

Draft

ADDENDUM

to

DIABLO GRANDE SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

for

DIABLO GRANDE SPECIFIC PLAN
AMENDMENT 2016

for adoption by the

Stanislaus County Board of Supervisors

September 28, 2016

INTRODUCTION

On December 7, 1999, the County of Stanislaus certified the Diablo Grande Specific Plan EIR, as supplemented by the Water Resources Plan SEIR, for Phase I of the Diablo Grande development (“Phase I” or “Diablo Grande project”), defined as the Phase 1 Preliminary Development Plan Area and the Entry Area. The Diablo Grande Specific Plan EIR (“DGSPEIR”) and the Water Resources Plan SEIR (“WRPSEIR”) analyzed the environmental impacts associated with the development of the Diablo Grande project. In May, 2004, an Addendum to the WRPSEIR was prepared in connection with certain changes to the manner in which water for Phase I is being provided. All references herein to the WRPSEIR shall refer to the WRPSEIR and the 2004 Addendum, unless otherwise stated. The purpose of this Addendum is to provide additional information relating to changes in the manner in which Phase I is being developed. In short, Diablo Grande proposes an amendment to the Phase I Preliminary Development Plan (the “Phase I PDP”), described below, to 1) reflect current conditions at the site including: i) the Legends Golf Course closure, ii) modifications to the emergency communication system, and iii) the construction of the sewer line to the City of Patterson; and, 2) to revise the Preliminary Development Plan Land Use designations to provide a broader range of residential unit and lot sizes and types, increase development density, and utilize the 15% unit shift between villages allowed by the Specific Plan. Consistent with the adopted EIR and Specific Plan, residential development after the amendment is projected at 2,354 units. This falls within the adopted EIR range of 1,870 to 2,530 units for Village 1 (Page III-13) (See Diablo Grande 2016 Specific Plan Amendment Overview.) Diablo Grande further proposes to amend the Specific Plan to allow for minor modifications to the Phase I PDP land plan, circulation plan and design standards.¹ The Phase I PDP will also be expanded to include the Entry Area, which has always been shown for development as part of the approved Phase I development, but carried with it its own title. From this point forward, the Phase I PDP will include the development proposed within both Oak Flat Village and the Entry Area, as shown on the maps attached to Chapter 7.0 of the Diablo Grande Specific Plan. The entire Phase I PDP will be served by water acquired by the Western Hills Water District (“WHWD”) from the Kern County Water Agency (“KCWA”) consistent with all previous project approvals. This addendum has been prepared to satisfy the requirements of subdivision (e) of section 15164 of the CEQA Guidelines for “[a] brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162.”

EXISTING DIABLO GRANDE APPROVALS

¹ Although no amendment to the Specific Plan is required to allow for the additional units proposed, the Specific Plan will be modified to reflect the density transfer to ensure consistency between the Phase I PDP and the Specific Plan.

The Diablo Grande Specific Plan ("Specific Plan") was first approved and DGSPEIR was certified by the County in 1993. These documents envisioned a project of 5,000 dwelling units, and ancillary uses on an approximately 30,000 acre site. Program level environmental review was done on the whole of the project, while project specific environmental review was performed on the Phase I PDP area, which included approximately 2,055 residential units on 2,300 acres [See DGSPEIR Figures III.D-5 (2,000 units), Figure III.D-6 (2,000 acres), and Table III.D-E (2,020 units), and Figure III.D-7 (35 additional Entry Area units on 300 acres)]. 2,200 dwellings units were projected for the Oak Flat Village (Table III.D-c) with a permissible 15% increase or decrease as identified in the DGSPEIR which provided for a dwelling unit range of 1,870 and 2,520 (Page III-13). The Phase I PDP is located within the Oak Flat Village. Table III.D-C of the DGSPEIR also provided for up to 100 estate lots in conservation areas surrounding the villages proposed for development, without description as to how many could encircle each village. The Specific Plan provided that there could be up to a 15% density transfer between each of the proposed five villages without requiring a specific plan amendment and the DGSPEIR analyzed the impacts associated with the project as defined in the Specific Plan. Accordingly, under the Specific Plan approved in 1999, Phase I area could include the development of up to 2,358 residential units.² The Specific Plan further recognized that market conditions, more detailed topographic maps, and completion of more detailed studies could also result in changes to the mix and location of dwelling units within each phase of development and allowed for such revisions provided that the 15% density transfer was not exceeded [See Diablo Grande Specific Plan at Page 33]. The Specific Plan and the DGSPEIR concluded that the provision of this internal flexibility would not significantly alter the potential impacts of the project [See Diablo Grande Specific Plan at Page 33]. On December 7, 1999, the County adopted the Specific Plan and certified the DGSPEIR for Phase I of the Diablo Grande Project and approved the Phase I PDP.

To date, the Diablo Grande Specific Plan has been amended four (4) times. Amendments have (1) clarified the water source, (2) permitted Diablo Grande to participate with the City of Patterson in a Regional Sewer Treatment system, (3) added some additional lot development categories, and (4) modified the Town Center/Hotel/Conference Center site configuration. Throughout these amendments, the Phase I PDP has been modified, and the number of lots proposed for development within Phase I has changed. The current approved Phase I PDP provides for 2,038 dwelling units within the Phase I PDP, and up to an additional 35 in the Entry Area.

