TRACY CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, July 6, 2021, 7:00 P.M.

Tracy City Hall, 333 Civic Center Plaza, Tracy Web Site: www.cityoftracy.org

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

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON AND REMOTE PARTICIPATION. IN ACCORDANCE WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH GUIDELINES, MASKS ARE NOT REQUIRED FOR FULLY VACCINATED INDIVIDUALS. MASKS ARE REQUIRED FOR UNVACCINATED INDIVIDUALS IN INDOOR PUBLIC SETTINGS AND BUSINESSES. MEMBERS OF THE PUBLIC MAY PARTICIPATE REMOTELY IN THE MEETING VIA THE FOLLOWING METHOD:

As always, the public may view the City Council meetings live on the City of Tracy's website at www.CityofTracy.org or on Channel 26. To view from the City's website, select "Watch Live Council Meetings" from the drop down menu "Select an Online Service" at the top of the City's homepage. You will be directed to the "Council Meeting Videos" page where you may select the video for the appropriate date under "Upcoming Events."

If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.

***Remote Public Comment**:*

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

- *Comments via:*
  - **Online by visiting** https://cityoftracyevents.webex.com and using the following **Event Number:** 142 507 7433 and **Event Password**: TracyCC
  - ***If you would like to participate in the public comment anonymously***, you may submit your comment in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.

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

Date Posted: July 1, 2021

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

Comments received on Webex outside of the comment periods outlined above will not be included in the record.

Americans With Disabilities Act - The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Council meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6105) 24 hours prior to the meeting.

Addressing the Council on Items on the Agenda - The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. To facilitate the orderly process of public comment and to assist the Council to conduct its business as efficiently as possible, members of the public wishing to address the Council are requested to, but not required to, hand a speaker card, which includes the speaker's name or other identifying designation and address to the City Clerk prior to the agenda item being called. Generally, once the City Council begins its consideration of an item, no more speaker cards will be accepted. An individual's failure to present a speaker card or state their name shall not preclude the individual from addressing the Council. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the "Items from the Audience/Public Comment" portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Consent Calendar - All items listed on the Consent Calendar are considered routine and/or consistent with previous City Council direction. One motion, a second, and a roll call vote may enact the items listed on the Consent Calendar. No separate discussion of Consent Calendar items shall take place unless a member of the City Council, City staff or the public request discussion on a specific item.

Addressing the Council on Items not on the Agenda – The Brown Act prohibits discussion or action on items not on the posted agenda. The City Council's Meeting Protocols and Rules of Procedure provide that in the interest of allowing Council to have adequate time to address the agendized items of business, "Items from the Audience/Public Comment" following the Consent Calendar will be limited to 15-minutes maximum period. "Items from the Audience/Public Comment" listed near the end of the agenda will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council. When members of the public address the Council, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

Notice - A 90 day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90 day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

Full copies of the agenda are available on the City's website: *www.cityoftracy.org*

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENTATIONS

1. EMPLOYEE OF THE MONTH
2. PROCLAMATION – PARKS AND RECREATION MONTH

1. CONSENT CALENDAR

1.A. ADOPTION OF JUNE 15, 2021 CLOSED SESSION AND REGULAR MEETING MINUTES AND JUNE 29, 2021 CLOSED SESSION MINUTES

1.B. WAIVE SECOND READING AND ADOPT ORDINANCE 1311, AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, PARK USES, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS, APPLICATION NUMBER SPA20-0004

1.C. WAIVE SECOND READING AND ADOPT ORDINANCE 1312, AN ORDINANCE OF THE CITY OF TRACY APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT AND PRE-ZONING THE TRACY HILLS 35-ACRE ANNEXATION AREA AS TRACY HILLS SPECIFIC PLAN ZONE FOR APPROXIMATELY 35 ACRES LOCATED SOUTH OF I-580 IN THE VICINITY OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 253-030-13 AND 253-040-10, APPLICATION NUMBERS SPA20-0001 AND AP20-0002

1.D. APPROVE A MASTER PROFESSIONAL SERVICES AGREEMENT FOR A THREE YEAR CONTRACT WITH FCGA ARCHITECTS, LLC TO RETAIN THE CONSULTANT TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR A NOT-TO-EXCEED AMOUNT OF $600,000 PER FISCAL YEAR, AUTHORIZE THE DEVELOPMENT SERVICES DIRECTOR TO EXECUTE NOTICES TO PROCEED RELATED TO THE AGREEMENT, AND AUTHORIZE THE CITY MANAGER TO APPROVE AN ADDITIONAL TWO YEAR AGREEMENT EXTENSION AT THE END OF THE TERM IF THERE IS A WRITTEN DETERMINATION THAT THE CONSULTANT HAS SUCCESSFULLY COMPLETED ALL REQUIREMENTS OF THE AGREEMENT

1.E. APPROVE ADDING BUDGET PRINCIPLES SECTION TO CITY COUNCIL STAFF REPORT TEMPLATE

1.F. AWARD CONSTRUCTION CONTRACT TO GSE CONSTRUCTION COMPANY, INC. OF LIVERMORE, CALIFORNIA, IN THE AMOUNT OF $19,282,800 FOR THE WASTEWATER TREATMENT PLANT EXPANSION PHASE 2B CIP 74107, WITH A NOT TO EXCEED BUDGET OF $25,349,000, AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF $2,000,000; AND APPROVE PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL INC., WITH A NOT TO EXCEED AMOUNT OF $1,672,000 TO PROVIDE DESIGN SUPPORT AND START UP SERVICES DURING CONSTRUCTION FOR THE PROJECT

2. ITEMS FROM THE AUDIENCE

3. REGULAR AGENDA

3.A. PUBLIC HEARING TO CONSIDER (1) APPROVING THE ENGINEER'S ANNUAL LEVY REPORT; AND (2) ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR 2021/2022

3.B. INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3.08.580 REGARDING SPECIAL SPEED ZONES OF THE TRACY MUNICIPAL CODE TO UPDATE SPEED LIMITS AS REQUIRED BY THE CALIFORNIA VEHICLE CODE

3.C. CONDUCT A PUBLIC HEARING TO DECLARE A DROUGHT EMERGENCY AND AUTHORIZE THE IMPLEMENTATION OF STAGE 3 WATER RESTRICTIONS CONTAINED IN SECTION 11.28.190 OF THE TRACY MUNICIPAL CODE AND THE WATER SHORTAGE CONTINGENCY PLAN

3.D. INTRODUCTION OF AN ORDINANCE TO CREATE SECTION 6.26 "SHARED MOBILITY DEVICE PILOT PROGRAM" OF THE TRACY MUNICIPAL CODE, TO ESTABLISH A PILOT PERMIT PROGRAM FOR SHARED MOBILITY DEVICES

3.E. DISCUSS THE CREATION OF A COUNCIL POLICY REQUIRING CITY COUNCIL MEMBERS SERVING ON EXTERNAL BOARDS, COMMISSIONS, SUBCOMMITTEES OR JOINT POWER AUTHORITIES TO HAVE COUNCIL APPROVAL PRIOR TO COMMITTING CITY FUNDS AND PROVIDE DIRECTION TO STAFF

4. ITEMS FROM THE AUDIENCE

5. STAFF ITEMS

6. COUNCIL ITEMS AND COMMENTS

7. ADJOURNMENT

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

June 15, 2021, 5:30 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Young called the meeting to order at 5:31 p.m. for the purpose of a closed session to discuss the items outlined below.

2. ROLL CALL – Roll call found Council Member Davis, Mayor Pro Tem Vargas and Mayor Young present. Council Members Arriola and Bedolla absent during roll call.

3. ITEMS FROM THE AUDIENCE – There was no public comment.

4. CLOSED SESSION

   A. Personnel Matter (Gov. Code § 54957)

      Public Employee Appointment, Employment, Evaluation of Performance, Discipline, or Dismissal

      Position Title: City Manager

   There was no public comment.

5. RECESS TO CLOSED SESSION **-** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to recess the meeting to closed session at 5:33 p.m. Roll call found Council Member Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Members Arriola and Bedolla absent.

   Council Member Bedolla arrived at 5:38 p.m.

6. RECONVENE TO OPEN SESSION – Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to reconvene to open session. Time: 6:46 p.m.

7. REPORT OF FINAL ACTION – None.

8. COUNCIL ITEMS AND COMMENTS – None.

9. ADJOURNMENT – Time: 6:46 p.m.

ACTION: Motion was made by Council Member Davis and seconded by Mayor Pro Tem Vargas to adjourn. Roll call found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola absent.

The agenda was posted at City Hall on June 10, 2021. The above are action minutes.

_____
Mayor

ATTEST:

_____
City Clerk

TRACY CITY COUNCIL REGULAR MEETING MINUTES

June 15, 2021, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy *Web Site:* www.ci.tracy.ca.us

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

Mayor Young called the meeting to order at 7:04 p.m.

Mayor Young led the Pledge of Allegiance.

Roll call found Council Members Bedolla, Davis, Mayor Pro Tem Vargas, and Mayor Young present. Council Member Arriola absent.

1. CONSENT CALENDAR – Following the removal of consent items 1.B by Robert Tanner, 1.D by Mayor Pro Tem Vargas and 1.F by Council Member Davis motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt the Consent Calendar. Roll call vote found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor, passed and so ordered. Council Member Arriola absent.

   1.A ADOPTION OF JUNE 1, 2021,CLOSED SESSION, SPECIAL MEETING AND REGULAR MEETING MINUTES – **Minutes were adopted.**

   1.C APPROVE RESOLUTIONS: (1) INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT FOR 2021/2022, (2) APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT, AND (3) DECLARING THE INTENTION TO LEVY ANNUAL ASSESSMENTS AND SETTING THE DATE FOR A PUBLIC HEARING **– Resolution 2021-070** initiated proceedings for the annual levy of assessments and ordered the preparation of an Engineer's Report for TCLMD**. Resolution 2021-071** approved the Preliminary Engineer's Report regarding the proposed levy and collection of assessments for the TCLMD. **Resolution 2021-072** declared the City of Tracy's intention to levy annual assessments for the TCLMD, FY 2021/2022 and setting the public hearing date. Council Member Bedolla abstained from voting on Zone 7. Council Member Davis abstained from voting on Zone 15, and Mayor Pro Tem Vargas abstained from voting on Zone 25.

   1.E APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF TRACY AND VERDE DESIGN, INC. TO COMPLETE DESIGN OF LEGACY FIELDS SPORTS COMPLEX PHASE 1E, INCREASING THE NOT TO EXCEED AMOUNT BY $622,373 FOR A TOTAL NOT TO EXCEED AMOUNT OF $1,803,286 **- Resolution 2021-073** approved Amendment No. 1 to the Professional Services Agreement with Verde Design, Inc.

1.G WAIVE SECOND READING AND ADOPT ORDINANCE 1310, AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 7.16 "PARKS AND COMMUNITY SERVICES COMMISSION" OF THE TRACY MUNICIPAL CODE TO CHANGE THE MAKEUP OF THE PARKS AND COMMUNITY SERVICES COMMISSION FROM SEVEN TO FIVE MEMBERS – **Ordinance 1310 was adopted.**

1.H AUTHORIZE THE CITY OF TRACY TO ENTER INTO A GENERAL SERVICES AGREEMENT FROM JULY 1, 2021 TO JUNE 30, 2026 WITH MOTOROLA SOLUTIONS, INC. FOR LIFECYCLE SUSTAINMENT SERVICES FOR THE POLICE RADIO COMMUNICATIONS TOWER EQUIPMENT WITH A NOT TO EXCEED AMOUNT OF $302,387 – **Resolution 2021-074** authorized entering into a General Services Agreement with Motorola.

1.I APPROVE ACCEPTANCE OF AN ECONOMIC DEVELOPMENT ADMINISTRATION GRANT AWARD AFTER-THE-FACT AND FURTHER AUTHORIZE CITY MANAGER TO EXECUTE ALL GRANT-RELATED DOCUMENTS AND AGREEMENTS **– Resolution 2021-075** approved acceptance of an Economic Development Grant Award.

1.J AUTHORIZE STAFF TO SUBMIT CURRENT AND FUTURE APPLICATIONS FOR "REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY," A COMPETITIVE GRANT PROGRAM FOR THE I-580/INTERNATIONAL PARKWAY INTERCHANGE PROJECT, FUNDED BY REGIONAL AND CITY FUNDS, DEVELOPER FEES AND TRADE CORRIDOR GRANT FUNDS, AND FURTHER AUTHORIZE THE CITY MANAGER TO EXECUTE ALL GRANT-RELATED DOCUMENTS AND AGREEMENTS **– Resolution 2021-076** authorized staff to submit current and future applications for "Rebuilding American Infrastructure with Sustainability and Equity", a Grant Program for I-580/International Parkway Interchange Project.

