department to verify conformance of the Interim or Final Erosion Control Plans with the Geotechnical Report or State standards. Interim Erosion Control Plans shall be approved as adequate prior to approval of Tentative Maps or Site Plans; and, Final Erosion Control Plans shall be approved along with Improvement Plans.

**Monitoring
Timing:**

Prior to approval of Tentative Maps or Site Plans; or prior to approval of Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 12. The geotechnical report should include the exploration for possible subsurface hazardous materials such as buried fuel or septic tanks. Appropriate remedial measures should be taken prior to the onset of any grading activities.

Impact to be Mitigated: Buried waste materials health hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With submittal of Geotechnical Report with each phase of development.

Mitigation Specifications:

1. Conduct surficial inspection and records survey if proposed development is outside of the historic ranch area.
2. Provide additional subsurface tests when development is proposed within 200 feet of historic ranch area.
3. Incorporate test results and findings in Hazardous Materials section of Geotechnical Report.
4. Remediate any identified hazardous materials as recommended by the study.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources, Hazardous Materials Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall supply the County Department of Environmental Resources, Hazardous Materials Division with copies of the Geotechnical Report for their review and comment.

Monitoring Timing: Prior to approval of Improvement Plans which contain grading, and during remediation if needed.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 14. All project runoff collected within developed areas should be directed to the appropriate drainage collector.

Impact to be Mitigated: Flooding and erosion.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Improvement Plans containing Final Drainage Plans.

Mitigation Specifications: As required by County Public Works Department Drainage Ordinance.

Agency/Individual Responsible for Monitoring: County Public Works Department.

Action by Monitor: Review and approve Improvement Plans with Final Drainage Plans for conformance with County standards.

Monitoring Timing: Prior to approval of Improvement Plans with Final Drainage Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 15. To help reduce the amount of runoff containing urban pollutants, streets and parking areas should be frequently cleaned using street sweeping equipment, and the collected material properly disposed.

Impact to be Mitigated: Polluting of riparian corridors.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to completion of road construction, or prior to issuance of certificates of occupancy for commercial structures.

Mitigation Specifications: Street sweeping shall be a part of the Annual Maintenance Program prepared in consultation with the County Department of Public Works. The Annual Maintenance Program shall include the method and timing of street sweeping operations. The Western Hills Water District will most likely be the agency responsible for this work, which would be as a part of the WHWD's overall responsibilities for the project storm drainage facilities.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the existence of the Annual Maintenance Program, and its acceptability to the Public Works Department.

Monitoring Timing: Prior to final inspection of roadways, or issuance of certificates of occupancy for commercial buildings.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 16. The project drainage system catch basins should be complete with oil and grease traps to filter out the heavier pollutants as determined by the County Department of Public Works. The traps should be frequently cleaned.

Impact to be Mitigated: Riparian corridor pollution.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Improvement Plans containing Final Drainage Plans, and ongoing as part of the Annual Maintenance Program.

Mitigation Specifications: The County Public Works Department shall determine where the oil and grease traps are needed. The NPDES permit and the County Standard Specifications shall be used as guidelines.

Agency/Individual Responsible for Monitoring: County Public Works Department for the location of oil and grease traps, and the County Planning Department Environmental Coordinator together with the Western Hills Water District for ongoing maintenance.

Action by Monitor: Review and approve Improvement Plans with Final Drainage Plans. The Environmental Coordinator shall monitor the ongoing maintenance through the Annual Maintenance Program.

Monitoring Timing: Prior to approval of Improvement Plans and as specified in the Annual Maintenance Program.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

17. To ensure the prevention of potential surface and groundwater quality impacts from irrigation practices, the water quality of the Marshall Road area groundwater well should be periodically monitored for compliance with DHS and RWQCB water quality objectives. In addition, the treated effluent produced at the project wastewater treatment facilities should be regularly monitored as stipulated in discharge permits. Any water source that does not meet the water quality standards for irrigation purposes should be treated prior to discharge.

Impact to be

Mitigated:

Possible water quality impacts.

**Agency/Individual
Responsible for
Implementation:**

Western Hills Water District.

**Implementation
Timing:**

Ongoing throughout project.

**Mitigation
Specifications:**

The mitigation measure above has three distinct and separate parts which will be implemented as specified below:

"To ensure the prevention of potential surface and groundwater quality impacts from irrigation practices, the water quality of the Marshall Road area groundwater well should be periodically monitored for compliance with DHS and RWQCB water quality objectives."

A Monitoring Plan shall be prepared for the Marshall-Davis wells. This Monitoring Plan is spelled out in detail in the *Public Services* "Water Supply" section of this document, under Mitigation Measures 2 and 3. This Plan shall additionally contain methods for testing water quality for compliance with DHS and RWQCB standards, and specify, at a minimum: the constituents to be tested for; the testing protocols; how often the testing will occur, but no less than bi-annually; and, the measures to be taken if groundwater quality is reduced.

"In addition, the treated effluent produced at the project wastewater treatment facilities should be regularly monitored as stipulated in discharge permits."

All plans for the Wastewater Treatment Plant shall conform to all applicable State and local standards. Plans shall be reviewed by all required agencies and specifically, the State of California Department of Health Services (DHS) and the Stanislaus County

Department of Environmental Resources. In addition, if required, Water Discharge Requirements ("WDR's") will be obtained from the RWQCB. The DHS will be the regulatory agency responsible for the ongoing monitoring of the Wastewater Treatment Plant. Coordination between all agencies should occur throughout the design process. Effluent monitoring will be as required by the agencies with jurisdiction for the plant.

"Any water source that does not meet the water quality standards for irrigation purposes should be treated prior to discharge."

The implementation of this part of the mitigation measure shall be generally as specified in Mitigation Measures 1 and 2 in the *Public Services "Sewage Disposal"* section of this document. The Mitigation Specifications from the two referenced mitigation measures are reiterated below for implementation under this section of the document:

Plans for the reclaimed water irrigation system shall be approved by the State Department of Health Services (DHS) and the Regional Water Quality Control Board (RWQCB). These plans shall show how the water to be used will be treated, if required, and how cross contamination between this water and the domestic water supply will be avoided. In addition, a plan for the periodic monitoring of the reclaimed water system will be prepared and approved by the Stanislaus County Department of Environmental Resources, DHS and RWQCB.

The submittal of the reclaimed water irrigation system construction drawings shall be accompanied by a plan for the discharge of any excess water. This plan shall conform to State standards for the release of water into waterways, and be approved by the appropriate State agencies. All water proposed for discharge into waterways shall be tested as required by the RWQCB, and test results submitted to the appropriate agencies prior to approval of such releases.

The Marshall-Davis Wells and surrounding area shall be monitored, and the Wastewater Treatment Plant will be monitored as specified in any Waste Discharge Requirements required by the Regional Water Quality Control Board ("RWQCB"). The Stanislaus County Department of Environmental Resources will receive copies of all monitoring reports.

**Agency/Individual
Responsible for**

Monitoring:

County Planning Department, Department of Environmental Resources, DHS and RWQCB.

Action by

Monitor:

Review and monitor all aspects of the Wastewater Treatment Plant, from permitting, to construction, to ongoing monitoring.

Monitoring

Timing:

Prior to construction of the Wastewater Treatment Plant and ongoing.

Monitor:

Completion Date: _____

Signature: _____

MITIGATION MEASURES 18 THROUGH 31 ARE ALL SPECIFICALLY RELATED TO THE PREPARATION AND USE OF A "GOLF COURSE MANAGEMENT PLAN". ON THIS BASIS, THE MITIGATION MEASURES HAVE BEEN COMBINED UNDER ONE HEADING AND ALL DISCUSSION UNDER THIS SECTION WILL RELATE TO THE "GOLF COURSE MANAGEMENT PLAN", ITS CONTENTS, PREPARATION AND USE.

Mitigation Measure:

18. A site-specific integrated golf course management program should be prepared to limit water quality impacts of the golf courses. This program should include detailed assessments of potential impacts to water quality and risk of accidental spills, and provide appropriate management practices to minimize the impacts.

19. A list of all fertilizers and pesticides proposed for use in the management plan should be submitted to the Department of Agriculture for review and comment. The description should include the types of compounds to be used, the amounts to be applied, and the form of application. The golf course management description should be submitted on a monthly basis for as long as chemical usage is proposed.

20. Use of any pesticides, herbicides, fungicides, or insecticides in project golf course management activities which are included on official State or federal lists of restricted materials will require issuance of a Restrictive Materials Permit. These permits are issued by the Agricultural Commissioner. All materials on this list will be subject to special use restrictions as a condition of permit issuance to ensure against significant health risks.

21. To reduce the need for fertilizers and pesticides, the golf course areas that require relatively high maintenance (greens, tees and landing areas) should be minimized. In addition, the amount of standing water areas (ponds, streams, lakes) should be minimized to reduce the need for insecticides.

22. Native trees and grasses should be incorporated into the golf course plan to the extent feasible in order to reduce the water, nutrient, and pesticide application requirements.

23. Surface runoff from the heavily managed areas should be directed away from creeks and ponds, into the nearest storm drain facility. Storm drains should include oil and grease traps (as determined by the County Department of Public Works) to filter out some of the heavier petroleum-based golf course chemicals.

24. Golf course soils (especially sand) should be amended with organic matter to better retain nitrogen and water.

25. Water conservation practices should be incorporated into the golf course management plan to both conserve irrigation water and reduce leaching. One such water conservation method may include the provision of a computerized irrigation system with sensors to minimize overwatering.

26. Slow-release nitrogen sources should be used to reduce leaching. The use of more soluble nitrogen sources should be limited to spring and/or early summer months to avoid periods when soils are cold, plant metabolism is low, and water movement is high. Soluble nitrogen sources should be applied with very light, but frequent, surface applications only.

27. Non-selective herbicides that affect all plants in the contact area should be limited to spot spraying as needed to kill only the target vegetation and to reduce the chemical use.

28. The use of fungicides should be generally limited to periods when temperatures are still cool and during a time of little rainfall to increase their effectiveness and decrease the need for future applications. Irrigation water should not be applied within 24 hours of most types of fungicides applications, unless recommended differently by the manufacturer.

29. Chemical applications should be reduced and/or prohibited during windy periods. Application equipment and pesticide formulations that minimize pesticide drift should be selected for use in the management plan. Spray applicators should use low pressure nozzles and keep the spray nozzle close to the target.

30. All golf course chemicals should be properly stored in accordance with the Department of Agriculture and the Office of Safety and Health Administration requirements. Storage facilities should be constructed with impermeable floors and berms. All pesticide and fertilizer mixing and loading should be restricted to areas having impermeable floors and berms.

31. Maintenance employees should be properly trained in the storage, handling, and clean up of all EPA-approved chemicals prior to application.

Impact to be Mitigated:

The Golf Course Management Plan will aid in the mitigation of:

Water and air quality impacts for Mitigation Measures 18, 19, 20, 22 and 23;

Water quality, biologic impacts and excessive mosquito reproduction for Mitigation Measure 21;

Inefficient percolation, and water use and nitrogen leaching for Mitigation Measures 24, 25 and 26;

Loss of vegetation and chemical hazards for Mitigation Measures 27, 28 and 29; and,

Chemical leakage and pollution for Mitigation Measures 30 and 31.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to approval of a plan for golf course construction.

Mitigation Specifications:

The Golf Course Plans, when submitted, shall be accompanied by a Golf Course Management Plan. This Golf Course Management Plan shall contain the information required for Mitigation Measures 18 through 31. The following County Departments shall review and approve the Golf Course Management Plan to determine its conformance with the mitigation measures:

- The County Agricultural Commissioner with respect to Mitigation Measures 19, 20, 26, 27, 28, 29 and 30;
- The County Public Works Department with respect to Mitigation Measure 23;
- The County Department of Environmental Resources, Hazardous Materials Division with respect to Mitigation Measures 30 and 31; and,
- The County Planning Department with respect to Mitigation Measures 21, 22, 24, 25 and Mitigation Measure 18 which relates to the overall contents and efficiency of the Golf Course Management Plan, including monitoring.

The Golf Course Management Plan, as an example, could contain the following chapters to comply with the requirements of the mitigation measures:

1. Acceptable Plant Materials;
2. Acceptable Fertilizers, Soil Amendments and Application Methods;
3. Water Conservation and Irrigation Practices;
4. Storm Water Disposal Practices;
5. Use of Pesticides, Herbicides, Fungicides and Insecticides and Application Methods;
6. Water Quality Monitoring;
7. Chemical and Hazardous Materials Storage;
8. Employee Training Program; and,
9. Spill Prevention Control Plans.

The Golf Course Management Plan shall also contain a reporting program which sets forth how information regarding the compliance of the Golf Course Operations with the Golf Course Management Plan will be compiled; to whom this information will be supplied; and, at what interval this information will be submitted. The County Planning Department will be the overseer of the Golf Course Management Plan for the County Departments.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, Public Works Department, Department of Environmental Resources and Agricultural Commissioner.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall distribute the Golf Course Management Plan to all County Departments listed above. The Environmental Coordinator will then consult with the Departments based upon their individual areas of expertise to determine compliance of the Golf Course Management Plan with the intent of the Mitigation Measures above. The Golf Course Management Plan shall also be used as the guiding document for ongoing monitoring of the Golf Course Operation.

**Monitoring
Timing:**

The Golf Course Management Plan shall be approved concurrent with the approval of the Golf Course Construction Plans. Sections of the Golf Course Management Plan, e.g. storage of chemicals, ongoing monitoring, etc., can be completed prior to Golf Course Operation.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 32. The effectiveness of the golf course management plan should be verified through periodic monitoring of nearby surface water and groundwater quality. Sampling should begin prior to construction to provide background water quality data and should continue during construction and after construction (for a period of time to be decided by the regulatory bodies) to assure that the project is in compliance with DHS and RWQCB water quality objectives. If necessary, the plan should be modified to ensure effectiveness.

Impact to be Mitigated: Possible surface and groundwater pollution.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to operation of the Golf Course.

Mitigation Specifications: The Golf Course Management Plan, submitted with the Golf Course Plans, shall incorporate a surface and groundwater monitoring program. This program will set forth all surface and groundwater monitoring parameters and reporting protocols, consistent with the mitigation measure.

Agency/Individual Responsible for Monitoring: County Planning Department, Department of Environmental Resources, DHS and RWQCB.

Action by Monitor: The County Planning Department Environmental Coordinator shall make certain that the monitoring protocols in the Golf Course Management Plan are complied with.

Monitoring Timing: The monitoring program shall be in place prior to operation of the Golf Course, and monitoring shall be ongoing as specified in the Golf Course Management Plan thereafter.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

33. Site-specific soil studies should be prepared for each estate lot proposed outside the sanitary sewer service realm to determine if soil and site topography could support a septic system and leach field. Sites where soil is determined to be too shallow, corrosive or clayey and where slopes are too steep to ensure proper septic system operations should be either connected to the proposed sanitary sewer service or not be developed.

Impact to be Mitigated:

Possible lack of adequate effluent percolation and surficial health hazards.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to request for Tentative Map approval for an Estate Lot.

Mitigation Specifications:

A site specific "Septic Suitability" soils report shall be submitted with each Tentative Map requested for an Estate Lot. This soils report shall evaluate the ability of the site to support septic systems and their appropriate locations. This report shall show at a minimum that the site:

1. Meets the soil percolation standards of the County Department of Environmental Resources; and
2. The Tentative Map allows adequate space for septic tank and drainfield design, or alternative sewage effluent disposal system, in accordance with the County Department of Environmental Resources.

A detailed discussion of the Estate Lot approval process is contained in Mitigation Measures 14 through 25, in the *Vegetation and Wildlife* section of this document.

Agency/Individual Responsible for Monitoring:

County Planning Department, Planning Commission and Department of Environmental Resources.

Action by Monitor:

The County Planning Department Environmental Coordinator shall verify approval of any septic system design with the Department of Environmental Resources prior to approval of any Tentative Map for an Estate Lot.

Monitoring Timing:

Prior to approval of a Tentative Map for an Estate Lot.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING ARE NEW HYDROLOGY AND WATER QUALITY MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (146;1) MEANS PAGE 146 RESPONSE NO. 1.

Mitigation Measure: 146;1 The preliminary project drainage plans for each phase of development shall be completed and approved prior to the approval of any tentative map within that phase.

Impact to be Mitigated: Flooding and erosion control.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to submittal of Tentative Maps.

Mitigation Specifications: All Tentative Map requests shall be accompanied by a Preliminary Drainage Plan showing the following:

1. Expected runoff volumes;
2. Runoff direction and storage; and,
3. Compliance with County standards and specifications.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the submittal of the Preliminary Drainage Plan and shall consult with the Public Works Department concerning its adequacy.

Monitoring Timing: Prior to the approval of Tentative Map requests.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 146;2 The applicant shall coordinate with the County to ensure no conflicts in the siting and development of the project access road and the stormwater detention basins along Black Gulch associated with the Patterson Gateway project located at the eastern side of I-5 at the Sperry Road/Rogers Road intersection.

Impact to be Mitigated: Restriction of stormwater detention basins with future widening of Sperry Road.

Agency/Individual Responsible for Implementation: County Public Works Department assisted by Developer.

Implementation Timing: With review of Final Drainage Plans for Patterson Gateway Project.

Mitigation Specifications: The County should take into account the future widening of Sperry Road when reviewing and approving the Patterson Gateway Storm Drainage facilities.

Agency/Individual Responsible for Monitoring: County Public Works Department.

Action by Monitor: Review of Final Drainage Plans and Sperry Road Plans prior to approval of Patterson Gateway facilities.

Monitoring Timing: Prior to approval of Final Drainage Plans for Patterson Gateway Project.

Monitor:

Completion Date: _____

Signature: _____

D. VEGETATION AND WILDLIFE

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-126 to IV-133:

Mitigation Measure: 6. The Conservation Areas will be linked with open space areas such as golf courses and the landscaped areas between areas of development to provide uninterrupted wildlife access corridors in the valley where practical. Corridors connecting Conservation Areas will average 1/4 mile in width and will be no narrower than 220 yards in width.

Impact to be Mitigated: Possible loss of wildlife corridors.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Submittal of Wildlife Corridor Plan with the first Tentative Map or Site Plan approval request.

Mitigation Specifications: An Overall Phase 1 Wildlife Corridor Plan will be prepared prior to the approval of the first Tentative Map or Site Plan, excluding Golf Courses. All subsequent Final Development Plans which affect the Wildlife Corridors shall incorporate the corridors into their design.

Major Wildlife Corridors will be provided at the north end of Oak Flat Village in the Salado Conservation Area and at the southwest end in the Copper Mountain Conservation Area and Indian Rocks Park. These corridor requirements are for major corridors, between Specific Plan Phases 1 through 4.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review the Wildlife Corridor Plan for compliance with this mitigation measure. All subsequent development requests will be evaluated against the Wildlife Corridor Plan to assure that the integrity of the Plan is maintained. The County will consult with the USFWS and CDFG prior to any approvals being granted.

Monitoring Timing: Prior to Tentative Map or Site Plan approval.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:
(Revised by FEIR 281;11)

7. Restrictions on the number of livestock shall be implemented to prevent overgrazing in open space areas and corridors, and the Conservation Areas. This will require preparation of a grazing management plan to guide grazing of the Ranch when development begins. Carrying capacity should be determined by a qualified range management specialist and could not be exceeded.

Impact to be Mitigated:

Loss of grazing in the Phase 1 area, and possible loss of grazing in the remaining area of the Overall Site.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to development requests beyond the Five-year Development Plan area, i.e., prior to issuance of a Building Permit for the 201st residence.

Mitigation Specifications:

During the buildout of the Five-year Development Plan, the Developer shall prepare a Grazing Plan for the balance of the Phase 1 area and the Overall Site. This Plan shall evaluate carrying capacity and designate areas for continued limited grazing within the balance of the Phase 1 area and the Overall Site. The Grazing Plan may be a stand-alone document, or be part of a Resource Management Plan ("RMP"), prepared by the Developer.

Agency/Individual Responsible for Monitoring:

County Planning Department and Agricultural Commissioner.

Action by Monitor:

Approval of Grazing Plan by County Planning Director, following review by the Agricultural Commissioner.

Monitoring Timing:

Prior to the issuance of any Building Permits beyond the Five-year Development Plan, i.e., the 201st residential building, the Grazing Plan shall be submitted and approved.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 8. Trails shall be carefully planned to avoid areas of high wildlife use, such as rock outcrops, stock ponds and springs, and riparian woodland areas along streams.

Impact to be Mitigated: Possible public access to sensitive resources.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: Prior to development requests beyond the Five-year Development Plan area, i.e., prior to issuance of a Building Permit for the 201st residence.

Mitigation Specifications: Prior to the completion of development in the Five-year Development Plan area, the Developer shall prepare an Open Space Protection Plan. This plan may be part of an overall Resource Management Plan ("RMP"), or a separate document. This Plan will detail how sensitive areas within the project Open Space will be protected, and will set forth trail standards in keeping with the intent of the mitigation measure above.

Agency/Individual Responsible for Monitoring: County Planning Director and Planning Commission.

Action by Monitor: Planning Director shall review and approval of the RMP or Open Space Protection Plan. Planning Commission review and approval of the RMP or Open Space Protection Plan shall occur prior to completion of the Five-year Development Plan, i.e., prior to issuance of the 201st residential Building Permit.

Monitoring Timing: The Open Space Protection Plan shall be approved by the Planning Commission prior to approval of Final Development Plans beyond the Five-year Development Plan area.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 11. Regulations shall be specified in the Codes, Covenants, and Restrictions (CC&R's) to maintain strict enforcement of leash laws for dogs and require cats to remain indoors at all times. The project shall designate project-generated tax revenues to fund a part-time position with the County Animal Control to patrol the area and trap feral dogs and cats to minimize their numbers in the project site.

Impact to be Mitigated: Wildlife mortality due to the introduction of domestic pets.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: At the time of residential architectural review by the Diablo Grande Design Review Committee ("DGDRC").

Mitigation Specifications: The DGDRC shall notify homebuilders of the pet restrictions within the development. In addition, a mechanism for second buyer notification shall be established which is acceptable to the County Planning Director.

The Diablo Grande project is generating tax revenue to the County. The County shall determine the appropriate levels of Animal Control Services at the project site.

Agency/Individual Responsible for Monitoring: County Planning Department, Animal Control Services and Board of Supervisors.

Action by Monitor: The County Planning Director shall review and approve the method by which the DGDRC is notifying new homeowners of the above requirements. The Board of Supervisors shall determine adequate project service levels.

Monitoring Timing: Prior to approval of residential Building Permits for notification. Determinations regarding services will be reviewed yearly.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:
(Revised by FEIR 97;9)

14. No more than 0.5 acres (excluding driveways) shall be developed with structures or impervious surfaces on any estate lot. Driveway widths should not exceed 16 feet (except at turnouts).

15. The undeveloped portions of any estate lot shall be fenced from the developed portion or dog runs established in the developed part of the lot in such a manner as to prevent dogs from accessing the undeveloped area.

16. Landscaping shall not exceed one acre on any estate lot.

17. No houses shall be constructed within one-quarter mile of the edge of any wildlife corridors.

18. Estate lots shall be in clusters of three or more and use a common driveway.

(Revised by FEIR 97;10) 19. Driveways accessing any estate lot shall not exceed 1,000 linear feet per lot served (from connection with in-village roadways).

20. Estate lot access roads shall not cross any designated wildlife corridors.

21. Estate lots may be subdivided only upon a finding of the County Planning Commission that, based on a CEQA review, such subdivision could constitute an environmentally superior alternative to not permitting the subdivision. This may require a cumulative impact analysis involving all 100 potential estate lots. In no case shall the total number of estate lots exceed 100 lots after subdivision.

22. No estate lots shall be located over one-quarter mile from the boundaries of a village.

23. Estate lots shall be developed only on areas overlooking proposed village developments and within watershed of previously developed areas. Estate lots shall not be located within 1,000 feet of the crest of any major ridge.

24. Prior to development of each estate lot, a biotic resource survey shall be conducted of the lot to determine if there are significant biological resources present. If such resources are found, any development shall be designed to avoid affecting the resource to the satisfaction of the County Planning Department.

25. Estate lot grading and fences shall not be located within 300 feet of any "blue-line" stream as designated in the applicable USGS topographic maps.

Impact to be Mitigated:

Impact of Estate Lot development on wildlife resources.

Agency/Individual Responsible for Implementation:

Developer

Implementation Timing:

At the submittal of requests for Estate Lot approval.

Mitigation Specifications:

Requests for Estate Lot development shall be accompanied by a Tentative Parcel Map and proposed Site Plan for the associated residential construction. This information will be submitted to the Diablo Grande Design Review Committee ("DGDRC"). The DGDRC will then evaluate the request based upon the guidelines set forth above. The DGDRC will work with the applicant to aid in any redesign needed to meet as many of the guidelines above as are feasible. Finally, the DGDRC will generate a position paper which sets forth: their recommendation regarding the individual request; which guidelines have not been complied with; and, if approval is requested, why the DGDRC believes the strict application of all guidelines would create an undue hardship on the development request.

The development request, along with the position of the DGDRC will be submitted to the County Planning Department for processing through the County Planning Commission. The County Planning Department will evaluate all the submitted information and forward the Tentative Map request to the Planning Commission. The Planning Commission will then make the final decision on the adequacy of the Tentative Map.

Agency/Individual Responsible for Monitoring:

County Planning Department.

Action by Monitor:

The County Planning Department Environmental Coordinator will review all submitted information and forward the request to the Planning Commission following completion of the environmental review process. The Commission will evaluate and make a determination on the acceptability of the proposal.

Monitoring Timing:

Prior to the approval of Estate Lot development.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 26. If there are over 20 oak trees on a lot, tree removal shall be limited to five percent of oak trees on any lot. If there are fewer than 20 oak trees on a lot, one tree may be removed per lot.

Impact to be Mitigated: Loss of Oak Trees.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: At the submittal of Tentative Maps, Site Plans, Improvement Plans and Building Plans.

Mitigation Specifications: At the submittal of any Tentative Map, Site Plan, Improvement Plan or Building Plan, all areas of affected Oak woodlands shall be mapped and shown on the plan. If Oak Trees will be removed in excess of the above standard, the excess trees removed will be mitigated by the requirement of 5:1 replacement for each excess tree removed.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall determine if trees are proposed to be removed as a part of any development request which would exceed this standard. If so, a condition of approval shall be placed on the development request which would assure the replacement of trees removed, in excess of that allowed by the mitigation measure, at a 5:1 ratio.

Monitoring Timing: Prior to approval of Tentative Maps, Site Plans, etc., for conditioning of development with tree replacement. Verification of compliance prior to final sign-off of improvements or structures.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 31. Cliff-forming rock outcrops shall be included in project open space areas. Keep trail systems away from these outcrops. Trail distances shall be established through consultation with raptor specialists with DFG and USFWS. Rock outcrops or cliffs which contain active raptor nests shall be off-limits to human use during the nesting season (March through August). Survey all cliffs and rock outcrops for raptor use prior to approval of development plans.

Impact to be Mitigated: Possible loss of prairie falcon nesting habitat.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Final Development Plans located within one-half mile of this resource.

Mitigation Specifications: Any Final Development Plan submitted within one-half mile of the prairie falcon eyrie or any other raptor nesting area shall show the nest and how the mitigation measures above are incorporated. In addition, refer to Mitigation Measure 8 from the preceding pages for trail requirements.

Agency/Individual Responsible for Monitoring: County Planning Department, CDFG and USFWS.

Action by Monitor: The County Planning Department Environmental Coordinator shall review Final Development Plans for compliance with mitigation measure intent.

Monitoring Timing: Prior to Tentative Map, Site Plan or Improvement Plan approvals within one-half mile of this resource.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 32. Development within the Oak Flat Valley shall be clustered to maintain some level portion of the valley for wildlife, particularly the southern portion of the site in the vicinity of the Indian Rock prairie falcon nest where development should be set back 1/4 mile from the prairie falcon eyrie.

Impact to be Mitigated: Loss of wildlife habitat, especially prairie falcon.

Agency/Individual Responsible for Implementation: County.

Implementation Timing: At the adoption of the Specific Plan, with verification at the submittal of Final Development Plans and Tentative Maps for phases of development within Oak Flat Valley.

Mitigation Specifications: The Specific Plan shall include measures to protect the prairie falcon and other wildlife. The following are examples of protection measures to be incorporated:

1. Conservation in Indian Rocks Park in both Oak Flat and Indian Rocks Villages.
2. Provision of 100 foot set backs along Salado Creek.
3. Adherence to 1/4 mile setback from the prairie falcon nest area.
4. Conservation of existing natural resources (trees, rock outcrops and terrain) on Indian Rocks Golf Course to maximum extent possible.