² The DGSPEIR Table III.D-E provided for a Phase I total dwelling unit count of 2,020 units which could be subject to the 15% density transfer. This would allow an increase in units to up to 2,323. The 35 Entry Area lots are separate, and when combined together with the 2,323 units, up to 2,358 units can be constructed within the Phase I PDP area without the need for a Specific Plan Amendment.

DESCRIPTION OF CHANGES TO THE PHASE I PDP

As permissible under the Specific Plan, the Phase I PDP will be amended to 1) reflect current conditions at the site including: i) the Legends Golf Course closure, ii) modifications to the emergency communication system, and iii) the construction of the sewer line to the City of Patterson; and, 2) to revise the Preliminary Development Plan Land Use designations to provide a broader range of residential unit and lot sizes and types, increase development density, and utilize the 15% unit shift between villages allowed by the Specific Plan. Consistent with the adopted EIR and Specific Plan, residential development after the amendment is projected at 2,354 units. This falls within the adopted EIR range of 1,870 to 2,530 units for Village 1 (Page III-13) (See Diablo Grande 2016 Specific Plan Amendment Overview.) Diablo Grande further proposes to amend the Specific Plan to allow for minor modifications to the Phase I PDP land plan, circulation plan and design standards.

Although the Specific Plan does not need to be amended to allow for this increase in units, the Specific Plan will be modified to include an updated dwelling unit count to document the density transfer and ensure consistency between the Specific Plan and other project approvals. While the development of the Phase I PDP may not result in all 2,354 dwelling units being constructed at full buildout, this change will allow up to the full amount analyzed in the DGSPEIR. Any units constructed in the Entry Area will count against the total permissible unit count for the Phase I PDP of 2,354 units.

Additionally, as contemplated in the approved Specific Plan, the proposed land plan calls for a change in the density and mixture of housing types provided within the project area. The currently approved Phase I PDP provides for a mixture of 1,111 detached single-family units on 5,000, 8,000, 10,000, 20,000, and 40,000 square foot plus lots, and 927 small lot, attached or multiple family units. The new land use plan provides for 2,174 detached single-family units on 4,000, 5,000, 6,000, 8,000, 10,000, 20,000 and 40,000 square foot plus lots, and 180 small lot detached or attached single-family or condo type units. To allow for the creation of additional smaller detached single-family lot product, the Specific Plan's Medium Density designation will be amended to allow for single-family detached units on 2,800 square foot lots.

Additionally, the Specific Plan will be amended to allow: (1) minor modifications to lot development standards (setbacks, lot widths, etc.); (2) minor revisions to the Hotel Conference/Town Center (now referred to as the Resort Commercial Center), to maintain its size and function, but to slightly relocate it in better proximity to the existing golf clubhouse and community core; (3) an increase in parks, open space and trails; and (4) minor modifications to the circulation plan. The amendments are referred to collectively as "SPA5." The proposed amendments and technical clarifications are all highlighted in the Specific Plan submitted to the County, and are available for review.

PURPOSE OF THE ADDENDUM

This Addendum has been prepared, consistent with the requirements of the California Environmental Quality Act (“CEQA”) found in Public Resources Code section 21000 et seq, and its implementing guidelines found in Title 14 California Code of Regulations, section 15000 et seq. (“CEQA Guidelines”). The Addendum addresses SPA5 and documents the County’s assessment of whether the circumstances requiring a subsequent or supplemental EIR under CEQA section 21166 or CEQA Guidelines section 15162 have been triggered. As discussed below, the County concludes that a subsequent or supplemental EIR is not required in connection with the County’s actions with respect to SPA5.

Section 21166/Guidelines Section 15162 Analysis

The Addendum must address whether any of the conditions set forth in Public Resources Code section 21166, and its implementing guideline, section 15162 of the CEQA Guidelines, are met. Thus, in this analysis, this Addendum first identifies what inquiry these sections require, and then directly answers this inquiry.

- A. **The Question: Section 21166 and Section 15162 require that the County answer the question of whether SPA5 will result in new or substantially more severe significant environmental effects which were not identified in the prior DGSPEIR or the WRPSEIR.**

Public Resources Code section 21166 provides as follows:

“When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

“ (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

“ (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

“ (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.”

Subdivisions (a) and (b) of section 21166 require inquiry into whether the amendments proposed with SPA5 result in a “substantial change . . . which will require major revisions of the environmental impact report.” This question has two sub-parts: First, is this a substantial change in the project requiring a major revision of the DGSPEIR or the WRPSEIR, pursuant to subdivision (a) of section 21166? Second, is this a substantial change with respect to the circumstances under which this project is being undertaken, pursuant to subdivision (b) of section 21166? Both questions will be addressed concurrently herein.

CEQA Guidelines section 15162 provides additional guidance interpreting section 21166 and explaining how the County should go about asking and answering these questions. For example, with respect to the question of whether there are “substantial changes” in the project, subdivision (a)(1) provides that a subsequent or supplemental EIR is required if:

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

Likewise, with respect to whether there are “substantial changes with respect to the circumstances under which the project is being undertaken,” subdivision (a)(2) similarly provides that a subsequent or supplemental EIR is required if:

“Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revision of the previous EIR . . . *due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*” (Emphasis added.)