1.K AUTHORIZE THE SUBMISSION AND RECEIVE THE SAN JOAQUIN COUNCIL OF GOVERNMENTS REGIONAL EARLY ACTION PLANNING (REAP) GRANT FUNDS **– Resolution 2021-077** authorized the submission of a San Joaquin Council of Governments Regional Early Action Planning (REAP) Grant Funds Application.

1.L APPROVE THE COMMITTED FUND BALANCES FOR FISCAL YEAR ENDING JUNE 30, 2021 **– Resolution 2021-078** approved the Committed Fund Balances for fiscal year ending June 30, 2021.

1.M ADOPTION OF ANNUAL ADJUSTMENT TO APPROPRIATIONS LIMIT (GANN LIMIT) PURSUANT TO ARTICLE XIIIB OF THE CALIFORNIA STATE CONSTITUTION ESTABLISHING THE LIMIT FOR FISCAL YEAR 2021-22 **– Resolution 2021-079** adopted the Annual Adjustment to Appropriations Limit (Gann Limit).

1.B ADOPT THE LIST OF PROPOSED PROJECTS FOR FISCAL YEAR 2021-2022 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

Robert Armijo, City Engineer provided the staff report and responded to Council questions.

Robert Tanner pulled the item to request a brief list of the projects be available to the public.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to adopt **Resolution 2021-080** approving a list of projects for Fiscal Year 2021-22 funded by SB 1: The Road Repair and Accountability Act of 2017. Roll call found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola absent.

1.D APPROVE CLAIM TO BE SUBMITTED TO THE STATE OF CALIFORNIA, THROUGH THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG), FOR TRANSPORTATION DEVELOPMENT ACT FUNDS IN THE AMOUNT OF $1,950,066 FOR FISCAL YEAR 2020-2021

Ed Lovell, Transit Manager provided the staff report and responded to Council questions.

Mayor Pro Tem Vargas pulled the item to ask about efforts to gather grants to complete the green painting of lines, transparency regarding seeking funds for projects, mechanisms where the public can get update, and progress of trails in the city.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Bedolla to adopt **Resolution 2021-081** approving a claim to be submitted to the State of California, through the San Joaquin Council of Governments, for Transportation Development Act Funds in the amount of $1,950,066 for Fiscal Year 2020-2021, and authorizing the Finance Director to execute the claim. Roll call found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola absent.

1.F. WAIVE SECOND READING AND ADOPT ORDINANCE 1309, AN ORDINANCE OF THE CITY OF TRACY AMENDING SECTION 10.08.2930 OF THE TRACY MUNICIPAL CODE REGARDING THE MINIMUM LOT FRONTAGE REQUIREMENT IN THE HIGHWAY SERVICE ZONE

Scott Claar, Senior Planner provided the staff report.

Council Member Davis pulled the item to ask how many lots are impacted by the ordinance.

City Council comments and questions followed.

There was no public comment.

City Council comments followed.

ACTION: Motion was made by Council Member Bedolla and seconded by Mayor Young to continue Consent Item 1.F until there are votes of the full Council. Roll call found Council Member Bedolla and Mayor Young in favor. Council Member Davis and Mayor Pro Tem Vargas opposed. Council Member Arriola absent. Motion failed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to not approve Consent Item 1.F. Roll call found Council Member Davis and Mayor Pro Tem Vargas in favor. Council Member Bedolla abstained. Mayor Young opposed. Council Member Arriola absent. Motion failed.

ACTION: Council Member Bedolla made another motion to continue the item.

Leticia Ramirez, City Attorney clarified that there have been two motions, one to continue the item, the other to not approve the item and both failed. There is no action. Ms. Ramirez clarified the motion to reconsider process.

Mayor Young stated she would support Council Member Bedolla's motion but the other two Council Members would not, so moved on to the next item.

2. ITEMS FROM THE AUDIENCE – Steve Young shared his frustration regarding a citation he received for having his boat in his driveway, stating it has been there on and off for 25 years with no problems. Mr. Young wanted to know why the code changed and what he can do about the issue.

Donna Young shared her concerns regarding pepper trees not being cut behind her property and causing damage to back yard.

Cynthia Reece, member of Tracy Earth Project shared concerns regarding a water efficiency ordinance and requested the following: 1. Establish environmental commission that allows continuity between future City Council Members with representatives from environment, non-profit, labor, business and developer interest. 2. An agenda item for the next Council meeting to review and implement the City's appropriate water efficiency plan stage level.

Council Member Bedolla requested a memo regarding water efficiency plan stage level.

Robert Tanner shared his concerns regarding fireworks, and motor scooters, and spoke about a Council Member reading from a script during the meetings, and shared concerns regarding a Council Member running for Assembly.

Mayor Young requested to move up items 3.E and 3.F to follow item 3.A.

3. REGULAR AGENDA

3.A DISCUSS CITY'S RESPONSE TO COVID-19 (VERBAL REPORT)

Jenny Haruyama, City Manager provided an update and presentation on the City's response to COVID-19.

Alice English stated wear facemasks if not vaccinated as children are not vaccinated.

Mary Mitracos thanked staff for televising Planning Commission meetings.

City Council comments and questions followed.

City Council accepted the report.

DEVIATION

Mayor Pro Tem Vargas announced: In accordance from an advice letter received from the FPPC she recused herself from items 3.E and 3.F related to transition of City fire employees to the South San Joaquin County Authority due to her husband's employment as Fire Division Chief.

3.E ACCEPT UPDATE AND RESPONSE TO MARCH 2, 2021 COUNCIL QUESTIONS REGARDING THE SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY (SSJCFA) PHASE 2 PERSONNEL TRANSITION PLAN FISCAL IMPACT ANALYSIS REPORT AND PROVIDE DIRECTION TO STAFF **– Item Continued**

3.F APPROVE THE SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY PERSONNEL TRANSITION PLAN **– Item Continued**

ACTION: Motion was made by Mayor Young and seconded by Council Member Bedolla to continue both items 3.E and 3.F, and take the opportunity to have a joint meeting with Tracy Rural, and no later than August come back with this item, and ensure all five Council Members are here to participate in the discussion. Roll call found Council Member Bedolla and Mayor Young in favor. Council Member Davis opposed. Mayor Pro Tem Vargas recused herself from both items 3.E and 3.F. Council Member Arriola absent. Agenda items 3.E and 3.F were continued.

3.B CONTINUATION OF PUBLIC HEARING AND APPROVAL OF THE 2020 URBAN WATER MANAGEMENT PLAN INCLUDING THE WATER SHORTAGE CONTINGENCY PLAN

Kul Sharma, Utilities Director provided the staff report and responded to questions.

Anona Dutton, EKI Consultant provided a presentation on the Urban Water Management Plan, and responded to questions.

Mayor Young opened the public hearing.

Robert Tanner stated the City should reconsider or delay the Aquatics Park due to the drought.

Mary Mitracos encouraged Council to continue on the path that they have been and do everything to get as much water as possible.

Mike Souza stated he would like to continue to work with staff to make sure we agree that all those assumptions that have gone into what the water supplies are and what they will look like particularly in dry years is something we can all agree to and the water demands are well accounted for and adjusted properly in the report.

John Palmer spoke about the need to address assumptions of growth and water demand requirements.

Jeff Major stated he provides technical and development services for Prologis for IPC and NEI Industrial Parks, referred to a letter sent to Council and stated their comments and concerns have not been addressed. Will work with staff and if we are correct, that the plan will be amended.

Karen Moore stated as a concerned citizen during the drought she is glad to see City is giving thorough review of the long-term strategy.

Mayor Young closed the public hearing.

City Council questions and comments followed.

Stephanie Reyna-Hiestand, Water Resources and Compliance Manager responded to Council questions.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt **Resolution 2021-082** approving the 2020 Urban Water Management Plan including the Water Shortage Contingency Plan. Roll call vote found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola absent.

3.C PUBLIC HEARING TO INTRODUCE AN ORDINANCE APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, PARK USES, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS

Scott Claar, Senior Planner provided the staff report.

Mayor Young opened the public hearing.

Matt Simms, Prologis spoke in support of the change and reiterated that it is much more than a food truck amendment, and to remain competitive in the area and continue to attract Fortune 500 employees to Tracy, more park like amenities must be provided. The desire is to attract and retain Tracy jobs.

Mayor Young closed the public hearing.

City Council questions and comments followed.

Adrianne Richardson, City Clerk read the title of the proposed ordinance.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to waive the reading of the full text and introduce **Ordinance 1311** an ordinance of the City of Tracy approving an amendment to the Cordes Ranch Specific Plan regarding Mobile Food Vendors, Park Uses, maximum floor area ratio for hotels, and signs, Application Number SPA20-0004. Roll call vote found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola absent.

Mayor Young called for a recess at 10:08 p.m.

Mayor Young reconvened the meeting at 10:16 p.m.

3.D PUBLIC HEARING TO CONSIDER APPROVING THE TRACY HILLS 35-ACRE ANNEXATION PROJECT, WHICH INCLUDES APPROVING A GENERAL PLAN AMENDMENT, INTRODUCING AN ORDINANCE APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT, AND APPROVING THE PRE-ZONING AND ANNEXATION TO THE CITY OF TRACY OF APPROXIMATELY 35 ACRES LOCATED SOUTH OF I-580 IN THE VICINITY OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 253-030-13 AND 253-040-10

Scott Claar, Senior Planner, provided the staff report.

Mayor Young opened the public hearing.

John Palmer stated he represents Tracy Hills and AKT on this matter and fully supports moving forward in ensuring the same amount of land is preserved and improving the development by taking the conservation easement land, exchanging it on another piece of property but committing to maintain 33 acres of this annexation land as open space that will be operated and maintained by the HOA.

Alice English stated what is the use of having a General Plan or Specific Plan if Council keeps amending them and how will this affect RGA's. Ms. English asked if Council will go ahead before it is approved by LAFCo.

Mayor Young closed the public hearing.

City Council questions and comments followed.

Mr. Palmer responded to Council questions.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Mayor Young to adopt **Resolution 2021-083** approving a General Plan Amendment, an addendum to the Environmental Impact Report for the Tracy Hills Specific Plan, and the submission of an application to LAFCO for Annexation of the Tracy Hills 35-acre annexation area into the Tracy City Limits with Pre-Zoning of Tracy Hills Specific Plan Zone for approximately 35 acres located south of I-580 in the vicinity of Corral Hollow Road, Assessor's Parcel Numbers 253-030-13 and 253-040-10. Roll call vote found Council Member Bedolla, Mayor Pro Tem Vargas

and Mayor Young in favor, passed and so ordered. Council Member Davis opposed. Council Member Arriola absent.

Adrianne Richardson, City Clerk read the title of the proposed ordinance.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Mayor Young to waive the reading of the full text and introduce **Ordinance 1312** an ordinance of the City of Tracy approving a Tracy Hills Specific Plan Amendment and Pre-Zoning the Tracy Hills 35-acre annexation area as Tracy Hills Specific Plan Zone for approximately 35 acres located south of I-580 in the vicinity of Corral Hollow Road, Assessor's Parcel Numbers 253-030-13 and 253-040-10, application numbers SPA20-0001 and AP20-0002. Roll call vote found Council Member Bedolla, Mayor Pro Tem Vargas and Mayor Young in favor, passed and so ordered. Council Member Davis opposed. Council Member Arriola absent.

3.G TAKE ACTION, BY RESOLUTION, TO AUTHORIZE AMENDING THE POSITION CONTROL ROSTER TO EXTEND THE END DATE OF THE LIMITED-TERM DIVISION CHIEF POSITION FOR A SIX-MONTH PERIOD, ENDING ON DECEMBER 31, 2021

Randall Bradley, Fire Chief provided the staff report.

Alice English supported extending the position because it does not affect the budget and will help the JPA and public safety.

Justin Legasa, Tracy Firefighter stated the position is specifically designed to work on the JPA, and asked Council to consider extending this position.

In order to avoid any perception of impropriety, Mayor Pro Tem Vargas recused herself from discussion on the item.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Bedolla to adopt **Resolution 2021-084** authorizing an amendment to the Position Control Roster to extend the Limited-Term Division Chief position for a six-month period, ending on December 31, 2021.