Agency/Individual Responsible for Monitoring: County Planning Department, Planning Commission and Board of Supervisors.

Action by Monitor: The Planning Commission and Board of Supervisors shall review and approve the Specific Plan. The County Planning Department Environmental Coordinator shall verify compliance of development requests with the Specific Plan prior to the approval of Final Development Plans and Tentative Maps.

Monitoring Timing: Prior to approval of Specific Plan, Tentative Maps and Final Development Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

33. Prepare and implement a management plan for the oak woodland present in the Phase 1 Area similar to the Overall Site.

1. Map the location of oaks present in areas planned for grading. In portions of the project site where grading is planned, confine grading to grassland areas where trees are not present. Where removal of oaks and other native trees is unavoidable, prepare a management plan for the oak woodland habitat and replace trees lost on a 5:1 ratio. Management plans should be approved by the County prior to final map approval for each village.

Impact to be Mitigated:

Loss of oak woodland habitat and individual oaks and other native trees.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of any Final Development Plans within Phase 1 affecting oak woodlands.

Mitigation Specifications:

At the submittal of any Final Development Plan, whether a Tentative Map, Site Plan, Golf Course Plan, or other development plan, all areas of affected Oak woodlands shall be mapped and shown in the plan. An Oak Woodland Management Plan shall also accompany any Final Development Plan requests which will result in the loss of Oaks.

This Oak Woodland Management Plan will specify which oaks are to be removed and offer a method for replacement, at a minimum of 5 new trees for each one tree lost. The plan shall also incorporate the size of the replacement trees to be used. The plan will specify both short-term and long-term monitoring of the new oaks, and the results of this monitoring will be used to determine the adequacy of the 5:1 replacement ratio, and the sizes of replacement trees being installed.

Agency/Individual

Responsible for

Monitoring:

County Planning Department and Agricultural Commissioner.

Action by

Monitor:

The County Planning Director shall review and approve the Oak Woodland Management Plans, following consultation with the Agricultural Commissioner.

Monitoring

Timing:

Prior to Final Development Plan approvals which will require the removal of oaks within Phase 1. Long-term monitoring of new Oaks will be reported annually to the County Planning Department.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 34. Prepare and implement a management plan for the establishment and maintenance of riparian woodland along Salado Creek.

2. Establish riparian woodland, including willow, cottonwood, valley oak, and western sycamore (*Platanus racemosa*) and other riparian vegetation along the streams. Prepare a management plan for these riparian areas. The management plan shall include plans for long term monitoring and maintenance. Management plans should be approved by the County prior to final map approval for each village.

Impact to be Mitigated: Loss of riparian habitat and wildlife habitat.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Final Development Plans or Construction Plans affecting any riparian corridor.

Mitigation Specifications: At the submittal of Final Development Plans, whether Tentative Map, Site Plan, Golf Course Plan or other development plan, all affected areas of riparian habitat shall be shown on the plans. Along with the Final Development Plans, a Riparian Management Plan shall be submitted showing methods for riparian corridor and vegetation replacement or enhancement. This plan shall also include a long-term monitoring program to evaluate the effectiveness of any replacement methods for riparian habitat lost to construction. The Riparian Management Plan shall be approved prior to approval of any Final Development Plans which affect riparian resources.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Director shall review and approve the Riparian Corridor Management Plan, following consultation with the CDFG and USFWS.

Monitoring Timing: Prior to Final Development Plan approvals which affect riparian areas. Long-term monitoring of new riparian vegetation will be reported annually to the County Planning Department.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure: 35. Road crossings should be made by the construction of bridges or oversized culverts which require no additional creek fill for their placement over Salado Creek pursuant to agency recommendations (see Overall Site Mitigation #3).

(Revised by FEIR 264;8) 3. The EIR consultant recommends that stream road crossings over major streams (Salado, Crow, and Orestimba creeks) will be made by construction of bridges. Road crossings of minor streams tributary to these major streams will include either bridges, oversized box culverts, or arched culverts, which require no additional fill beyond placement of the culvert or bridge. The appropriate crossing structure shall be approved in consultation with CDFG, USFWS, U.S. Army Corps of Engineers, and the County Public Works Department.

Impact to be Mitigated: Loss of riparian habitat and loss of wildlife corridors.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Submittal of Improvement Plans for road crossings to the County, the California Department of Fish and Game and the United States Army Corps of Engineers.

Mitigation Specifications: Overlapping goals of storm drainage control, riparian habitat conservation and wildlife corridor conservation shall be balanced in considering the design of each creek crossing considering general mitigation guidelines and Agency consultation referred to above. The ultimate decision regarding the accepted roadway crossing structure; whether by bridge, culvert, or other method; will be made by the United States Army Corps of Engineers and the California Department of Fish and Game. The County Public Works Department will review the final structure plans for adequate flood control capabilities.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, CDFG, USFWS and Corps of Engineers.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the approval of the affected agencies, prior to the approval of Improvement Plans which cross the creeks discussed above.

Monitoring Timing: Prior to approval of Improvement Plans which affect these creeks.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure:

36. Mitigation for stock ponds and springs in the Phase 1 Area are similar to those discussed above for the Overall Site.

4. Ponds should be left intact for use by wildlife. Ponds planned for removal shall be replaced by ponds of equal size located in the Conservation Areas in protected locations to provide adequate access to water.

5. Springs should be incorporated into project open space. Where springs are lost to development, water from the community water distribution system shall be piped to protected areas to establish sources of water similar to those lost for wildlife.

Impact to be Mitigated:

Loss of water for wildlife and loss of aquatic breeding sites.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal Final Development Plans.

Mitigation Specifications:

Final Development Plans, whether Tentative Maps, Site Plans, Golf Course Plans or other development plans shall show all areas of affected stock ponds or springs. Avoidance shall be attempted wherever possible, but when not possible the relocation of these resources shall be shown. A standard of no net loss of ponds or springs in the Phase 1 development area shall be adhered to.

Agency/Individual Responsible for Monitoring:

County Planning Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall review Final Development Plans for any impact on these resources. If an impact occurs, the Environmental Coordinator shall verify replacement or relocation prior to final approval of improvements or structures.

Monitoring Timing:

Prior to approval of Final Development Plans, field inspection of conservation efforts and verification prior to issuance of Building Permits. Any new ponds or springs shall be monitored annually, with the information reported to the County Planning Department, for the purpose of establishing the effectiveness of the methods of replacement being used.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 37. Prohibit further introductions of non-native warm water fishes and bullfrogs which prey on native amphibians.

Impact to be Mitigated: Possible loss of native amphibians.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: As part of the residential architectural review process.

Mitigation Specifications: The DGDRC shall notify homebuilders of the restrictions within the development on amphibians, and how introduced amphibians may impact native species. In addition, a mechanism for second buyer notification shall be established which is acceptable to the County Planning Director.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Director shall review and approve the method by which the DGDRC is notifying new homeowners of the above requirements.

Monitoring Timing: Prior to approval of residential Building Permits for notification.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

38. Locate corridors within Oak Flat Valley to allow access to and through the valley by wildlife. Corridors shall be a minimum of 100 yards wide. The proposed golf courses could serve as corridors for wildlife. To provide an adequate connection between golf courses and the Conservation Areas, the open space areas in three locations could be expanded, including; 1) the areas north and south of the proposed golf club; 2) the area south of the proposed public services area and vineyard in the central portion of the valley; and, the area along Oak Flat Road, south of the proposed polo center.

Impact to be Mitigated:

Possible loss of wildlife corridors.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Submittal of Wildlife Corridor Plan with the first Final Development Plan approval request.

Mitigation Specifications:

An overall Phase 1 Wildlife Corridor Plan will be prepared, which designates specific corridors, prior to the approval of the first Final Development Plan, excluding Golf Courses. All subsequent Final Development Plans for Phase 1 which affect the Wildlife Corridors shall incorporate the corridors into their design. These requirements are for wildlife corridors which occur within the boundaries of the Phase 1 Preliminary Development Plan area.

Agency/Individual Responsible for Monitoring:

County Planning Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall review and approve the Wildlife Corridor Plan, following consultation with the CDFG and USFWS, and verify compliance with the Plan by development requests.

Monitoring Timing:

Prior to Final Development Plan approval.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

39. Wildlife underpasses shall be constructed at regular intervals along the Oak Flat Parkway to reduce the number of road-kills, as discussed for the Overall Site above.

9. Wildlife "underpasses" should be incorporated into the design of the planned roadways to allow wildlife to cross under rather than over the roads to reduce the number of wildlife road kills. These undercrossings should be a minimum of four feet by six feet in size and installed wherever roadways cross tributary streams. The appropriate crossing structure shall be determined in consultation with CDFG, USFWS, U.S. Army Corps of Engineers, and the County Public Works Department.

In areas of mapped kit fox range, provide road undercrossings six feet wide by four feet high approximately every 1/4 mile. Existing fencing should be replaced along the roadways, using hog-wire fencing with mesh size approximately six by eight inches and topped with three strands of barbed wire. This would allow kit fox to pass through the fence and prevent coyotes and other large predators of kit fox from passing through the fence. The fencing should be placed along the right-of-way boundary. These fences would serve to confine cattle present in the area.

Set maximum enforced vehicle speed limits at 35 to 45 miles per hour on the primary access roads and 25 miles per hour on the connector roads to reduce road-kills.

Impact to be Mitigated:

Loss of wildlife due to road kills and predators.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Improvement Plans for roads and creek crossings.

Mitigation Specifications:

All roadway Improvement Plans shall incorporate the above stated mitigation measures, unless modified by the United States Fish and Wildlife Service, through the Army Corps of Engineers, with the exception of the speed limit restrictions. The County Public Works Department has determined that public safety issues with respect to the roadway will require that the roadway be posted for speeds in keeping with the road design speed.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, Public Works Department, CDFG,
Army Corps of Engineers and USFWS.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall
verify the approval of the Army Corps of Engineers for the Oak
Flat Road Improvement Plans, and verify by construction
inspection.

**Monitoring
Timing:**

Prior to approval of roadway Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:	<p>40. Implement mitigation to control exotic plants and animals as discussed for the Overall Site.</p> <p>10. Prepare a landscape management plan for the Overall Site which guides public and private site landscaping. The plan shall include a list of invasive species which cannot be used in project landscaping and a list of native species suitable for use in project landscaping. The plan shall emphasize the use of drought tolerant plant materials to reduce water consumption. Management plans should be approved by the County prior to Final Map approval for each Village.</p> <p>12. Prohibit further introduction of non-native warm water fishes and bullfrogs. Populations of native amphibians present or potentially present in the project site could be greatly reduced by predation by warm water fishes and bullfrogs.</p>
Impact to be Mitigated:	Possible loss of native plants and wildlife.
Agency/Individual Responsible for Implementation:	Developer.
Implementation Timing:	At the submittal of Final Development Plans and requests for Building Permits and accompanying Landscape Plans for public projects and private developments.
Mitigation Specifications:	<p>The project shall prepare a Plan for the control of exotic species and animals. The Landscape Management Plan for the Overall Site shall guide public and private site landscaping. The plan shall include a list of invasive species which cannot be used in project landscaping and a list of native species suitable for use in project landscaping. The plan shall emphasize the use of drought tolerant plant materials to reduce water consumption. Management plans should be approved by the County prior to recordation of any Final Maps within a Village. All Landscape Plans and Building Permit requests will be reviewed for conformity with the Plan. In addition, all new residents will be given a list of acceptable and unacceptable plants and animals, and requested to ask the County Planning Department regarding the use of any species not on the list.</p>

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall review and approve the Landscape Management Plan prior to recordation of Final Maps. Landscape Plans and Building Permit requests will be reviewed for conformance with the Landscape Management Plan.

**Monitoring
Timing:**

Prior to approval of Final Maps, Landscape Plans or Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

41. Implement mitigation measures to control pollutants as discussed for the Overall Site.

13. Golf course maintenance and commercial and residential landscaping shall involve a minimum use of fertilizers, herbicides and pesticides. A site-specific golf course management plan and individual commercial and residential landscape plans shall be prepared. These programs shall include a detailed analysis of potential changes to ground and surface water quality from source and non-point source pollution; compliance with regulatory requirements on the storage of fuel and hazardous materials; an assessment of risk associated with accidental spills; and provide appropriate mitigation measures and management practices to minimize these potential impacts. Management plans should be approved by the County prior to final map approval for each village.

A list of fertilizers and pesticides proposed for use in the management plans shall be submitted to the County Department of Agriculture for review and comment. The description shall include the types of compounds to be used, the amounts to be applied, and form of application. The use of pesticides, herbicides, fungicides, or insecticides which are included on official state or federal lists of restricted materials will require issuance of a Restrictive Materials Permit. These permits are issued by the County Agricultural Commissioner. All materials on this list will be subject to special use restrictions as a condition of permit issuance to help ensure against significant health risks. Non-selective herbicides that affect all plants in the contact area will be limited to spot spraying as needed to kill only target vegetation and to reduce the use of chemicals.

The storm drain system from residential and commercial landscaping and streets shall be designed to filter potentially hazardous materials prior to discharge into natural watercourses. Outflows shall be directed in such a manner that the maintenance and monitoring will allow for the protection of surface water quality. Any stormwater runoff directed to natural creek channels shall be contained in detention areas and subjected to removal of nutrients and contaminants by vegetative or other means.

The effectiveness of these management plans shall be checked through periodic monitoring of nutrients and suspended solids in nearby surface and underground water sources. Sampling shall begin prior to construction to provide background water quality data and shall continue during construction and after construction, for a period of time to be decided by the regulatory bodies to assure that the project is in compliance with Regional Water Quality Control Board water quality standards.

Impact to be

Mitigated: Possible water pollution.

**Agency/Individual
Responsible for
Implementation:**

Developer.

**Implementation
Timing:**

Prior to approval of a permit for Golf Course construction.

**Mitigation
Specifications:**

The specifications for this mitigation measure are spelled out in detail in the *Hydrology and Water Quality* section of this document under Mitigation Measures 18 through 31 for the preparation of a Golf Course Management Plan, and Mitigation Measure 32 for the monitoring of this plan. Due to the length of the previously stated mitigation measures, they will not be reiterated here, but are incorporated for this mitigation measure by reference.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, Public Works Department, Department of Environmental Resources and County Agriculture Commissioner.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall verify compliance with this mitigation measure by verifying compliance with *Hydrology and Water Quality* Mitigation Measures 18 through 33.

**Monitoring
Timing:**

Prior to approval of a permit for Golf Course construction.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:	<p>42. Plant species of special concern potentially present in the Phase 1 Area were not observed during surveys of the Phase 1 area. Follow-up surveys for the plant species of special concern shall be conducted prior to issuance of construction permits.</p> <p>28;8 Floristic surveys for all sensitive plant species identified in the EIR shall be prepared for each proposed development area prior to approval of any development in that area. If any sensitive species are found, disturbance of those species shall be mitigated by avoidance to the satisfaction of a qualified biologist to be retained by the County and funded by the applicant.</p>
Impact to be Mitigated:	Possible loss of plant species of special concern.
Agency/Individual Responsible for Implementation:	Developer.
Implementation Timing:	Prior to approval of the Improvement Plans for the project Access Road between the I-5/Sperry Road Interchange and Oak Flat Road.
Mitigation Specifications:	All species of concern as specified in the DEIR have been surveyed for in the Phase 1 area, and along the project Access Road. None of the species of concern have been located on the project. A follow up survey will be required for the first one-half mile of the project Access Road as it leaves the Del Puerto Road connection. At this point the roadway generally follows an existing Alkaline area which could support <i>Cordylanthus mollis</i> ssp. <i>hispidus</i> , or <i>Cordylanthus palmatus</i> . These surveys shall accompany the Access Road Improvement Plans when they are submitted to the County. If the species of concern are located, the road plans shall show avoidance of this resource.
Agency/Individual Responsible for Monitoring:	County Planning Department.
Action by Monitor:	The County Planning Department Environmental Coordinator shall verify the completion of the study for the aforementioned plants, and avoidance if the plants are detected by the survey.
Monitoring Timing:	Prior to approval of the Improvement Plans for the project Access Road.
Monitor:	<div style="display: flex; justify-content: space-between;"> Completion Date: _____ Signature: _____ </div>

Mitigation Measure:

43. In areas of kit fox habitat along Oak Flat Parkway corridor and the primary access road, construct "underpasses" to allow kit fox to cross under rather than over the road to reduce the number of road-kills. The underpasses shall be a box culvert four feet by six feet in size spaced approximately every 1/4 mile. Culverts installed for other uses such as stream crossings are suitable for this purpose. Include roadside fencing in this area which will allow kit fox to pass through but will prevent predators such as coyotes from passing through.

Impact to be

Mitigated:

Possible loss of wildlife due to road kills and predators.

**Agency/Individual
Responsible for
Implementation:**

Developer.

**Implementation
Timing:**

At the submittal of Improvement Plans for roads and creek crossings.

**Mitigation
Specifications:**

Refer to Mitigation Measure 39 on the preceding pages.

**Agency/Individual
Responsible for
Monitoring:**

Planning Department and Public Works Department subject to Agency consultation.

**Action by
Monitor:**

Review and approval of road and undercrossing Improvement Plans and Fence Plans as specified in Mitigation Measure 39.

**Monitoring
Timing:**

Prior to approval of Access Road Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 44. Conduct endangered species consultation with the USFWS and DFG as Oak Flat Parkway and Primary Access Road would result in the removal of suitable kit fox habitat, and potentially form a barrier for the north-south movement of kit fox. The project should be required to comply with USFWS requirements for loss of kit fox habitat.

Impact to be Mitigated: Loss of San Joaquin Kit Fox habitat.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to construction of Oak Flat Road.

Mitigation Specifications: Developer will replace habitat acreage lost due to construction of Oak Flat Road and primary access road to Del Puerto Canyon Road (at a 3:1 ratio).

Agency/Individual Responsible for Monitoring: County Planning Department in consultation with USFWS and DFG.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify approval of the Access Road Improvement Plans by the Army Corps of Engineers and associated kit fox mitigation as approved by the USFWS based upon the issuance of a Section 404 permit for road construction.

Monitoring Timing: Prior to approval of the Oak Flat Road Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 45. Mitigation for the loss of prey species important to predators is similar to the discussion for the Overall Site.

(Revised by FEIR 265;10) 30. Retain California ground squirrel colonies where possible in open space areas and the Conservation Areas to provide a prey base for raptors and other predators and potential nesting sites for burrowing owls. Poisoning of ground squirrels and other rodents shall be prohibited in Conservation Areas to prevent secondary poisoning of predators such as golden eagle, prairie falcon, bobcat, and American Badger. Ground squirrel control shall occur only in developed portions of any estate lot in the immediate vicinity of houses. If rodent control must be conducted in other areas, use zinc phosphide or other poisons approved by the USFWS which are of low risk to non-target species.

Impact to be Mitigated: Possible loss of prey species and secondary poisoning of predators.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to completion of Five-year Development Plan area.

Mitigation Specifications: The Open Space Protection Plan, required under Mitigation Measure 4 in the *Land Use* section of this document will also detail the standards and criteria for rodent control in these areas. These sections of this plan will be reviewed by the County Agricultural Commissioner and the USFWS for the appropriateness of the rodenticide proposed to be used. If a public health concern is encountered, rodenticide may be required to be used in portions of the project open space areas.

Agency/Individual Responsible for Monitoring: County Planning Department, Agricultural Commissioner and USFWS.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the approval of the Open Space Protection Plan, with respect to the use of rodenticide, by the Agricultural Commissioner and the USFWS.

Monitoring Timing: Prior to approval of any development beyond the Five-year Development Plan area.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure:

46. Prepare a management plan as discussed for the Overall Site. The three species of special concern potentially present in the streams and stock ponds present in the Phase 1 Area, including the California tiger salamander, California red-legged frog, and southwestern pond turtle, were not observed during surveys of the Phase 1 Area. Follow-up surveys for these species shall be conducted prior to issuance of construction permit. If these species are subsequently found, necessary mitigation measures will be taken to reduce the impacts to these species.

29. Limit fill of creeks to necessary road crossings. Prepare a management plan to establish additional riparian woodland habitat, as discussed above, to improve habitat for wildlife species. Regulations will be established in the CC&R's to prohibit the introduction of non-native warm water fishes and bullfrogs to the streams and stock ponds. These species prey on the eggs and larvae of native frogs and salamanders. Surveys for the presence of California tiger salamanders, California red-legged frogs, and southwestern pond turtle will need to be conducted for the potential presence of these species in the Village 2-5 areas.

Impact to be Mitigated:

Possible loss of species of special concern including the California tiger salamander, the Californian red-legged frog and the southwestern pond turtle.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to approval of the Improvement Plans for any development which would affect these resources.

Mitigation Specifications:

Surveys for the species of concern above have been completed and only the southwestern pond turtle and the western spadefoot toad have been determined to inhabit the project area. Mitigation Measures 29;9 from the FEIR which are listed on the subsequent pages of this section specify mitigation for the impact on these species of special concern.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department.

**Action by
Monitor:**

Verify compliance of development with Mitigation Measures 29;9
on the subsequent pages of this section.

**Monitoring
Timing:**

Prior to approval of Improvement Plans for development which
affects these resources.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

47. The rock outcrop present in the proposed Indian Rock park adjacent to the Phase 1 Area contains an active prairie falcon nest. Mitigation for this nest site would include: 1) the inclusion of the proposed Indian Rocks Park area south of Oak Flat Road in the wildlife corridor between Village 1 and Villages 3 and 4; 2) prohibit the development of trails within this wildlife corridor; 3) prohibit public access to the corridor within one-quarter mile of the nest during the nesting season (March through August; 4) redesign the development plans to remove the proposed single family units east and south of Oak Flat Road in the southeastern portion of Oak Flat Valley, in the vicinity of the proposed access road between Village 1 and Village 3; and 5) require a speed of 25 MPH maximum for the road between Village 1 and Village 3 located west of the nest site and provide for emergency parking only.

Impact to be

Mitigated:

Possible loss of prairie falcon nesting habitat.

**Agency/Individual
Responsible for
Implementation:**

Developer.

Implementation

Timing:

At the submittal of Final Development Plans located within one-half mile of this resource.

**Mitigation
Specifications:**

Any Final Development Plan submitted within one-half mile of the prairie falcon eyrie shall show the nest and how the mitigation measures above are incorporated.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall review Final Development Plans for compliance with the intent of this mitigation measure.

**Monitoring
Timing:**

Prior to Tentative Map or Improvement Plan approvals within one-half mile of this resource.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING ARE NEW VEGETATION AND WILDLIFE MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (8;3) MEANS PAGE 8 RESPONSE NO. 3.

Mitigation Measure: 8;3 Setbacks of development of at least 100 feet from the major creek centerlines shall be adhered to. Deed restrictions shall be placed on all parcels containing creeks to preserve the minimum setback. The only exceptions to this rule will be for: (1) roadway purposes where a minimum setback of 50 feet shall be adhered to except at creek crossings, and only upon acquisition of all appropriate permits from the Corps of Engineers and the California Department of Fish and Game. For the purpose of this mitigation, "development" shall include fenced yards, landscaping, grading, paving, buildings, and any other construction or use which will degrade the value of the riparian corridor as determined by the Stanislaus County Department of Planning and Community Development; and (2) golf fairways and greens, where a minimum setback of 50 feet shall be adhered to."

Impact to be Mitigated: Possible loss of, or impacts on, riparian habitat.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: At the submittal of any Tentative Maps, Site Plans, Improvement Plans and Building Permit requests.

Mitigation Specifications: Tentative Maps and Site Plans shall show compliance with the setbacks established by this mitigation measure. Improvement Plans and Building Permit requests shall be evaluated against this mitigation measure, and the associated approved Tentative Maps or Site Plans, to verify compliance.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify that the setbacks established in this mitigation measure are complied with.

Monitoring Timing: Prior to approval of Tentative Maps, Site Plans, Improvement Plans and Building Permits.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure: 29;9 If a reptile or amphibian species of concern is found to be present, a management plan shall be prepared which ensures the long-term habitat viability and residency of the species on the Diablo Grande site. The management plan for this species should include:

1. Preservation of open space areas within the Diablo Grande site inhabited by spadefoot toads.
2. Identification of sites which would expand or enhance spadefoot toad habitat by the construction of ephemeral breeding pools.
3. Measures to minimize the effects of urban runoff on the Salado Creek breeding pools. This should include rerouting stormwater and other urban runoff so that it is discharged into the creek in the vicinity of the "Frog Pond."

Impact to be Mitigated: Possible loss of habitat for the western spadefoot toad.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: Prior to approval of Tentative Maps or Site Plans.

Mitigation Specifications: A Management Plan shall be prepared for the western spadefoot toad. This Management Plan will incorporate the above measures, where feasible, plus any additional measures as recommended by the project biologist. All Tentative Maps or Site Plans which will impact the habitat of the western spadefoot toad will be required to comply with the requirements of the Management Plan.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review Tentative Maps and Site Plans for compliance with the western spadefoot toad Management Plan. The County will consult with the CDFG and USFWS.

Monitoring Timing: Prior to approval of Tentative Maps or Site Plans.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure: 29;9 A management plan for the western pond turtle should be prepared which would include:

1. Preservation of the "Frog Pond" and implementation of measures to maintain or enhance existing habitat conditions for all native aquatic reptiles and amphibians which use this pond.
2. Design the access road so that the edge of the roadway easement is no closer than 100 feet to any portion of the pond.
3. If this area is used for flood storage detention, design the necessary dam structure so that it does not disturb the existing dam face (i.e., construct downstream of the crest of the dam) and that no physical disturbance of the detention basin area occurs.
4. Delete the housing study area immediately to the east of the pond to minimize human disturbance at the pond site.

Impact to be Mitigated: Possible loss of habitat for the southwestern pond turtle.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: Prior to approval of Tentative Maps or Site Plans.

Mitigation Specifications: A Management Plan shall be prepared for the southwestern pond turtle. This Management Plan will incorporate the above measures, where feasible, plus any additional measures as recommended by the project biologist. All Tentative Maps or Site Plans which will impact the habitat of the southwestern pond turtle will be required to comply with the requirements of the Management Plan.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review Tentative Maps and Site Plans for compliance with the southwestern pond turtle Management Plan. The County will consult with CDFG and USFWS.

Monitoring Timing: Prior to approval of Tentative Maps or Site Plans.

Monitor: Completion Date: _____ Signature: _____

E. CULTURAL RESOURCES

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-160 TO IV-163:

- Mitigation Measure:** 3. To the extent feasible, the applicant should implement the following strategies to minimize impacts:
- a.) Redesign portions of the project to avoid direct impacts;
 - b.) Cover prehistoric resources and sensitive portions of historic resources with one to two or more feet of fill to protect the resource;
 - c.) Build on the fill cover with no excavation below the fill deposit;
 - d.) Monitor all construction in covered or uncovered sensitive areas; and
 - e.) Implement surface collection of significant data prior to construction, covering with fill, or other impacts.

Impact to be Mitigated: Possible impacts on an as of yet undiscovered Cultural Resource.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Ongoing during construction.

Mitigation Specifications: If an as of yet undiscovered Cultural Resource is found in the course of Phase 1 construction, construction shall temporarily cease. The County Planning Department Environmental Coordinator shall be notified of the find, and mitigation measures shall be fashioned in keeping with the above stated mitigation measure and/or CEQA Guidelines Appendix "K".

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall determine, in consultation with the Developer and a cultural resource specialist, if deemed necessary, which of the mitigation measures specified above offer the best protection for the discovered resource.

**Monitoring
Timing:**

Ongoing during construction.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

4. The local community of Northern Yokuts should be contacted by the EIR consultant and the applicant to alert them of potential threats to both burial sites and probable ceremonial features such as pictographs and cupule rocks. Input from the Northern Yokuts on treating potentially disturbed burials in Locus 7 should be obtained.

Impact to be Mitigated:

Secondary impacts on Locus 7.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to request for Final Development Plan approval within 1/4 mile of Locus 7.

Mitigation Specifications:

Prior to any request for a development approval which would occur within 1/4 mile of Locus 7, the Developer shall notify the Northern Yokuts. Locus 7 shall be protected within the Indian Rock Park as specified in the Specific Plan. If human burial remains are encountered during construction, the remains shall be handled as specified in CEQA Appendix "K".

Agency/Individual Responsible for Monitoring:

County Planning Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall verify the notification of the Northern Yokuts.