Thus, the question which this Addendum must answer is whether the amendments proposed in SPA5 will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects which would require major revisions to the DGSPEIR or the WRPSEIR.

In addition, the County must also consider, pursuant to CEQA section 21166, the question of whether new information has become available which was not known and could not have been known at the time of certification of the project EIRs which shows any of the following:

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

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

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

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

CEQA Guidelines section 15162(a)(3).

B. The Answer: No, the amendments proposed with SPA5 will NOT result in any new significant environmental effect or a substantial increase in the severity of previously identified significant effects, not already disclosed in the DGSPEIR or the WRPSEIR, nor is there any new information which will require the preparation of a subsequent or supplemental EIR.

For the reasons stated herein, the County independently determines that the amendments proposed with SPA5 will not result in any new or any increased environmental effects not already disclosed in the DGSPEIR or the WRPSEIR, nor is there any new information which will require the preparation of a subsequent or supplemental EIR.

With respect to the first question, the County finds that the amendments proposed with SPA5 will result in not result in substantial changes to the approved Project which would have significant environmental effects at the Diablo Grande project site other than those previously considered in the DGSPEIR and the WRPSEIR. With respect to the second question, the County finds that the amendments proposed with SPA5 will not result substantial changes to the circumstances under which the Project is undertaken which require significant revisions to the certified DGSPEIR or WRPSEIR. In addition, the County finds that no new information not known when the previous EIRs were certified has been identified which shows that the amendments proposed with SPA5 will have one or more significant effects not discussed in the DGSPEIR or WRPSEIR; or significant effects previously examined will be substantially more severe than shown in the DGSPEIR or WRPSEIR; mitigation measures or alternatives previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Phase I PDP project; or mitigation measures or alternatives which are

considerably different from those analyzed in the DGSPEIR or WRPSEIR would substantially reduce one or more significant effects of the Phase I PDP project.

However, the County finds that the proposed amendment requires minor and technical modifications to the DGSPEIR and therefore has prepared an addendum entitled "“SPECIFIC DISCUSSION OF POTENTIAL IMPACTS ASSOCIATED WITH THE AMENDMENTS PROPOSED WITH SPA5.”"

Attached hereto as an Appendix is the detailed environmental analysis supporting the County’s findings. For the reasons set forth above and in the Appendix, the County of Stanislaus finds that none of the circumstances set forth in Public Resources Code section 21166, as codified in CEQA Guidelines section 15162, requiring preparation of a subsequent or supplemental EIR, have been triggered.

APPENDIX

SPECIFIC DISCUSSION OF POTENTIAL IMPACTS ASSOCIATED WITH THE AMENDMENTS PROPOSED WITH SPA5

On December 7, 1999, the County of Stanislaus certified the Diablo Grande Specific Plan EIR, as supplemented by the Water Resources Plan SEIR, for Phase I of the Diablo Grande development (“Phase I” or "Diablo Grande project"), including the Phase I Preliminary Development Plan area and the Entry Area. The Diablo Grande Specific Plan EIR (“DGSPEIR”) and the Water Resources Plan SEIR (“WRPSEIR”) analyzed the environmental impacts associated with the development of the Diablo Grande project. In May, 2004, an Addendum to the WRPSEIR was prepared in connection with certain changes to the manner in which water for Phase I is being provided. All references herein to the WRPSEIR shall refer to the WRPSEIR and the 2004 Addendum, unless otherwise stated. The purpose of this Addendum is to provide additional information relating to changes in the manner in which Phase I is being developed. In short, Diablo Grande proposes an amendment to the Phase I Preliminary Development Plan (the “Phase I PDP”), described below, to 1) reflect current conditions at the site including: i) the Legends Golf Course closure, ii) modifications to the emergency communication system, and iii) the construction of the sewer line to the City of Patterson; and, 2) to revise the Preliminary Development Plan Land Use designations to provide a broader range of residential unit and lot sizes and types, increase development density, and utilize the 15% unit shift between villages allowed by the Specific Plan. Consistent with the adopted EIR and Specific Plan, residential development after the amendment is projected at 2,354 units. This falls within the adopted EIR range of 1,870 to 2,530 units for Village 1 (Page III-13) (See Diablo Grande 2016 Specific Plan Amendment Overview.) Diablo Grande further proposes to amend the Specific Plan to allow for minor modifications to the Phase I PDP land plan, circulation plan

and design standards.³ The Phase I PDP will also include the Entry Area, which has always been shown for development as part of the approved Phase I development, but carried with it its own title. From this point forward, the Phase I PDP will include the development proposed within both Oak Flat Village and the Entry Area, as shown on the maps attached to Chapter 7.0 of the Diablo Grande Specific Plan. The entire Phase I PDP will be served by water acquired by the Western Hills Water District (“WHWD”) from the Kern County Water Agency (“KCWA”) consistent with all previous project approvals. This addendum has been prepared to satisfy the requirements of subdivision (e) of section 15164 of the CEQA Guidelines for “[a] brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162.”