Mayor Young asked for a friendly amendment to replace *ending on* December 31, 2021 with *up to* December 31, 2021. Council Member Davis accepted the friendly amendment.

Roll call vote found Council Members Bedolla, Davis and Mayor Young in favor, passed and so ordered. Mayor Pro Tem Vargas recused herself from voting on the item. Council Member Arriola absent.

4. ITEMS FROM THE AUDIENCE – Karen Moore spoke about Measure K funding for any kind of transportation improvements, and stated the City should make sure if we have projects that need funding to tap into that resource.

5. STAFF ITEMS – Jenny Haruyama, City Manager provided an update on the following action taken by the City Manager during the COVID emergency.

   - Accepted Offsite Improvement Agreement for Chrisman Road and storm drainage with Seefried Industrial Properties.

   Ms. Haruyama announced there will be a heat warning issued for tomorrow and cooling zones locations at West Valley Mall, and Tracy Transit Station. The City is also offering free Tracer bus rides on fixed routes when it is over 100 degrees.

6. COUNCIL ITEMS – Council Member Davis stated she had attended a Philippine Independence Day event in Mountain House and during that event she was presented with a blue lined flag plaque, which she accepted on behalf of Council. Council Member Davis presented the plaque to Police Captain Alex Neicu. Council Member Davis spoke about coming back with a donation policy. Jenny Haruyama, City Manager responded a donation policy item is already scheduled to come before Council.

   Mayor Pro Tem Vargas provided updates on her attendance at Valley Link and League of California Cities meetings. Mayor Pro Tem Vargas wished her husband a happy anniversary, stated she appreciated Council's commitment to collaborate for the benefit of community, and sent well wishes to Council Member Arriola.

   Council Member Bedolla requested support to increase fines for administrative citations for safe and sane firework displays being discharged outside of the time period allowed in the Tracy Municipal Code. Council Member Davis supported the request.

   Mayor Young suggested a friendly amendment to look at what is being done by Fire and Police. Council Member Bedolla supported the amendment.

   Leticia Ramirez, City Attorney clarified based on Council's conversation and the additional add on, Council is requesting a more detailed staff report that talks about what Police and Fire do to address illegal fireworks and could include a discussion about what we as a city legally do to enhance penalties and fines.

   Council Member Bedolla requested support for a policy to limit campaign contributions and the raising of money for city candidates by special interests including bidders for city contracts, corporations, individuals that come before Council for development, lobbyists, and political action committees. There was no second for the request.

   Council Member Bedolla requested support for a memo about current plans to expand the county hospital and court system into south San Joaquin County. Mayor Pro Tem Vargas supported the request.

   Mayor Young stated it has been a number of years since we have looked at the ordinance regarding boats, parking, driveways, and because of things we have done to encourage housing, there are more parking issues, would like to bring back the ordinance and see how it is affecting people. Seems like certain areas were grandfathered in, want to bring back to make sure it is relevant. Mayor Pro Tem Vargas supported the request.

Mayor Young reported on various meetings and events she has attended, and announced the following upcoming events: Saturday is Juneteenth and the flag will be flown, June 25th – Chest of Hope is having a Laugh Out Loud Comedy Show, June 26th - Tracy Chamber Community Awards, and the winners were recently announced. July 4th – wished everyone a happy and safe Independence Day, and added there will be a parade downtown.

Mayor Pro Tem Vargas wished everyone a happy Father's Day.

7. ADJOURNMENT – Time: 11:32 p.m.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adjourn. Roll call vote found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola absent.

The above agenda was posted at the Tracy City Hall on June 10, 2021. The above are action minutes. A recording is available at the office of the City Clerk.

_____
Mayor

ATTEST:

_____
City Clerk

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

June 29, 2021, 6:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Young called the meeting to order at 6:00 p.m. for the purpose of a closed session to discuss the items outlined below.

2. ROLL CALL – Roll call found Council Member Davis, Mayor Pro Tem Vargas and Mayor Young present. Council Members Arriola and Bedolla absent during roll call.

3. ITEMS FROM THE AUDIENCE – There was no public comment.

4. CLOSED SESSION

   A. Personnel Matter (Gov. Code § 54957)

   Public Employee Appointment and Employment

   Position Title: City Manager

   There was no public comment.

5. RECESS TO CLOSED SESSION **-** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to recess the meeting to closed session at 6:03 p.m. Roll call found Council Member Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Members Arriola and Bedolla absent.

   Council Member Arriola joined via phone at 6:05 p.m.

   Council Member Bedolla arrived at 6:05 p.m.

6. RECONVENE TO OPEN SESSION – Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to reconvene to open session. Time: 7:14 p.m.

7. REPORT OF FINAL ACTION – None.

8. COUNCIL ITEMS AND COMMENTS – Mayor Pro Tem Vargas asked the City Attorney who is the Fire Chief's employer, and who pays the Fire Chief's salary.

   Leticia Ramirez, City Attorney responded the employer of record for purposes of employment for the Fire Chief is the City of Tracy because of the Joint Powers Authority (JPA) agreement, however, the Fire Chief reports and serves at the pleasure of the JPA, and has a contract with the JPA Board. Ms. Ramirez clarified all Fire Department budget is shared between the City of Tracy and Tracy Rural District because of the JPA.

   Mayor Pro Tem Vargas requested an email regarding how this works, who the Fire Chief works for, how the reporting goes, who is in charge of the Fire Chief, and in an abundance of caution requested staff to retain a forensic account for the use of resources of the San Joaquin County Fire Authority, and when that report is completed to report back to the Council. Mayor Young supported the request.

Mayor Young announced the following: Sunday is 4th of July, safe and sane fireworks are on sale now, be safe out there and have fun, and looks forward to seeing everyone in the parade and at the park.

9. ADJOURNMENT – Time: 7:18 p.m.

ACTION: Motion was made by Council Member Davis and seconded by Mayor Pro Tem Vargas to adjourn. Roll call found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola absent.

The agenda was posted at City Hall on June 25, 2021. The above are action minutes.

_____
Mayor

ATTEST:

_____
City Clerk

July 6, 2021

AGENDA ITEM 1.B

REQUEST

WAIVE SECOND READING AND ADOPT ORDINANCE 1311, AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, PARK USES, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS, APPLICATION NUMBER SPA20-0004

EXECUTIVE SUMMARY

Ordinance 1311 was introduced at the regular Council meeting held on June 15, 2021. Ordinance 1311 is before Council for adoption.

DISCUSSION

Ordinance 1311 was introduced at the regular Council meeting held on June 15, 2021, to amend the Cordes Ranch Specific Plan regarding mobile food vendors, park uses, maximum floor area ratio for hotels, and signs. The proposed changes are consistent with on-going efforts to increase flexibility in zoning standards, streamline the development process, and further promote a business-friendly environment. The following amendments only apply to the Cordes Ranch Specific Plan Area.

Mobile Food Vendors

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

Park Uses

The proposed Specific Plan amendment includes the addition of note "10" to Table 3.1, which provides clarification to the type of uses permitted in the Parks Zone. Note 10, specifies that permitted passive or active recreational uses include, but are not limited to the following:

- events and activities such as exercise classes, health/fitness events
- cooking demonstrations and food tastings, beer and wine tasting events
- farmer's market, arts and crafts fairs
- live music/music festivals, and performing arts/theater, movie screenings
- corporate trainings/presentations, weddings, car club/concourse
- environmental/nature classes

No overnight activities would be permitted without a Temporary Use Permit. Building permits and/or Fire permits would be required, if applicable under the Building Codes and Fire Codes. The City's noise ordinance would also still apply.

Maximum Floor Area Ratio (FAR) for Hotels
The proposed Specific Plan amendment would create an exception to maximum floor area ratio (FAR) for hotels, which would add note "3" to Table 3.3 to create an exception that would allow a maximum FAR of 1.0 for hotels in the General Commercial (GC) and General Office (GO Zones).

Signs
The proposed amendment would add language in Section 3.8 to specify that a freeway sign may identify any tenants within the GC Zone of the Cordes Ranch Specific Plan area. The proposed amendment would also revise Section 5.6 to allow project entry signs (Sign Type C) at the northeast and southeast corners of International Parkway and Daylight Road, and remove references to Street Section "J" in Table 3.3 and Table 3.4 because Street "J" does not exist as a planned street in the Cordes Ranch Specific Plan.

Ordinance 1311 is before Council for adoption.

STRATEGIC PLAN

This agenda item supports the City of Tracy's Economic Development Strategic Priority, which is to enhance the competitiveness of the City while further developing a strong and diverse economic base.

FISCAL IMPACT

There is no fiscal impact associated with this proposed ordinance to amend the Cordes Ranch Specific Plan regarding mobile food vendors, park uses, maximum floor area ratio for hotels, and signs. The costs of this development application were covered by a cost recovery agreement with the developer.

RECOMMENDATION

Staff recommends that the City Council waive reading of the full text and adopt Ordinance 1311, an ordinance approving an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, park uses, maximum floor area ratio for hotels, and signs, Application Number SPA20-0004.

Prepared by: Necy Lopez, Deputy City Clerk

Reviewed by: Adrianne Richardson, City Clerk
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

Attachment A: Cordes Ranch Specific Plan Amendment
Attachment B: CEQA Initial Study
Attachment C: Ordinance 1311

CHAPTER 3
LAND USE, ZONING, AND DEVELOPMENT STANDARDS

3.1 INTRODUCTION

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

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



Figure 3.1, Project Concept

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

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

3.2 ZONING DISTRICTS

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

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

General Commercial (GC)

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

General Office (GO)

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

Business Park Industrial (BPI)

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

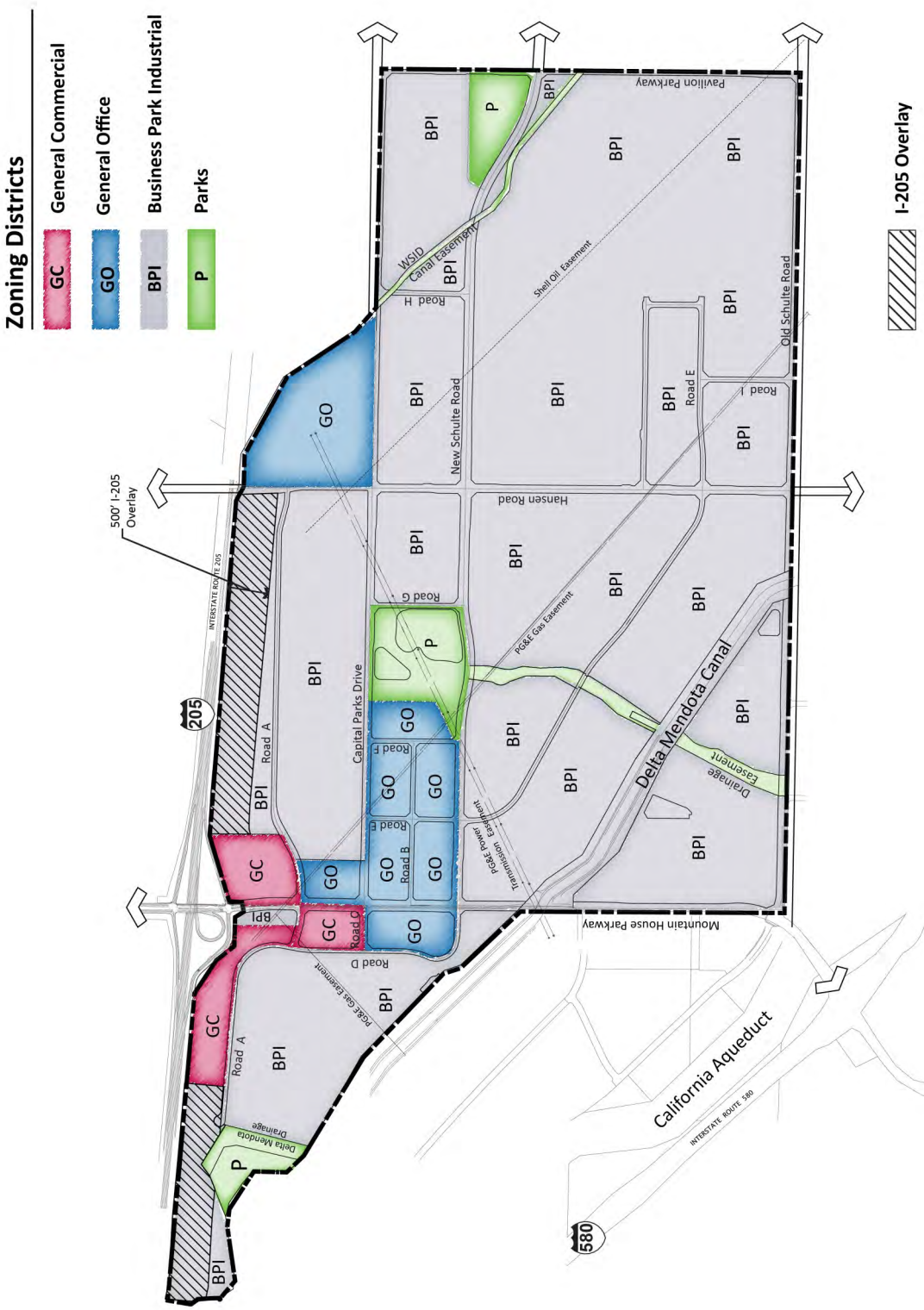


Figure 3.2, Cordes Ranch Specific Plan Zoning Districts

Permitted and Conditionally Permitted Uses

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

P = Permitted
C = Conditionally Permitted
NP = Not Permitted

Table 3.1, Permitted and Conditionally Permitted Uses

Parks (P)