Monitoring Timing:

Prior to approval of any Final Development Plan within 1/4 mile of Locus 7.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

6. All prehistoric and historic sites identified in surface reconnaissance and archival research should be formally recorded on site record forms and trinomial site designations obtained from the Central California Information Center at Stanislaus State University in Turlock.

Impact to be Mitigated:

Possible loss of the records regarding the location of said sites.

Agency/Individual Responsible for Implementation:

County Planning Department and Developer.

Implementation Timing:

Ongoing throughout project implementation.

Mitigation Specifications:

All prehistoric and historic sites associated with the project are, by law, confidential, and are not to be made known to the public. The location of all sites shall be kept in confidential files at the County. Information regarding all sites shall be made available to the Central California Information Center ("CCIC") for their use as appropriate under the law.

Agency/Individual Responsible for Monitoring:

County Planning Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall consult with the CCIC to determine which sites shall be officially recorded.

Monitoring Timing:

Ongoing during construction.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

7. Locus 7 (CA-Sta-33)

a. Access to rock shelters where pictographs are present should be closed off with iron grills and fitted with gates. Keys or combinations should be available only to the applicant, their representatives, and access limited to members of the archaeological community, Native American community, and closely supervised educational groups.

b. Although slated for inclusion and "protection" in Indian Rocks Park, potential direct and secondary impacts are likely. Serious consideration should be given to redesignating the site and its immediate vicinity to an undisturbed, open space status. Ideally, it would be permitted to revert to a natural vegetation community with no signage or other source of attracting attention. Any planned educational use of the site could be reduced and reassigned to other prehistoric features not impacted by construction within the Phase 1 area, or those sites outside the Phase 1 area. These might include Locus 1,2, or 3, or another of those as yet unidentified elsewhere in the remaining project area.

c. If public access to the Park must be part of the project plan, then all aspects of the General Recommendations discussed above must be applied to this site. These include surface collection, test excavation, covering of the site with sterile fill, and revegetation with native grasses or plants. Plantings of introduced plants and lawn are less desirable but acceptable alternatives. Any subsurface trenching below the fill deposits should be avoided. Subsurface disturbance for any reason should be monitored by an archaeologist.

Test excavation of one to two, one-meter by two-meter test units has been recommended in Locus 7 to provide data on the site as a record prior to any future impacts. The data would also serve as a comparative sample in discussing and evaluating the remaining prehistoric midden sites in the Phase 1 Area and elsewhere in the project area.

d. Periodic inspection of the site by an archaeologist or other trained full-time project inspector. Any human remains or artifacts brought up by rodents should be buried immediately where found. This procedure should be maintained in perpetuity.

Mitigation Measure:

8. Locus 9H

- a. All standing historic structures at the Oak Flat Ranch shall be preserved or otherwise treated as recommended by the architectural historian.

Impact to be Mitigated:

Possible loss of historic structures.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Final Development Plans for Oak Flat Ranch Park.

Mitigation Specifications:

The Final Development Plans for Oak Flat Ranch Park shall be accompanied by an architectural historian's report. This report shall evaluate the protective measures of the Final Development Plans.

Agency/Individual Responsible for Monitoring:

County Planning Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall review Final Development Plans for the Oak Flat Ranch Park for compliance with the architectural historian's report.

Monitoring Timing:

Prior to approval of Grading Plan for Oak Flat Ranch Park.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 9. Holman & Associates' preliminary recommendation concerning the historic cultural resource loci 47H and 48H is that the resources be formally recorded utilizing methodologies consistent with those used to record the cultural resources in the Phase 1 Area.

Impact to be Mitigated: Possible loss of historic resources.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: During environmental review of future development phases.

Mitigation Specifications: During the environmental review of the phase of development in which these resources lie, mitigation measures will be determined. If the recommended at that time is for formal recordation of the resource, determinations will be made regarding how and when this will occur.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: Evaluate future environmental documentation.

Monitoring Timing: During future environmental assessments of the phase in which these resources occur.

Monitor: **Completion Date:** _____ **Signature:** _____

THE FOLLOWING ARE NEW CULTURAL RESOURCES MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (232;6) MEANS PAGE 232 RESPONSE NO. 6.

Mitigation Measure: 232;6 Prior to issuance of any building permits to the entry area, the area must be systematically surveyed for cultural resources. When proposed development plans are available, the following should be conducted:

1. Conduct adequate cultural resources field studies and record all discrete site locations on state-approved site survey forms.
2. If necessary, conduct mechanical subsurface testing to determine the extent and depth of any cultural resource locations.
3. Stake all resource locations so that they can be accurately mapped by professional surveys.
4. Revise specific site plans to avoid sites.
5. If avoidance is not possible, evaluate the significance of each site and develop specific mitigation plans for each significant resource.

Impact to be Mitigated: Possible loss of prehistoric and historic artifacts and structures.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With submittal of Final Development Plans.

Mitigation Specifications: Any Final Development Plans for the Entry Area shall be accompanied by a Cultural Resources survey, prepared by a qualified consultant. The Planning Department shall review the report which will offer which of the mitigation measures offered above are feasible for implementation.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall review the Final Development Plans in the Entry Area for compliance with the mitigation measures set forth above, and reiterated as applicable in the new Cultural Resources Report. The County will consult with the CCIC, the Northern Yokuts and the Native American Heritage Commissions for recommendations.

**Monitoring
Timing:**

Prior to Final Development Plan approval for the Entry Area.

Monitor:

Completion Date: _____

Signature: _____

POTENTIAL IMPACT

Direct and secondary impacts from grading, excavation, trenching, etc. may impact cultural and historic resources in future phases of development. (SM)

Direct and secondary impacts may occur to the following resources due to the development of the Phase 1 area. (SM)

Historic Resources:

- Locus 9H
- Locus 10H/11H/12H
- Locus 18H

Prehistoric Resources:

- Locus 7
- Locus 13
- Locus 14
- Locus 15

MITIGATION MEASURES

Prior to approval of future phases of development, and preliminary development plans, a complete evaluation of resources within each development area shall be undertaken and mitigation measures set forth.

Locus 9H:

All standing historic structures shall be preserved. If removal is necessary, treatment shall be as recommended by an architectural historian.

Locus 7:

Locus 7 shall be preserved as set forth in mitigation measure no. 7 on Page IV-162 & 163.

Loci 10H/11H/12H, 18H, 13, 14 & 15:

Final development plans shall locate these loci, if within 300 feet of any proposed development. These plans shall be reviewed by the Planning Department to determine if any direct or secondary impacts to these resources are likely to occur. If so, an architectural historian, in the case of historic loci, or an archaeologist, in the case of prehistoric loci, shall be consulted, recommendations for protection, salvage, data retrieval, relocation, and/or other appropriate mitigation, of these resources shall be made and implemented. Efforts shall be made to avoid these resources if at all possible.

Impact to be

Mitigated:

Possible loss of prehistoric and historic artifacts and structures.

**Agency/Individual
Responsible for**

Implementation:

Developer.

Implementation

Timing:

With the submittal of Final Development Plans, i.e., Tentative Maps and Site Plan approval requests.

**Mitigation
Specifications:**

Final Development Plans shall show any resource within three hundred feet (300') as specified above, except Locus 7 which shall be shown on any Final Development Plans within one-quarter mile of this resource. If the County Planning Department determines that impacts are likely to occur, the treatment shall be as specified in the mitigation measure above.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall evaluate Final Development Plans and determine if a cultural resource exists which may require further review or mitigation. If so, treatment based on the mitigation measure above, should be applied to the resource in question.

**Monitoring
Timing:**

Prior to the approval of Final Development Plans.

Monitor:

Completion Date: _____

Signature: _____

F. PUBLIC SERVICES AND UTILITIES

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-178 TO IV-179; OR ARE NEW WATER SUPPLY MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (268;18) MEANS PAGE 268 RESPONSE NO. 18.

Mitigation Measure: 1. The long-term environmental impacts of the Yuba River water diversion and storage at Madera Ranch should be studied prior to approval of detailed supplies.

Impact to be Mitigated: Possible environmental impacts caused by the diversion and storage.

Agency/Individual Responsible for Implementation: Western Hills Water District ("WHWD").

Implementation Timing: Prior to the use of water at Diablo Grande from the Yuba River, or water which has been stored at the Madera Ranch.

Mitigation Specifications: The Western Hills Water District shall perform all necessary environmental review, as required by law, prior to the use of water at the Diablo Grande project from either of the sources mentioned above. If other water agencies are involved, they may be the "Lead Agency" under CEQA. Stanislaus County will be part of the environmental review process through proper notification under CEQA.

Agency/Individual Responsible for Monitoring: County Planning Department and WHWD.

Action by Monitor: The County Planning Director will determine which County Departments should comment on the environmental review being performed on these water sources.

Monitoring Timing: During the environmental review process for one of the mentioned sources of water.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:
(Revised by FEIR 268;18)

2. The applicant shall establish a system of monitoring wells adequate to determine if the project would affect nearby wells. These could consist of existing wells. These wells shall be monitored as determined by the County Department of Environmental Resources, but not less than once a month, and any correlation with pumping by Western Hills Water District for Diablo Grande shall be noted. Monitoring wells shall be established prior to operation of Western Hills Water District wells. Monitoring results shall be provided monthly to the County Department of Environmental Resources.

(Revised by FEIR 179;31)

3. If groundwater levels at wells near the Marshall-Davis well sites decline by 10 percent or greater, and that decline can be reasonably correlated with increased pumping from the Marshall-Davis wells, Western Hills shall allocate their Salado Water District water to the impacted neighboring owners. Immediately upon drawdown occurring, the applicant shall fund the County's retaining of a hydrologic engineer to calculate the amount of surface water required annually to replace lost groundwater supplies and, if that quantity exceeds 275 AFY, the availability of additional replacement water shall be demonstrated to the County's satisfaction. But in no event shall Western Hills pump groundwater in excess of 1200 af, and such pumping shall remain subject to California law.

3a. Groundwater pumping at the Marshall-Davis wells for use at Diablo Grande shall terminate not later than five (5) years following the use of Marshall-Davis well water within Diablo Grande, except that pumping may occur in certain very limited situations described in the Specific Plan for Diablo Grande.

Impact to be Mitigated:

There is a possibility that neighboring wells in the vicinity of the Marshall-Davis well site may be impacted by a drawdown of the aquifer due to the use of the Marshall-Davis well. All following discussion is for the purpose of addressing the impacts of concern associated with both of the mitigation measures above, as amended in the FEIR.

Agency/Individual Responsible for Implementation:

Western Hills Water District

Implementation Timing:

Monitoring shall commence a minimum of three (3) months prior to the delivery of water to the Oak Flat Valley floor, or sooner if determined necessary by the Department of Environmental Resources, as part of its review of the Monitoring Plan.

**Mitigation
Specifications:**

The Western Hills Water District shall prepare a Monitoring Plan for neighboring wells. This Monitoring Plan will include:

1. A method for the establishment of an area groundwater baseline condition;
2. A monitoring program which includes: the wells to be monitored; the associated well logs; monitoring protocols; a monitoring schedule; agreements with the owners of the wells to be monitored; and, who will perform the monitoring;
3. A reporting program which specifies how the information from the monitoring program will be submitted to the Department of Environmental Resources;
4. An evaluation section which will generally discuss how the information submitted will be evaluated; and,
5. A mitigation program which will list mitigation methods available if groundwater impacts to neighboring properties do occur, which could include: passing off of allocated surface water; lowering of the affected well; payment of fees for increased pumping costs; or, other methods determined appropriate.

This Monitoring Plan will be submitted to, and approved by, the County Department of Environmental Resources a minimum of six (6) months prior to the delivery of water to the Oak Flat Valley floor. Upon receipt by the Department, copies of the Monitoring Plan will be made available to the Stanislaus County Farm Bureau, Salado Water District and any interested parties.

The Monitoring Plan will be implemented by the submission of all data required by the plan to the County Department of Environmental Resources. The County Department of Environmental Resources will evaluate the reports to determine if an impact has occurred on neighboring wells. If an impact occurs, it shall be mitigated as per the provisions in the approved Monitoring Plan and Mitigation Measures 3 and 3a. above. The Monitoring Plan will continue to be implemented as long as the Marshall-Davis well site is in service.

In addition, the Monitoring Plan may contain an agreement between the Western Hills Water District and surrounding owners regarding how surface water transfers, well reconstruction or other mitigation to impacted wells will be implemented.

**Agency/Individual
Responsible for
Monitoring:**

Western Hills Water District and the Stanislaus County Department of Environmental Resources.

**Action by
Monitor:**

Based upon the Department of Environmental Resources review of the monthly monitoring reports, if the pumping of the Marshall-Davis appears to cause a drawdown in the neighboring wells, the County Planning Department Environmental Coordinator shall be immediately notified. A meeting between the Department of Environmental Resources, the Environmental Coordinator and the Western Hills Water District will then occur. Levels of mitigation will be determined based upon these meetings, as spelled out in the Monitoring Plan, which could include an independent evaluation of the impact as specified in Mitigation Measures 3 and 3a. above. The Western Hills Water District will be responsible for satisfying any individual agreements with neighboring property owners. The final determination as to the appropriate mitigation shall be made by the County Department of Environmental Resources.

**Monitoring
Timing:**

The Monitoring Plan will be reviewed and approved prior to operation of the Marshall-Davis well as specified above.

The monitoring reports will be continuously reviewed as long as the Marshall-Davis well is being used for the provision of water to the Diablo Grande site.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

4. Because long-term water supplies beyond the five-year buildout have not been assured, residential development shall not be permitted unless the applicant can show to the County's satisfaction that adequate real water supplies have been made available, and that environmental impacts of those sources have been studied and mitigated per CEQA requirements.

Impact to be Mitigated:

A proven long-term water supply has not been found for the project. In addition, other environmental impacts may occur, based upon which water sources the Western Hills Water District uses for this supply.

Agency/Individual Responsible for Implementation:

Western Hills Water District

Implementation Timing:

Prior to issuance of any Building Permit for any residential use and prior to approval of any Site Plan, Final Development Plan or Tentative Map beyond the non-residential part of the Five-year Concept Plan area.

Mitigation Specifications:

The existing 1200 acre-feet, as spelled out in the previous Mitigation Measures 2 and 3 above, is sufficient to serve the non-residential part of the Five-year Development Plan area during the first five years of the project.

Prior to the approval of any development beyond the non-residential part of the Five-year Concept Plan area (which includes the following land uses: an 18 hole Oak Flat golf course and clubhouse; a winery and up to 40 acres of vineyards on-site; a hotel/conference center; a maintenance center; and, the first phase of the swim & tennis club), the Western Hills Water District will issue a "can serve" letter and thus commit to provide adequate water supply to the remainder of the Phase 1 Preliminary Development Plan Area beyond the non-residential part of the Five-year Concept Plan area. This "can serve" letter will be accompanied by all necessary environmental documentation, as required by CEQA, and needed to satisfy the Stanislaus County Department of Environmental Resources that the District's provision of water is supported by a long-term water supply, other than Stanislaus County groundwater.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, Department of Environmental
Resources and WHWD.

**Action by
Monitor:**

The County Department of Environmental Resources will monitor all development within the project to ensure compliance with the use of the Marshall-Davis well site for a maximum of 1200 acre-feet per year of water for the non-residential part of the Five-year Concept Plan. A residential development request will not be approved until such time as the mitigation specifications stated above are complied with and a firm water supply is assured by the Western Hills Water District to the satisfaction of both County Agencies.

**Monitoring
Timing:**

Prior to approval of any residential development requests.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 5. Sludge produced by the water treatment plants should be properly contained, handled, and disposed of to avoid soil or groundwater contamination.

Impact to be Mitigated: Possible contamination of soil or groundwater at sludge disposal site.

Agency/Individual Responsible for Implementation: Western Hills Water District

Implementation Timing: Prior to operation of the Water Treatment Plant and ongoing.

Mitigation Specifications: The Western Hills Water District shall prepare a Sludge Disposal Plan. Said plan shall contain estimates of how much sludge will be produced, its constituents, its handling requirements and its disposal site and shall comply with 40 CFR, Part 503, as administered by the Regional Water Quality Control Board. This plan shall be approved by the Stanislaus County Department of Environmental Resources and the prior to operation of the Water Treatment Plant.

The Sludge Disposal Plan shall also contain a reporting program which will detail the mechanism required to record how much sludge is produced, its constituents and a chain of custody for its disposal. Reports of sludge disposal will be submitted to affected agencies as spelled out in the Plan.

Agency/Individual Responsible for Monitoring: County Planning Department, Department of Environmental Resources, RWQCB and WHWD.

Action by Monitor: The County Planning Department Environmental Coordinator will consult with the Department of Environmental Resources regarding the adequacy of the project sludge disposal Plan.

Monitoring Timing: Prior to operation of the Water Treatment Plant and ongoing.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 6. Water treatment plants should meet requirements of the Stanislaus County Department of Environmental Resources, the American Water Works Association, and the California Department of Health Services.

Impact to be Mitigated: There is a possibility of provision of water which does not meet State drinking water standards. This mitigation measure will aid in attaining compliance with these standards.

Agency/Individual Responsible for Implementation: Western Hills Water District

Implementation Timing: Prior to approval of the Construction Plans for the Water Treatment Plant.

Mitigation Specifications: All plans for the Water Treatment Plant shall conform to all applicable State and local standards. Plans shall be reviewed by all required agencies and specifically, the State of California Department of Health Services (DHS) and the Stanislaus County Department of Environmental Resources. The County Department of Environmental Resources will be the regulatory agency for the Water Treatment Plant until two hundred (200) connections occur. After two hundred (200) connections, the DHS will be the regulatory agency. Coordination between these agencies should occur throughout the design process.

Agency/Individual Responsible for Monitoring: County Planning Department, Department of Environmental Resources, DHS and WHWD.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the Department of Environmental Resources approval of the Water Treatment Plant Construction Plans when less than 200 connections exist, and shall verify DHS approval of the plant, or any subsequent expansions, after 200 connections exist.

Monitoring Timing: Prior to approval of the Water Treatment Plant Construction Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

7. The project applicant should demonstrate the project's conformance with County fire flow and water pressure requirements to the satisfaction of the West Stanislaus Fire Protection District ("WSFPD") and the County Fire Marshall. Required hydrant flows are specified in the recommended mitigation measures in the Fire Protection section for this EIR.

Impact to be Mitigated:

The possible lack of adequate fire flows and pressure.

Agency/Individual Responsible for Implementation:

Western Hills Water District

Implementation Timing:

Prior to submittal of water line Construction Plans.

Mitigation Specifications:

Construction drawings for water lines and fire hydrants will be accompanied by appropriate engineering calculations which show that line sizing, facilities and water availability are adequate to provide the required fire flows and pressures.

After construction of the water lines and facilities, selected fire hydrants will be tested to show that adequate flow and pressure exists.

Agency/Individual Responsible for Monitoring:

County Planning Department, Public Works Department, County Fire Marshall and WSFPD.

Action by Monitor:

The County Planning Department Environmental Coordinator will verify the projected water flows with the Public Works Department prior to approval of the Improvement Plans with the Public Works Department and County Fire Marshall. Prior to the issuance of any Building Permits, the County Fire Marshall, in consultation with the West Stanislaus Fire Protection District shall verify that adequate fire flow exists, or that an acceptable alternate method of fire protection has been provided.

Monitoring Timing:

Prior to approval of Improvement Plans and issuance of Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 8. The project should be equipped with water conserving devices such as low-flow faucets, shower heads and toilets.

Impact to be Mitigated: Possible inefficient use of water.

Agency/Individual Responsible for Implementation: Developer/Homeowner

Implementation Timing: Prior to submittal of requests for Building Permits.

Mitigation Specifications: Construction drawings for structures at the project site shall incorporate and specify low-flow faucet, shower head and toilet types. This is now a State mandated standard.

Agency/Individual Responsible for Monitoring: Stanislaus County Building Inspection Division.

Action by Monitor: Review of Building Plans for compliance with State standards.

Monitoring Timing: Prior to issuance of Building Permits.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

9. Drought-tolerant vegetation should be used in all landscaping to minimize irrigation requirements. The on-site nursery should specialize in native drought-tolerant species to ensure that replacement plantings maintain low irrigation requirements. Where possible, runoff should be channelled toward landscaped areas to further reduce the need for landscape watering and to promote groundwater recharge.

356;19 In selecting drought-tolerant plant species for landscaping, native plant species shall be planted where possible, including on the golf courses.

Impact to be Mitigated:

Possible over use of water due to the planting of vegetation which demands large amounts of water in large landscape areas, and reduction in local groundwater recharge due to development.

Agency/Individual Responsible for Implementation:

Developer

Implementation Timing:

Prior to submittal of Landscape and Drainage Plans.

Mitigation Specifications:

All public areas: e.g. Oak Flat Parkway, commercial development, Hotel/Conference Center, recreational areas, etc., shall be required to submit Landscape Plans. These Landscape Plans shall specify plant types and sizes, with special attention to the use of native drought-tolerant, low water use types of vegetation. The landscape materials list prepared as part of Mitigation Measure 14 of the Geology, Seismicity and Soils Section of this document will incorporate these requirements.

Any landscaping provided on residential development on the project site shall attempt to minimize lawn area and maximize the use of the drought-tolerant and native vegetation. A landscape materials list for residences will be prepared and on file with the County Planning Department Environmental Coordinator. This list will be distributed to each homeowner or contractor with the issuance of each Building Permit.

Project Drainage Plans should include channelling of project runoff to landscaped areas to aid in groundwater recharge. The County Public Works Department shall review Drainage Plans for implementation of this requirement, if feasible.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, Agricultural Commissioner and
Public Works Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator and
the Agricultural Commissioner will review Landscape Plans for
compliance with the landscape materials list and will distribute the
landscape materials list with residential Building Permits. The
Environmental Coordinator will consult with the Public Works
Department for compliance with the drainage requirements of this
mitigation measure.

**Monitoring
Timing:**

Prior to approval of Landscape and Drainage Plans and the
issuance of residential Building Permits.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-181 TO IV-183; OR ARE NEW SEWAGE DISPOSAL MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (356;19) MEANS PAGE 356 RESPONSE NO. 19.

Mitigation Measure: 1. Reclaimed water used for irrigation should be monitored to ensure that it meets the requirements of the California DHS and the RWQCB.

Impact to be Mitigated: Possible public health concerns due to contact with water not meeting State standards.

Agency/Individual Responsible for Implementation: Western Hills Water District

Implementation Timing: Prior to submittal of plans for the reclaimed water system.

Mitigation Specifications: Plans for the reclaimed water irrigation system shall be approved by the State Department of Health Services (DHS) and the Regional Water Quality Control Board (RWQCB). These plans shall show how the water to be used will be treated, if required, and how cross contamination between this water and the domestic water supply will be avoided. In addition, a plan for the periodic monitoring of the reclaimed water system will be prepared and approved by the Stanislaus County Department of Environmental Resources, DHS and RWQCB.

Agency/Individual Responsible for Monitoring: County Planning Department, Department of Environmental Resources, DHS, RWQCB and WHWD.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify the existence of all necessary permits for the reclaimed water irrigation system, prior to its operation.

Monitoring Timing: Prior to approval of the Construction Plans for the reclaimed water irrigation system, and ongoing for periodic water quality monitoring.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure:
(Revised by FEIR 356;19)

2. In the event that there is no concurrent irrigation demand, prior to discharge of excess reclaimed water into the creeks, the Stanislaus County Department of Environmental Resources, California DOHS, and RWQCB should confirm that no deleterious impacts would occur as a result of this release.

Impact to be Mitigated:

Possible release of contaminated water into waterways.

Agency/Individual Responsible for Implementation:

Western Hills Water District

Implementation Timing:

Prior to submittal of reclaimed water irrigation system Construction Plans.

Mitigation Specifications:

The submittal of the reclaimed water irrigation system construction drawings shall be accompanied by a plan for the discharge of any excess water. This plan shall conform to State standards for the release of water into waterways, and be approved by the appropriate State agencies. All water proposed for discharge into waterways shall be tested as required by the RWQCB, and test results submitted to the appropriate agencies prior to approval of such releases.

Reports on all releases shall be kept at the site and available for review by any appropriate agencies.

Agency/Individual Responsible for Monitoring:

County Planning Department, Department of Environmental Resources, DHS, RWQCB and WHWD.

Action by Monitor:

The County Planning Department Environmental Coordinator shall verify the existence of all appropriate permitting prior to operation of the reclaimed water system.

Monitoring Timing:

Prior to approval of the reclaimed water irrigation system Construction Plans, and prior to any release of reclaimed wastewater into water bodies.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:
(Revised by FEIR 174;16)

3. A Community Services District shall be formed to provide the sewer service (or sewer service shall be provided by the Western Hills Water District). The District responsible for managing the wastewater treatment facilities should also oversee the funding for operation and maintenance of the entire project, once installed and operating. Stanislaus County should monitor collection and dispersement activities so as to ensure adequate funding of the District.

Impact to be Mitigated: Possible lack of funding for the public service provider, causing operational problems for future residents.

Agency/Individual Responsible for Implementation: Western Hills Water District

Implementation Timing: Prior to construction of Water or Wastewater Treatment Plants.

Mitigation Specifications: A Community Service District ("CSD"), County Service Area ("CSA") or an equivalent mechanism will be established; or the Western Hills Water District will provide an Operational Plan to the County. This Operational Plan will detail how all infrastructure and public areas/improvements will be maintained and funded, how funds will be collected by the district and the organizational structure of the district.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, County Counsel, CEO, Board of Supervisors and WHWD.

Action by Monitor: Review of Western Hills Water District Operational Plan; or the monitoring of collection and disbursement activities to ensure adequate funding of CSD, CSA, or other approved funding mechanism. The Environmental Coordinator shall ensure that all appropriate review has been completed before recommending to the Board of Supervisors approval of the selected maintenance and funding mechanism.

Monitoring Timing: Prior to approval of plans for the Water and Wastewater Treatment Plants.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-185 TO IV-186; OR ARE NEW SOLID WASTE DISPOSAL MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (173;10) MEANS PAGE 173 RESPONSE NO. 10.

Mitigation Measure: 1. The project should conform to provisions of the County SRRE to reduce the amount of waste that is landfilled. Curbside pickup of recyclables and/or a collection facility for recyclables should be provided within the development.

Impact to be Mitigated: Possible excessive landfilling and loss of recyclable materials.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to submittal of Site Plans and Tentative Maps.

Mitigation Specifications: Site Plans and Tentative Maps shall show location of recycling depositories, and offer provisions for weekly curbside pickup of recyclables, and office paper recycling in research campus. In addition, the project shall conform to the provisions of the County's SRRE. Curbside pickup of recyclables weekly and/or a collection facility located near Town Center area is proposed to mitigate this impact. Facilities will be coordinated with the County Department of Environmental Resources, Solid Waste Management Division.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources, Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure.

Monitoring Timing: Prior to issuance of Occupancy Permits for commercial structures and issuance of residential Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 173;10 The amount of waste from the project which requires landfilling should be minimized through source reduction, recycling, composting and other diversion mechanisms.

Impact to be Mitigated: Possible excessive landfilling and loss of recyclable materials.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At start-up of Phase 1 and ongoing.

Mitigation Specifications: Provide curbside recycling weekly and/or a collection center near Town Center area. Initiate office and commercial recycling programs as those facilities are built out. The project shall conform to the provisions of the County's SRRE.

Agency/Individual Responsible for Monitoring: County Planning Department, Department of Environmental Resources and Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure.

Monitoring Timing: At start-up and ongoing periodic inspections.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 173;10 During construction, provisions should be made to remove recyclable material from the construction debris, inerts should be diverted to inert disposal sites or to recyclers, and so on.

Impact to be Mitigated: Possible loss of recyclable materials.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: During, and at end of, individual phases of construction.

Mitigation Specifications: Site building contractors shall be required to off-haul recyclables to collection station and/or use the Town Area collection station if established, or haul recyclables directly to recyclers (i.e. scrap yards).

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources and Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure.

Monitoring Timing: Periodically by inspection during construction.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 173;10 The project should incorporate, to the extent possible, products which contain post-consumer recycled materials in the construction of utilities, parking lots, trash receptacles, benches, sound barriers, sign posts, traffic control stops, landscape timbers, fencing, building, and any other structures or amenities at the site.

Impact to be Mitigated: Possible loss of scarce resources.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Landscape and Improvement Plans.

Mitigation Specifications: Construction Plans shall show which materials to be used are recycled materials and encourage their use.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources, Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure as part of the review of Landscape and Improvement Plans.