The Diablo Grande Specific Plan ("Specific Plan") was first approved and DGSPEIR was certified by the County in 1993. These documents envisioned a project of 5,000 dwelling units, and ancillary uses on an approximately 30,000 acre site. Program level environmental review was done on the whole of the project, while project specific environmental review was performed on the Phase I PDP area, which included approximately 2,055 residential units and other amenities on 2,300 acres [See DGSPEIR Figures III.D-5 (2,000 units), Figure III.D-6 (2,000 acres), and Table III.D-E (2,020 units), and Figure III.D-7 (35 additional Entry Area units)]. 2,200 dwellings units were projected for the Oak Flat Village, within which the Phase I PDP is located (Table III.D-C). Table III.D-C of the DGSPEIR also provided for up to 100 estate lots in conservation areas surrounding the villages proposed for development, without description as to how many could encircle each village. The Specific Plan (Page 33) and DGSPEIR (Page III-13) provided that there could be up to a 15% density transfer between each of the proposed five villages without requiring a specific plan amendment. Accordingly, under the Specific Plan approved in 1999, the Phase I area could include the development of up to 2,358 residential units.⁴ The Specific Plan further recognized that market conditions, more detailed topographic maps, and completion of more detailed studies could also result in changes to the mix and location of dwelling units within each phase of development and allowed for such revisions provided that the 15% density transfer was not exceeded [See Specific Plan at 33]. The Specific Plan and the DGSPEIR concluded that provision of this internal flexibility would not significantly alter the potential impacts of the project [See Specific Plan at 33]. On December 7, 1999, the County adopted the Specific Plan and certified the DGSPEIR for Phase I of the Diablo Grande Project and approve the Phase I PDP.

³ Although no amendment to the Specific Plan is required to allow for the additional units proposed, the Specific Plan will be modified to reflect the density transfer to ensure consistency between the Phase I PDP and the Specific Plan.

⁴ The DGSPEIR Table III.D-E provided for a Phase I total dwelling unit count of 2,020 units which could be subject to the 15% density transfer. This would allow an increase in units to up to 2,323. The 35 Entry Area lots are separate, and when combined together with the 2,323 units, up to 2,358 units can be constructed within the Phase I PDP area without the need for a Specific Plan Amendment.

To date, the Diablo Grande Specific Plan has been amended four (4) times. Amendments have (1) clarified the water source, (2) permitted Diablo Grande to participate with the City of Patterson in a Regional Sewer Treatment system, (3) added some additional lot development categories, and (4) modified the Town Center/Hotel/Conference Center site configuration. Throughout these amendments, the Phase I PDP has been modified, and the number of lots proposed for development within Phase I has changed. The current approved Phase I PDP provides for 2,038 dwelling units within the Phase I PDP, and up to an additional 35 in the Entry Area.

DESCRIPTION OF CHANGES TO THE PHASE I PDP

As anticipated in the Specific Plan and considered in the DGSPEIR, market conditions necessitate a change in the land use mix and unit count within the Phase I PDP Area. As permissible under the Specific Plan, the Phase I PDP will be amended to allow for the construction of 2,354 total dwelling units which represents a 15% increase in units from the units approved in the DGSPEIR, and a slightly lower percentage increase when compared with the currently approved 2,073 dwelling units within Phase I (with 2,038 dwelling units located within the Phase I PDP area and 35 dwelling units within the Entry Area).

Although the Specific Plan does not need to be amended to allow for this increase in units, the Specific Plan will be modified to include an updated dwelling unit count to document the density transfer and to ensure consistency between the Specific Plan and other project approvals. While the development of the Phase I PDP may not result in all 2,354 dwelling units being constructed at full buildout, this change will allow up to the full amount provided for in the DGSPEIR. Any units constructed in the Entry Area will count against the total permissible unit count for the Phase I PDP of 2,354 units.

Additionally, as contemplated in the approved Specific Plan, the proposed land plan calls for a change in the density and mixture of housing types provided within the project area. The currently approved Phase I PDP provides for a mixture of 1,111 detached single-family units on 4,000, 5,000, 6,000, 8,000, 10,000, 20,000, and 40,000 square foot plus lots, and 927 small lot, attached or multiple family units. The new land use plan provides for 2,174 detached single-family units on 5,000, 8,000, 10,000, 20,000 and 40,000 square foot plus lots, and 180 small lot detached or attached single-family or condo type units. To allow for the creation of additional smaller detached single-family lot product, the Specific Plan's Medium Density designation will be amended to allow for single-family detached units on 2,800 square foot lots.

Additionally, the Specific Plan will be amended to allow: (1) minor modifications to lot development standards (setbacks, lot widths, etc.); (2) minor revisions to the Hotel Conference/Town Center (now referred to as the Resort Commercial Center), to maintain its size and function, but to slightly relocate it in better proximity to the existing golf clubhouse and

community core; (3) an increase in parks, open space and trails; and (4) minor modifications to the circulation plan. The proposed amendments are referred to collectively as "SPA5." These amendments and the proposed technical clarifications are all highlighted in the Specific Plan submitted to the County, and are available for review.