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

I-205 Overlay

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

Table 3.1 Notes:

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

3.3 PERMITTED AND CONDITIONALLY PERMITTED USES

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

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

Table 3.2, Prohibited Uses

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

Development Standards by Zoning District

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

Notes:

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

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

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

Table 3.3, Development Standards

3.4 DEVELOPMENT STANDARDS

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

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

Required Off-Street Parking

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

Table 3.4, Required Off-site Parking

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

Table 3.5, Landscape Requirements for Parking Areas



Vegetated bioswales in planting islands

3.5 OFF-STREET PARKING

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

3.6 LANDSCAPE STANDARDS FOR OFF-STREET PARKING AREAS

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

3.7 ADDITIONAL LANDSCAPING STANDARDS

Parking Area Landscape

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

3.8 SIGN STANDARDS

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

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

Freeway Sign

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

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

Freeway Sign Design Standards

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



Figure 3.3, Freeway Sign Locations

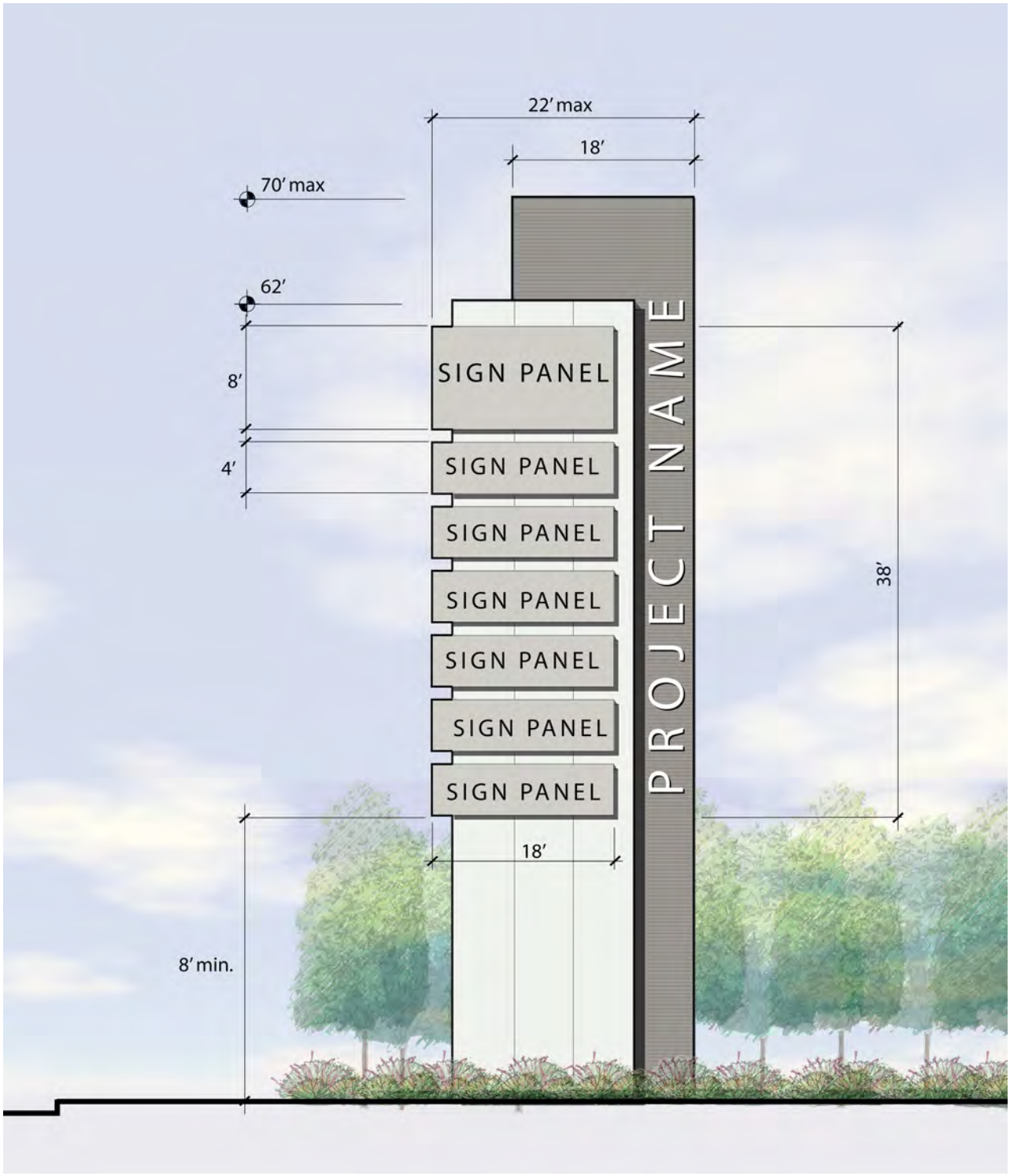


Figure 3.4, Freeway Sign Design Example



Freeway Sign - West Vantage Point Example



Freeway Sign - East Vantage Point Example

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

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

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

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

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

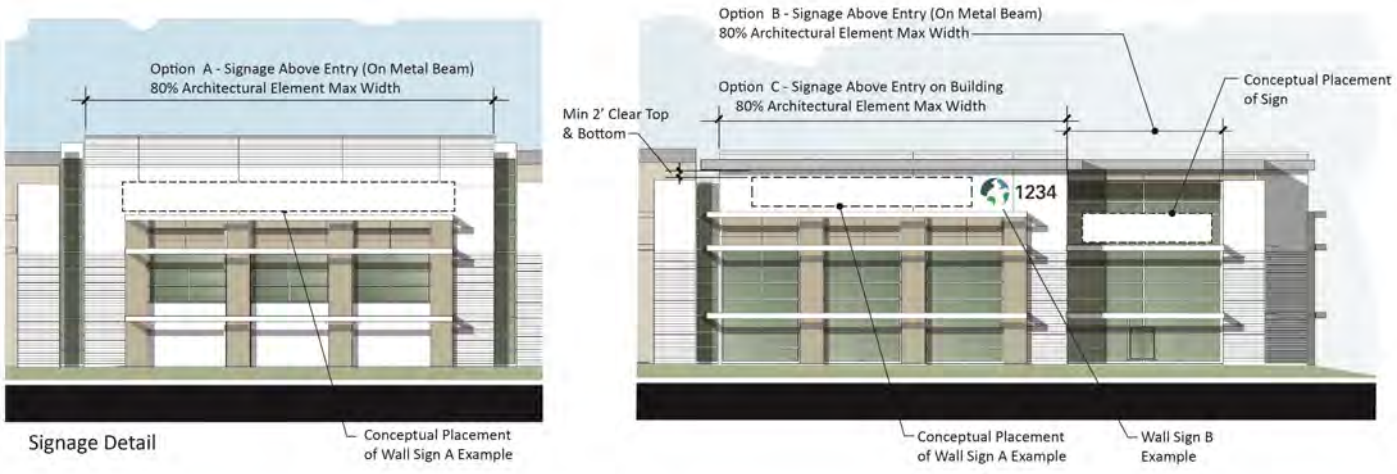


Figure 3.5, Wall Signs

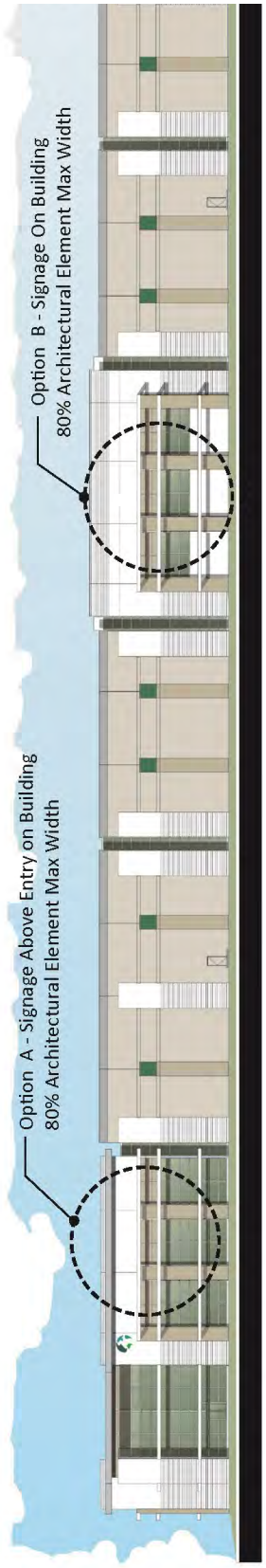


Figure 3.6, Typical Wall Sign Locations

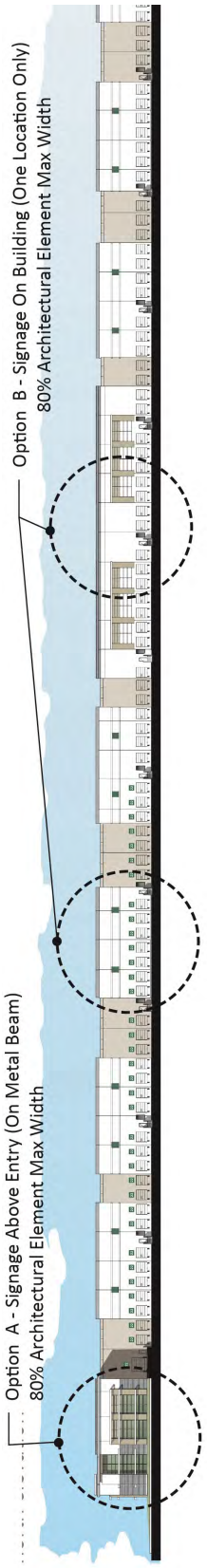


Figure 3.7, Typical Wall Sign Locations



Figure 3.8, Monument Sign
Single Tenant Example

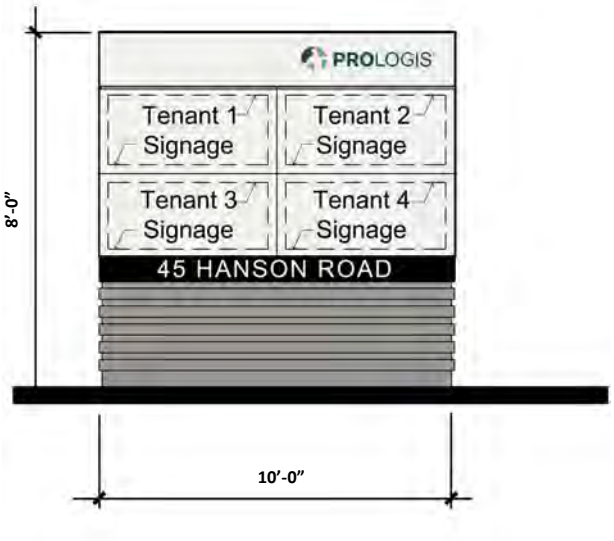


Figure 3.9, Monument Sign
Multi-Tenant Example

Monument Signs within the Business Park Industrial Zone

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

Monument Sign Design Standards within the Business Park Industrial Zone

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

Directory and Directional Signage within the Business Park Industrial Zone

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

CHAPTER 5
MASTER LANDSCAPE PLAN

5.1 LANDSCAPE CONCEPT

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

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

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

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



Conceptual Streetscape Planting

5.2 I-205 LANDSCAPE CORRIDOR

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

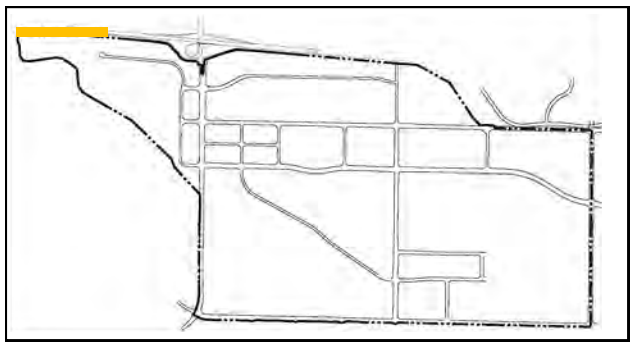
Design Elements for Freeway Edge, Western Portion