Monitoring Timing: Prior to approval of Landscape or Improvement Plans, as applicable.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 173;10 Compost and soil amendments necessary for project landscaping should be obtained from permitted composting facilities which qualify for waste diversion credit, provided such landscaping material is available and meets specifications.

Impact to be Mitigated: Possible loss of recyclable materials.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Ongoing throughout the project.

Mitigation Specifications: The Developer shall work with the County Department of Public Works and Department of Environmental Resources, Solid Waste Management Division to establish a composting operation, or to find a permitted vendor. Efforts will be made to incorporate compost and soil amendments into the project when practical.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources, Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure and as part of the review of Landscape Plans, including those for the golf course.

Monitoring Timing: Ongoing, with review of this mitigation measure occurring when Landscape Plans, including those for the golf course are submitted.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 173;10 Space should be provided to facilitate the storage of recyclable material at businesses and multifamily dwellings.

Impact to be Mitigated: Possible loss of recyclable materials.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Site Plans and Tentative Maps.

Mitigation Specifications: The project shall comply with the ordinance, which will go into effect in Stanislaus County on September 1, 1994, relating to areas for collecting and loading recyclable materials in development projects, as required by the California Solid Waste Reuse and Recycling Access Act of 1991 (Stats. 1991, Ch. 842). Provide enclosed collector units with screened fencing and landscaping as applicable at commercial development. The Town Center is now proposed as the major recycling area.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources, Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure and as part of the review of Site Plans and Tentative Maps for compliance.

Monitoring Timing: Prior to approval of commercial development Site Plans and Tentative Maps.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 173;10 The project proponent should work with representatives of the Solid Waste Management Division of the Stanislaus County Department of Environmental Resources, and Bertolotti Disposal on designs and systems that will facilitate collection of recyclables, yard trimmings, and refuse.

Impact to be Mitigated: Possible loss of recyclable materials.

Agency/Individual Responsible for Implementation: Developer and Bertolotti Disposal.

Implementation Timing: Prior to issuance of occupancy permits for Phase 1.

Mitigation Specifications: The project shall conform to the provisions of the County's SRRE. Wheeled refuse bins, yard trimming bins and recyclable stack crates, or some other acceptable method of refuse pickup shall be provided with all development to the satisfaction of the County Department of Environmental Resources, Solid Waste Management Division.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources, Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure and as part of the review of development plans for compliance including the review and approval of collection services proposed by the Developer and Bertolotti.

Monitoring Timing: Prior to issuance of any Phase 1 Occupancy Permits.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 174;14 As discussed in the mitigation measure immediately preceding, design of a collection system shall include possible installation of an on-site transfer station in the event that the reviewing agency and disposal service provider determine it to be necessary. If necessary, the site, location, permitted capacity, and operational capabilities shall be defined during collection system design.

Impact to be Mitigated: Possible overburdening of existing facilities.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With review of Tentative Maps for development beyond the Five-year Development Plan, and at Preliminary Development Plan submittal in future phases beyond Phase 1.

Mitigation Specifications: As described above.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources, Solid Waste Management Division.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Department of Environmental Resources, Solid Waste Management Division for compliance with this mitigation measure and as part of the review of development plans for compliance. The County will review the need for transfer station as part of review of Tentative Maps beyond the Five-year Development Plan, and make certain that environmental review of Phases 2-4 Preliminary Development Plans includes this review.

Monitoring Timing: First review at the completion of the Five-year Development Plan.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-188 TO IV-189; OR ARE NEW FIRE PROTECTION MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (358;26) MEANS PAGE 358 RESPONSE NO. 26.

Mitigation Measure: 1. Hydrant spacing should not exceed 500 feet in residential areas and 300 feet in commercial/industrial areas.

Impact to be Mitigated: Possible fire hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Tentative Maps and Improvement Plans.

Mitigation Specifications: Tentative Maps shall show the spacing of fire hydrants. Improvement Plans shall show the final location of fire hydrants.

Agency/Individual Responsible for Monitoring: County Planning Department, West Stanislaus Fire Protection District ("WSFPD") and County Fire Warden.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Fire Warden and the WSFPD for compliance with state and local fire standards prior to approval of any Tentative Maps, Site Plans or Improvement Plans.

Monitoring Timing: Prior to approval of Tentative Maps, Site Plans or Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

2. Hydrant flows should be a minimum of 1,000 gallons per minute in residential areas and 2,500 gallons per minute in multiple residential, commercial, and industrial areas.

(Revised by FEIR 358;26
and FEIR 365;34)

The project proponent should either provide all required fire protection improvements (including fire stations) as determined by the WSFPD, or pay the applicable Capital Facilities Fees to cover facilities and equipment which are not provided on site by the project proponent. The timing of payment of fire service fees and/or construction of new facilities should be phased in cooperation with concurrent cumulative projects.

**Impact to be
Mitigated:**

Possible fire hazards.

**Agency/Individual
Responsible for
Implementation:**

Developer.

**Implementation
Timing:**

At the submittal of Improvement Plans or Building Permits.

**Mitigation
Specifications:**

Improvement Plans shall be accompanied with engineering calculations which prove adequate fire flows as specified above.

Building Permits will be required to pay the adopted fire protection Capital Facilities Fees for the West Stanislaus Fire Protection District ("WSFPD").

New facilities provision will be provided to the Fire District, based upon agreement as to the timing of construction, and their installation may afford offsets to the existing Capital Facilities Fees.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, County Fire Warden and WSFPD.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall consult with the County Fire Warden and the WSFPD to determine compliance with mitigation measure or other acceptable method of providing fire protection services prior to approval of Improvement Plans or issuance of Building Permits and verification of fee payment.

**Monitoring
Timing:**

Prior to approval of Improvement Plans for engineered design. Verification of adequate fire protection prior to issuance of Certificates of Occupancy for Commercial structures or issuance of Building Permits for residential structures.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:
(Revised by FEIR 71;1)

3. Depending on the level of service required, an annual benefit assessment fee may be needed to cover expenses of day-to-day operations of the WSFPD. This will be determined through discussions between the project proponent and the WSFPD. [The Developer should pay the Fire District's standard fire service impact fee.] If the District adopts a standard annual benefit assessment fee, Diablo Grande should pay a fair share of that fee, to be negotiated with the District.

Impact to be

Mitigated:

Possible lack of adequate District funding.

**Agency/Individual
Responsible for**

Implementation:

Developer.

Implementation

Timing:

Ongoing.

Mitigation

Specifications:

Based on WSFPD study of operating expense projections for Diablo Phase 1 Fire Station in Town Center Area, and projected District Budgets, a negotiation may occur for the establishment of a service fee. This negotiation will be between the District and the Developer. If the District adopts a standard annual benefit assessment fee, Diablo Grande may pay a fair share of that fee, or negotiate an independent fee related to the project only.

**Agency/Individual
Responsible for**

Monitoring:

West Stanislaus Fire Protection District.

Action by

Monitor:

The WSFPD will monitor its needs related to service fees, and approach Diablo Grande at such time as service needs extend beyond the District's ability to raise revenues.

Monitoring

Timing:

Ongoing.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 4. Automatic fire sprinklers should be installed in commercial buildings. The WSFPD also recommends the fire sprinklers be installed in the residences, which may reduce the personnel required to provide fire protection to the site.

Impact to be Mitigated: Possible fire hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Building Permit applications for commercial/industrial buildings and during construction.

Mitigation Specifications: All commercial/industrial building plans shall incorporate fire sprinklers into their design, with the exception of the golf course clubhouse. The Developer and the WSFPD will review the feasibility of fire sprinklers in residences. The applicant and the WSFPD will then decide whether or not sprinklers in residences are appropriate.

Agency/Individual Responsible for Monitoring: County Planning Department, County Fire Warden and WSFPD.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Fire Warden prior to issuing Building Permits.

Monitoring Timing: Prior to issuance of commercial Building Permits with the exception of the golf course clubhouse. Prior to issuance of residential Building Permits if an agreement is reached between the Developer and the Fire District regarding their provision.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 6. Road widths, road grades, and turnaround radii should be adequate for emergency equipment.

Impact to be Mitigated: Possible fire hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Tentative Maps and Improvement Plans.

Mitigation Specifications: Improvement Plans shall be based on County standards as modified by the approved Diablo Grande Specific Plan, and be constructed to emergency vehicle use specifications.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, Fire Warden and WSFPD.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Public Works Department and County Fire Warden prior to the approval of Tentative Maps and Improvement Plans.

Monitoring Timing: Prior to approval of Tentative Maps and Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

5. To provide adequate two-way communication for emergency response vehicles, a communication system should be retrofitted on the existing equipment and another should be placed on an additional tower overlooking the site (at Mike's Peak).

(Added from
DEIR page IV-190
Mit. Meas. No. 2)

A study should be conducted to determine what equipment would provide proper communications.

**Impact to be
Mitigated:**

Possible fire and personal safety hazards.

**Agency/Individual
Responsible for
Implementation:**

Developer.

**Implementation
Timing:**

Prior to occupancy of residences.

**Mitigation
Specifications:**

The Developer, the WSFPD and the Sheriff shall determine the needed communications facilities for the project, and the Developer shall install the appropriate facilities. Prior to issuance of any Building Permits for new structures, the determination for necessary facilities, i.e. Communications Study, shall be made. Among those facilities, a retrofitted communication system on a new tower at Mike's Peak may be required.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department, County Fire Warden, Sheriff and WSFPD.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall consult with the County Fire Warden and Sheriff to determine the adequacy of the Communication System Plans and inspect construction.

**Monitoring
Timing:**

The County Fire Warden and Sheriff's Department shall determine when the facilities are needed.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 7. Wildfire fuel reduction prescriptions should be adhered to as outlined in the Land Use section of this EIR.

Impact to be Mitigated: Fire hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Submittal of a Wildfire Fuel Reduction Plan to the County prior to requests for Tentative Map approval.

Mitigation Specifications: A Wildfire Fuel Reduction Plan shall be prepared to the California Department of Forestry (CDF) standards. This plan could include:

1. Continued grazing outside of development areas;
2. Setbacks of residential lots from toes of slopes;
3. Provision of fire retardant landscaping in transitional buffer areas between residences and open space areas.
4. Provision of fire breaks and trails as feasible;
5. Provision for maintenance of any areas/facilities covered by the Plan; and,
6. Others as provided in the RMP.

Agency/Individual Responsible for Monitoring: County Planning Department, County Fire Warden, WSFPD and CDF.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the WSFPD and verify acceptability of the Wildfire Fuel Reduction Plan to the WSFPD and the CDF prior to approving the Plan.

Monitoring Timing: Prior to issuance of residential Building Permits. Ongoing maintenance of these areas will be verified.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 71;1 The project should comply with all local, county, and state requirements on building and fire safety standards.

Impact to be Mitigated: Fire hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Building Permit applications to the County.

Mitigation Specifications: As required by UBC and State and local fire safety requirements.

Agency/Individual Responsible for Monitoring: County Building Inspection Division, County Fire Warden and WSFPD.

Action by Monitor: Building Permits requests shall be reviewed for compliance with applicable standards.

Monitoring Timing: Prior to issuance of Building Permits.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 149;1 An emergency vehicle access (EVA) road should be provided before any building permits are filed on the Phase 1 area.

Impact to be Mitigated: Fire, flooding and earthquake hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to requests for Building Permits for new structures in the Phase 1 area.

Mitigation Specifications:

1. Provide EVA Plan Diagram and Typical Section to County and WSFPD for review and approval.
2. Obtain necessary off-site easements, provide all weather surfaced EVA road prior to residential or commercial occupancy in Phase 1.

Agency/Individual Responsible for Monitoring: County Planning Department, Board of Supervisors, County Fire Warden, WSFPD and the Developer.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Fire Warden for the purpose of reviewing and approving the EVA Plan and Typical Section. The EVA shall be accepted as adequate prior to the issuance of any residential Building Permits or Certificates of Occupancy for new commercial structures. The Board of Supervisors will determine, prior to project approval, responsibility for acquiring any off-site easements for the EVA.

Monitoring Timing: EVA shall be in place prior to the issuance of any residential Building Permits or Certificates of Occupancy for new commercial structures.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 149;2 Adequate space at the helistop should be reserved for emergencies at all times.

Impact to be Mitigated: Impairment of medical evacuations.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of plans to FAA and the County for construction.

Mitigation Specifications: If a helispot is required, it will be for exclusive use of emergency service provider.

Agency/Individual Responsible for Monitoring: County Planning Department, Sheriff's Department, County Fire Warden (OES) and WSFPD.

Action by Monitor: Review of Helispot Plans and verification of appropriate FAA permits.

Monitoring Timing: Prior to helispot construction.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 149;3 The landscape buffer zone types and maintenance responsibilities should be approved and in operation before combustible construction starts.

Impact to be Mitigated: Construction fire hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Submittal of Landscape Plans to County and WSFPD prior to issuance of residential Building Permits on a phase by phase basis.

Mitigation Specifications:

1. A 100 foot buffer zone is proposed by the applicant between residential areas and Conservation Areas, RMP Areas and Village Hillside Areas;
2. Landscape Plans will be generally described in the RMP, and detailed Plans will be submitted with each phase of development;
3. Fire retardant plants, fire breaks, and fire trails will be proposed within that buffer as applicable.

Agency/Individual Responsible for Monitoring: County Planning Department, County Fire Warden and WSFPD.

Action by Monitor: Review and approve detailed Landscape Plans in consultation with the County Fire Warden.

Monitoring Timing: Prior to issuance of residential Building Permits.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-190 TO IV-192; OR ARE NEW POLICE PROTECTION MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (365;34) MEANS PAGE 365 RESPONSE NO. 34.

Mitigation Measure: 1. Access roads should be year-round all weather roads with access to Interstate 5.

Impact to be Mitigated: Difficulty of emergency vehicle access (EVA).

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to issuance of Building Permits for commercial or residential development with the exception of the golf course clubhouse remodel.

Mitigation Specifications: Meet width, grade and surface standards of the County.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify that an all weather road exists to the site prior to the approval of any Building Permits for new structures.

Monitoring Timing: Prior to the issuance of Building Permits except the golf course clubhouse remodel. The golf course clubhouse remodel Certificate of Occupancy will not be issued until the all-weather roadway is in place.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure: 2. A study should be conducted to determine what equipment would provide proper communications.

Impact to be Mitigated: Possible fire and personal safety hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to issuance of Building Permits for new structures.

Mitigation Specifications: The Developer, the WSFPD and the Sheriff shall determine the needed communications facilities for the project, and the Developer shall install the appropriate facilities. Prior to issuance of any Building Permits for new structures, the determination for necessary facilities, i.e. Communications Study, shall be made. Among those facilities, a retrofitted communication system on a new tower at Mike's Peak may be required.

Agency/Individual Responsible for Monitoring: County Planning Department, County Fire Warden and Sheriff.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Fire Warden and Sheriff to determine the adequacy of the Communication System Plan and inspect construction.

Monitoring Timing: The County Fire Warden and Sheriff's Department shall determine when the facilities are needed.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 3. Access, lighting, and other crime prevention measures should be included as part of final development plans. Parking areas, pathways, and the common areas should be lighted to provide maximum visibility.

Impact to be Mitigated: Possible crime due to the remote nature of the development.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Site Plans or Improvement Plans.

Mitigation Specifications: Consult with County Sheriff's Department for Plan guidelines. Submit Lighting Plans as part of Site Plan and Design Review package.

Agency/Individual Responsible for Monitoring: County Planning Department and Sheriff.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Sheriff's Department at the Site Plan review process. Final Improvement Plans shall be reviewed for compliance with approved Site Plans.

Monitoring Timing: Prior to Site Plan and Design Review approval and Improvement Plan approval.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 4. Residents who intend to incorporate alarm systems into their homes should, from the outset, be advised of Sheriff's Department and Communications Department policies and asked to consult with the representatives of these two departments prior to installation.

Impact to be Mitigated: Inefficient crime prevention systems.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to system installation.

Mitigation Specifications: Residents shall be informed upon home purchase that alarm systems should be installed based on consultation with County Sheriffs and Communications Departments.

Agency/Individual Responsible for Monitoring: Developer, County Planning Department, Building Inspection Division and Sheriff's Department.

Action by Monitor: The County Planning Department Environmental Coordinator and the Building Inspection division will make this requirement known at the issuance of residential Building Permits, and the Developer will work to make sure that this information is known upon resale of residences.

Monitoring Timing: At issuance of residential Building Permits and ongoing.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 5. Road widths, road grades, and turnaround radii should be adequate for emergency equipment.

Impact to be Mitigated: Possible access problems for emergency services.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Tentative Maps and Improvement Plans.

Mitigation Specifications: Improvement Plans shall be based on County standards as modified by the approved Diablo Grande Specific Plan, and be constructed to emergency vehicle use specifications.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department and Sheriff's Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Public Works Department and Sheriff's Department prior to the approval of Tentative Maps and Improvement Plans.

Monitoring Timing: Prior to approval of Tentative Maps and Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 365;34 The timing of payment of police service fees and/or construction of new facilities should be phased in cooperation with concurrent cumulative projects.

Impact to be Mitigated: Inadequate police protection.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the issuance of each residential Building Permit, and ongoing through a County Service Area ("CSA")

Mitigation Specifications: The Sheriff's Department shall receive fees from residences within Diablo Grande as follows:

1. At the issuance of each residential building permit, \$339 or the current rate, will be paid to satisfy the Sheriff's Department needs for the first year sheriff services;

foreach unit

2. On a yearly basis, the Sheriff's Department will determine the number of calls at the Diablo Grande site and determine the amount required to reimburse for these calls (it is our understanding that the cost, as of today, is \$165 per call);

3. The Sheriff's Department will then prepare a report to the Board of Supervisors, and the Developer, which states how many calls were made at the Diablo Grande site, the cost per call and the total amount to be reimbursed to the Sheriff's Department. (The tax revenue generated analysis has no relationship to the impact on Sheriff's patrol);

4. The Board of Supervisors will impose a property assessment through the CSA, which will fully reimburse the Sheriff's Department for the number of calls at the Diablo Grande site; and,

5. There will be no waiver of Public Facilities Fees for any Developer constructed facilities for use by the Sheriff's Department.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Sheriff's Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall verify the payment of the required fees prior to the issuance of any residential Building Permits, and monitor the ongoing operation of the CSA.

**Monitoring
Timing:**

Prior to the issuance of residential Building Permits, and ongoing through yearly monitoring of the CSA.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGE IV-194; OR ARE NEW MEDICAL MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (216;2) MEANS PAGE 216 RESPONSE NO. 2.

Mitigation Measure: 1. Diablo Grande will make space available at its Public Safety Center for an emergency medical vehicle.

Impact to be Mitigated: Lack of emergency hospital transportation.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Concurrent with the construction of fire protection facilities on-site.

Mitigation Specifications: At the same time as construction of on-site fire protection facilities, a storage building for an emergency medical vehicle will be made available.

Agency/Individual Responsible for Monitoring: County Planning Department and Fire Warden (OES).

Action by Monitor: Review and approve Public Safety Center Plan and inspection of construction of center.

Monitoring Timing: Concurrent with construction of the Fire Station.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:
(Revised by FEIR 216;2)

2. A formal financing mechanism (i.e., special or Mello-Roos district) should be formed to pay for an appropriate percentage of total expansion expenses incurred by the Patterson Hospital District to accommodate new demand for hospital services resulting from the proposed project, including an on-site paramedic station. The details of this funding mechanism should be worked out between the applicant and the Hospital District. It should be noted that the County Board of Supervisors would be responsible for resolving any differences between the applicant and the Hospital District as to the appropriate fees for the project.

3. If a special district is not formed, the project applicant should pay an appropriate Developer fee to be determined in negotiations with the Patterson Hospital District and commensurate with Diablo Grande's impact on the District, or show to the County's satisfaction that other hospital facilities are adequate to meet the project's needs.

**Impact to be
Mitigated:**

Inadequate funding for Hospital expansion.

**Agency/Individual
Responsible for
Implementation:**

Developer.

**Implementation
Timing:**

At the issuance of residential Building Permits.

**Mitigation
Specifications:**

Diablo Grande and the Patterson Hospital District have negotiated a fee for the adequate provision of emergency hospital services.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department.

**Action by
Monitor:**

Verify collection of fees prior to the issuance of any residential Building Permits.

**Monitoring
Timing:**

Prior to the issuance of residential Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 4. Road widths, road grades, and turnaround radii should be adequate for emergency equipment.

Impact to be Mitigated: Possible access problems for emergency services.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Tentative Maps and Improvement Plans.

Mitigation Specifications: Improvement Plans shall be based on County standards as modified by the approved Diablo Grande Specific Plan, and be constructed to emergency vehicle use specifications.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Public Works Department prior to the approval of Tentative Maps and Improvement Plans.

Monitoring Timing: Prior to approval of Tentative Maps and Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 140;1 The applicant shall follow recommendations contained in *Vector Prevention in Proposed Developments: Guidelines, Standards, and Checklists*, February 1986. This will enable the Turlock Mosquito Abatement District to survey and control mosquitos and ticks within the project site. However, care shall be taken to ensure that measures to control mosquito and tick populations do not result in health impacts on other wildlife.

Impact to be Mitigated: Risk of health hazards to project population.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Upon submittal of Tentative Maps and Site Plans.

Mitigation Specifications: See Report: Vector Prevention in Proposed Developments: Guidelines, Standards and Checklists, February 1986.

Agency/Individual Responsible for Monitoring: County Planning Department in consultation with Turlock Mosquito Abatement District and the Agricultural Commissioner.

Action by Monitor: The County Planning Department Environmental Coordinator and the Agricultural Commissioner shall review proposed Tentative Maps and Site Plans, for compliance with the mitigation specifications above.

Monitoring Timing: Prior to approval of Tentative Maps, Site Plans and Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-198 TO IV-200; OR ARE NEW SCHOOL MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (113;1) MEANS PAGE 113 RESPONSE NO. 1.

Mitigation Measure:
(Revised by FEIR 113;1)

1. The County Board of Supervisors shall consider the sufficiency of the Developer fees for provision of school facilities based on the information provided by the applicant and the Newman-Crows Landing Unified School District. If the Board determines that fees in addition to statutory fees are required, and such fees do not violate statutory limitations, then the Developer shall pay additional fees as determined to be appropriate by the Board. If the Board determines that additional fees are necessary, but such fees are legally prohibited, then the Developer shall pay the statutory per square foot fees for financing new school construction, and the Board may consider the project's impacts on schools to be unmitigable.

The County Board of Supervisors shall revisit the issue of the adequacy of school impact fees paid by Developers after completion of Phase 1 of the proposed project. At that time, resolution of the disagreement between the applicant and the Newman-Crows Landing Unified School District shall be based on actual demographic characteristics of Phase 1 residents, and statutory fee requirements/limitations in effect at that time.

(Revised by FEIR 114;3)

In-lieu of fees, the Developer may construct schools to the District's specifications. The enrollment capacity and acreage of schools constructed by the Developer should conform to District and State standards. Locations of schools shall be determined in conformance with these standards.

(Revised by FEIR 365;34)

The timing of payment of school fees and/or construction of new facilities should be phased in cooperation with concurrent cumulative projects.

Impact to be

Mitigated:

Possible lack of adequate funds for new schools.

Agency/Individual
Responsible for

Implementation:

Developer.

Implementation**Timing:**

At the issuance of any Building Permits.

Mitigation**Specifications:**

The Developer and the School district have entered into an agreement regarding the payment of fees to the District, and the District's provision of services to Diablo Grande. Fees will be paid to the School district prior to the issuance of Building Permits, as set forth in the agreement.

If the Developer and the NCLUSD decide to construct schools, they must be to the School District standards, and the Developer will then be entitled to offsets from the School District on the statutory fees.

**Agency/Individual
Responsible for****Monitoring:**

County Planning Department.

Action by**Monitor:**

The County Planning Department Environmental Coordinator shall verify payment of appropriate fee's prior to the issuance of Building Permits.

School construction shall be coordinated between the Developer and the NCLUSD if provided on-site.

Monitoring**Timing:**

Prior to the issuance of Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 2. Deleted by FEIR 113;1.

**Impact to be
Mitigated:**

**Agency/Individual
Responsible for
Implementation:**

**Implementation
Timing:**

**Mitigation
Specifications:**

**Agency/Individual
Responsible for
Monitoring:**

**Action by
Monitor:**

**Monitoring
Timing:**

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 3. The construction of new school facilities should be phased in accordance with the construction of Phases 1 through 4 of the proposed project.

Impact to be Mitigated: Interim overcrowding while new school facilities are being built.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to review and approval of future Preliminary Development Plans in Phases 2-4.

Mitigation Specifications:

1. Phase 1 development should be monitored to determine actual school enrollment generated by project compared to school facilities costs.
2. Phase 2-4 environmental review will be required to reassess school impacts.
3. Construction of new facilities should be phased in accordance with construction of proposed phases.
4. Provision of new school facilities on the site should be subject to approval by the Newman-Crows Landing Unified School District.

Agency/Individual Responsible for Monitoring: County Planning Department in consultation with School District and Developer.

Action by Monitor: Review Phase 1 school enrollment and fee results. Perform environmental review on Phases 2-4. Review all proposed new school facilities plans for the site for coordination with project buildout.

Monitoring Timing: During and at end of Phase 1 Development; and during environmental assessment of Phases 2-4.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 115;11 Final project approval should be contingent upon the applicant and the District reaching agreement on all the school-related mitigation measures.

Impact to be Mitigated: Generation of New students.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to project approval.

Mitigation Specifications: Refer to Mitigation Measure 1 on the preceding pages for a full discussion of school mitigation.

Agency/Individual Responsible for Monitoring: Board of Supervisors.

Action by Monitor: Determination of applicable fees as specified in mitigation measure 1.

Monitoring Timing: Prior to project approval.

Monitor: **Completion Date:** _____ **Signature:** _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGE IV-203; OR ARE NEW PARK MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (59;1) MEANS PAGE 59 RESPONSE NO. 1.

- Mitigation Measure:
1. Neighborhood parks shall be located within two to three blocks of the area they serve and shall be about seven acres.
 2. Community parks shall be located within two and a half miles of the area they serve and shall be 25 to 30 acres.
 3. Restrooms are recommended for neighborhood parks and required for community parks.

Impact to be Mitigated: Lack of proximity to parks and park services.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With submittal of Tentative Maps and Park Plans.

Mitigation Specifications: Parks will be provided as specified in the Specific Plan and shall meet or exceed the County General Plan park area requirements. Review park proposals for each sub-phase of Phase 1 development and compare with overall Phase 1 Plan and County Park guidelines.

Agency/Individual Responsible for Monitoring: County Planning Department and Parks Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall review and make recommendations on parks, trails and open space aspects during the Tentative Maps approval process, in consultation with the County Parks Department.

Monitoring Timing: Prior to approval of Tentative Maps as applicable. Review Park Improvement Plans prior to approval.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure: 59;1 The Diablo Grande Community Services District should operate and maintain the parks with recreation facilities within the site.

Impact to be Mitigated: Inadequate operation and maintenance.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to approval of Park Improvement Plans.

Mitigation Specifications: Developer shall propose preliminary park plans, prepare capital cost estimate and annual budget, and propose a mechanism for park maintenance acceptable to the County. Diablo Grande shall be responsible for all on-site park maintenance.

Agency/Individual Responsible for Monitoring: County Planning Department and Parks Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall verify appropriate park maintenance mechanisms are in place prior to approval of on-site park plans.

Monitoring Timing: Prior to park construction.

Monitor: **Completion Date:** _____ **Signature:** _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-204 TO IV-205; OR ARE NEW GAS AND ELECTRICITY MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (267;14) MEANS PAGE 267 RESPONSE NO. 14.

Mitigation Measure: 1. The project proponent shall be financially responsible for expansion of facilities and extensions.

Impact to be Mitigated: Possible cost impacts on utility companies and service districts.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to submittal of Improvement Plans.

Mitigation Specifications:

1. Include facilities and extensions in 5-year Capital Improvement Plan (CIP) and Annual Budget including timing, cost, source of funding, responsibility for construction, operation and maintenance.
2. Bond for improvements where required by Stanislaus County.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, CEO and Utility Companies.

Action by Monitor: The Planning Department Environmental Coordinator shall coordinate with all appropriate agencies the review of the CIP, and Annual Budgets; and, require bonding of public facilities as needed.

Monitoring Timing: Prior to approval of Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 2. Residences shall incorporate energy efficient design standards in compliance with State and local standards.
(Revised by FEIR 267;14)

Impact to be Mitigated: Possible inefficient energy use.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With submittal of Building Permits.

Mitigation Specifications: All buildings shall be designed to comply with the State of California's Title 25 energy efficiency guidelines.