The following provides Stanislaus County staff's analysis of impacts specifically associated with the amendments proposed with SPA5:

Aesthetics.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The amendments do not propose any change in the location of development under the Specific Plan as originally adopted and which was analyzed in the DGSPEIR and WRPSEIR, and will not change the development area of Phase 1. Nor do the amendments propose changes to the land use categories included within Phase 1. SPA5 proposes changes to the land plan that increase densities and congregates them into more easily developable (flatter) areas of the site. As such, the overall areas proposed for grading is reduced, and major hilltops are preserved. A number of these major hilltop areas are proposed for grading and home sites under the current Phase 1 PDP. As such, the changes proposed with SPA5 would result in fewer homes on hills and therefore more views of hill sides, hilltops and open space after SPA5 is approved. Even though The Legends Golf Course area is being partially developed as new residences, open space and park areas throughout the project are increasing which will have a positive impact on the overall visual quality of the Phase 1 development. As such, the changes to the aesthetics (See Phase 1 - Statement of Overriding Considerations: Visual Quality) of the area will still be significant, but will not result in any additional or substantially more severe significant aesthetics impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Aesthetics: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to aesthetics.

Agricultural Resources.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The amendments do not propose any change in the location of development under the Specific Plan as originally adopted and which was analyzed in the DGSPEIR and WRPSEIR, and will not change the development area of Phase 1. As such, no additional lands will be taken out of production, beyond those already projected to be impacted with the development of the Phase I PDP and analyzed in the DGSPEIR and the WRPSEIR. The changes to agricultural resources will still be significant (See Phase 1 - Statement of Overriding Considerations: Open Space and Rangeland), but will not result in any additional or substantially more severe significant agricultural resource impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review conducted for the Diablo Grande Specific Plan.
2. All adopted mitigation measures from the certified environmental review will apply to the project.
3. Reviewing the events specified in Public Resources Code Section 21166 relative to Agricultural Resources: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to agricultural resources.

Air Quality.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The Phase I PDP amendments proposed will increase the number of lots which may be constructed within the Phase I PDP, but the increase in lots is within the variance considered as part of the project analyzed in the DGSPEIR (reference page III-13: "Up to 15 percent transfer of residential density between each village is proposed.") and authorized in the currently approved Specific Plan. Accordingly, the increase in number of units is a clarification made to the Specific Plan to ensure consistency with the proposed PDP I rather than a substantive amendment to the Specific Plan. Construction impacts will not be increased due to the amendments proposed with SPA5, as the estimated construction time periods are not

expected to change. Operational air quality impacts also will not change as the DGSPEIR analysis was based on a consideration of the total number of units proposed for Phase I and the whole project and the total number of units potentially authorized in Phase I exceeds that currently proposed. The conclusion was that the project resulted in significant and unavoidable air quality impacts for both Phase 1 and for total project buildout. The County, in approving the Specific Plan, adopted Statement of Overriding Considerations concerning all impacts which remained significant even with mitigation, including air quality impacts, and imposed mitigation measures which apply to both Phase 1 and the total then contemplated project, and are the same in both instances. All mitigation measures adopted will continue to apply to all units at the site. As such, after project approval, the impacts of the project on Air Quality will still be significant (See Phase 1 - Statement of Overriding Considerations). The SPA5 amendments to the Phase 1 PDP for the Diablo Grande development will not result in any additional or more severe significant air quality impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Air Quality: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to air quality.

Biological Resources.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The amendments proposed will not change the location of development under the Specific Plan as originally adopted and analyzed in the DGSPEIR and WRPSEIR and will not change the development area of Phase 1 or increase the land area already planned for disturbance. As such, after project approval, the impacts of the project on biological resources (See Phase 1 - Overriding Consideration Findings: Vegetation and Wildlife) will still be significant. The SPA5 amendments and the changes to the Phase I PDP will not result in any additional or substantially more severe significant biological resources impacts beyond those already

analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review conducted for the Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Biological Resources: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to biological resources.

Cultural Resources.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The amendments proposed will alter the mixture and density of uses within the Phase I PDP, but all approved uses will occur on lands already proposed for development under the current Phase I PDP. The amendments do not propose any change in the location of development under the Specific Plan as originally adopted and which was analyzed in the DGSPEIR and WRPSEIR and will not change the development area of Phase 1 or increase the lands already planned for disturbance. As such, after project approval, there will be no additional or substantially more severe significant impacts from the project on cultural resources not already identified and mitigated to a level of less than significant (See Phase 1 – Findings of Significant Environmental Impact). The SPA5 amendments and the changes to the Phase I PDP will not result in any additional or substantially more severe cultural resources impacts beyond those already analyzed and mitigated in the previous project environmental review conducted for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Cultural Resources: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project

adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to cultural resources.

Geology and Soils.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 development is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The amendments proposed will alter the mixture of residential units provided and make other minor modifications to the land plan within the Phase I PDP, but all uses will occur on lands already proposed for development under the current Phase I PDP. In certain areas of the Phase I PDP, the amendments will permit for more intense development than was originally proposed, and this development will be concentrated into areas of flatter ground, while preserving steeper areas and major hilltops. As such, it is expected that there will be a substantial reduction in grading on slopes and hilltop areas in relation to what would be required to develop the Phase 1 PDP as currently proposed. Not only is the amount of grading required being reduced, but all grading will continue to be balanced on site, and tiered where feasible to retain as much of the existing site topography as possible. All grading will continue to be performed consistent with all adopted mitigation measures for the project. Even with the implementation of a number of mitigation measures, the impact on geology and soils was significant (See Phase 1 – Statement of Overriding Considerations: Geology, Soils and Seismicity). Twenty-one (21) of the twenty-three (23) mitigation measures that were adopted with the project apply to the grading that will occur within the Phase I PDP area, the other two (2) related to off-site roadway construction. Even with the proposed changes to the Phase 1 PDP, and the reduction of grading for the project, it is possible that some of the development grading may be needed on areas with slopes over 25%. This is also the case with the existing Phase 1 PDP before SPA 5. To address this concern, the mitigation measure 5 in the Diablo Grande Mitigation Monitoring and Reporting Plan (the “MMRP”) requires a higher level of geotechnical analysis when grading on slopes over 25% occurs. This mitigation measure has been complied with in the past, and will continue to be implemented. As such, the amendments proposed with SPA5 will result in reduced grading at the site, all grading will comply with all currently adopted mitigation measures for the project. The amendments proposed with SPA5 will not result in a substantial new, or significantly increased, impact on geology and soils impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review conducted for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Geology and Soils: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to geology and soils.