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

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

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

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



Key Map

Design Elements for Freeway Edge, Western Portion

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

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

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

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

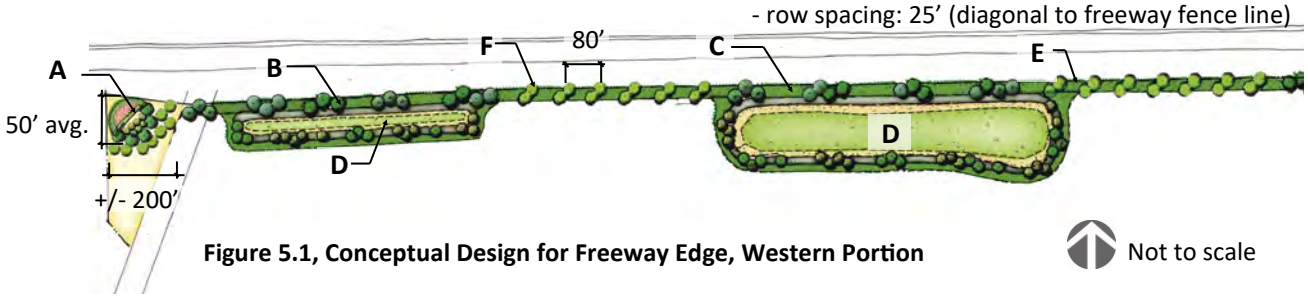
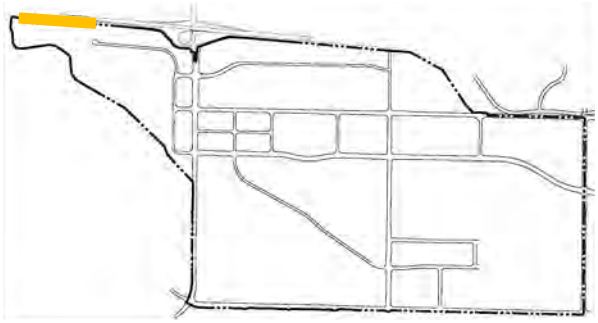


Figure 5.1, Conceptual Design for Freeway Edge, Western Portion

Not to scale



Key Map

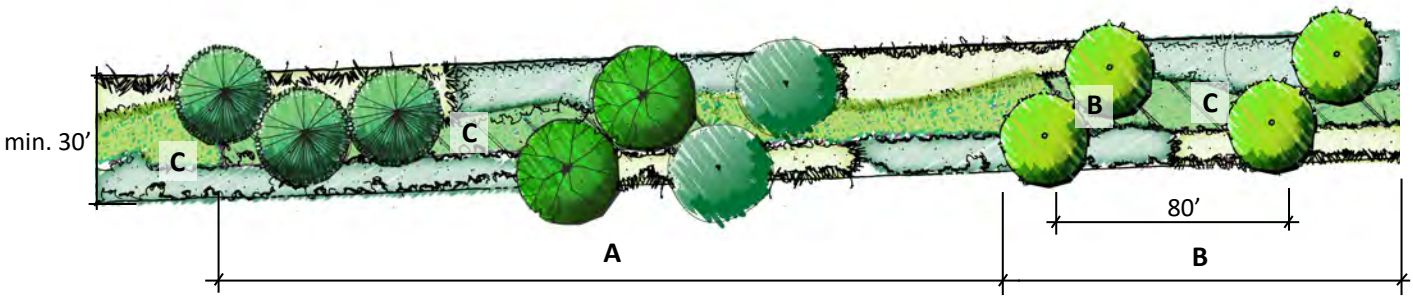


Figure 5.2, Freeway Edge Enlargement

Not to scale

Design Elements for Freeway Edge Planting

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

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

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

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

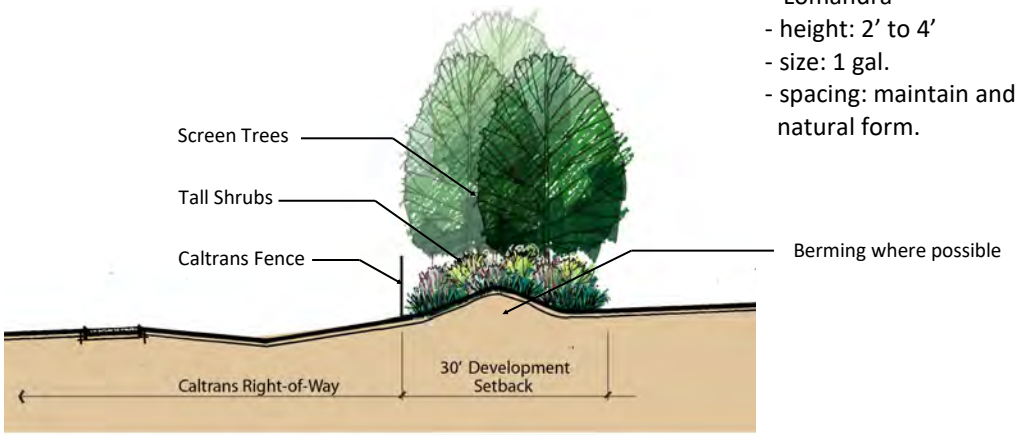


Figure 5.3, Section

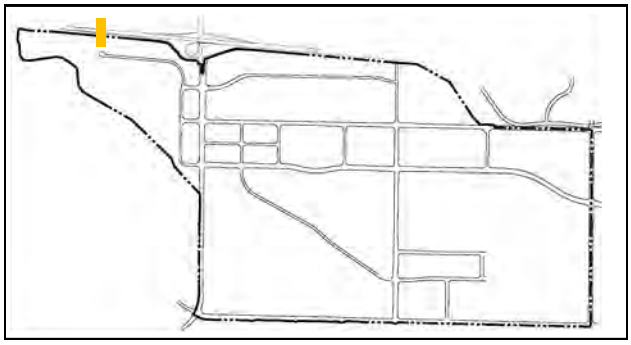
Design Elements for Freeway Edge Detention Basin Frontage

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

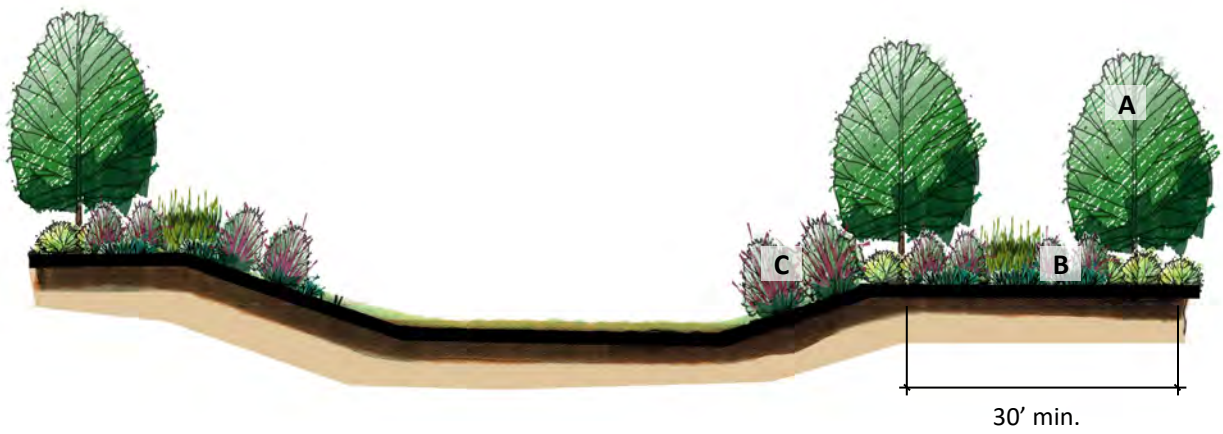
B. *Freeway Planting Understory, typ.*
- 30' min landscape
- hydroseeded no-mow native grasses and wild flower mix

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

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



Key Map



Not to scale

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

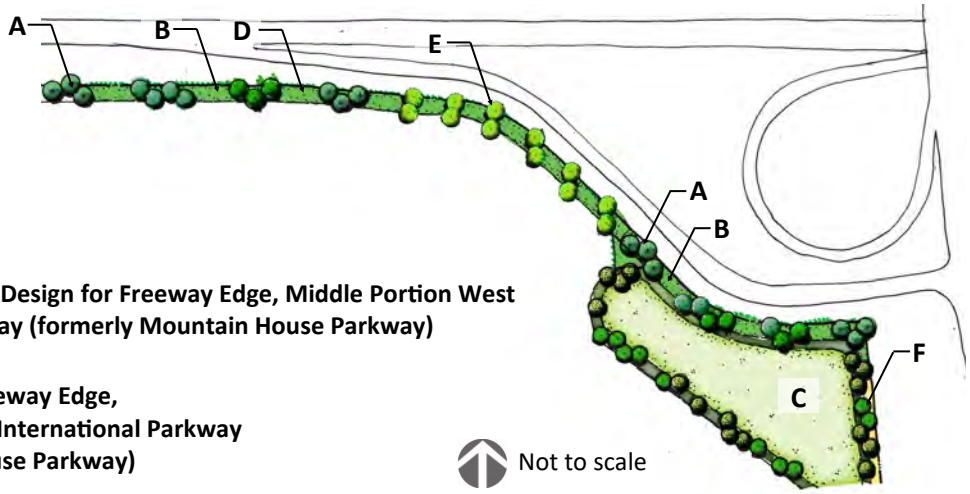


Figure 5.5, Conceptual Design for Freeway Edge, Middle Portion West of International Parkway (formerly Mountain House Parkway)

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

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

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

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

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

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

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

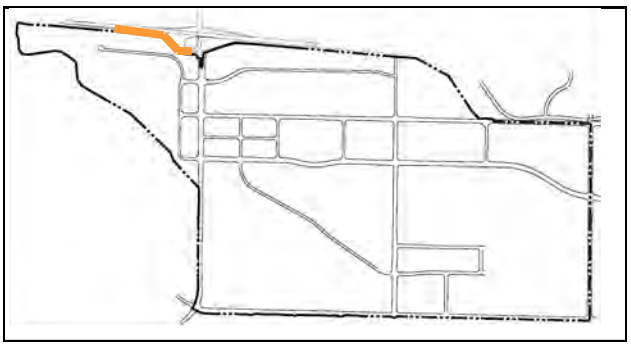
- size: 5 and 15 gal.
- spacing: 12' on center, min. 3 shrubs (similar species) per grouping.

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

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

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

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



Key Map

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

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

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

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

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

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



Key Map

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

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

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

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

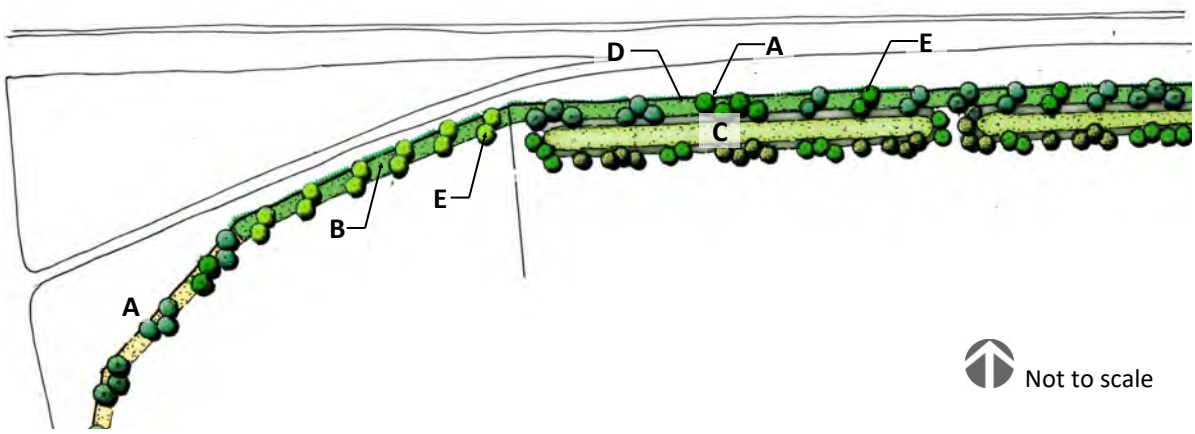


Figure 5.6, Conceptual Design for Freeway Edge, Middle Portion East of International Parkway (formerly Mountain House Parkway)

Design Elements for Freeway Edge, Eastern Portion

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

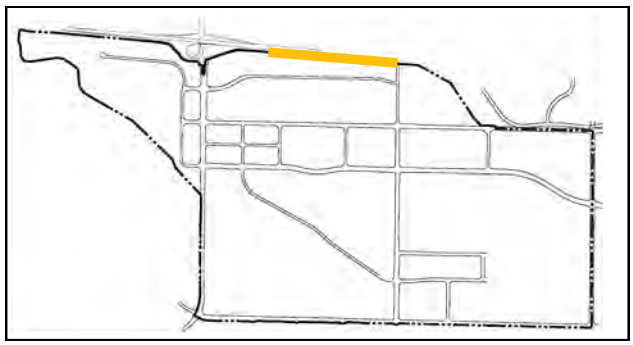
B. *Trees Informal Planting (Grouping)*
- species: Quercus ilex (Holly Oak)
- size: 24" box min.
- spacing: 30' on center, min. 3 trees (similar species) per grouping.