Agency/Individual Responsible for Monitoring: Building Inspection Division.

Action by Monitor: Review Building Permits for compliance with State law.

Monitoring Timing: Prior to issuance of Building Permit.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 185;1 Gas and electrical facilities needs shall be identified and developed prior to approval of building permits.

Impact to be Mitigated: Possible lack of available energy resources and facilities.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to Building Permit approval.

Mitigation Specifications: Prior to approval of any Building Permits, the Developer shall show, to the County's satisfaction that public utilities exist at the site, or their provision is assured.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, Building Inspection Division and Utility Companies.

Action by Monitor: Verify existence of adequate public utilities through consultation with the appropriate agencies.

Monitoring Timing: Prior to issuance of Building Permit.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 185;4 The Developer should obtain a consent agreement from Pacific Gas and Electric Company prior to issuance of any permits for development within any PG&E easements.

Impact to be Mitigated: Possible infringement on easement rights.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to approval of Final Development Plans or Final Maps.

Mitigation Specifications: Developer shall show all Utility Easements on Final Development Plans, and shall receive approval from an affected utility company for any encroachments.

Agency/Individual Responsible for Monitoring: Public Works Department in consultation with PG&E.

Action by Monitor: Review Final Maps and Building Permits for encroachments and verify utility company approval of encroachments.

Monitoring Timing: Prior to approval of Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-205 TO IV-206;

Mitigation Measure: 1. The project proponent shall be financially responsible for expansion of facilities and extensions.

Impact to be Mitigated: Possible cost impacts on utility companies and service districts.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to submittal of Improvement Plans.

Mitigation Specifications:

1. Include facilities and extensions in 5-year Capital Improvement Plan (CIP) and Annual Budget including timing, cost, source of funding, responsibility for construction, operation and maintenance.
2. Bond for improvements where required by Stanislaus County.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, CEO and Utility Companies.

Action by Monitor: The Planning Department Environmental Coordinator shall coordinate with all appropriate agencies the review of the CIP, and Annual Budgets; and, require bonding of public facilities as needed.

Monitoring Timing: Prior to approval of Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

G. VISUAL QUALITY

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-244 to IV-245:

Mitigation Measure: 1. Final site, landscaping, and grading plans shall be sensitive to on-site landforms and features which provide the site with its visual impressions, including its rolling topography, ridgelines, clusters and specimen trees, riparian drainageways, and rock outcroppings. To maintain the integrity of the existing landscape, the project landscape plan must incorporate the elements of the existing vegetation in terms of size, color, and texture, so that new vegetation would eventually blend in with the existing indigenous species. Screening vegetation must be strategically placed. Architectural detailing shall include sensitive choices of texture, paint color, and/or wood finish to help integrate project development into the landscape.

Impact to be Mitigated: Lack of visual compatibility with existing natural setting.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to approval of Site Plans, Landscape Plans, Grading Plans, and Building Permits.

Mitigation Specifications: The County Planning Department shall review and approve Site Plans, Landscape Plans, and Grading Plans to ensure sensitivity to on-site landforms and vegetation. Modifications of the plans may be required as necessary. The Diablo Grande Design Review Committee ("DGDRC") will review residential plans prior to Building Permits. Attached and multiple family residential projects and commercial projects will be submitted to the County for Site Plan and Design Review prior to Final Development Plan approval.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and DGDRC.

**Action by
Monitor:**

Review and approve residential, commercial and public projects.

**Monitoring
Timing:**

Overall Site, Grading, and Landscaping Plans: During implementation of plans.

Residential and Commercial: Prior to Building Permit approval, and during construction.

Public Projects: Prior to Improvement Plan approval, and during construction.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 2. To mitigate future visual impacts of the Oak Flat Parkway, any future proposals to the County adversely affecting the viewshed of Oak Flat Road shall address the heightened perception of public concern due to build-out of the Diablo Grande project.

Impact to be Mitigated: Visual deterioration of existing natural setting.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to approval of any future development along Oak Flat Road.

Mitigation Specifications: Any future developments along Oak Flat Road shall be subject to specific design review guidelines which shall be developed for that concern.

Agency/Individual Responsible for Monitoring: County Planning Department, Planning Commission and Board of Supervisors.

Action by Monitor: County review and approval of Site Plans, and Landscape Plans for future development along Oak Flat Road.

Monitoring Timing: Prior to approval of any development along Oak Flat Road.

Monitor: Completion Date: _____

Signature: _____

Mitigation Measure:

3. To protect the visual quality of the expansive areas of open space east of Oak Flat Parkway, the four development areas in Phase 1 east of Oak Flat Parkway shall be given special treatment to ensure that significant oak cover is not removed, and that bases of the adjoining hills are contoured or feathered to retain a natural appearance.

Impact to be Mitigated:

Loss of existing natural setting and views.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Site Plan and Design Review packages to DGDRC and County.

Mitigation Specifications:

Plans for development east of Oak Flat Parkway shall include:

1. Preservation of adjoining oak woodland;
2. Provision of transitional buffer zone between residential areas and oak woodland;
3. Minimize action of grading and recontouring and feathering of graded slopes; and
4. Use of natural and earth tone colors and materials.

Agency/Individual Responsible for Monitoring:

DGDRC and County Planning Department.

Action by Monitor:

The County Planning Department Environmental Coordinator shall review Site Plan and Design Review packages for compliance with the mitigation measure and specifications.

Monitoring Timing:

Prior to issuance of Grading Permits and, during grading and construction.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

4. To avoid impacts associated with the most prominent project buildings, photomontage or CADD graphics simulations shall be prepared to the satisfaction of the Planning Director showing the town center, shopping area and/or other structures from key viewpoints. Final plans shall incorporate any mitigation measures resulting from these montages.

Impact to be Mitigated:

Loss of views of existing natural setting due to intensive or extensive development.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Submit graphics with Site Plan and Design Review package to DGDRC and County.

Mitigation Specifications:

1. Prepare photomontage or CADD graphics to simulate project development.
2. Follow Specific Plan Development Guidelines to maintain low profile for project structures.
3. Use landscaping to integrate buildings with site and soften impact of parking areas.
4. Adjust landscaping and structure design/layout based on Planning Department's review of photo simulations to reduce aesthetic impacts.

Agency/Individual Responsible for Monitoring:

DGDRC and County Planning Department.

Action by Monitor:

Review, modify (if appropriate), and approve Site Plan and Design Review package.

Monitoring Timing:

Prior to issuance of Grading Plans or Building Permits.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING ARE NEW VISUAL QUALITY MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (43;15) MEANS PAGE 43 RESPONSE NO. 15.

Mitigation Measure: 43;15 The I-5 corridor near the project area is a designated Scenic Highway. Final project plans for activities potentially within the viewshed of the corridor (i.e., Oak Flat Parkway in the vicinity of I-5) must address visual quality issues. All potential visual impacts to the I-5 corridor should be reduced by utilizing setbacks, landscaping, and/or vegetation screening to be approved by the County Public Works Department.

Impact to be Mitigated: Deterioration of visual quality of I-5 scenic highway.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Submittal of Landscape Plans and Grading Plans with Road Improvement Plans for Oak Flat Parkway and primary access road to I-5.

Mitigation Specifications:

1. Minimize grading cuts and fills;
2. Revegetate graded slopes;
3. Provide native and drought resistant landscaping; and
4. Retain existing tree cover and major land forms.
5. Use setbacks for structures to eliminate visibility from I-5.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department, Planning Commission and Caltrans.

Action by Monitor: Review and approve Site Plans, Landscape Plans and Grading Plans following consultation with Caltrans.

Monitoring Timing: Prior to issuance of Grading Permit.

Monitor: Completion Date: _____ Signature: _____

H. TRANSPORTATION/CIRCULATION

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND OCCUR ON PAGES IV-281 to IV-284. NONE OF THE MITIGATION MEASURES ARE NUMBERED IN THE DEIR. IN THIS DOCUMENT, ALL TRAFFIC MITIGATION MEASURES ARE SET FORTH, WITH ALL ON-SITE AND PHASE 1 MITIGATION MEASURES NUMBERED IN THE ORDER THEY APPEAR IN THE DEIR:

Mitigation Measure: *Existing Plus Project* (DEIR Page IV-281)

- a. Crows Landing Road from Highway 33 to north of Grayson Road should be widened to four lanes.
- STATE- b. Highway 33 between Crows Landing Road and Stuhr Road should be widened to four lanes.
- c. Carpenter Road north of Grayson Road should be widened to four lanes.
- d. The I-5 Southbound/Sperry Road intersection should be signalized, as well as improved to provide a southbound shared through-left turn lane and a southbound right turn lane.
- e. The I-5 Northbound/Sperry Road intersection should be signalized.
- f. The project access road between Del Puerto Canyon Road and Oak Flat Road should be constructed as a four lane roadway.
- g. Oak Flat Road should be widened to four lanes.

Impact to be
Mitigated:

Increased traffic and congestion at full buildout of the project.

Agency/Individual
Responsible for
Implementation:

Developer and Stanislaus County.

Implementation
Timing:

Ongoing throughout project implementation.

**Mitigation
Specifications:**

The County Public Works Department shall determine the fair share contribution from Diablo Grande for the required improvements. The improvements above are projected to be needed at full buildout of Diablo Grande, 5000 units, and not necessarily at buildout of Phase 1, 2000 units. The following information is offered for reference regarding the individual improvements:

- a. This improvement is part of the existing County Public Facilities Fee Program, and Diablo Grande will pay these fees;
- b. The County Public Works Department will determine if additional fees are needed from Diablo Grande for this improvement;
- c. This improvement is part of the existing County Public Facilities Fee Program, and Diablo Grande will pay these fees;
- d. The County Public Works Department will determine Diablo Grande's fair share contribution to this improvement;
- e. The County Public Works Department will determine Diablo Grande's fair share contribution to this improvement;
- f. Diablo Grande will pay for this improvement. The road will initially be constructed as a two lane roadway. The roadway will be widened to four lanes when the threshold level of 700 peak hour trips is reached; and,
- g. Diablo Grande will pay for this improvement. The road will initially be constructed as a two lane roadway. The roadway will be widened to four lanes when the threshold level of 700 peak hour trips is reached; and,

The traffic study will be updated prior to approval of future phases of development as part of the Preliminary Development Plan environmental review process. This will provide an opportunity for the Public Works Department to reanalyze and reevaluate the assumptions for the overall project traffic impacts, and the basis for the mitigation measures set forth above.

Agency/Individual

Responsible for

Monitoring:

County Planning Department, Public Works Department, Board of Supervisors and Developer.

Action by

Monitor:

The County Public Works Department shall determine if any fees are needed from Diablo Grande beyond those which would be collected through the existing Public Facilities Fee Program for roadway improvements.

The Public Works Department and Diablo Grande will also enter into an agreement regarding the timing of improvements which will be constructed by Diablo Grande. This agreement shall include how often the Oak Flat Road traffic shall be monitored, and shall establish mechanisms for the widening of Oak Flat Road from two to four lanes prior to the traffic threshold of 700 peak hour trips being reached. The County will not approve development beyond that which will generate a maximum of 700 peak hour trips on Oak Flat Road, until such time as the road is widened to four lanes.

The County Planning Department Environmental Coordinator shall consult with the Public Works Department throughout the Phase 1 development to determine if the traffic threshold levels for Oak Flat Road are being approached, and if so, shall notify the Developer. In addition, the Environmental Coordinator shall make certain all fees to be paid to the Public Works Department for future roadway improvements are collected prior to the issuance of Building Permits.

Prior to project approval, the Board of Supervisors will determine the responsibility for acquiring any necessary off-site road easements or rights-of-way including, but not limited to, the Oak Flat Connector Road.

Monitoring

Timing:

Ongoing throughout the Phase 1 development, with verification of fee payment prior to the issuance of Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

Cumulative Without Lakeborough Plus Project (DEIR Pages IV-281 to IV-282)

The following measures would be required to mitigate the incremental impact associated with development of the Diablo Grande project. These measures are in addition to any other improvements which would be required to ameliorate cumulative development impacts.

- a. I-5 should be widened to six lanes.
- b. Ward Avenue south of Oak Flat Road should be widened to four lanes.
- c. Fink Road east of Ward Avenue should be widened to four lanes.
- d. Carpenter Road between West Main Street and Crows Landing Road should be widened to four lanes.
- e. The I-5 Southbound/Sperry Road intersection should be improved to provide an additional eastbound through lane, a separate westbound left turn lane, and a separate westbound through lane.
- ☒ f. The Sperry Road/Ward Avenue intersection should be improved to provide an additional northbound through lane.
- ☒ g. The Ward Avenue/Marshall Road intersection should be improved to provide an additional northbound through lane, a separate southbound left turn lane, and a separate southbound through lane.
- ☒ h. The Ward Avenue/Oak Flat Road intersection should be signalized and improved to provide two northbound through lanes, a northbound left turn lane, an additional southbound through lane, and separate eastbound left and right turn lanes.
- i. The I-5 Southbound/Ward Avenue intersection should be signalized.
- j. The I-5 Northbound/Ward Avenue intersection should be signalized.
- k. The project access road between Del Puerto Canyon Road and Oak Flat Road should be constructed as a four lane roadway and Oak Flat Road should be widened to four lanes.

**Impact to be
Mitigated:**

Increased traffic and congestion based upon the full buildout of Diablo Grande plus all reasonably foreseeable projects over the next twenty years.

**Agency/Individual
Responsible for
Implementation:**

Developer and Stanislaus County.

**Implementation
Timing:**

Ongoing throughout project implementation.

**Mitigation
Specifications:**

The County Public Works Department shall determine the fair share contribution from Diablo Grande for the required improvements. The improvements above are projected to be needed at full buildout of Diablo Grande, 5000 units, plus all reasonably foreseeable projects over the next twenty years. The following information is offered for reference regarding the individual improvements:

- a. This improvement has been analyzed by The County Public Works Department to determine the Diablo Grande fair share contribution to this cumulative improvement. The Diablo Grande project at full buildout is responsible for a contribution of \$4,534,300. This fee will be paid to the Stanislaus County Public Works Department and deposited into a fund to ultimately be used for the widening of I-5. The fee will be collected upon issuance of Building Permits at a rate of \$907 per residence.

This fee has been determined with the assumption that the cumulative development along the I-5 corridor, including Diablo Grande, will pay 100% of the cost of widening I-5. Whether or not Lakeborough is constructed, Diablo Grande's pro-rata share remains the same on an incremental basis.

If additional funding becomes available, and is used for the widening of I-5, e.g. State funding, Diablo Grande shall be entitled to a proportional refund of the fee's paid which were earmarked for the widening.

- b & c. The County Public Works Department will determine if additional fees are needed from Diablo Grande for its cumulative share of this improvement. The cost for this improvement should also be shared by the City of Patterson;

- d. The County Public Works Department will determine if additional fees are needed from Diablo Grande for its cumulative share of this improvement;

e, f, g, h, i and j:

The County Public Works Department will determine if additional fees are needed from Diablo Grande for its cumulative share of these improvements. The cost for these improvements should also be shared by the City of Patterson; and,

- k. These improvements will be constructed as specified in the mitigation measure for *Existing Plus Project* conditions as spelled out in mitigation measures f. and g. The mitigation specifications are reiterated below for ease of reference:

Diablo Grande will pay for this improvement. The road will initially be constructed as a two lane roadway. The roadway will be widened to four lanes when the threshold level of 700 peak hour trips is reached.

The traffic study will be updated prior to approval of future phases of development as part of the Preliminary Development Plan environmental review process. This will provide an opportunity for the Public Works Department to reanalyze and reevaluate the assumptions for the overall project traffic impacts, and the basis for the mitigation measures set forth above.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Public Works Department.

**Action by
Monitor:**

The County Public Works Department shall determine if any fees are needed from Diablo Grande for its incremental impact as a part of the cumulative development of the general area for the improvements specified above. The Environmental Coordinator shall make certain all fees to be paid to the Public Works Department for future roadway improvements are collected prior to the issuance of Building Permits. 7 —

**Monitoring
Timing:**

Ongoing throughout the Phase 1 development, with verification of fee payment prior to the issuance of Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

Cumulative With Lakeborough Plus Project (DEIR Page IV-282 to IV-283)

The following measures would be required to mitigate the incremental impact associated with development of the Diablo Grande project. These measures are in addition to any other improvements which would be required to ameliorate cumulative development impacts.

- a. The I-5 Southbound/Sperry Road intersection should be improved to provide an additional eastbound through lane.
- b. The I-5 Northbound/Sperry Road intersection should be improved to provide a second eastbound left turn lane.
- c. The I-5 Southbound/Ward Avenue intersection should be improved to provide a southbound shared through-left turn lane and a southbound free right turn lane.
- d. The I-5 Northbound/Ward Avenue intersection should be improved to provide an additional eastbound through lane and an additional westbound through lane.
- e. The project access road between Del Puerto Canyon Road and Oak Flat Road should be constructed as a four lane roadway.
- f. Oak Flat Road should be widened to four lanes.

Impact to be Mitigated:

Increased traffic and congestion based upon the full buildout of Diablo Grande plus Lakeborough plus all reasonably foreseeable projects over the next twenty years.

Agency/Individual Responsible for Implementation:

Developer and Stanislaus County.

Implementation Timing:

Ongoing throughout project implementation.

**Mitigation
Specifications:**

The County Public Works Department shall determine the fair share contribution from Diablo Grande for the required improvements. The improvements above are projected to be needed at full buildout of Diablo Grande, 5000 units, plus full buildout of the Lakeborough project, plus all reasonably foreseeable projects over the next twenty years. The following information is offered for reference regarding the individual improvements:

a, b, c and d:

The County Public Works Department will determine if additional fees are needed from Diablo Grande for its cumulative share of these improvements. The cost for these improvements should also be shared by Lakeborough and the City of Patterson; and,

e & f. These improvements will be constructed as specified in the mitigation measure for *Existing Plus Project* conditions as spelled out in mitigation measures f. and g. The mitigation specifications are reiterated below for ease of reference:

Diablo Grande will pay for this improvement. The road will initially be constructed as a two lane roadway. The roadway will be widened to four lanes when the threshold level of 700 peak hour trips is reached.

The traffic study will be updated prior to approval of future phases of development as part of the Preliminary Development Plan environmental review process. This will provide an opportunity for the Public Works Department to reanalyze and reevaluate the assumptions for the overall project traffic impacts, and the basis for the mitigation measures set forth above.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Public Works Department.

**Action by
Monitor:**

The County Public Works Department shall determine if any fees are needed from Diablo Grande for its incremental impact as a part of the cumulative development of the general area for the improvements specified above. The Environmental Coordinator shall make certain all fees to be paid to the Public Works Department for future roadway improvements are collected prior to the issuance of Building Permits.

**Monitoring
Timing:**

Ongoing throughout the Phase 1 development, with verification of fee payment prior to the issuance of Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:*Patterson Southern Bypass Expressway (DEIR Page IV-283)*

The Patterson General Plan recommends the construction of a new southern bypass expressway. The General Plan did not provide peak hour traffic projections for the new facility. Further, the exact location of the road is subject to further study. For the Diablo Grande traffic assessment, all of the cumulative traffic generated at I-5 and Sperry Road was assumed to use the Sperry Road/Ward Avenue intersection. If the bypass is constructed, some of the Diablo Grande traffic which has been assigned to this intersection would be diverted to the expressway. This would reduce the project impacts at Sperry Road and Ward Avenue and therefore produce different turning volumes and resulting turn lane requirements.

**Impact to be
Mitigated:**

Possible alteration of projected traffic patterns.

**Agency/Individual
Responsible for
Implementation:**

County Public Works Department.

**Implementation
Timing:**

During the Patterson Expressway review process.

**Mitigation
Specifications:**

The County Public Works Department shall communicate with the City of Patterson regarding the information available in the Diablo Grande Traffic Study, and request to be copied with all information generated by the City of Patterson as part of the Expressway review and analysis. Based upon this involvement, the County will be able to monitor whether the impacts expected from the Diablo Grande project should occur where they are projected to occur, or whether there is a likelihood that construction of the Bypass will move the expected impacts from Diablo Grande to new locations.

**Agency/Individual
Responsible for
Monitoring:**

County Public Works Department.

**Action by
Monitor:**

Monitoring of the City of Patterson plans for the Bypass.

**Monitoring
Timing:**

Ongoing, if plans for the Bypass move forward.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

On-Site Mitigation Measures (DEIR Pages IV-283 to IV-284)

These mitigation measures are numbered 1 through 10 with this numbering corresponding to their order on the referenced pages.

Oak Flat Road within the site can be four-lanes as shown on the Specific Plan; however, the following traffic control measures should be used:

1. Stop sign controls at all major intersections should be provided on all approaches.
2. Driveway access and egress should be restricted for a distance of at least 100 feet from the curb return tangents at all intersections.
3. All major intersections at the Town Center and Shopping areas should provide adequate exit storage lane capacity. (Parking lot circulation should restrict access from parking lot traffic to the exiting segments to provide any required vehicle storage.)

Impact to be Mitigated:

Conflicting traffic movements and accidents.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

At the submittal of Improvement Plans for roads and Final Development Plans for commercial areas.

Mitigation Specifications:

The County Planning Department and Public Works Department shall review all Tentative Maps and Improvement Plans for compliance with the traffic mitigation measures listed above. The Public Works Department shall make the final determination on whether these recommendations are to be implemented, and where.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Public Works Department.

**Action by
Monitor:**

The County Planning Department Environmental Coordinator shall consult with the Public Works Department regarding traffic control measures as part of the Final Development Plan approval process.

**Monitoring
Timing:**

Prior to approval of Final Development Plans and Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 4. Emergency vehicle access should be provided.

Impact to be Mitigated: Fire, flooding and earthquake hazards.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Prior to requests for Building Permits for new structures in the Phase 1 area.

Mitigation Specifications:

1. Provide EVA Plan Diagram and Typical Section to County and WSFPD for review and approval.
2. Obtain necessary off-site easements, provide all weather surfaced EVA road prior to residential or commercial occupancy in Phase 1.

Agency/Individual Responsible for Monitoring: County Planning Department, Board of Supervisors, Fire Warden, WSFPD and Developer.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the County Fire Marshall for the purpose of reviewing and approving the EVA Plan and Typical Section. The EVA shall be accepted as adequate prior to the issuance of any residential Building Permits or Certificates of Occupancy for new commercial structures. The Board of Supervisors will determine, prior to project approval, responsibility for acquiring any necessary off-site easements.

Monitoring Timing: EVA shall be in place prior to the issuance of any residential Building Permits or Certificates of Occupancy for new commercial structures.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 5. Access to the project is required along Oak Flat Road with a four-lane road, through the Lakeborough project via a two-lane arterial, and to Stuhr Road via Orestimba Road via a two-lane arterial.

Impact to be Mitigated: Traffic congestion.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Submittal of Improvement Plans for roads.

Mitigation Specifications: Phase 1: Provide two lanes on Oak Flat Road until level of service threshold is reached and then widen to four lanes.

This improvement will be constructed as specified in the mitigation measure for *Existing Plus Project* conditions as spelled out in mitigation measures f. and g. The mitigation specification is reiterated below for ease of reference:

Diablo Grande will pay for this improvement. The road will initially be constructed as a two lane roadway. The roadway will be widened to four lanes when the threshold level of 700 peak hour trips is reached.

Phase 2: Widen Oak Flat Road to four lanes.

Phase 3: Extension of Crow Creek Road to Lakeborough or I-5.

Phase 4: Extend Orestimba Road to I-5.

**Agency/Individual
Responsible for
Monitoring:**

County Planning Department and Public Works Department.

**Action by
Monitor:**

The Public Works Department and Diablo Grande will also enter into an agreement regarding the timing of improvements which will be constructed by Diablo Grande. This agreement shall include how often the Oak Flat Road traffic shall be monitored, and shall establish mechanisms for the widening of Oak Flat Road from two to four lanes prior to the traffic threshold of 700 peak hour trips being reached. The County will not approve development beyond that which will generate a maximum of 700 peak hour trips on Oak Flat Road, until such time as the road is widened to four lanes.

The County Planning Department Environmental Coordinator shall consult with the Public Works Department throughout the Phase 1 development to determine if the traffic threshold levels for Oak Flat Road are being approached, and if so, shall notify the Developer.

The need for the Phase 2 through 4 improvements shall be reevaluated as the traffic study is updated during the environmental review process of future Preliminary Development Plans.

**Monitoring
Timing:**

Phase 1 improvement will be constructed as specified above, and monitored through the Final Development Plan process. Phases 2 through 4 will be evaluated as part of future development requests.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 6. All major collector streets should provide capacity for center two-way left turn lanes and/or left turn storage lanes at intersection approaches.

Impact to be Mitigated: Traffic congestion and accidents.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Final Development Plans and Improvement Plans.

Mitigation Specifications:

1. Provide Engineers Report on use of center two-way left turn lanes or left turn storage lanes.
2. Meet Public Works Department Design Standards.
3. Meet Specific Plan Typical Section Standards.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department and Public Works Department shall review all Tentative Maps and Improvement Plans for compliance with the traffic mitigation listed above. The Public Works Department shall make the final determination on whether these recommendations are to be implemented, and where.

Monitoring Timing: Prior to approval of Final Development Plans or Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 7. Residential and recreational parking demand should be met off-street with no parking provided along major collector roadways. Parking along minor collectors fronting on residential property can be allowed.

Impact to be Mitigated: Conflicting traffic movements and accidents.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Tentative Maps, Site Plans and Improvement Plans.

Mitigation Specifications: The County Planning Department and Public Works Department shall review all Tentative Maps, Site Plans and Improvement Plans for compliance with this requirement. The Public Works Department shall make the final determination on whether these recommendations are to be implemented, and where.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator, in consultation with the Public Works Department shall review Tentative Maps, Site Plans and Improvement Plans for compliance.

Monitoring Timing: Prior to approval of Tentative Maps, Site Plans and Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 8. Consideration should be given to restricting direct driveway access to all major arterial, major collector and minor collector roadways. Back-lot treatments if feasible should be encouraged.

Impact to be Mitigated: Traffic conflicts and accidents.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At the submittal of Tentative Maps and Site Plans.

Mitigation Specifications: The County Planning Department and Public Works Department shall review all Tentative Maps, Site Plans and Improvement Plans for compliance with this requirement. The Public Works Department shall make the final determination on whether these recommendations are to be implemented, and where. Listed below are general recommendations which the County Departments may use as part of the review for compliance with this mitigation measure:

1. Minimize direct access to arterial and collector streets;
2. Where a choice is possible, provide access on collectors instead of arterial parkway; and,
3. Use common driveways where possible (e.g. - duplex lots).

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator, in consultation with the Public Works Department shall review Tentative Maps, Site Plans and Improvement Plans for compliance.

Monitoring Timing: Prior to approval of Tentative Maps, Site Plans and Improvement Plans.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 9. The I-5 Southbound/Sperry Road intersection should be signalized.

Impact to be Mitigated: Traffic conflicts and accidents.

Agency/Individual Responsible for Implementation: Stanislaus County and Caltrans with Developer participation.

Implementation Timing: When cumulative traffic volume signal warrant criteria are met.

Mitigation Specifications: The County Public Works Department will determine Diablo Grande's fair share contribution to this improvement. The improvement shall be constructed to Caltrans and Public Works Department Standards and Guidelines.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department and Caltrans.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Public Works Department throughout the Phase 1 development to determine if the traffic threshold levels warranting installation of the signal are being approached. In addition, the Environmental Coordinator shall make certain all fees to be paid to the Public Works Department for this improvement are collected prior to the issuance of Building Permits.

Monitoring Timing: When 80% of the level of service threshold (Los "C" at volume to capacity ratio equal to .75) is reached.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 10. Oak Flat Road should be widened to four lanes prior to 75 percent of Phase 1 development (700 peak hour trips), as determined to be warranted by traffic studies.

Impact to be Mitigated: Traffic congestion.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: Ongoing review throughout the construction of Phase 1.

Mitigation Specifications: The Public Works Department and Diablo Grande will also enter into an agreement regarding the timing of the widening of Oak Flat Road. This agreement shall include how often the Oak Flat Road traffic shall be monitored, and shall establish mechanisms for the widening of Oak Flat Road from two to four lanes prior to the traffic threshold of 700 peak hour trips being reached.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Public Works Department throughout the Phase 1 development to determine if the traffic threshold levels for Oak Flat Road are being approached, and if so, shall notify the Developer. The County will not approve development beyond that which will generate a maximum of 700 peak hour trips on Oak Flat Road, until such time as the road is widened to four lanes.