Hazards and Hazardous Materials.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The amendments proposed will alter the configuration of Phase I PDP land plan, but all approved uses will occur on lands already proposed for development under the current Phase I PDP. Further, the amendments do not propose any new uses in the Phase I PDP. As such, there is no proposal to impact any additional lands not already planned for disturbance to some level nor is there a proposal to impact the land by introduction of a new, unanticipated use. Since the approved uses will occur on lands already slated for development, it is not expected that there will be an increased exposure to hazards or hazardous materials. The impacts from hazardous materials and waste were assessed and were mitigated to a level of less than significant (Phase 1 – Findings of Significant Environmental Impact) and the amendments proposed with SPA5 and the changes to the Phase I PDP will not result in any additional or more severe significant hazards and hazardous materials impacts beyond those already analyzed and mitigated in the previous project environmental review conducted for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Hazards and Hazardous Materials: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to hazards and hazardous materials.

Hydrology and Water Quality.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. Although the Specific Plan amendment will result in reconfiguration of the Phase I PDP land plan, the area of development will not be changed from that currently approved. Due to a slight increase in development intensity, runoff may slightly increase as well. The mitigation measures that require no increase in off-site runoff flows will continue to be enforced. As such, and upon approval of SPA5, it will be necessary for the Diablo Grande Storm Water Master Plan to be reviewed, and updated if needed. Updates would be expected to be minor, and would continue to provide storm drainage conveyance and storage through existing facilities, with minor modifications or adjustments. Compliance with the adopted mitigation measures will assure that runoff impacts and the possible increase in urban pollutants will continue to be mitigated to a level of less than significant (Phase 1 – Findings of Significant Environmental Impact). The required Golf Course Management Plan has already been prepared, and the amendments proposed will not affect this plan. As no lots are proposed closer to the golf course than originally projected and the acreage devoted to the golf course in Phase 1 has been reduced, with the extra land mainly being absorbed in creek side protection areas adjacent to the Golf Course along Salado Creek and its tributaries. Based on the foregoing, the amendments proposed with SPA5 will not result in any additional or more severe significant hydrology or water quality impacts beyond those already analyzed and mitigated in the previous project environmental review conducted for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Hydrology and Water Quality: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to hydrology and water quality.

Land Use and Planning.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. No new unanticipated uses are being proposed. Instead, the changes are minor ones to the density mix and configuration of the approved land uses. The project remains consistent with the adopted County General Plan, will not conflict with any adopted environmental plans or policies, will not be incompatible with existing land uses in the area, will not affect agricultural resources or operations and will not disrupt an established community, to a level not already analyzed, mitigated and/or the subject of an overriding consideration finding in the previous project environmental review. Based on the foregoing, the amendments proposed with SPA5 for the Diablo Grande development will not result in any additional or substantially more severe significant land use and planning impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review conducted for the Diablo Grande Specific Plan.
2. All adopted mitigation measures from the certified environmental review will apply to the project.
3. Reviewing the events specified in Public Resources Code Section 21166 relative to Land Use and Planning: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to land use and planning.

Mineral Resources.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. No significant impacts to mineral resources have been identified as a result of Phase 1 in the prior environmental review for the Diablo Grande Specific Plan. While Specific Plan Amendment will allow for changes in the Phase I PDP land plan, all uses will occur on lands currently proposed for development. Accordingly, the amendment will not result in any additional or substantially more severe significant impact on mineral resources beyond those already analyzed and/or mitigated in the previous project environmental review conducted for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.
3. Reviewing the events specified in Public Resources Code Section 21166 relative to Mineral Resources: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to mineral resources.

Noise.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. Although the Specific Plan amendment will allow for changes in the configuration and density of development, they will not result in exposure at the site to any substantial increases in noise on-site. The residential units will not be located closer to the roadways triggering any greater exposure to traffic noise within the community. The Entry Area falls outside of the 50 foot noise setback from Diablo Grande Parkway (referred to in the DGSPEIR as Oak Flat Parkway in Table IV.J-A). The four (4) noise mitigation measures adopted for the project still apply and will be implemented. With regard to off-site noise impacts, the proposed unit count falls within the variance allowed for under the current Specific Plan. The project environmental documents included a mitigation measure to be implemented for off-site noise at the discretion of the County. This mitigation measure will continue to apply. No new or increased impacts for noise are expected with the approval of SPA5 beyond those already analyzed and mitigated in the previous project environmental review conducted for the Diablo Grande Specific Plan.
2. All adopted mitigation measures from the certified environmental review will apply to the project.
3. Reviewing the events specified in Public Resources Code Section 21166 relative to Noise: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to noise.