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

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

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

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



Key Map

Design Elements for Freeway Edge, Eastern Portion

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

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

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

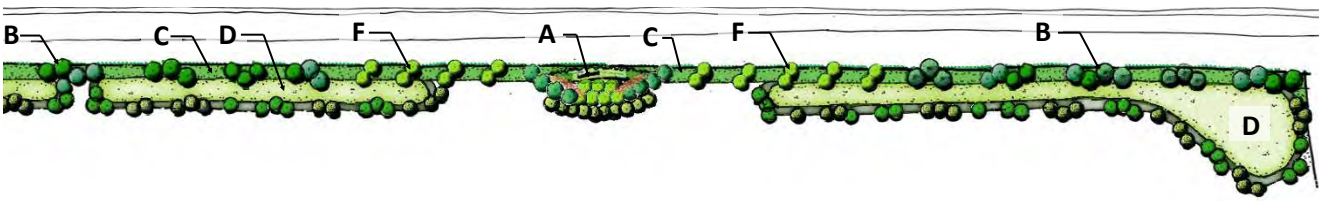
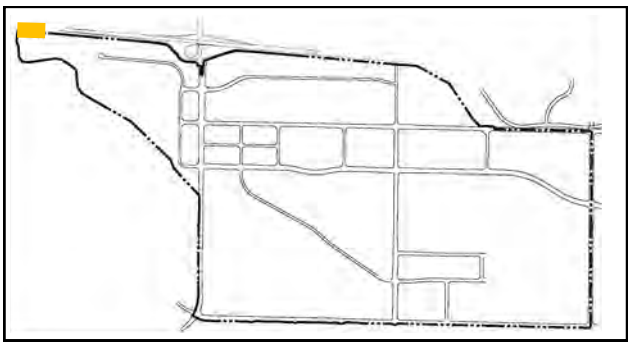


Figure 5.7, Conceptual Design for Freeway Edge, Eastern Portion

Not to scale

5.3 CITY GATEWAYS

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



Key Map

Design Elements for City Gateway West

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

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

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

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

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

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

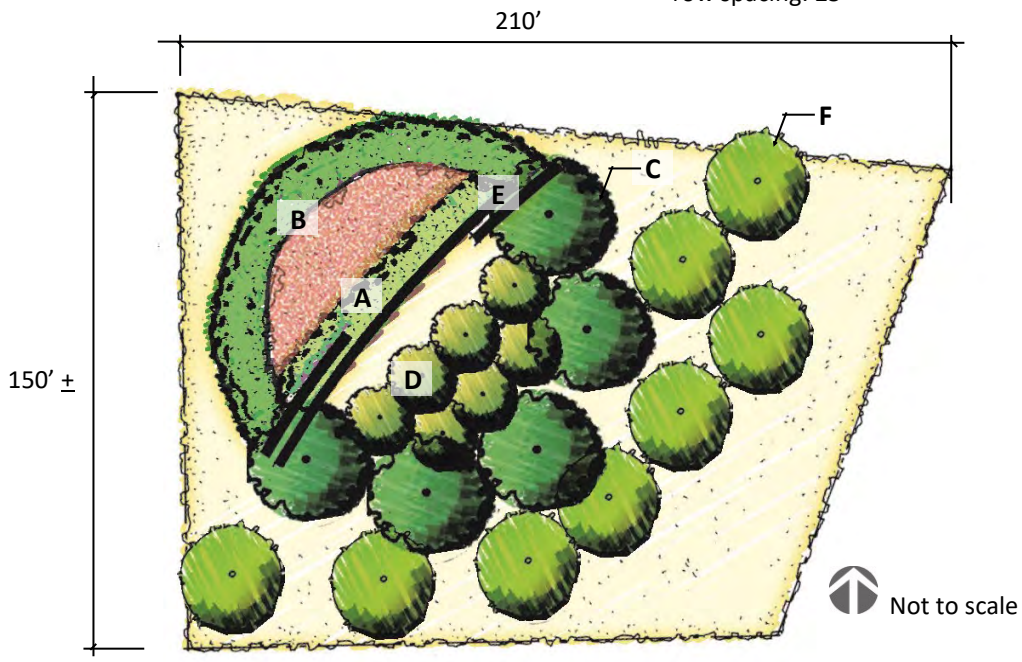


Figure 5.8, Conceptual Design for City Gateway West Enlargement (See Figure 5.1)

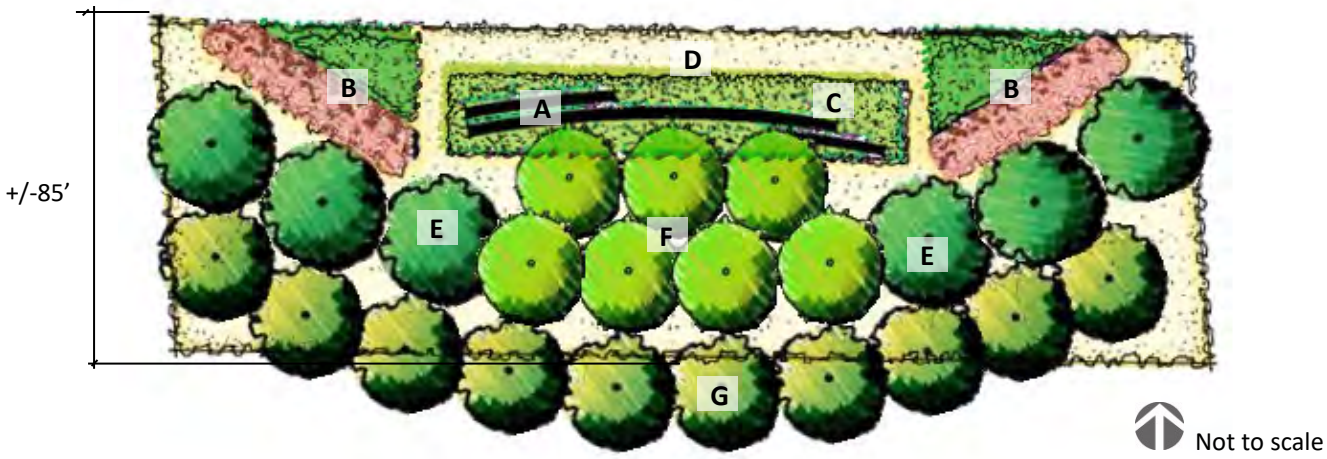


Figure 5.9, Conceptual Design for City Gateway East Enlargement (and See Figure 5.7)

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



Key Map

Design Elements for City Gateway

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

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

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

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

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

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

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

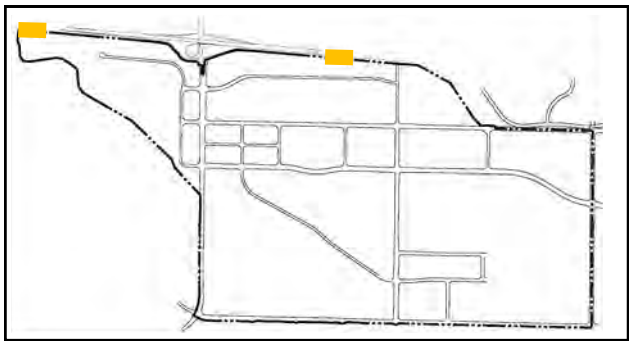
5.4 SIGN TYPE A

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

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

Sign Type A Design Standards

1. Height: 12’
2. Wall length: 80’



Key Map



Figure 5.10, Sign Type A Example



Sign Type A - West Example



Sign Type A - East Example

5.5 SIGN TYPE B

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

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

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

Sign Type B Design Standards

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



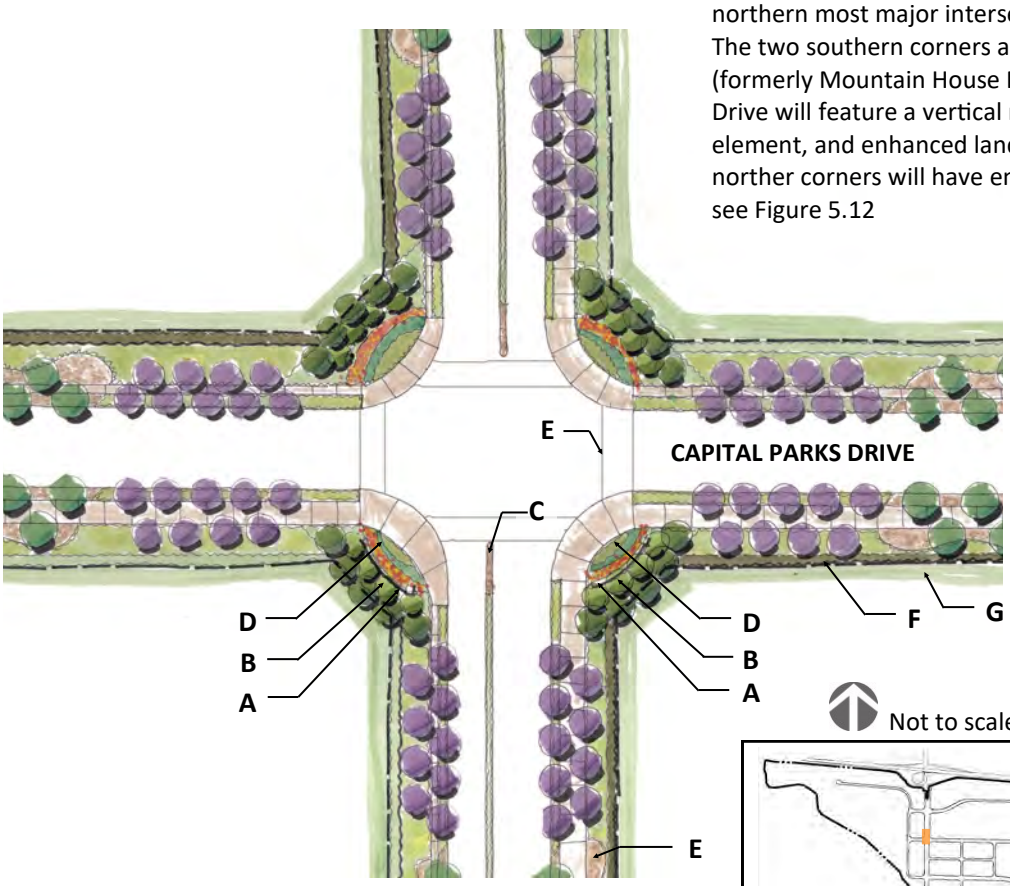
Key Map



Figure 5.11, Sign Type B Example

Capital Parks Drive Project Entry

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



Not to scale



Key Map for Project Entries

Figure 5.12, Conceptual Design for Project Entry Intersection

Design Elements for International Parkway Project Entry

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

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

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

C. Decorative Accent Rock (typ.)

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

E. Crosswalks, typ.

F. Property Line, typ.

G. Landscape Setback, typ.



Sign Type B Example vertical element left



Sign Type B Example vertical element right

Old Schulte Road Project Entry

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



Key Map for Old Schulte Road Project Entry

Design Elements for Old Schulte Road Project Entry

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

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

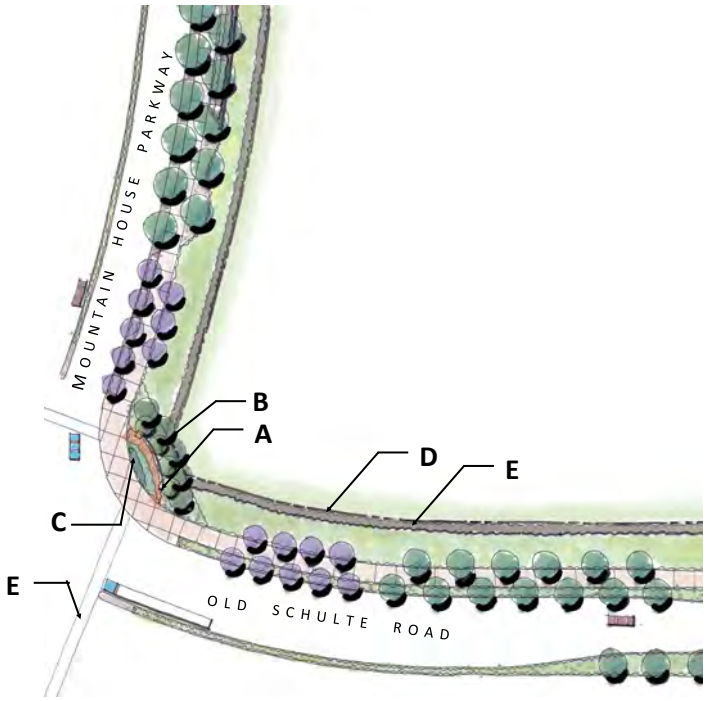
- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