Monitoring Timing: Ongoing monitoring to make certain 700 peak hour trips are not exceeded on Oak Flat Road prior to the widening of Oak Flat Road to four lanes.

Monitor:

Completion Date: _____

Signature: _____

THE FOLLOWING ARE NEW TRAFFIC MITIGATION MEASURES FROM THE FEIR DATED JUNE 15, 1993 AND REFERENCED BY PAGE NUMBER AND RESPONSE TO COMMENT NUMBER AS FOLLOWS: (41;4) MEANS PAGE 41 RESPONSE NO. 4.

Mitigation Measure: 41;4 The County will condition the project for additional environmental review when either of the following occurs.

- The project traffic on the new frontage roadway connector between Oak Flat Road and Del Puerto Canyon Road reaches 750 vehicles per hour, or
- The peak hour level of service on the new connector roadway between Oak Flat Road and Del Puerto Canyon Road or at the intersection of Sperry Road and SR I-5 operate below a level of service "C" at a volume to capacity ratio of 0.77 (77 percent of capacity)."

Impact to be Mitigated: Traffic congestion.

Agency/Individual Responsible for Implementation: County and Developer.

Implementation Timing: Ongoing throughout the construction of Phase 1.

Mitigation Specifications: The Public Works Department and Diablo Grande will also enter into an agreement regarding the timing of improvements which will be constructed by Diablo Grande. This agreement shall include how often the Connector Road traffic shall be monitored, and shall establish mechanisms for the widening from two to four lanes prior to the traffic threshold of 700 peak hour trips being reached. The County will not approve development beyond that which will generate a maximum of 700 peak hour trips on the Connector Road, until such time as the road is widened to four lanes.

If it appears, from the ongoing monitoring of the traffic from the site that the traffic study assumptions are being substantially exceeded, the Public Works Department may request the applicant to update the traffic study when 80% (560 peak hour trips) of the Connector Road threshold is reached. This will provide an opportunity for the Public Works Department to reanalyze and reevaluate the assumptions for the overall project traffic impacts, and the basis for the traffic mitigation measures and fees.

Agency/Individual

Responsible for

Monitoring:

County Planning Department and Public Works Department.

Action by

Monitor:

The County Planning Department Environmental Coordinator shall consult with the Public Works Department throughout the Phase 1 development to determine if the traffic threshold levels for the Connector Road are being approached, and if so, shall notify the Developer. In addition, the Environmental Coordinator shall make certain all fees to be paid to the Public Works Department for future roadway improvements are collected prior to the issuance of Building Permits.

Monitoring

Timing:

Ongoing throughout the Phase 1 development, with verification of fee payment prior to the issuance of Building Permits.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 42;7 The project sponsor shall develop and gain Caltrans approval of a Project Study Report (PSR) for all project related mitigation measures within Caltrans jurisdiction. The timing of the PSR shall be determined by Caltrans and the County Department of Public Works.

Impact to be Mitigated: Timing of construction of the Sperry Interchange.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: Prior to the approval of any development beyond the Five-year Development Plan area.

Mitigation Specifications: A PSR shall be prepared and approved by Caltrans for the Sperry Interchange improvements, prior to development beyond the Five-year Development Plan area, as shown on Figure 28 of the Specific Plan. The PSR may identify more extensive improvements for the interchange than those which are currently identified in this Mitigation Monitoring and Reporting Plan.

Agency/Individual Responsible for Monitoring: County Planning Department, Public Works Department and Caltrans.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Public Works Department and Caltrans to verify the completion of the PSR.

Monitoring Timing: Prior to approval of any development beyond the Five-year Development Plan area.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 44;20 A specific list of Diablo Grande off-site improvements and/or percent contribution to roadway projects should be included in the final set of project conditions. This list should be revisited at the completion of all project phases and tentative map approvals.

Impact to be Mitigated: Possible lack of funding for roadway improvements.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: At the submittal of requests for residential Building Permits.

Mitigation Specifications: The Developer and the County Public Works Department shall enter into an agreement regarding the collection of road fees for the impacts of Diablo Grande on the County road system. In addition, the project proponent and Caltrans shall meet and confer on the cost of I-5, per lane mile. The County Public Works Department shall resolve any dispute regarding costs which cannot be resolved by the parties. This agreement shall evaluate a Diablo Grande share of the improvements set forth at the beginning of this section of the MMRP as: (1) *Existing Plus Project*; (2) *Cumulative Without Lakeborough Plus Project*; and, (3) *Cumulative With Lakeborough Plus Project*. This agreement shall also discuss the appropriate mechanisms to ensure that Oak Flat Road and the Connector Road are improved at the proper times.

Agency/Individual Responsible for Monitoring: County Planning Department and Public Works Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Public Works Department to make certain that the agreement is complete.

Monitoring Timing: Prior to approval of residential Building Permits.

Monitor: Completion Date: _____ Signature: _____

Mitigation Measure: 89;5 To reduce the number of vehicle trips in and around the project site the following mitigation measure applies to the overall project and Phase 1:

- The applicant and county transit providers shall assess the feasibility of extending existing transit service to the project site. Should system expansion be determined to be feasible, the applicant and county transit providers shall coordinate transit service and facilities to the site. The applicant shall be responsible for funding installation of transit facilities, such as bus waiting areas and bicycle paths.

Impact to be Mitigated: Possible Transit needs of the residents.

Agency/Individual Responsible for Implementation: Developer

Implementation Timing: Prior to completion of the Five-year Development Plan area.

Mitigation Specifications: The Developer and the County Public Works Department shall jointly assess the needs of the project with respect to the extension of the County's existing transit system. If an extension is determined as feasible, and needed, the Developer and the County shall evaluate how the need can be met.

Agency/Individual Responsible for Monitoring: County Public Works Department.

Action by Monitor: The County Public Works Department shall review and determine whether transit system expansions may be required at the end of the development of the Five-year Development Plan.

Monitoring Timing: Prior to development beyond the Five-year Development Plan.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 157;5 The following are potential conditions of approval rather than specific project impacts and assessment. However, the following suggested project conditions are provided for use by the Stanislaus County staff.

- Roadways and intersections should be designed using County and if appropriate Caltrans design standards.

- The project sponsor will be required to enter into a development agreement with Stanislaus County. The agreement should detail any project requirements associated with utility relation, pavement and shoulder widening, bridge and culvert alignments and design criteria.

- The project proposes a number of emergency vehicle connections. However, the exact location of these facilities is not currently defined. As part of the tentative maps for the project, provision for emergency access connections will be required. The project sponsor will develop all emergency access facilities such that all design requirements for response times, street design (including width of travel lanes, grades and surface condition) and intersection connections to ensure County roadways are consistent with all appropriate jurisdictional policies and guidelines."

Impact to be Mitigated:

Construction of roadway facilities to inadequate standards.

Agency/Individual Responsible for

Implementation: Developer

Implementation Timing:

Ongoing throughout project implementation.

Mitigation Specifications:

The County Public Works Department, through the design review process shall make certain that all State, County and Specific Plan standards are met. These conditions have generally been set forth previously in this document as mitigation measures, and specifications for compliance have been offered.

**Agency/Individual
Responsible for
Monitoring:**

County Public Works Department.

**Action by
Monitor:**

Review Improvement Plans for compliance with adopted standards.

**Monitoring
Timing:**

Prior to approval of Improvement Plans.

Monitor:

Completion Date: _____

Signature: _____

I. AIR QUALITY

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND AMENDED BY THE FEIR DATED JUNE 15, 1992 BY APPENDIX D OF THE FEIR. THE MITIGATION MEASURES ARE NUMBERED CONSISTENT WITH PAGES IV-298 to IV-300 OF APPENDIX D OF THE FEIR:

Mitigation Measure:

1. Dust and other air pollutant emissions related to construction shall be reduced by:

- Retarding engine timing on diesel-powered equipment to reduce NO_x emissions. Maintaining existing gasoline-powered equipment in tune per manufacturers instructions.
- Developing a comprehensive construction activity management plan to minimize the amount of large construction equipment operating during any given time period.
- Sufficiently watering all excavated or graded material.
- Ceasing all clearing, grading, earth-moving, or excavation activities when wind speed exceeds 20 mph.
- Sufficiently watering or securely covering all material transported off-site.
- Minimizing the area disturbed by clearing, grading, earth-moving, or excavation operations.
- Seeding and watering all inactive portions of the construction site until cover is grown.
- Planting or paving portions of the site upon which work is complete.
- Treating all internal roadways and the equipment storage areas with chemical suppressant.
- Limiting vehicle speed to 15 mph in unpaved areas.
- Sweeping adjacent streets as needed to remove accumulated silt.

Impact to be Mitigated: Reduced air quality during construction.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: During construction.

Mitigation Specifications: The Diablo Grande Project Superintendent shall be responsible for the daily regulation of construction activity to minimize transport of visible dust emissions across construction site boundaries and to prevent silt buildup on project site access roads. The County Environmental Coordinator or construction inspector shall verify project compliance periodically.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: Review of construction inspection reports and periodic inspections during construction.

Monitoring Timing: Periodic, at least monthly and respond to any complaints.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 2. The most effective means of reducing ozone precursor emissions from motor vehicles would be to reduce the number of vehicle trips generated by Diablo Grande. A list of such Transportation Demand Management (TDM) strategies would include:

- Develop a transportation plan that would promote the use of, and offer incentives for, ridesharing and transit. This plan should be developed prior to occupancy of any Phase 1 uses.
- (Revised by FEIR 90;6) - Appoint an on-site Transportation Coordinator to coordinate and implement employee and resident transportation programs, and the Diablo Grande transit system.
- Provide a link to existing regional mass transit systems and subsidize employee and resident purchase of transit passes.
- Establish an on-site transit system.
- Promote the use of low-emission (e.g., natural gas fueled) or no-emission (e.g., electric powered) vehicles on-site.
- Promote bicycle use for on-site travel and establish bicycle routes and storage facilities.
- (Added by FEIR 106;3) - Provide preferential parking for employees who rideshare while commuting to the project site.
- Provide on-site eating, banking, and postal service facilities at major employment centers on the project site.
- Facilitate the reduction of vehicular travel by planning a utility infrastructure adequate to support high-capacity electronic communications system links.

Impact to be Mitigated: Increased ozone precursor emission.

Agency/Individual Responsible for Implementation: Developer.

Implementation**Timing:**

Prior to buildout of the Five-Year Development Plan area for Transportation Plan and ongoing for others.

Mitigation**Specifications:**

The project proponent, working in concert with the San Joaquin Valley Unified Air Pollution Control District ("SJVUAPCD") and Caltrans, shall develop a comprehensive TDM plan to reduce motor vehicle use and to increase average vehicle occupancy to the maximum extent feasible. The County Planning Department shall receive an annual report on the implementation and success of any programs.

In addition, the Developer proposes:

1. Use of electric golf carts/cars in Phase 1;
2. Provision of riding and hiking trails and bike lanes;
3. Use of vans and limousines for resort guest use; and
4. Rideshare lots.

Agency/Individual**Responsible for****Monitoring:**

County Planning Department and the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD).

Action by**Monitor:**

Review and approve the TDM plan prior to issuance of the 201st residential Building Permit. Review Annual Report of TDM activities submitted by Diablo Grande.

Monitoring**Timing:**

TDM plan review prior to issuance of the 201st residential Building Permit, and ongoing review of the Annual Report at end of each calendar year.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure: 3. Reducing ozone precursor emissions from stationary sources on the site by implementing the following measures:

- (Added by FEIR 106;3)
- Install low-emitting, EPA-certified fireplace inserts and/or wood stoves or natural gas fireplaces.
 - Provide natural gas lines or electric outlets to backyards to encourage use of natural gas or electric barbecues.
 - Provide low NO_x emitting and/or high efficiency water heaters.

Impact to be Mitigated: Reduced air quality.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: With submittal of Site Plan and Design Review package.

Mitigation Specifications: Specifications for the above measures shall be indicated on the Final Development Plan to be submitted for review to the County Planning Department, the Building Inspection Division and the SJVUAPCD.

Agency/Individual Responsible for Monitoring: County Planning Department, Building Inspection Division and SJVUAPCD.

Action by Monitor: Review and approval of Site Plans and Building Plans.

Monitoring Timing: Prior to issuance of Building Permits for new structures.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure:

4. Any on-site commercial or industrial use which may emit significant quantities of criteria or toxic pollutants shall operate under SJVUAPCD permit. SJVUAPCD and State rules governing the application and use of pesticides shall be followed.

Impact to be Mitigated:

Reduced air quality.

Agency/Individual Responsible for Implementation:

Developer.

Implementation Timing:

Prior to approval of Final Development Plans.

Mitigation Specifications:

Any proposed on-site commercial and industrial uses which would emit significant quantities of air pollutants (according to SJVUAPCD criteria) shall submit to New Source Review and operate under SJVUAPCD permit. As part of New Source Review, these facilities shall compile emission inventories, model ambient pollutant dispersion, conduct risk assessments and install emission control devices as specified by SJVUAPCD rules and regulations.

Agency/Individual Responsible for Monitoring:

County Planning Department and SJVUAPCD.

Action by Monitor:

Review the need for SJVUAPCD permit and verify acquisition of appropriate SJVUAPCD permit.

Monitoring Timing:

Prior to Building Permit approval for commercial or industrial uses.

Monitor: _____

Completion Date: _____

Signature: _____

J. NOISE

THE FOLLOWING MITIGATION MEASURES ARE FROM THE DEIR DATED AUGUST 31, 1992, AND ARE NUMBERED AS SHOWN ON PAGES IV-308 to IV-309:

Mitigation Measure: 1. Construction activities should be limited to 7 AM to 7 PM on weekdays and prohibited on weekends in order to minimize disruption to nearby residential neighborhoods.

Impact to be Mitigated: Possible excessive noise and dust.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: When the first home has been occupied.

Mitigation Specifications: Project construction shall be limited by the project superintendent as follows:

1. 7 a.m. to 7 p.m. during daylight savings time, 7 a.m. to 5 p.m. during standard time.
2. Unlimited construction until first home is occupied. Time limits within 1/4 mile of residences when the first home is occupied.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: Through consultation with the Project Superintendent and on-site inspection of construction activities, the County Planning Department Environmental Coordinator shall verify compliance.

Monitoring Timing: At least monthly and within 24 hours if complaints are filed.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 2. Procedures with the highest noise potential should be scheduled for the times when the ambient noise levels are highest (i.e., during peak commute hours).

Impact to be Mitigated: Possible excessive noise.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: After the first residence is occupied.

Mitigation Specifications: The contractor of any phase of the work shall notify the Project Superintendent of any operations which are excessively noisy. This work will then be scheduled at an appropriate time, in consultation with the County Public Works Department when necessary.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Project Superintendent and the Department of Environmental Resources regarding operations with high noise potential or perform site inspections as needed.

Monitoring Timing: Monthly or with complaints.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 3. The contractor should be required to employ the quietest among alternative equipment or to muffle or control noise from available equipment.

Impact to be Mitigated: Interim construction noise.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: At start of and during construction.

Mitigation Specifications: The Project Superintendent shall verify that the contractors make use of the most efficient and quietest equipment.

Agency/Individual Responsible for Monitoring: County Planning Department and Department of Environmental Resources.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Project Superintendent and the Department of Environmental Resources regarding the applications of this mitigation measure.

Monitoring Timing: At start of construction and periodically as needed.

Monitor: **Completion Date:** _____ **Signature:** _____

Mitigation Measure: 4. Noisy operations should be performed off-site or on portions of the site distant (at least 1,000 feet) from residential neighborhoods.

Impact to be Mitigated: Interim construction noise.

Agency/Individual Responsible for Implementation: Developer.

Implementation Timing: After the first residence is occupied.

Mitigation Specifications: Construction operations which can occur off-site, such as gravel crushing or asphalt mixing, or other noisy operation, shall occur at a distance of greater than 1000 feet from residences.

Agency/Individual Responsible for Monitoring: County Planning Department.

Action by Monitor: The County Planning Department Environmental Coordinator shall consult with the Project Superintendent and the Developer regarding the implementation of this mitigation measure.

Monitoring Timing: Periodically or upon complaint within 24 hours.

Monitor:

Completion Date: _____

Signature: _____

Mitigation Measure:

5. As roadway widening and enlargement projects occur from this project and other cumulative development, roadway noise levels would increase audibly over the next 20 years. The widening of roadways and other capacity improvements would, for the most part, contribute to the worsening of the noise environment by promoting larger and faster traffic flows. To alleviate noise impacts, the project applicant, together with all other new developments which would generate new traffic on the road system, should contribute a share toward mitigating noise increases on adjacent insufficiently shielded sensitive receptors. The exact impacts, mitigation, and applicable contributions would have to be determined by acoustic study on a case-by-case basis at the time that roadway improvements are proposed, and should be determined in future environmental review of roadway improvement projects.

Impact to be Mitigated:

Cumulative noise impacts.

Agency/Individual Responsible for Implementation:

Stanislaus County and Developer.

Implementation Timing:

As determined by Board of Supervisors.

Mitigation Specifications:

1. County may conduct Acoustic Study to estimate and project noise impacts, mitigation and cost-sharing formula.
2. Establish Implementing Resolution or Ordinance.
3. Collect fees.

Agency/Individual Responsible for Monitoring:

County Planning Department.

Action by Monitor:

See specification above.

Monitoring Timing:

As determined by Board of Supervisors.

Monitor:

Completion Date: _____

Signature: _____

VERIFICATION REPORT

Date: _____

Arrival Time: _____

Departure: _____

Location: _____

Discipline:

☐ Archeology ☐ Dust/Air Quality

☐ Biology ☐ Noise

☐ Soils/Geology

Construction Sheet No.: _____

☐ Other _____

Condition: _____

Compliance: ☐ Acceptable

☐ Unacceptable

☐ Delay Activity

☐ Remedial Action Implemented

☐ Work Stop

☐ Follow-up Conference Required

Activity: _____

Observations: _____

Recommendations: _____

By: _____ Report Approval: _____

Receipt By Project Supervisor:

Signature: _____ Date: _____ Time: _____

Comments/Actions: _____

Copies to: _____

Date Entered to Environmental Monitoring File: _____

By: _____

L. SUMMARY OF MITIGATION MEASURES

DIABLO GRANDE MITIGATION MEASURES

THE FOLLOWING ARE ALL OF THE MITIGATION MEASURES FROM THE DEIR DATED AUGUST 31, 1992 AND THE FEIR DATED JUNE 15, 1993. THE OVERALL SITE MITIGATION MEASURES WILL BE USED TO ESTABLISH A BASIS FOR FURTHER ENVIRONMENTAL REVIEW AT THE TIME OF SUBMITTAL OF FUTURE PRELIMINARY DEVELOPMENT PLANS. THE MITIGATION MEASURES WHICH ARE SHOWN BELOW IN BOLD FACE TYPE, ARE MITIGATION MEASURES WHICH AFFECT ONLY THE ENVIRONMENTAL REVIEW OF FUTURE PHASES OF DEVELOPMENT, AND ARE THEREFORE SET FORTH ONLY IN THIS SECTION OF THE MMRP.

A. LAND USE:

Phase 1

1. Continuance of limited grazing on the site shall be considered to help offset impacts due to the termination of Oak Flat ranch facilities in Phase 1. To the satisfaction of the Planning Director, during development of Phase 1 the applicant shall develop a program for maintaining limited grazing in the overall site.
2. Off-site growth inducement along Oak Flat Road shall be mitigated by requiring scenic easements or other vehicles for the maintenance of open space/agricultural uses adjacent to the road. Careful public and County review shall be conducted for any proposed development along Oak Flat Road.
3. To mitigate open space and agricultural land use impacts, minimal housing development shall be allowed in the proposed hill Conservation Areas along cul-de-sac areas east of Oak Flat Parkway.
4. To ensure open space lands remain open space in perpetuity, scenic or open space easements shall be established for open space areas. If easements are not possible, the lands may be conveyed to the County or a deed restriction may be implemented.
5. A geotechnical survey and records search shall be conducted to confirm the absence of hazardous wastes on the Phase 1 site prior to Final Map approval.

FEIR 57;1 Measures shall be undertaken to limit access to the former bombing range which is adjacent to the project site by use of signs and other means of informing the public. These measures shall not interfere with wildlife movement between the project site and the former bombing range.

FEIR 189;1 Entry roadways should allow for access by the adjoining ranch land uses. The roadways should be designed to address the cattle ranching concerns of adjacent lands including access to stock water for cattle and movement of cattle on both sides of the roadways.

FEIR 318;14 If the Board of Supervisors determines that the project is a 'new town' or 'self-contained community', on-site or in-lieu very low-, low-, and moderate-income housing opportunities as described in Housing Element Program 1.8 should be incorporated into the specific plan to the satisfaction of the Planning Director.

FEIR 319;22 In order to reduce the potential for unnecessary migration of out-of-state workers and to increase the opportunity to bolster the local economy, the applicant should make a good-faith effort to the satisfaction of the Planning Director to provide project construction related jobs to California residents, with priority for workers who reside locally in the general region of the project site.

Overall Site

6. If the Phase 1 mitigation for installing a viable grazing program is successfully implemented, it shall be reviewed and modified as feasible to allow some continuation of viable grazing during the post-development of the overall site.
7. Off-site growth inducement along Oak Flat Road shall be mitigated by requiring the maintenance of open space/agricultural uses adjacent to the road in perpetuity. Careful public and County review shall be conducted for any proposed development along Oak Flat Road.
8. To ensure open space lands remain open space, scenic or open space easements shall be established in the manner described in Phase 1 Mitigation Measures.
9. A geotechnical survey and records search shall be conducted to confirm the absence of hazardous wastes on the Phase 1 site.

FEIR 11;1 The project sponsor shall schedule the development of the overall project in such a way to maximize non-renewal rather than cancellation of existing on-site Williamson Act contracts, to the extent feasible without jeopardizing project objectives.

FEIR 11;1 The project shall establish buffers of at least 300 feet between development areas and open space areas.

FEIR 11;1 A 'right-to-graze' regulation shall be established for the overall site.

B. GEOLOGY, SEISMICITY AND SOILS:

Overall Site

1. and
FEIR 180;32 A detailed geotechnical evaluation shall be prepared as part of the project design process. The evaluation shall include the exploration and assessment of soil, bedrock, groundwater, and other subsurface geologic conditions under both static and seismic conditions under both static and seismic conditions, and building- and roadway-specific foundation and structural engineering. Site specific calculations on expected ground acceleration, amplitude and duration of seismic shaking shall be provided in the geotechnical study. The specific evaluation on the potential for secondary seismic impacts such as liquefaction, surface rupture and seismic-triggered landslides also will be assessed. Proposed cut and fill slopes shall be evaluated under both static and seismic conditions so that soil and slope engineering criteria for evaluating cut and fill slope stability to provide soil engineering criteria for project grading, retaining wall structures, building and road foundations and drainage systems can be provided. The evaluation shall be based on adequate surface and subsurface exploration, sampling, laboratory testing, and engineering analysis.
2. Properly qualified field engineers shall be used to perform grading observation and testing during construction. The progress of the earthworks construction shall be periodically evaluated by a certified engineering geologist and/or geotechnical engineer, and incorporated into the Mitigation Monitoring Report.
3. All development and grading plans for the project shall be reviewed by a licensed civil engineer for compliance with Chapter 70 of the Uniform Building Code. The county shall make the final review of plans and provide any additional conditions of approval prior to issuance of the grading and building permits. The U.S. Army Corps of Engineers would be responsible for providing their approval of permits for grading done within their jurisdiction.
4. Potentially unstable slopes or cut and fill slopes created through project grading shall be stabilized through site-specific mitigation measures provided by a qualified geotechnical engineer. Such measures may include soil stripping, scarification and recompaction, and/or the reduction of the proposed cuts, the construction of a buttressed fill, benched slopes, and/or retaining walls. Retaining walls shall be subdrained and designed to resist lateral pressures appropriate to the size of the backslope.
5. Grading generally shall not be permitted on slopes greater than 25 percent. Any exceptions to this shall be at the discretion of the Public Works Department, and shall be required to include geotechnical analyses and erosion control plans.
6. In addition to grading being balanced on-site within each phase, grading activities shall be staggered so as to minimize the total area affected by grading at any given time.

7. Lots shall be set back from the toe of slopes as recommended by the geotechnical engineer.
8. The four development areas east of Oak Flat Road within Phase 1 shall be given special treatment to reduce the extent of topographic alterations and limit grading to retain natural contours.
9. Interim and Final erosion control plans shall be prepared and submitted to the County for review and approval prior to the issuance of grading permits. If earthworks construction is to take place during the rainy season, a wet weather erosion protection program shall be developed and implemented. Measures that would be needed at any crossings of Salado, Crow, or Orestimba creeks as well as their main tributaries include the installation of filter berms, sandbag or straw bailed barriers anchored by rebar, siltation retention fences, and the retention of natural vegetation between the erosion source and the sensitive area. Soil piles shall be covered at the end of each day. During the rainy season, these wet weather erosion protection measures shall be stored on site. Prior to the onset of wet weather, areas disturbed by partially or completed grading shall be hydroseeded.
10. To minimize erosion, siltation, and stream impacts, as little of the surface soils as possible shall be exposed during project grading and construction activities.
11. Excavated materials shall not be sidecast during site preparation, construction, and final grooming of cuts and fills, when such materials could come to rest in proximity to streams or gullies. Grading shall be conducted in such a manner that downslope roll of rocks, boulders, and other soil material is minimized.
12. If a borrow site must be developed, it shall be located at an environmentally acceptable area, that avoids sensitive areas such as drainage courses or steep slopes where stream siltation or erosion would result. The borrow site shall be reclaimed following its use.
13. In areas which require the removal of brush but not grading, the root crowns shall be left intact, so as to retard soil erosion.
14. Project landscaping shall consist of deep-rooted drought resistant shrubs, trees, and ground covers instead of shallow-rooted species.

15. and
FEIR 180;32 All project components (cut and fill slopes, structures, utilities, roadways) shall be constructed according to all State and local building design standards that have been adopted by the County. Should the geotechnical study determine that the project site could be subject to more severe seismic parameters than those that were used as the basis for the county-adopted design standards, the project components shall be built to withstand the most conservative measures.

16. and
FEIR 264;4 All interior fixtures, utilities (i.e., water heaters) in public places, and those built into homes by homebuilders, shall be securely attached to reduce the risk of damage or injury from falling objects.
17. An earthquake emergency plan for the proposed project shall be prepared and incorporated into the proposed project. The plan shall address what project related residents and employees shall do in the event of an earthquake. Community shelter locations shall be established and emergency exit routes made known.
18. The foundations of structures within areas of high liquefaction potential shall be extended down beyond the sandy deposits into solid bedrock material. Special engineering procedures shall also be implemented to ensure roadway protection from damage and/or closure due to liquefaction.
19. Adverse effects of expansive soils shall be mitigated by extending building foundations below the zone of expansive soils subject to seasonal moisture variations, or by moisture conditioning and capping these soils with non-expansive soils to support footings and slabs. If relatively shallow, expansive soils could be removed below buildings or other improvements. However, the expansive potential of materials exposed beneath the soils shall be evaluated to determine if soil removal is appropriate. Roadways may require relatively thick layers of aggregate base and subbase as well as a thick section of asphaltic-concrete to minimize the potential damage due to shrinking and swelling of soils. The project geotechnical and structural engineers shall provide recommendations on the foundation design criteria and spacing, depth and diameter of foundation support piers upon review of soil strength data provided in the detailed geotechnical report.
20. Expansive soil removed from one area shall be placed in an area where the shrinking and swelling nature of the soil would not create significant adverse impact or result in damage to structures.
21. and
FEIR 264;5 Where corrosive soils pose a threat, underground and subsurface steel and cement structures shall be protected either through the provision of a buffer zone or trench filled with non-corrosive material such as gravel or neutral soil, or the encasement or lining of the underground project improvements.

Phase 1:

The twenty one (21) mitigation measures above apply, plus the following two (2).

22. Grading plans shall be prepared for the earthwork necessary to construct the Oak Flat Parkway, Primary Access Road, and Oak Flat Road. The plans shall be reviewed and approved by the County prior to issuance of the grading permit.

23. A slope stability analysis of the large landslide along the Oak Flat Road access shall be included as part of the detailed geotechnical report for the project. The report shall provide recommendations for slope stability measures to ensure that future landsliding activities not impact the proposed roadway at its base. All recommended measures shall be incorporated into the proposed project plans.