Population and Housing.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. As discussed above under the heading of Land Use and Planning, the currently approved Specific Plan allows for a 15% increase in development within the Phase I PDP area without amendment. The proposed amendments to the Specific Plan, including minor changes in development standards and residential density will not result in any additional or more severe significant population and housing impacts beyond those already analyzed and mitigated in the previous project environmental review conducted for the Diablo Grande Specific Plan.
2. All adopted mitigation measures from the certified environmental review will apply to the project.
3. Reviewing the events specified in Public Resources Code Section 21166 relative to Population and Housing: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to population and housing.

Public Services.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The Western Hills Water District (“WHWD”) provides water, sewer and storm drainage services to the site. The WHWD has stated that it is able to provide water and sewer service to the new Phase 1 PDP as proposed. Stanislaus County provides Sheriff and other services, and the West Stanislaus Fire Protection District (“WSFPD”) provides fire service to the site. The DGSPEIR and WRPSEIR projected the Phase 1 PDP water use to be about 5,000 ac-ft of water per year. Based on current water consumption rates, the lot size modifications, and the deletion of The Legends Golf Course, current Phase 1 PDP yearly water projections are reduced to about 3,000 ac-ft per year. The WHWD has adopted a will serve letter for the updated Phase 1 PDP. The WHWD also has an agreement to deliver wastewater to the City of Patterson. This agreement provides for the transfer of up to 750,000 gallons per day to the City of Patterson. At current sewer discharge rates, and with the proposed lot size modifications, the Phase 1 PDP will not generate sewer flows above those currently

permitted and in place. The WHWD has adopted a will serve letter for the updated Phase 1 PDP. The increase in residential units is within the range authorized in the current Specific Plan and evaluated in the certified environmental documents. Therefore no additional of impacts associated with the increase in number of units is necessary. The minor amendments proposed for the Specific Plan including changes in housing type mix, changes in density, modifications to development standards, minor revisions to the Resort Commercial Center site, increase in parks, open space and trails, and minor modifications to the circulation plan will not impact the intensity or level of public services beyond those of the project previously analyzed and approved. Accordingly, the amendment will not result in any additional or substantially more severe significant impact on public services beyond those already analyzed, mitigated and/or the subject of an overriding consideration finding in the previous project environmental review.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Public Services: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to public services.

Recreation.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The Diablo Grande Specific Plan and mitigation measures require the provision of parks to County standards. As part of the SPA5 amendments, additional parkland has been added to the Phase I PDP to make sure that the parkland provided meets County standards. The Specific Plan amendments proposed include an increase in park acreage to make sure that the General Plan standard of 3 acres per 1,000 in population is met. Based on the foregoing, the amendments proposed with SPA5 will not result in any additional or more severe significant recreation impacts beyond those already analyzed and mitigated in the previous project environmental review conducted for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Recreation: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to recreation.

Transportation and Traffic.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The Specific Plan allows for a 15% increase in residential units within Phase 1 PDP area without amendment and the DGSPEIR analyzed the traffic impacts associated with development of Phase I PDP and cumulative impacts associated with potential development of up to 5,000 units in the entire project area. The DGSPEIR and the MMRP provided mitigation measures for Phase 1 and cumulative project development. For development of the previously contemplated entire 5,000 units, certain off-site improvements were required, and a traffic fee established to collect fees to mitigate this impact. This traffic fee is updated regularly to make sure that it has current value based on a selected construction cost index. As required in the MMRP, any additional units, up to the 15% variance allowed under the Specific Plan, will be required to pay the traffic fee on a per unit basis, and therefore will continue to mitigate all off-site impacts for the project. The only off-site mitigation measures specifically related to Phase 1 are the possible signalization of the Sperry Road/I-5 southbound intersection and the widening of Diablo Grande Parkway (referred to in the MMRP as Oak Flat Road) to four lanes. The Sperry/I-5 signal is only to be monitored to determine if warrants are met. Should development of Phase I result in adverse impacts to this intersection, those impacts will be offset by the traffic fee collected for each unit developed. For Diablo Grande Parkway, the mitigation measure 10 on Page H-21 of the MMRP provides that the road is to be expanded prior to 700 peak hour trips being reached and as determined to be warranted by traffic studies. In 2014 traffic counts were performed to analyze current project trips. With one operational golf course and about 415 constructed and occupied units, the AM Peak Hour trips were 106, and the PM Peak Hour trips were 143. A simple analysis of increasing from 415 units to 2,354 units would increase the AM Peak Hour trips to about 600, and the PM Peak Hour trips to about 800. Traditional two-lane rural roadway capacities for rolling terrain are on the order of 1,000 to 1,200 peak hour trips for level of service C operations. Based on the foregoing, the entire development of the project up to 2,354 units and one golf course is expected to generate traffic around the current 700 peak hour trip threshold before road widening is to be considered. SPA5 also includes a request to defer the requirement to

widen Diablo Grande Parkway to four lanes until after development of the Phase I PDP, as all roadway traffic will fall within the current roadway carrying capacity, County standards, and operate at a level of service C or better. Any identified traffic improvements are the project's responsibility, and would be adequate to serve the Phase I PDP. As such, the proposed amendments will not require any additional traffic mitigation beyond that currently identified. Due to the fact that each new unit will continue to pay the traffic fee, and that no additional off-site impacts will occur which are not mitigated, the amendments proposed with SPA5 will not result in any additional or more severe transportation and traffic impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review conducted for the Diablo Grande Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Transportation and Traffic: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to transportation and traffic.