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

D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

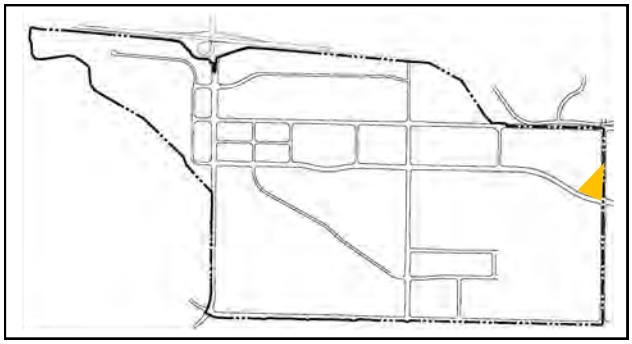


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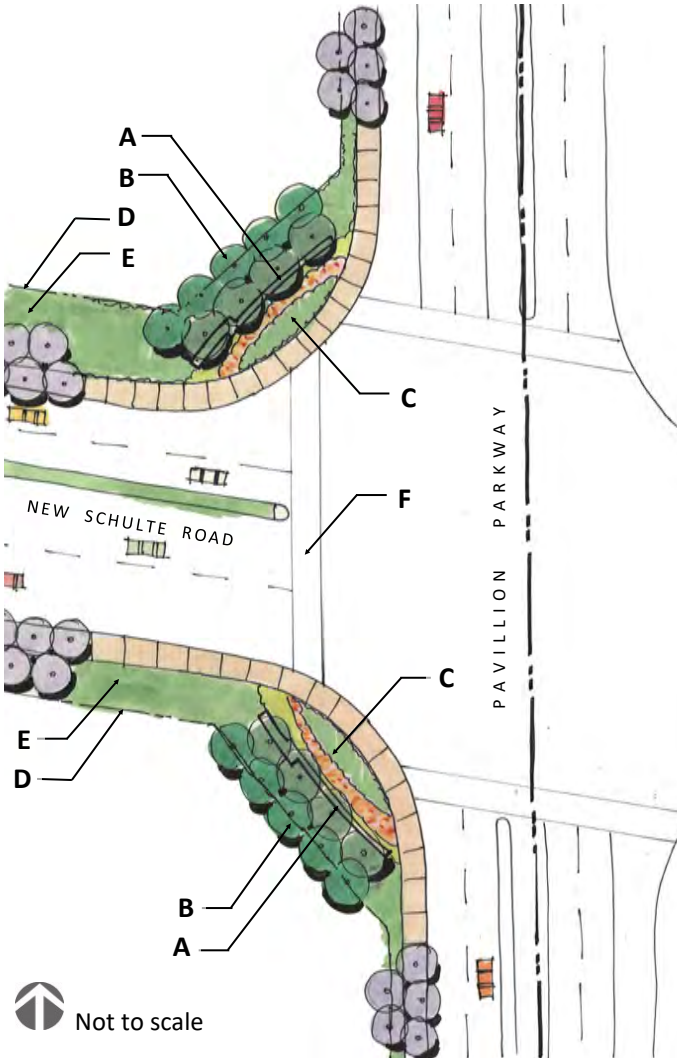
Figure 5.13, Conceptual Design for Old Schulte Road Project Entry

New Schulte Road Project Entry

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



Key Map for New Schulte Road Eastern Project Entry



Design Elements for New Schulte Road Eastern Project Entry

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

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

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

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

D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

Figure 5.14, Conceptual Design for New Schulte Road Eastern Project

5.6 SIGN TYPE C

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

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

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

Sign Type C Design Standards

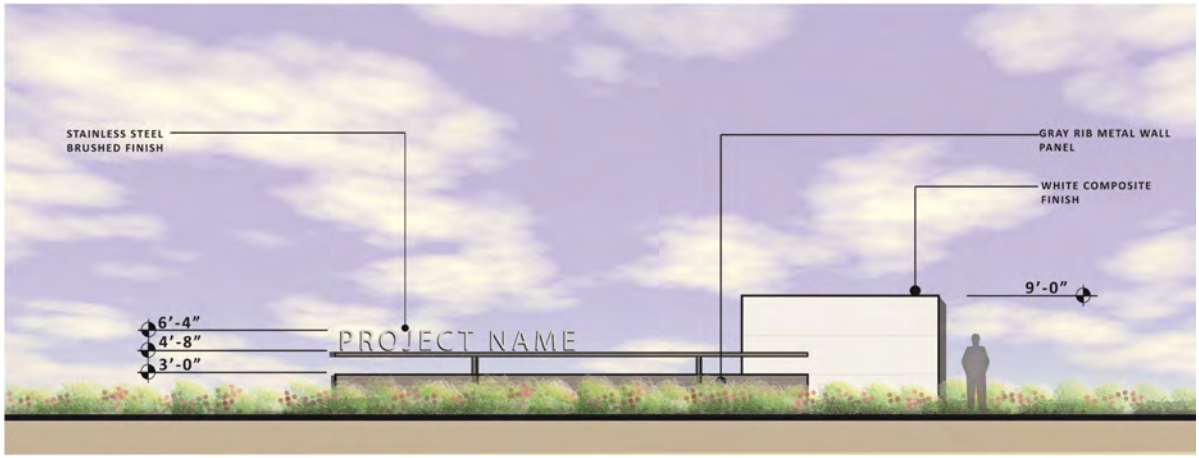
1. Height: 9'
2. Wall Length: 46'
3. Number of Signs: as noted in the following figures



Key Map (revised)



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



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

5.7 MAJOR INTERSECTIONS

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

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

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

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

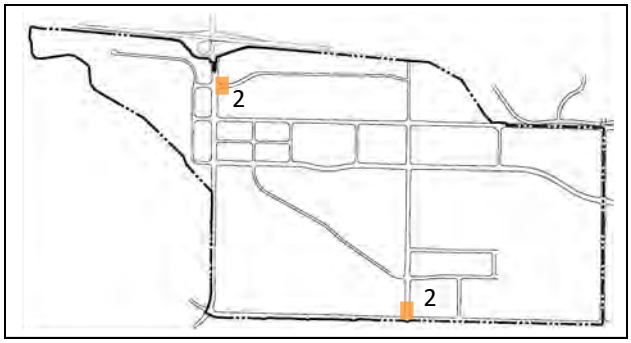
- species: Olea europaea 'Swan Hill' (Fruitless Olive) (Foreground)
- size: 36" box
- spacing: 20' on center

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

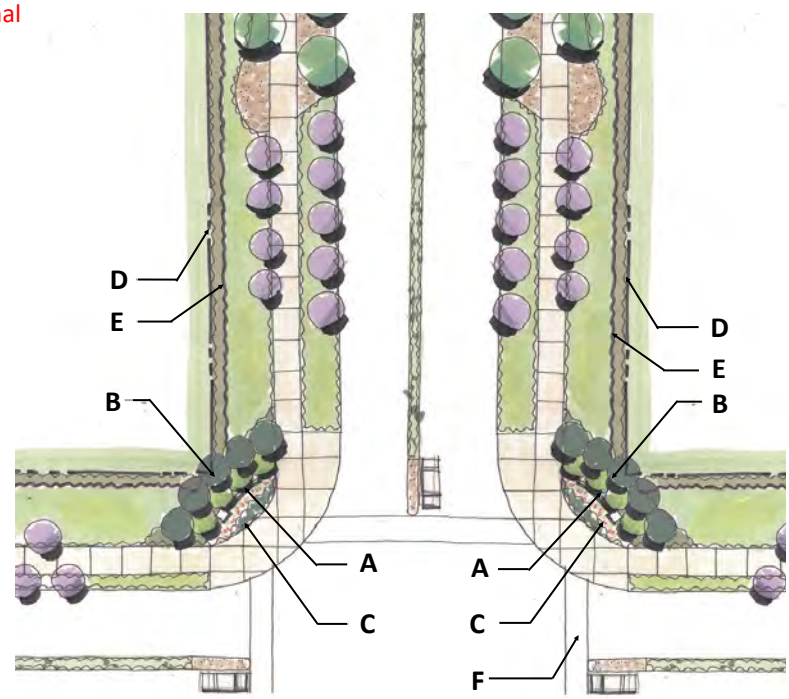
D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

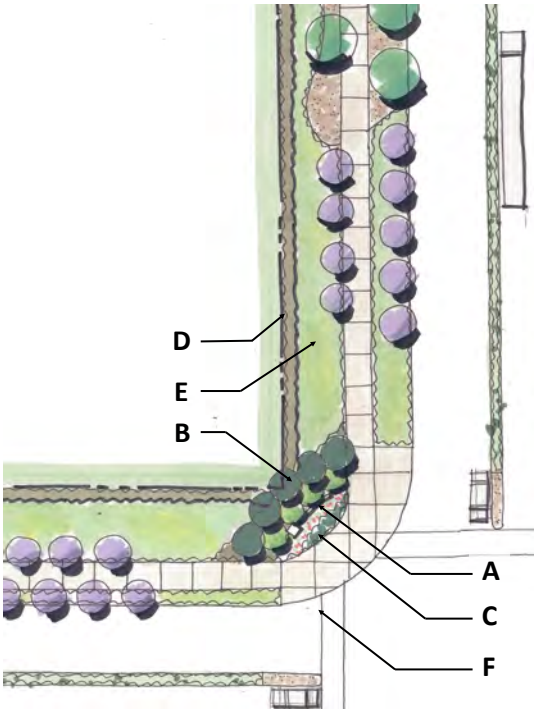


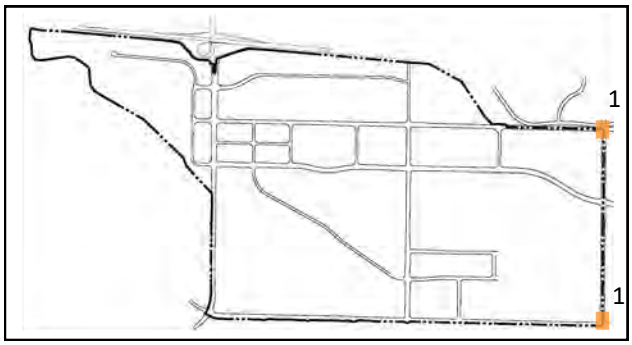
Key Map All Major Intersections (revised)



Not to scale

Figure 5.16, Conceptual Design for Major Intersections - T Intersection





Key Map Major intersection "1/2" Intersection configuration

Not to scale

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

Design Elements for Major Intersection

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

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

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

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

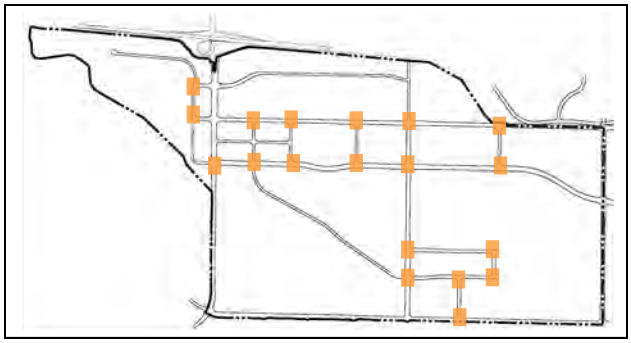
D. Property Line

E. Landscape Setback

F. Crosswalk, typ.

5.8 TYPICAL INTERSECTIONS

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



Key Map (revised)