C. HYDROLOGY AND WATER QUALITY:

Overall Site:

1. and
FEIR 176;22 NPDES permit requirements for stormwater discharge shall be complied with prior to starting any construction activities, either on a phase basis or by individual project components. The Stormwater Pollution Prevention Plan must be developed and required protection in place before earthwork begins. Additional NPDES permits for the proposed land uses shall be obtained prior to their operation. The project shall provide measures and practices to prevent pollution and prepare a stormwater discharge monitoring program to ensure compliance with state and federal water quality objectives.
2. Although it was noted that the expected amount of surface runoff generated would not be significant, when compared with the total annual surface runoff from the watersheds, the increased flows could impact the conditions of receiving creeks. In order to offset this impact the amount of created impervious surfaces should be minimized.
3. The final project drainage systems shall be designed to control runoff volumes and velocities efficiently both during and after construction. Flow control measures could include terraces, detention basins, subsurface drains, berms and other diversions to keep water off exposed slopes and control water velocity.
4. Erosion control measures shall be provided along project creeks in the vicinities of outfall structures to protect against erosion from increased surface flows. The level of erosion control needed should be determined by the project engineer and should not significantly detract from the creeks biotic value.
5. All project drainage systems shall be designed and constructed in conformance with the Stanislaus County Drainage Ordinance, and FEMA and RWQCB regulations.
6. Landscape irrigation practices shall be designed to maximize infiltration of surface water and minimize runoff.

- Prior to approval of project drainage plans, floodplain studies shall be conducted along Salado, Crow, and Orestimba creeks. Study findings should be incorporated and mitigated (if necessary) in the final drainage plans. The project drainage plans shall be designed to ensure that areas historically subject to flooding will experience no increase in the historical amount of flow or increase in the length of time of inundation.
8. The final project drainage plans shall be designed to ensure no net increase in 100-year storm flows downstream of the site near I-5. Drainage plans for project phases constructed upstream of existing phases should include the reevaluation of the existing phase drainage system and the upgrading (if necessary) should the system not be of adequate size to handle additional flows from upstream future phases. Upgrading measures could include the replacement of smaller-sized drainage pipes with pipes of larger diameter, the construction of additional detention basins, and/or the enlargement of existing detention basins.
 9. Project structures, utilities, and roadways shall be located outside the 100-year floodplain.
 10. The project drainage system shall be adequately maintained and cleaned on a regular basis to ensure efficient transport of stormwater through the project site and to avoid localized flooding due to debris blockage. Sections of project creeks that are too narrow to allow proper flow of expected runoff should be widened and protected from erosion where necessary. The appropriate U.S. Army Corps and State Fish and Game Department permits should be obtained prior to any creek improvements.
 11. Grading should be confined to the dry season, or be mitigated as summarized in mitigation 13 below.
 12. The geotechnical report should include the exploration for possible subsurface hazardous materials such as buried fuel or septic tanks. Appropriate remedial measures should be taken prior to the onset of any grading activities.
 13. Interim and final erosion control plans should be prepared prior to approval of grading permits. Temporary measures could include the construction of berms and siltation fences that would direct runoff to siltation ponds, the covering of soil piles, and the covering of bare slopes with hydroseed. Final erosion control plans would include stable terraced slopes, retaining walls, an adequate drainage plan, and permanent project landscaping. Part of the erosion control plans should include the preservation of as much natural vegetation as feasible and the maintenance of natural vegetation along stream channels. If grading is expected to continue into the wet season, a special wet weather erosion control plan should be prepared and approved. The erosion control plans should be in conformance with the County grading and building ordinances and the RWQCB's NPDES construction permit.

14. All project runoff collected within developed areas should be directed to the appropriate drainage collector.
15. To help reduce the amount of runoff containing urban pollutants, streets and parking areas should be frequently cleaned using street sweeping equipment, and the collected material properly disposed.
16. The project drainage system catch basins should be complete with oil and grease traps to filter out the heavier pollutants as determined by the County Department of Public Works. The traps should be frequently cleaned.
17. To ensure the prevention of potential surface and groundwater quality impacts from irrigation practices, the water quality of the Marshall Road area groundwater well should be periodically monitored for compliance with DHS and RWQCB water quality objectives. In addition, the treated effluent produced at the project wastewater treatment facilities should be regularly monitored as stipulated in discharge permits. Any water source that does not meet the water quality standards for irrigation purposes should be treated prior to discharge.
18. A site-specific integrated golf course management program should be prepared to limit water quality impacts of the golf courses. This program should include detailed assessments of potential impacts to water quality and risk of accidental spills, and provide appropriate management practices to minimize the impacts.
19. A list of all fertilizers and pesticides proposed for use in the management plan should be submitted to the Department of Agriculture for review and comment. The description should include the types of compounds to be used, the amounts to be applied, and the form of application. The golf course management description should be submitted on a monthly basis for as long as chemical usage is proposed.
20. Use of any pesticides, herbicides, fungicides, or insecticides in project golf course management activities which are included on official State or federal lists of restricted materials will require issuance of a Restrictive Materials Permit. These permits are issued by the Agricultural Commissioner. All materials on this list will be subject to special use restrictions as a condition of permit issuance to ensure against significant health risks.
21. To reduce the need for fertilizers and pesticides, the golf course areas that require relatively high maintenance (greens, tees and landing areas) should be minimized. In addition, the amount of standing water areas (ponds, streams, lakes) should be minimized to reduce the need for insecticides.
22. Native trees and grasses should be incorporated into the golf course plan to the extent feasible in order to reduce the water, nutrient, and pesticide application requirements.

23. Surface runoff from the heavily managed areas should be directed away from creeks and ponds, into the nearest storm drain facility. Storm drains should include oil and grease traps (as determined by the County Department of Public Works) to filter out some of the heavier petroleum-based golf course chemicals.
24. Golf course soils (especially sand) should be amended with organic matter to better retain nitrogen and water.
25. Water conservation practices should be incorporated into the golf course management plan to both conserve irrigation water and reduce leaching. One such water conservation method may include the provision of a computerized irrigation system with sensors to minimize overwatering.
26. Slow release nitrogen sources should be used to reduce leaching. The use of more soluble nitrogen sources should be limited to spring and/or early summer months to avoid periods when soils are cold, plant metabolism is low, and water movement is high. Soluble nitrogen sources should be applied with very light, but frequent, surface applications only.
27. Non-selective herbicides that affect all plants in the contact area should be limited to spot spraying as needed to kill only the target vegetation and to reduce the chemical use.
28. The use of fungicides should be generally limited to periods when temperatures are still cool and during a time of little rainfall to increase their effectiveness and decrease the need for future applications. Irrigation water should not be applied within 24 hours of most types of fungicides applications, unless recommended differently by the manufacturer.
29. Chemical applications should be reduced and/or prohibited during windy periods. Application equipment and pesticide formulations that minimize pesticide drift should be selected for use in the management plan. Spray applicators should use low pressure nozzles and keep the spray nozzle close to the target.
30. All golf course chemicals should be properly stored in accordance with the Department of Agriculture and the Office of Safety and Health Administration requirements. Storage facilities should be constructed with impermeable floors and berms. All pesticide and fertilizer mixing and loading should be restricted to areas having impermeable floors and berms.
31. Maintenance employees should be properly trained in the storage, handling, and clean up of all EPA-approved chemicals prior to application.

32. The effectiveness of the golf course management plan should be verified through periodic monitoring of nearby surface water and groundwater quality. Sampling should begin prior to construction to provide background water quality data and should continue during construction and after construction (for a period of time to be decided by the regulatory bodies) to assure that the project is in compliance with DHS and RWQCB water quality objectives. If necessary, the plan should be modified to ensure modification.
33. Site-specific soil studies should be prepared for each estate lot proposed outside the sanitary sewer service realm to determine if soil and site topography could support a septic system and leach field. Sites where soil is determined to be too shallow, corrosive or clayey and where slopes are too steep to ensure proper septic system operations should be either connected to the proposed sanitary sewer service or not be developed.

FEIR 146;1 The preliminary project drainage plans for each phase of development shall be completed and approved prior to the approval of any tentative map within that phase.

FEIR 146;2 The applicant shall coordinate with the County to ensure no conflicts in the siting and development of the project access road and the stormwater detention basins along Black Gulch associated with the Patterson Gateway project located at the eastern side of I-5 at the Sperry Road/Rogers Road intersection.

Phase 1: All overall site mitigation measures apply to Phase 1.

D. VEGETATION AND WILDLIFE:

Overall Site:

1. Map the location of oaks present in areas planned for grading. In portions of the project site where grading is planned, confine grading to grassland areas where trees are not present. Where removal of oaks and other native trees is unavoidable, prepare a management plan for the oak woodland habitat and replace trees lost on a 5:1 ratio. Management plans should be approved by the County prior to final map approval for each village.
2. Establish riparian woodland, including willow, cottonwood, valley oak, and western sycamore (*Platanus racemosa*) and other riparian vegetation along the streams. Prepare a management plan for these riparian areas. The management plan shall include plans for long term monitoring and maintenance. Management plans should be approved by the County prior to final map approval for each village.

3. and
FEIR 264;8

The EIR consultant recommends that stream road crossings over major streams (Salado, Crow, and Orestimba creeks) will be made by construction of bridges. Road crossings of minor streams tributary to these major streams will include either bridges, oversized box culverts, or arched culverts, which require no additional fill beyond placement of the culvert or bridge. The appropriate crossing structure shall be approved in consultation with CDFG, USFWS, U.S. Army Corps of Engineers, and the County Public Works Department.

4. Ponds should be left intact for use by wildlife. Ponds planned for removal shall be replaced by ponds of equal size located in the Conservation Areas in protected locations to provide adequate access to water.
5. Springs should be incorporated into project open space. Where springs are lost to development, water from the community water distribution system shall be piped to protected areas to establish sources of water similar to those lost for wildlife.
6. The Conservation Areas will be linked with open space areas such as golf courses and the landscaped areas between areas of development to provide uninterrupted wildlife access corridors in the valley where practical. Corridors connecting Conservation Areas will average 1/4 mile in width and will be no narrower than 220 yards in width.

7. and
FEIR 281;11

Restrictions on the number of livestock shall be implemented to prevent overgrazing in open space areas and corridors, and the Conservation Areas. This will require preparation of a grazing management plan to guide grazing of the Ranch when development begins. Carrying capacity should be determined by a qualified range management specialist and could not be exceeded.

8. Trails shall be carefully planned to avoid areas of high wildlife use, such as rock outcrops, stock ponds and springs, and riparian woodland areas along streams.
9. Wildlife "underpasses" should be incorporated into the design of the planned roadways to allow wildlife to cross under rather than over the roads to reduce the number of wildlife road kills. These undercrossings should be a minimum of four feet by six feet in size and installed wherever roadways cross tributary streams. The appropriate crossing structure shall be determined in consultation with CDFG, USFWS, U.S. Army Corps of Engineers, and the County Public Works Department.

In areas of mapped kit fox range, provide road undercrossings six feet wide by four feet high approximately every 1/4 mile. Existing fencing should be replaced along the roadways, using hog-wire fencing with mesh size approximately six by eight inches and topped with three strands of barbed wire. This would allow kit fox to pass through the fence and prevent coyotes and other large predators of kit fox from passing through the fence. The fencing should be placed along the right-of-way boundary. These fences would serve to confine cattle present in the area.

Set maximum enforced vehicle speed limits at 35 to 45 miles per hour on the primary access roads and 25 miles per hour on the connector roads to reduce road-kills.

10. Prepare a landscape management plan for the Overall Site which guides public and private site landscaping. The plan shall include a list of invasive species which cannot be used in project landscaping and a list of native species suitable for use in project landscaping. The plan shall emphasize the use of drought tolerant plant materials to reduce water consumption. Management plans should be approved by the County prior to final map approval for each village.
11. Regulations shall be specified in the Codes, Covenants, and Restrictions (CC&Rs) to maintain strict enforcement of leash laws for dogs and require cats to remain indoors at all times. The project shall designate project-generated tax revenues to fund a part-time position with the County Animal Control to patrol the area and trap feral dogs and cats to minimize their numbers in the project site.
12. Prohibit further introduction of non-native warm water fishes and bullfrogs. Populations of native amphibians present or potentially present in the project site could be greatly reduced by predation by warm water fishes and bullfrogs.
13. Golf course maintenance and commercial and residential landscaping shall involve a minimum use of fertilizers, herbicides and pesticides. A site-specific golf course management plan and individual commercial and residential landscape plans shall be prepared. These programs shall include a detailed analysis of potential changes to ground and surface water quality from source and non-point source pollution; compliance with regulatory requirements on the storage of fuel and hazardous materials; an assessment of risk associated with accidental spills; and provide appropriate mitigation measures and management practices to minimize these potential impacts. Management plans should be approved by the County prior to final map approval for each village.

A list of fertilizers and pesticides proposed for use in the management plans shall be submitted to the County Department of Agriculture for review and comment. The description shall include the types of compounds to be used, the amounts to be applied, and form of application. The use of pesticides, herbicides, fungicides, or insecticides which are included on official state or federal lists of restricted materials will require issuance of a Restrictive Materials Permit. These permits are issued by the County Agricultural Commissioner. All materials on this list will be subject to special use restrictions as a condition of permit issuance to help ensure against significant health risks. Non-selective herbicides that affect all plants in the contact area will be limited to spot spraying as needed to kill only target vegetation and to reduce the use of chemicals.

The storm drain system from residential and commercial landscaping and streets shall be designed to filter potentially hazardous materials prior to discharge into natural watercourses. Outflows shall be directed in such a manner that the maintenance and monitoring will allow for the protection of surface water quality. Any stormwater runoff directed to natural creek channels shall be contained in detention areas and subjected to removal of nutrients and contaminants by vegetative or other means.

The effectiveness of these management plans shall be checked through periodic monitoring of nutrients and suspended solids in nearby surface and underground water sources. Sampling shall begin prior to construction to provide background water quality data and shall continue during construction and after construction, for a period of time to be decided by the regulatory bodies to assure that the project is in compliance with Regional Water Quality Control Board water quality standards.

14. and
FEIR 97;9

No more than 0.5 acres (excluding driveways) shall be developed with structures or impervious surfaces on any estate lot. Driveway widths should not exceed 16 feet (except at turnouts).

15. The undeveloped portions of any estate lot shall be fenced from the developed portion or dog runs established in the developed part of the lot in such a manner as to prevent dogs from accessing the undeveloped area.
16. Landscaping shall not exceed one acre on any estate lot.
17. No houses shall be constructed within one-quarter mile of the edge of any wildlife corridors.
18. Estate lots shall be in clusters of three or more and use a common driveway.

19. and
FEIR 97;10 Driveways accessing any estate lot shall not exceed 1,000 linear feet per lot served (from connection with in-village roadways).
20. Estate lot access roads shall not cross any designated wildlife corridors.
21. Estate lots may be subdivided only upon a finding of the County Planning Commission that, based on a CEQA review, such subdivision could constitute an environmentally superior alternative to not permitting the subdivision. This may require a cumulative impact analysis involving all 100 potential estate lots. In no case shall the total number of estate lots exceed 100 lots after subdivision.
22. No estate lots shall be located over one-quarter mile from the boundaries of a village.
23. Estate lots shall be developed only on areas overlooking proposed village developments and within watershed of previously developed areas. Estate lots shall not be located within 1,000 feet of the crest of any major ridge.
24. Prior to development of each estate lot, a biotic resource survey shall be conducted of the lot to determine if there are significant biological resources present. If such resources are found, any development shall be designed to avoid affecting the resource to the satisfaction of the County Planning Department.
25. Estate lot grading and fences shall not be located within 300 feet of any "blue-line" stream as designated in the applicable USGS topographic maps.
26. If there are over 20 oak trees on a lot, tree removal shall be limited to five percent of oak trees on any lot. If there are fewer than 20 oak trees on a lot, one tree may be removed per lot.
27. **Conduct surveys to determine the potential presence of plant species of special concern prior to consideration of development plans for each village. Suitable habitat for sensitive species found in the region include serpentine outcrops and the areas around springs and rock outcrops.**
- If plant species of special concern are present, management plans shall be prepared for each species which insure the long-term viability of the habitat for the species found.
28. **Conduct surveys for the potential presence of kit fox, using DFG-approved survey methodologies in the lowland areas between Interstate 5 and the foothills of the Orestimba and Crow Creek access road corridors prior to the consideration of development plans for Villages 4 and 5.**

29. Limit fill of creeks to necessary road crossings. Prepare a management plan to establish additional riparian woodland habitat, as discussed above, to improve habitat for wildlife species. Regulations will be established in the CC&Rs to prohibit the introduction of non-native warm water fishes and bullfrogs to the streams and stock ponds. These species prey on the eggs and larvae of native frogs and salamanders. Surveys for the presence of California tiger salamanders, California red-legged frogs, and southwestern pond turtle will need to be conducted for the potential presence of these species in the Village 2-5 areas.

30. and

- FEIR 265;10 Retain California ground squirrel colonies where possible in open space areas and the Conservation Areas to provide a prey base for raptors and other predators and potential nesting sites for burrowing owls. Poisoning of ground squirrels and other rodents shall be prohibited in Conservation Areas to prevent secondary poisoning of predators such as golden eagle, prairie falcon, bobcat, and American Badger. Ground squirrel control shall occur only in developed portions of any estate lot in the immediate vicinity of houses. If rodent control must be conducted in other areas, use zinc phosphide or other poisons approved by the USFWS which are of low risk to non-target species.

31. Cliff-forming rock outcrops shall be included in project open space areas. Keep trail systems away from these outcrops. Trail distances shall be established through consultation with raptor specialists with DFG and USFWS. Rock outcrops or cliffs which contain active raptor nests shall be off-limits to human use during the nesting season (March through August). Survey all cliffs and rock outcrops for raptor use prior to approval of development plans.

- FEIR 30;9 Conduct surveys to determine the potential presence of sensitive reptile and amphibian species (California tiger salamander, California red-legged frog, foothill yellow-legged frog, western spadefoot toad, and western pond turtle) prior to consideration of development plans for each village. Suitable habitat for these species includes intermittent and perennial streams, ephemeral ponds and stock ponds, and surrounding upland habitat.

If reptile or amphibian species of concern are present, management plans shall be prepared for each species which ensures the long-term habitat viability and residency of the species on the Diablo Grande site.

- FEIR 281;12 Avoid areas where plant and wildlife species of special concern are located, such as in the vicinity of the prairie falcon eyrie, and develop specific mitigation measures where avoidance is not possible. Surveys for the potential presence of species of special concern will be required for the remainder of the site outside of Village 1 prior to the environmental review process for each village.

Phase 1:

Where similar to Overall Site mitigation, reference is made.

32. Development within the Oak Flat Valley shall be clustered to maintain some level portion of the valley for wildlife, particularly the southern portion of the site in the vicinity of the Indian Rock prairie falcon nest where development should be set back 1/4 mile from the prairie falcon eyrie.
33. Prepare and implement a management plan for the oak woodland present in the Phase 1 Area similar to the Overall Site.
34. Prepare and implement a management plan for the establishment and maintenance of riparian woodland along Salado Creek.
35. Road crossings should be made by the construction of bridges or oversized culverts which require no additional creek fill for their placement over Salado Creek pursuant to agency recommendations (see Overall Site Mitigation #3).
36. Mitigation for stock ponds and springs in the Phase 1 Area are similar to those discussed above for the Overall Site.
37. Prohibit further introductions of non-native warm water fishes and bullfrogs which prey on native amphibians.
38. Locate corridors within Oak Flat Valley to allow access to and through the valley by wildlife. Corridors shall be a minimum of 100 yards wide. The proposed golf courses could serve as corridors for wildlife. To provide an adequate connection between golf courses and the Conservation Areas, the open space areas in three locations could be expanded, including; 1) the areas north and south of the proposed golf club; 2) the area south of the proposed public services area and vineyard in the central portion of the valley; and, the area along Oak Flat Road, south of the proposed polo center.
39. Wildlife underpasses shall be constructed at regular intervals along the Oak Flat Parkway to reduce the number of road-kills, as discussed for the Overall Site above.
40. Implement mitigation to control exotic plants and animals as discussed for the Overall Site.
41. Implement mitigation measures to control pollutants as discussed for the Overall Site.

42. Plant species of special concern potentially present in the Phase 1 Area were not observed during surveys of the Phase 1 area. Follow-up surveys for the plant species of special concern shall be conducted prior to issuance of construction permits.
43. In areas of kit fox habitat along Oak Flat Parkway corridor and the primary access road, construct "underpasses" to allow kit fox to cross under rather than over the road to reduce the number of road-kills. The underpasses shall be a box culvert four feet by six feet in size spaced approximately every 1/4 mile. Culverts installed for other uses such as stream crossings are suitable for this purpose. Include roadside fencing in this area which will allow kit fox to pass through but will prevent predators such as coyotes from passing through.
44. Conduct endangered species consultation with the USFWS and DFG as Oak Flat Parkway and Primary Access Road would result in the removal of suitable kit fox habitat, and potentially form a barrier for the north-south movement of kit fox. The project should be required to comply with USFWS requirements for loss of kit fox habitat.
45. Mitigation for the loss of prey species important to predators is similar to the discussion for the Overall Site.
46. Prepare a management plan as discussed for the Overall Site. The three species of special concern potentially present in the streams and stock ponds present in the Phase 1 Area, including the California tiger salamander, California red-legged frog, and southwestern pond turtle, were not observed during surveys of the Phase 1 Area. Follow-up surveys for these species shall be conducted prior to issuance of construction permit. If these species are subsequently found, necessary mitigation measures will be taken to reduce the impacts to these species.
47. The rock outcrop present in the proposed Indian Rock park adjacent to the Phase 1 Area contains an active prairie falcon nest. Mitigation for this nest site would include: 1) the inclusion of the proposed Indian Rock Park area south of Oak Flat Road in the wildlife corridor between Village 1 and Villages 3 and 4; 2) prohibit the development of trails within this wildlife corridor; 3) prohibit public access to the corridor within one-quarter mile of the nest during the nesting season (March through August); 4) redesign the development plans to remove the proposed single family units east and south of Oak Flat Road in the southeastern portion of Oak Flat Valley, in the vicinity of the proposed access road between Village 1 and Village 3; and 5) require a speed of 25 MPH maximum for the road between Village 1 and Village 3 located west of the nest site and provide for emergency parking only.

FEIR 8;3 Setbacks of development of at least 100 feet from the major creek centerlines shall be adhered to. Deed restrictions shall be placed on all parcels containing creeks to preserve the minimum setback. The only exceptions to this rule will be for: (1) roadway purposes where a minimum setback of 50 feet shall be adhered to except at creek crossings, and only upon acquisition of all appropriate permits from the Corps of Engineers and the California Department of Fish and Game. For the purpose of this comment, "development" shall include fenced yards, landscaping, grading, paving, buildings, and any other construction or use which will degrade the value of the riparian corridor as determined by the Stanislaus County Department of Planning and Community Development; and (2) golf fairways and greens, where a minimum setback of 50 feet shall be adhered to.

FEIR 28;8 Floristic surveys for all sensitive plant species identified in the EIR shall be prepared for each proposed development area prior to approval of any development in that area. If any sensitive species are found, disturbance of those species shall be mitigated by avoidance to the satisfaction of a qualified biologist to be retained by the County and funded by the applicant.

FEIR 29;9 If a reptile or amphibian species of concern is found to be present, a management plan shall be prepared which ensures the long-term habitat viability and residency of the species on the Diablo Grande site. The management plan for this species should include:

1. Preservation of open space areas within the Diablo Grande site inhabited by spadefoot toads.
2. Identification of sites which would expand or enhance spadefoot toad habitat by the construction of ephemeral breeding pools.
3. Measures to minimize the effects of urban runoff on the Salado Creek breeding pools. This should include rerouting stormwater and other urban runoff so that it is discharged into the creek in the vicinity of the "Frog Pond."

FEIR 29;9 A management plan for the western pond turtle should be prepared which would include:

1. Preservation of the "Frog Pond" and implementation of measures to maintain or enhance existing habitat conditions for all native aquatic reptiles and amphibians which use this pond.
2. Design the access road so that the edge of the roadway easement is no closer than 100 feet to any portion of the pond.

3. If this area is used for flood storage detention, design the necessary dam structure so that it does not disturb the existing dam face (i.e., construct downstream of the crest of the dam) and that no physical disturbance of the detention basin area occurs.

4. Delete the housing study area immediately to the east of the pond to minimize human disturbance at the pond site.

E. CULTURAL RESOURCES:

Overall Site:

1. The surface reconnaissance of the Phase 2 through 4 Areas should be completed by examining those potential resources identified in archival research but not found during the surface reconnaissance of 1992.
2. Prior to construction, complete evaluation of resources within the Phases 2 through 4 Areas potentially impacted by construction should be undertaken, so that more complete and appropriate mitigation measures may be formulated for the resources in question. A program of subsurface testing must be formulated and implemented to better evaluate the character, constituents, size, and depth of the deposits at each prehistoric resource. This should consist of at least two or three hand-excavated one-meter by two-meter test units at each site. The purpose of the hand excavation of test units is to collect information in a controlled manner on the depth, constituents, and stratigraphy of each site to better evaluate them as archaeological resources. Results of the test excavations must be analyzed and presented in a report of findings with recommendations for mitigation of the resources.

Of particular concern in this regard would be the avoidance of prehistoric occupation sites, particularly Loci 25 and 44 and the more important historic sites. An architectural historian should also evaluate standing structures at the identified loci at that time as well. Buried midden may be present at some or all of the seed processing sites that lack obvious surface midden indicators. Therefore, subsurface auguring or testing of these sites should be undertaken well in advance of plans' formulation for the relevant areas of Phases 2 through 4 to determine if midden is present. Although Loci 25, 44 and 3 (CA-STA-274/H appear to be the richest of the prehistoric occupation sites in the Phases 2 through 4 Areas, further research at other sites, including those now listed with midden deposit may increase the number of such rich, very significant prehistoric resources.

3. To the extent feasible, the applicant should implement the following strategies to minimize impacts:
 - a) redesign portions of the project to avoid direct impacts;
 - b) cover prehistoric resources and sensitive portions of historic resources with one to two or more feet of fill to protect the resource;
 - c) build on the fill cover with no excavation below the fill deposit;
 - d) monitor all construction in covered or uncovered sensitive areas; and
 - e) Implement surface collection of significant data prior to construction, covering with fill, or other impacts.

In the event direct impacts to a resource are unavoidable, further data collection may be warranted, depending on the results of the test excavation evaluation. A monitoring program must be formulated and implemented during construction or other impact-producing activities at these sites.

4. The local community of Northern Yokuts should be contacted by the EIR consultant and the applicant to alert them of potential threats to both burial sites and probable ceremonial features such as pictographs and cupule rocks. Input from the Northern Yokuts on treating potentially disturbed burials in Locus 7 should be obtained.
5. **A monitoring program should be formulated prior to construction and implemented for all historic resources within Phases 2 through 4 Areas. All standing historic structures in Phases 2 through 4 shall be preserved or otherwise treated as recommended by the architectural historian.**
6. All prehistoric and historic sites identified in surface reconnaissance and archival research should be formally recorded on site record forms and trinomial site designations obtained from the Central California Information Center at Stanislaus State University in Turlock.

Phase 1:

7. Locus 7 (CA-Sta-33)
 - a. Access to rock shelters where pictographs are present should be closed off with iron grills and fitted with gates. Keys or combinations should be available only to the applicant, their representatives, and access limited to members of the archaeological community, Native American community, and closely supervised educational groups.

- b. Although slated for inclusion and "protection" in Indian Rocks Park, potential direct and secondary impacts are likely. Serious consideration should be given to redesignating the site and its immediate vicinity to an undisturbed, open space status. Ideally, it would be permitted to revert to a natural vegetation community with no signage or other source of attracting attention. Any planned educational use of the site could be reduced and reassigned to other prehistoric features not impacted by construction within the Phase 1 area, or those sites outside the Phase 1 area. These might include Locus 1, 2, or 3, or another of those as yet unidentified elsewhere in the remaining project area.
- c. If public access to the Park must be part of the project plan, then all aspects of the General Recommendations discussed above must be applied to this site. These include surface collection, test excavation, covering of the site with sterile fill, and revegetation with native grasses or plants. Plantings of introduced plants and lawn are less desirable but acceptable alternatives. Any subsurface trenching below the fill deposits should be avoided. Subsurface disturbance for any reason should be monitored by an archaeologist.

Test excavation of one to two, one-meter by two-meter test units has been recommended in Locus 7 to provide data on the site as a record prior to any future impacts. The data would also serve as a comparative sample in discussing and evaluating the remaining prehistoric midden sites in the Phase 1 Area and elsewhere in the project area.