Utilities and Service Systems.

1. The current General Plan designation and zoning for the Diablo Grande Phase 1 PDP is Specific Plan. The environmental review on the Diablo Grande project is complete, and was certified on December 7, 1999. The Specific Plan allows for a 15% increase in residential units within the Phase 1 PDP area without amendment and the DGSPEIR and WRSPEIR analyzed the impacts on utilities and service systems associated with the approved Specific Plan. The minor amendments currently proposed will not affect the range, level or intensity of service required at the project site. All utility systems have been constructed to an adequate size to serve the range of project development allowed for in the Specific Plan including the potential increase of 15% of residential units. The proposed amendments will not result in any additional or more severe significant utilities and service systems impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous project environmental review conducted for the Specific Plan.

2. All adopted mitigation measures from the certified environmental review will apply to the project.

3. Reviewing the events specified in Public Resources Code Section 21166 relative to Utilities and Service Systems: (a) there have been no substantial changes in the project since its adoption, as the project is consistent with the proposed Specific Plan land uses, and the development type and density; (b) there have been no substantial changes in the circumstances under which the project is being undertaken; and (c) there is no new information which was not known or could not have been known at the time of project adoption. Based on the foregoing, the events set forth in Public Resources Code Section 21166 have not occurred with respect to utilities and service systems.

Mandatory Findings of Significance.

1. Stanislaus County finds that there is no evidence that the amendments proposed with SPA5 would result in the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous environmental review conducted for the Diablo Grande Specific Plan Environmental Impact Report (i.e., the original Diablo Grande Specific Plan Environmental Impact Report, as supplemented by the Diablo Grande Water Resources Plan Supplemental Environmental Impact Report).

2. Stanislaus County finds that there is no evidence to indicate that the amendments proposed with SPA5 would result in impacts that are individually limited, but cumulatively considerable beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous environmental review conducted for the Diablo Grande Specific Plan Environmental Impact Report (i.e., the original Diablo Grande Specific Plan Environmental Impact Report, as supplemented by the Diablo Grande Water Resources Plan Supplemental Environmental Impact Report).

3. Stanislaus County finds that there is no evidence to indicate that the amendments proposed with SPA5 would result in environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous environmental review conducted for the Diablo Grande Specific Plan Environmental Impact Report (i.e., the original Diablo Grande Specific Plan Environmental Impact Report, as supplemented by the Diablo Grande Water Resources Plan Supplemental Environmental Impact Report).

4. In summary, and specifically, the amendments proposed with SPA5 will not result in any new direct or indirect impacts related to the Diablo Grande Phase 1 project, nor do the amendments proposed with SPA5 substantially change the Diablo Grande Phase 1 project.

SUMMARY

Stanislaus County staff has independently evaluated the specific potential impacts of the amendments proposed with SPA5 as they relate to Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems. Stanislaus County independently concludes the following:

1. Based on the analysis presented in the “SPECIFIC DISCUSSION OF POTENTIAL IMPACTS ASSOCIATED WITH THE AMENDMENTS PROPOSED WITH SPA5”, and the associated documentation (which is all incorporated into this addendum), Stanislaus County staff finds that there will be no impacts to Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems in relation to the amendments proposed with SPA5 above and beyond those already identified and discussed in the Diablo Grande Specific Plan Environmental Impact Report as supplemented by the Diablo Grande Water Resources Plan Supplemental Environmental Impact Report.
2. Stanislaus County staff finds that none of the mandatory findings of significance described in this Addendum can be made in relation the amendments proposed with SPA5.
3. The current General Plan designation and zoning for the Diablo Grande Phase 1 project site is Specific Plan. The environmental review on the Diablo Grande Phase 1 project is complete, and was certified on December 7, 1999. The proposed amendments to the Specific Plan contained in SPA5 fall within the threshold of significance established in the Specific Plan and the adopted environmental documents.
4. Based on Stanislaus County’s independent analysis of potential impacts as described in the Addendum and in other portions of the entire record, staff concludes that the amendments proposed with SPA5 will not result in any additional impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous Diablo Grande environmental review as they relate to Aesthetics,

Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems. All adopted mitigation measures from the certified environmental review will apply to the Diablo Grande project after adoption of SPA5.

5. Based on Stanislaus County's independent analysis of potential impacts as described in the Addendum and in other portions of the entire record, the amendments to the Diablo Grande Specific Plan proposed with SPA5 will not result in any additional impacts beyond those already analyzed, mitigated, and/or the subject of an overriding consideration finding in the previous Diablo Grande environmental review as they relate to Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems.

6. None of the circumstances set forth in Public Resources Code section 21166, as codified in CEQA Guidelines section 15162, requiring preparation of a subsequent or supplemental EIR, have been triggered. The Addendum has been prepared to satisfy the requirements of subdivision (e) of section 15164 for a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162