- d. Periodic inspection of the site by an archaeologist or other trained full-time project inspector. Any human remains or artifacts brought up by rodents should be buried immediately where found. This procedure should be maintained in perpetuity.

8. Locus 9H

- a. All standing historic structures at the Oak Flats Ranch shall be preserved or otherwise treated as recommended by the architectural historian.

9. Holman & Associates' preliminary recommendation concerning the historic cultural resource loci 47H and 48H is that the resources be formally recorded utilizing methodologies consistent with those used to record the cultural resources in the Phase 1 Area.

FEIR 232;6 Prior to issuance of any building permits to the entry area, the area must be systematically surveyed for cultural resources. When proposed development plans are available, the following should be conducted:

1. Conduct adequate cultural resources field studies and record all discrete site locations on state-approved site survey forms.

2. If necessary, conduct mechanical subsurface testing to determine the extent and depth of any cultural resource locations.
3. Stake all resource locations so that they can be accurately mapped by professional surveys.
4. Revise specific site plans to avoid sites.
5. If avoidance is not possible, evaluate the significance of each site and develop specific mitigation plans for each significant resource.

FEIR 266;12

POTENTIAL IMPACT

Direct and secondary impacts from grading, excavation, trenching, etc. may impact cultural and historic resources in future phases of development. (SM)

Direct and secondary impacts may occur to the following resources due to the development of the Phase 1 area. (SM)

Historic Resources:

- Locus 9H
- Locus 10H/11H/12H
- Locus 18H

Prehistoric Resources:

- Locus 7
- Locus 13
- Locus 14
- Locus 15

MITIGATION MEASURES

Prior to approval of future phases of development, and preliminary development plans, a complete evaluation of resources within each development area shall be undertaken and mitigation measures set forth.

Locus 9H:

All standing historic structures shall be preserved. If removal is necessary, treatment shall be as recommended by an architectural historian.

Locus 7:

Locus 7 shall be preserved as set forth in mitigation measure no. 7 on Page IV-162 & 163.

Loci 10H/11H/12H, 18H, 13, 14 & 15:

Final development plans shall precisely locate these loci, if within 300 feet of any proposed development. These plans shall be reviewed by the Planning Department to determine if any direct or secondary impacts to these resources are likely to occur. If so, an architectural historian, in the case of historic loci, or an archaeologist, in the case of prehistoric loci, shall be consulted, recommendations for protection, salvage, data retrieval, relocation, and/or other appropriate mitigation, of these resources shall be made and implemented. Efforts shall be made to avoid these resources if at all possible.

F. PUBLIC SERVICES AND UTILITIES:

WATER SUPPLY:

Overall Site:

1. The long-term environmental impacts of the Yuba River water diversion and storage should be studied prior to approval of detailed supplies.
2. and
FEIR 268;18 The applicant shall establish a system of monitoring wells adequate to determine if the project would affect nearby wells. These could consist of existing wells. These wells shall be monitored as determined by the County Department of Environmental Resources, but not less than once a month, and any correlation with pumping by Western Hills Water District for Diablo Grande shall be noted. Monitoring wells shall be established prior to operation of Western Hills Water District wells. Monitoring results shall be provided monthly to the County Department of Environmental Resources.
3. and
FEIR 179;31 If groundwater levels at wells near the Marshall-Davis well sites decline by 10 percent or greater, and that decline can be reasonably correlated with increased pumping from the Marshall-Davis wells, Western Hills shall allocate their Salado Water District water to the impacted neighboring owners. Immediately upon drawdown occurring, the applicant shall fund the County's retaining of a hydrologic engineer to calculate the amount of surface water required annually to replace lost groundwater supplies and, if that quantity exceeds 275 AFY, the availability of additional replacement water shall be demonstrated to the County's satisfaction. But in no event shall Western Hills pump groundwater in excess of 1200 af, and such pumping shall remain subject to California law.
- 3a. Groundwater pumping at the Marshall-Davis wells for use at Diablo Grande shall terminate not later than five (5) years following the use of Marshall-Davis well water within Diablo Grande, except that pumping may occur in certain very limited situations described in the Specific Plan for Diablo Grande.
4. Because long-term water supplies beyond the five-year buildout have not been assured, residential development shall not be permitted unless the applicant can show to the County's satisfaction that adequate real water supplies have been made available, and that environmental impacts of those sources have been studied and mitigated per CEQA requirements.
5. Sludge produced by the water treatment plants should be properly contained, handled, and disposed of to avoid soil or groundwater contamination.

6. Water treatment plants should meet requirements of the Stanislaus County Department of Environmental Health, the American Water Works Association, and the California Department of Health Services.
7. The project applicant should demonstrate the project's conformance with County fire flow and water pressure requirements to the satisfaction of the West Stanislaus Fire Protection District and the County Fire Marshall. Required hydrant flows are specified in the recommended mitigation measures in the Fire Protection section for this EIR.
8. The project should be equipped with water conserving devices such as low-flow faucets, shower heads and toilets.
9. Drought-tolerant vegetation should be used in all landscaping to minimize irrigation requirements. The on-site nursery should specialize in native drought-tolerant species to ensure that replacement plantings maintain low irrigation requirements. Where possible, runoff should be channelled toward landscaped areas to further reduce the need for landscape watering and to promote groundwater recharge.

FEIR 356;19 In selecting drought-tolerant plant species for landscaping, native plant species shall be planted where possible, including on the golf courses.

Phase 1: All mitigation measures for the Overall Site are applicable.

SEWAGE DISPOSAL:

Overall Site:

1. Reclaimed water used for irrigation should be monitored to ensure that it meets the requirements of the California DOHS and the RWQCB.
2. and
FEIR 356;19 In the event that there is no concurrent irrigation demand, prior to discharge of excess reclaimed water into the creeks, the Stanislaus County Department of Environmental Resources, California DOHS, and RWQCB should confirm that no deleterious impacts would occur as a result of this release.
3. and
FEIR 174;16 A Community Services District shall be formed to provide the sewer service (or sewer service shall be provided by the Western Hills Water District). The District responsible for managing the wastewater treatment facilities should also oversee the funding for operation and maintenance of the entire project, once installed and operating. Stanislaus County should monitor collection and dispersment activities so as to ensure adequate funding of the District.

Phase 1: All mitigation measures for the Overall Site are applicable.

SOLID WASTE:

Overall Site:

1. The project should conform to provisions of the County SRRE to reduce the amount of waste that is landfilled. Curbside pickup of recyclables and/or a collection facility for recyclables should be provided within the development.
2. **When the Fink Road Landfill is nearing capacity, studies should be conducted for later phases of development to determine whether a countywide or private on-site landfill would be required to accommodate the proposed project. Environmental impacts of any such landfill would need to be assessed.**
3. **Composting and land application of sludge from the wastewater treatment plants should be investigated for later phases of the development.**

FEIR 173;10 The amount of waste from the project which requires landfilling should be minimized through source reduction, recycling, composting and other diversion mechanisms.

FEIR 173;10 During construction, provisions should be made to remove recyclable material from the construction debris, inerts should be diverted to inert disposal sites or to recyclers, and so on.

FEIR 173;10 The project should incorporate, to the extent possible, products which contain post-consumer recycled materials in the construction of utilities, parking lots, trash receptacles, benches, sound barriers, sign posts, traffic control stops, landscape timbers, fencing, building, and any other structures or amenities at the site.

FEIR 173;10 Compost and soil amendments necessary for project landscaping should be obtained from permitted composting facilities which qualify for waste diversion credit, provided such landscaping material is available and meets specifications.

FEIR 173;10 Space should be provided to facilitate the storage of recyclable material at businesses and multifamily dwellings.

FEIR 173;10 The project proponent should work with representatives of the Solid Waste Management Division of the Stanislaus County Department of Environmental Resources, and Bertolotti Disposal on designs and systems that will facilitate collection of recyclables, yard trimmings, and refuse.

FEIR 174;14 As discussed in the mitigation measure immediately preceding, design of a collection system shall include possible installation of an on-site transfer station in the event that the reviewing agency and disposal service provider determine it to be necessary. If necessary, the site, location, permitted capacity, and operational capabilities shall be defined during collection system design.

Phase 1: All mitigation measures from above apply with the exception of No's. 2 & 3.

FIRE PROTECTION:

Overall Site:

The following mitigation measures are required or recommended by the WSFPD:

1. Hydrant spacing should not exceed 500 feet in residential areas and 300 feet in commercial/industrial areas.
2. Hydrant flows should be a minimum of 1,000 gallons per minute in residential areas and 2,500 gallons per minute in multiple residential, commercial, and industrial areas.

3. and

FEIR 71;1 Depending on the level of service required, an annual benefit assessment fee may be needed to cover expenses of day-to-day operations of the WSFPD. This will be determined through discussions between the project proponent and the WSFPD. The developer should pay the Fire District's standard fire service impact fee. If the District adopts a standard annual benefit assessment fee, Diablo Grande should pay a fair share of that fee, to be negotiated with the District.

4. Automatic fire sprinklers should be installed in commercial buildings. The WSFPD also recommends the fire sprinklers be installed in the residences, which may reduce the personnel required to provide fire protection to the site.
5. To provide adequate two-way communication for emergency response vehicles, a communication system should be retrofitted on the existing equipment and another should be placed on an additional tower overlooking the site (at Mike's Peak).

The following mitigation measures are recommended by this EIR:

6. Road widths, road grades, and turnaround radii should be adequate for emergency equipment.
7. Wildfire fuel reduction prescriptions should be adhered to as outlined in the Land Use section of this EIR.

- FEIR 71;1 The project should comply with all local, county, and state requirements on building and fire safety standards.
- FEIR 149;1 An emergency vehicle access road should be provided before any building permits are filed on the Phase 1 area.
- FEIR 149;2 Adequate space at the helistop should be reserved for emergencies at all times.
- FEIR 149;3 The landscape buffer zone types and maintenance responsibilities should be approved and in operation before combustible construction starts.
- FEIR 358;26 The project proponent should either provide all required fire protection
FEIR 365;34 improvements (including fire stations) as determined by the WSFPD, or pay the applicable Capital Facilities Fees to cover facilities and equipment which are not provided on site by the project proponent. The timing of payment of fire service fees and/or construction of new facilities should be phased in cooperation with concurrent cumulative projects.

Phase 1: All mitigation measures for the Overall Site are applicable.

POLICE PROTECTION:

Overall Site:

The following mitigation measures are recommended by the Stanislaus County Sheriff's Department:

1. Access roads should be year-round all weather roads with access to Interstate 5.
2. A study should be conducted to determine what equipment would provide proper communications.

The following additional mitigations are recommended by this EIR:

3. Access, lighting, and other crime prevention measures should be included as part of final development plans. Parking areas, pathways, and the common areas should be lighted to provide maximum visibility.
4. Residents who intend to incorporate alarm systems into their homes should, from the outset, be advised of Sheriff's Department and Communications Department policies and asked to consult with the representatives of these two departments prior to installation.
5. Road widths, road grades, and turnaround radii should be adequate for emergency equipment.

FEIR 365;34 The timing of payment of police service fees and/or construction of new facilities should be phased in cooperation with concurrent cumulative projects.

Phase 1: All mitigation measures for the Overall Site are applicable.

MEDICAL: (page IV-194)

The following mitigation is proposed by the applicant:

1. Diablo Grande will make space available at its Public Safety Center for an emergency medical vehicle.

Overall Site:

The following mitigations are recommended by the Patterson Hospital District:

2. and

FEIR 216;2 A formal financing mechanism (i.e., special or Mello-Roos district) should be formed to pay for an appropriate percentage of total expansion expenses incurred by the Patterson Hospital District to accommodate new demand for hospital services resulting from the proposed project, including an on-site paramedic station. The details of this funding mechanism should be worked out between the applicant and the Hospital District. It should be noted that the County Board of Supervisors would be responsible for resolving any differences between the applicant and the Hospital District as to the appropriate fees for the project.

3. If a special district is not formed, the project applicant should pay an appropriate developer fee to be determined in negotiations with the Patterson Hospital District and commensurate with Diablo Grande's impact on the District, or show to the County's satisfaction that other hospital facilities are adequate to meet the project's needs.

The following mitigation measures are recommended by this EIR:

4. Road widths, road grades, and turn-around radii should be adequate for emergency equipment.

Phase 1: All mitigation measures for the Overall Site are applicable.

FEIR 140;1 The applicant shall follow recommendations contained in *Vector Prevention in Proposed Developments: Guidelines, Standards, and Checklists*, February 1986. This will enable the Turlock Mosquito Abatement District to survey and control mosquitos and ticks within the project site. However, care shall be taken to ensure that measures to control mosquito and tick populations do not result in health impacts on other wildlife.

PUBLIC SCHOOLS: (page IV-198)

Overall Site:

1. and

FEIR 113;1 The County Board of Supervisors shall consider the sufficiency of the developer fees for provision of school facilities based on the information provided by the applicant and the Newman-Crows Landing Unified School District. If the Board determines that fees in addition to statutory fees are required, and such fees do not violate statutory limitations, then the developer shall pay additional fees as determined to be appropriate by the Board. If the Board determines that additional fees are necessary, but such fees are legally prohibited, then the developer shall pay the statutory per square foot fees for financing new school construction, and the Board may consider the project's impacts on schools to be unmitigable.

The County Board of Supervisors shall revisit the issue of the adequacy of school impact fees paid by developers after completion of Phase 1 of the proposed project. At that time, resolution of the disagreement between the applicant and the Newman-Crows Landing Unified School District shall be based on actual demographic characteristics of Phase 1 residents, and statutory fee requirements/limitations in effect at that time.

FEIR 114;3 In-lieu of fees, the developer may construct schools to the District's specifications. The enrollment capacity and acreage of schools constructed by the developer should conform to District and State standards. Locations of schools shall be determined in conformance with these standards.

FEIR 365;34 The timing of payment of school fees and/or construction of new facilities should be phased in cooperation with concurrent cumulative projects.

3. The construction of new school facilities should be phased in accordance with the construction of Phases 1 through 4 of the proposed project.

FEIR 115;11 Final project approval should be contingent upon acceptance of all the school-related mitigation measures by the District.

Phase 1: All mitigation measures for the Overall Site are applicable.

PARKS AND RECREATION SERVICE:

Overall Site:

The following mitigation measures are recommended by the Stanislaus County Parks and Facility Department (Bob Gregory, 1992):

1. Neighborhood parks shall be located within two to three blocks of the area they serve and shall be about seven acres.
2. Community parks shall be located within two and a half miles of the area they serve and shall be 25 to 30 acres.
3. Restrooms are recommended for neighborhood parks and required for community parks.

FEIR 59;1 The Diablo Grande Community Services District should operate and maintain the parks with recreation facilities within the site.

Phase 1: All mitigation measures for the Overall Site are applicable.

GAS AND ELECTRICITY:

Overall Site:

1. The project proponent shall be financially responsible for expansion of facilities and extensions.

2. and

FEIR 267;14 Residences shall incorporate energy efficient design standards in compliance with State and local standards.

FEIR 185;1 Gas and electrical facilities needs shall be identified and developed prior to approval of building permits.

FEIR 185;4 The developer should obtain a consent agreement from Pacific Gas and Electric Company prior to issuance of any permits for development within any PG&E easements.

Phase 1: All mitigation measures for the Overall Site are applicable.

COMMUNICATIONS: (page IV-205)

Overall Site:

1. The project proponent shall be financially responsible for expansion of facilities and extensions.

Phase 1: All mitigation measures for the Overall Site are applicable.

G. VISUAL RESOURCES:

Phase 1:

1. Final site, landscaping, and grading plans shall be sensitive to on-site landforms and features which provide the site with its visual impressions, including its rolling topography, ridgelines, clusters and specimen trees, riparian drainageways, and rock outcroppings. To maintain the integrity of the existing landscape, the project landscape plan must incorporate the elements of the existing vegetation in terms of size, color, and texture, so that new vegetation would eventually blend in with the existing indigenous species. Screening vegetation must be strategically placed. Architectural detailing shall include sensitive choices of texture, paint color, and/or wood finish to help integrate project development into the landscape.
2. To mitigate future visual impacts of the Oak Flat Parkway, any future proposals to the County adversely affecting the viewshed of Oak Flat Road shall address the heightened perception of public concern due to build-out of the Diablo Grande project.
3. To protect the visual quality of the expansive areas of open space east of Oak Flat Parkway, the four development areas in Phase 1 east of Oak Flat Parkway shall be given special treatment to ensure that significant oak cover is not removed, and that bases of the adjoining hills are contoured or feathered to retain a natural appearance.
4. To avoid impacts associated with the most prominent project buildings, photomontage or CADD graphics simulations shall be prepared to the satisfaction of the Planning Director showing the town center, shopping area and/or other structures from key viewpoints. Final plans shall incorporate any mitigation measures resulting from these montages.

FEIR 43;15 The I-5 corridor near the project area is a designated Scenic Highway. Final project plans for activities potentially within the viewshed of the corridor (i.e., Oak Flat Parkway in the vicinity of I-5) must address visual quality issues. All potential visual impacts to the I-5 corridor should be reduced by utilizing setbacks, landscaping, and/or vegetative screening to be approved by the County Public Works Department.

Overall Site:

5. Phase 1 mitigation measure 1 is applicable to the overall site, and shall be implemented at the time final plans are prepared for Villages 2 to 5.
6. Photomontage simulations or CADD graphics shall be prepared of visible development from key viewpoints to the satisfaction of the Planning Director. Final plans shall incorporate any mitigation measures resulting from these montages.

H. TRAFFIC:

Overall Site:

Consistent with the results of the traffic impact analysis, mitigation measures for overall site development are presented for three scenarios: 1) existing plus project, 2) cumulative without Lakeborough plus project, and 3) cumulative with Lakeborough plus project.

Existing Plus Project

- a. Crows Landing Road from Highway 33 to north of Grayson Road should be widened to four lanes.
- b. Highway 33 between Crows Landing Road and Stuhr Road should be widened to four lanes.
- c. Carpenter Road north of Grayson Road should be widened to four lanes.
- d. The I-5 Southbound/Sperry Road intersection should be signalized, as well as improved to provide a southbound shared through-left turn lane and a southbound right turn lane.
- e. The I-5 Northbound/Sperry Road intersection should be signalized.
- f. The project access road between Del Puerto Canyon Road and Oak Flat Road should be constructed as a four lane roadway.
- g. Oak Flat Road should be widened to four lanes.

Cumulative Without Lakeborough Plus Project

The following measures would be required to mitigate the incremental impact associated with development of the Diablo Grande project. These measures are in addition to any other improvements which would be required to ameliorate cumulative development impacts.

- a. I-5 should be widened to six lanes.
- b. Ward Avenue south of Oak Flat Road should be widened to four lanes.
- c. Fink Road east of Ward Avenue should be widened to four lanes.
- d. Carpenter Road between West Main Street and Crows Landing Road should be widened to four lanes.
- e. The I-5 Southbound/Sperry Road intersection should be improved to provide an additional eastbound through lane, a separate westbound left turn lane, and a separate westbound through lane.
- f. The Sperry Road/Ward Avenue intersection should be improved to provide an additional northbound through lane.
- g. The Ward Avenue/Marshall Road intersection should be improved to provide an additional northbound through lane, a separate southbound left turn lane, and a separate southbound through lane.
- h. The Ward Avenue/Oak Flat Road intersection should be signalized and improved to provide two northbound through lanes, a northbound left turn lane, an additional southbound through lane, and separate eastbound left and right turn lanes.
- i. The I-5 Southbound/Ward Avenue intersection should be signalized.
- j. The I-5 Northbound/Ward Avenue intersection should be signalized.
- k. The project access road between Del Puerto Canyon Road and Oak Flat Road should be constructed as a four lane roadway and Oak Flat Road should be widened to four lanes.

Cumulative With Lakeborough Plus Project

The following measures would be required to mitigate the incremental impact associated with development of the Diablo Grande project. These measures are in addition to any other improvements which would be required to ameliorate cumulative development impacts.

- a. The I-5 Southbound/Sperry Road intersection should be improved to provide an additional eastbound through lane.
- b. The I-5 Northbound/Sperry Road intersection should be improved to provide a second eastbound left turn lane.
- c. The I-5 Southbound/Ward Avenue intersection should be improved to provide a southbound shared through-left turn lane and a southbound free right turn lane.
- d. The I-5 Northbound/Ward Avenue intersection should be improved to provide an additional eastbound through lane and an additional westbound through lane.
- e. The project access road between Del Puerto Canyon Road and Oak Flat Road should be constructed as a four lane roadway.
- f. Oak Flat Road should be widened to four lanes.

Patterson Southern Bypass Expressway

The Patterson General Plan recommends the construction of a new southern bypass expressway. The General Plan did not provide peak hour traffic projections for the new facility. Further, the exact location of the road is subject to further study. For the Diablo Grande traffic assessment, all of the cumulative traffic generated at I-5 and Sperry Road was assumed to use the Sperry Road/Ward Avenue intersection. If the bypass is constructed, some of the Diablo Grande traffic which has been assigned to this intersection would be diverted to the expressway. This would reduce the project impacts at Sperry Road and Ward Avenue and therefore produce different turning volumes and resulting turn lane requirements.

On-Site Mitigation Measures

The following on-site mitigation measures are recommended. While not based upon technical findings, they represent reasonable requirements based upon professional judgement, experience and standard engineering practice.

Oak Flat Road within the site can be four-lanes as shown on the Specific Plan; however, the following traffic control measures should be used:

1. Stop sign controls at all major intersections should be provided on all approaches.
2. Driveway access and egress should be restricted for a distance of at least 100 feet from the curb return tangents at all intersections.
3. All major intersections at the Town Center and Shopping areas should provide adequate exit storage lane capacity. (Parking lot circulation should restrict access from parking lot traffic to the exiting segments to provide any required vehicle storage.)
4. Emergency vehicle access should be provided.
5. Access to the project is required along Oak Flat Road with a four-lane road, through the Lakeborough project via a two-lane arterial, and to Stuhr Road via Orestimba Road via a two-lane arterial.
6. All major collector streets should provide capacity for center two-way left turn lanes and left turn storage lanes at intersection approaches.
7. Residential and recreational parking demand should be met off-street with no parking provided along major collector roadways. Parking along minor collectors fronting on residential property can be allowed.
8. Consideration should be given to restricting direct driveway access to all major arterial, major collector and minor collector roadways. Back-lot treatments if feasible should be encouraged.

Phase 1:

9. The I-5 Southbound/Sperry Road intersection should be signalized.
10. Oak Flat Road should be widened to four lanes prior to 75 percent of Phase 1 development (700 peak hour trips), as determined to be warranted by traffic studies.

- FEIR 41;4 The County will condition the project for additional environmental review when either of the following occurs.
- The project traffic on the new frontage roadway connector between Oak Flat Road and Del Puerto Canyon Road reaches 750 vehicles per hour, or
 - The peak hour level of service on the new connector roadway between Oak Flat Road and Del Puerto Canyon Road or at the intersection of Sperry Road and SB I-5 operate below a level of service "C" at a volume to capacity ratio of 0.77 (77 percent of capacity).
- FEIR 42;7 The project sponsor shall develop and gain Caltrans approval of a Project Study Report (PSR) for all project related mitigation measures within Caltrans jurisdiction. The timing of the PSR shall be determined by Caltrans and the County Department of Public Works.
- FEIR 44;20 A specific list of Diablo Grande off-site improvements and/or percent contribution to roadway projects be included in the final set of project conditions. This list should be revisited at the completion of all project phases and tentative map approvals.
- FEIR 89;5 To reduce the number of vehicle trips in and around the project site the following mitigation measure applies to the overall project and Phase 1:
- The applicant and county transit providers shall assess the feasibility of extending existing transit service to the project site. Should system expansion be determined to be feasible, the applicant and county transit providers shall coordinate transit service and facilities to the site. The applicant shall be responsible for funding installation of transit facilities, such as bus waiting areas and bicycle paths.
- FEIR 157;5 The following are potential conditions of approval rather than specific project impacts and assessment. However, the following suggested project conditions are provided for use by the Stanislaus County staff.
- Roadways and intersections should be designed using County and if appropriate Caltrans design standards.
 - The project sponsor will be required to enter into a development agreement with Stanislaus County. The agreement should detail any project requirements associated with utility relation, pavement and shoulder widening, bridge and culvert alignments and design criteria.

- The project proposes a number of emergency vehicle connections. However, the exact location of these facilities is not currently defined. As part of the tentative maps for the project, provision for emergency access connections will be required. The project sponsor will develop all emergency access facilities such that all design requirements for response times, street design (including width of travel lanes, grades and surface condition) and intersection connections to County roadways are consistent with all appropriate jurisdictional policies and guidelines."

I. AIR QUALITY:

Phase 1 & Overall Site: (From FEIR Pages IV-298 to IV-300 in Appendix D)

1. Dust and other air pollutant emissions related to construction shall be reduced by:
 - Retarding engine timing on diesel-powered equipment to reduce NO_x emissions. Maintaining existing gasoline-powered equipment in tune per manufacturers instructions.
 - Developing a comprehensive construction activity management plan to minimize the amount of large construction equipment operating during any given time period.
 - Sufficiently watering all excavated or graded material.
 - Ceasing all clearing, grading, earth-moving, or excavation activities when wind speed exceeds 20 mph.
 - Sufficiently watering or securely covering all material transported off-site.
 - Minimizing the area disturbed by clearing, grading, earth-moving, or excavation operations.
 - Seeding and watering all inactive portions of the construction site until cover is grown.
 - Planting or paving portions of the site upon which work is complete.
 - Treating all internal roadways and the equipment storage areas with chemical suppressant.
 - Limiting vehicle speed to 15 mph in unpaved areas.
 - Sweeping adjacent streets as needed to remove accumulated silt.

2. The most effective means of reducing ozone precursor emissions from motor vehicles would be to reduce the number of vehicle trips generated by Diablo Grande. A list of such Transportation Demand Management (TDM) strategies would include:

- Develop a transportation plan that would promote the use of, and offer incentives for, ridesharing and transit. This plan should be developed prior to occupancy of any Phase 1 uses.
- FEIR 90;6 - Appoint an on-site Transportation Coordinator to coordinate and implement employee and resident transportation programs, and the Diablo Grande transit system.
- Provide a link to existing regional mass transit systems and subsidize employee and resident purchase of transit passes.
- Establish an on-site transit system.
- Promote the use of low-emission (e.g., natural gas fueled) or no-emission (e.g., electric powered) vehicles on-site.
- Promote bicycle use for on-site travel and establish bicycle routes and storage facilities.
- FEIR 106;3 - Provide preferential parking for employees who rideshare while commuting to the project site.
- Provide on-site eating, banking, and postal service facilities at major employment centers on the project site.
- Facilitate the reduction of vehicular travel by planning a utility infrastructure adequate to support high-capacity electronic communications system links.

3. Reducing ozone precursor emissions from stationary sources on the site by implementing the following measures:

- FEIR 106;3 - Install low-emitting, EPA-certified fireplace inserts and/or wood stoves or natural gas fireplaces.
- Provide natural gas lines or electric outlets to backyards to encourage use of natural gas or electric barbecues.
- Provide low NO_x emitting and/or high efficiency water heaters.

4. Any on-site commercial or industrial use which may emit significant quantities of criteria or toxic pollutants shall operate under SJVUAPCD permit. SJVUAPCD and State rules governing the application and use of pesticides shall be followed.

J. NOISE:

Phase 1 & Overall Site:

Construction Noise Impacts

1. Construction activities should be limited to 7 AM to 7 PM on weekdays and prohibited on weekends in order to minimize disruption to nearby residential neighborhoods.
2. Procedures with the highest noise potential should be scheduled for the times when the ambient noise levels are highest (i.e., during peak commute hours).
3. The contractor should be required to employ the quietest among alternative equipment or be muffled to control noise from available equipment.
4. Noisy operations should be performed off-site or on portions of the site distant (at least 1,000 feet) from residential neighborhoods.

Operational Impacts

5. As roadway widening and enlargement projects occur from this project and other cumulative development, roadway noise levels would increase audibly over the next 20 years. The widening of roadways and other capacity improvements would, for the most part, contribute to the worsening of the noise environment by promoting larger and faster traffic flows. To alleviate noise impacts, the project applicant, together with all other new developments which would generate new traffic on the road system, should contribute a share toward mitigating noise increases on adjacent insufficiently shielded sensitive receptors. The exact impacts, mitigation, and applicable contributions would have to be determined by acoustic study on a case-by-case basis at the time that roadway improvements are proposed, and should be determined in future environmental review of roadway improvement projects.