Design Elements for Typical Intersections

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

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

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

C. Property Line, typ.

D. Landscape Setback, typ.

E. Crosswalk, typ.

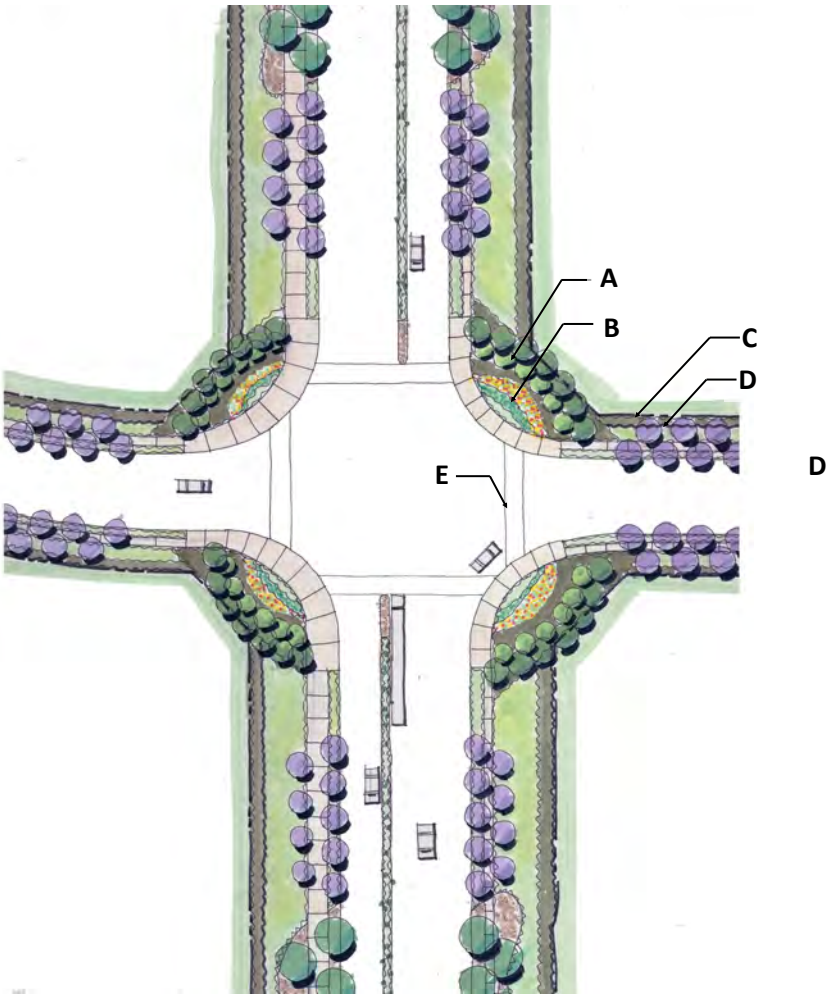


Figure 5.18, Conceptual Design for Typical Intersections

5.9 PARKS

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



Detention basin with nearby shade trees

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

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

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

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

Conceptual Design for Central Green

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

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

C. Park Arrival Area

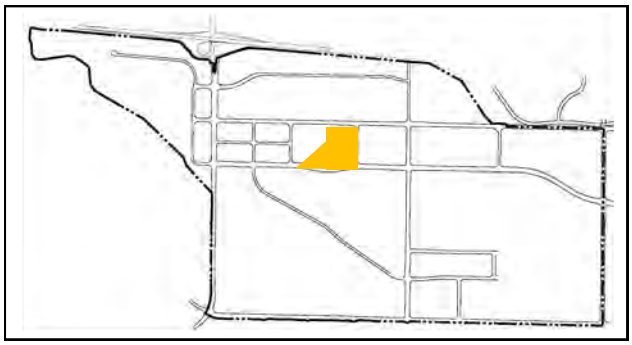
D. Allée of Trees

E. Focal Point and Plaza

F. Trail
   -10' wide decomposed granite

Central Green

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



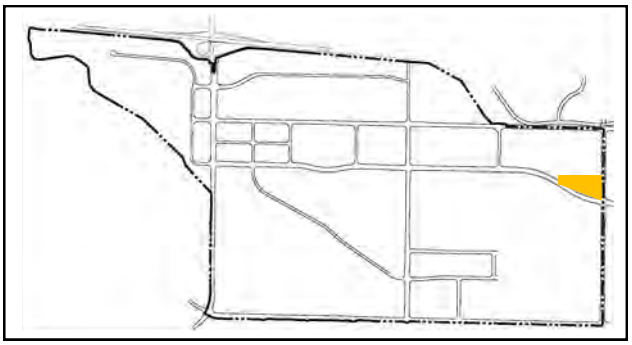
Key Map



Figure 5.19, Conceptual Design for Central Green Concept

Conceptual Design for Eastside Park

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



Key Map

Conceptual Design for Eastside Park

A. Park Entry Plaza
- low walls
- permeable paving

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

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

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

E. Detention Access
- 10' wide decomposed granite

F. Project Entry
- See Figure 5.14

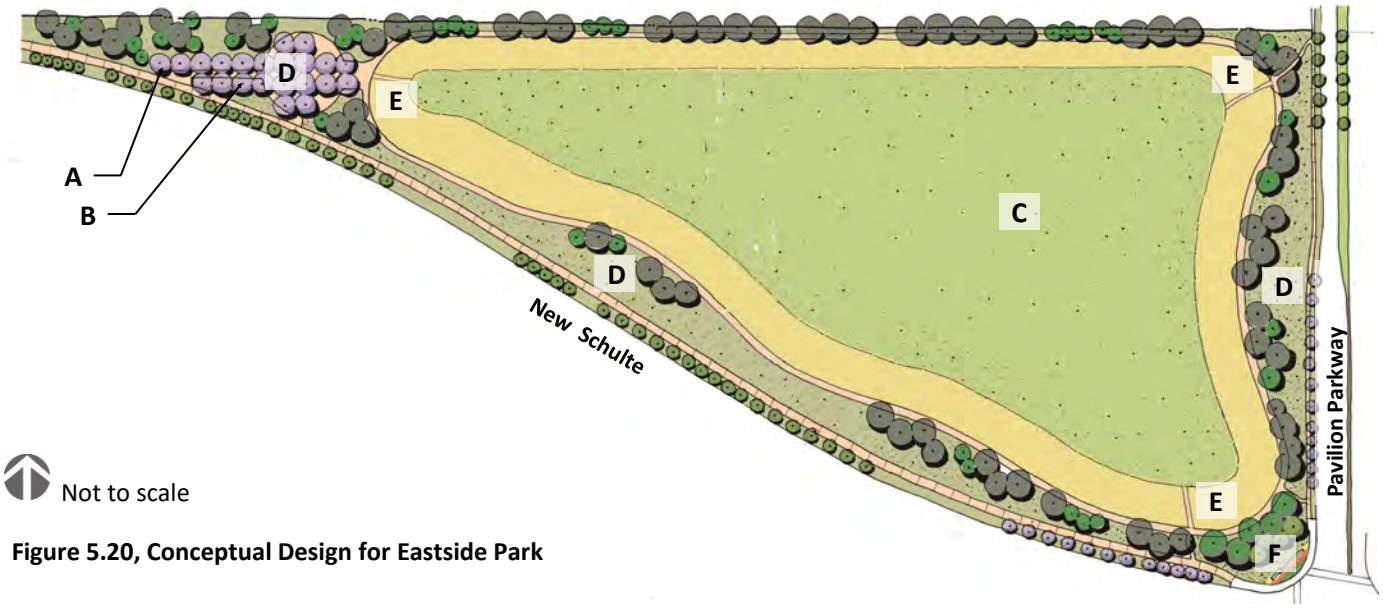


Figure 5.20, Conceptual Design for Eastside Park

5.10 DRAINAGE EASEMENT

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

Conceptual Design for Drainage Easement

A. Trail
- 10' wide decomposed granite

B. Riparian Planting, typ.

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

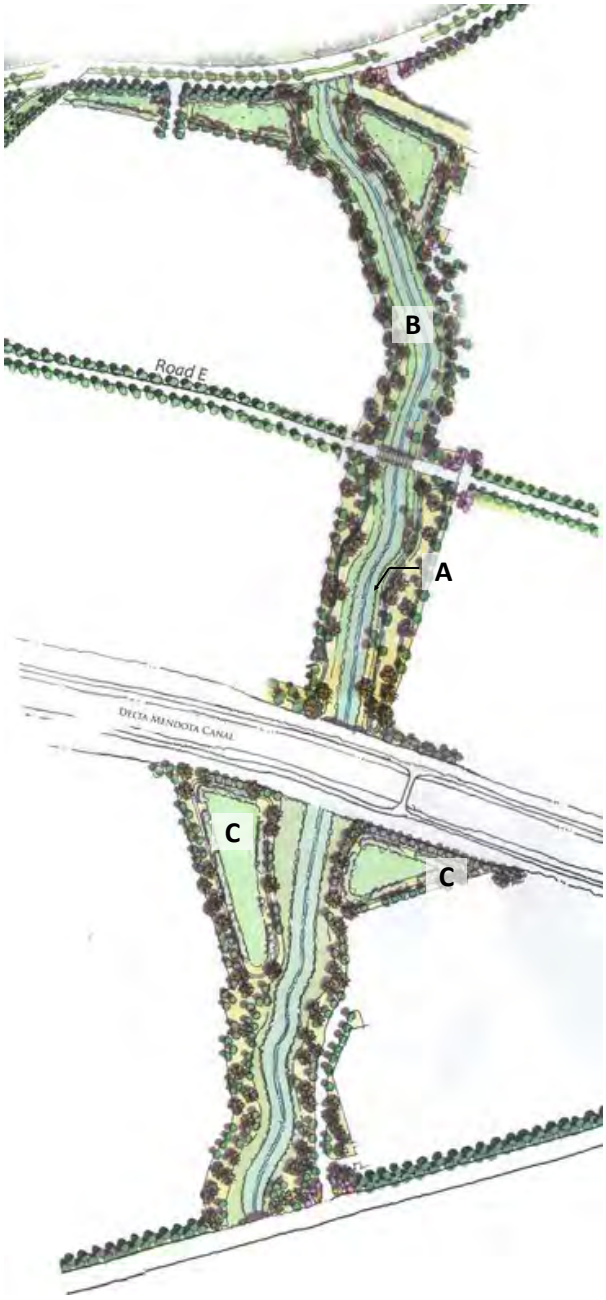
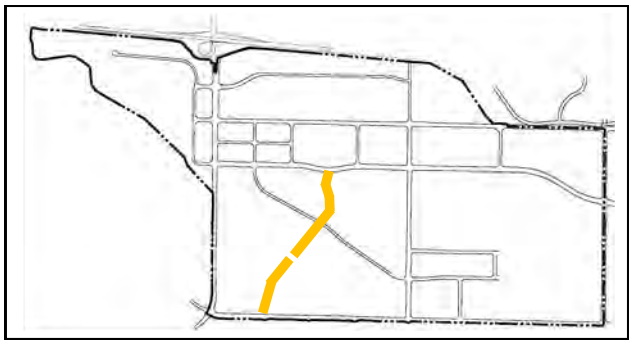


Figure 5.21, Conceptual Design for Drainage Easement



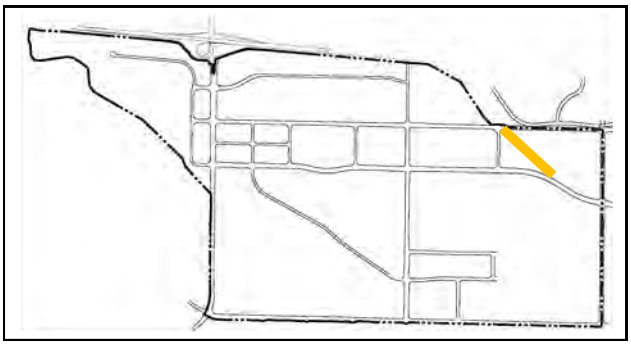
Trail and seating



Key Map

5.11 WSID EASEMENT

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



Key Map

Conceptual Design for WSID Easement

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

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

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

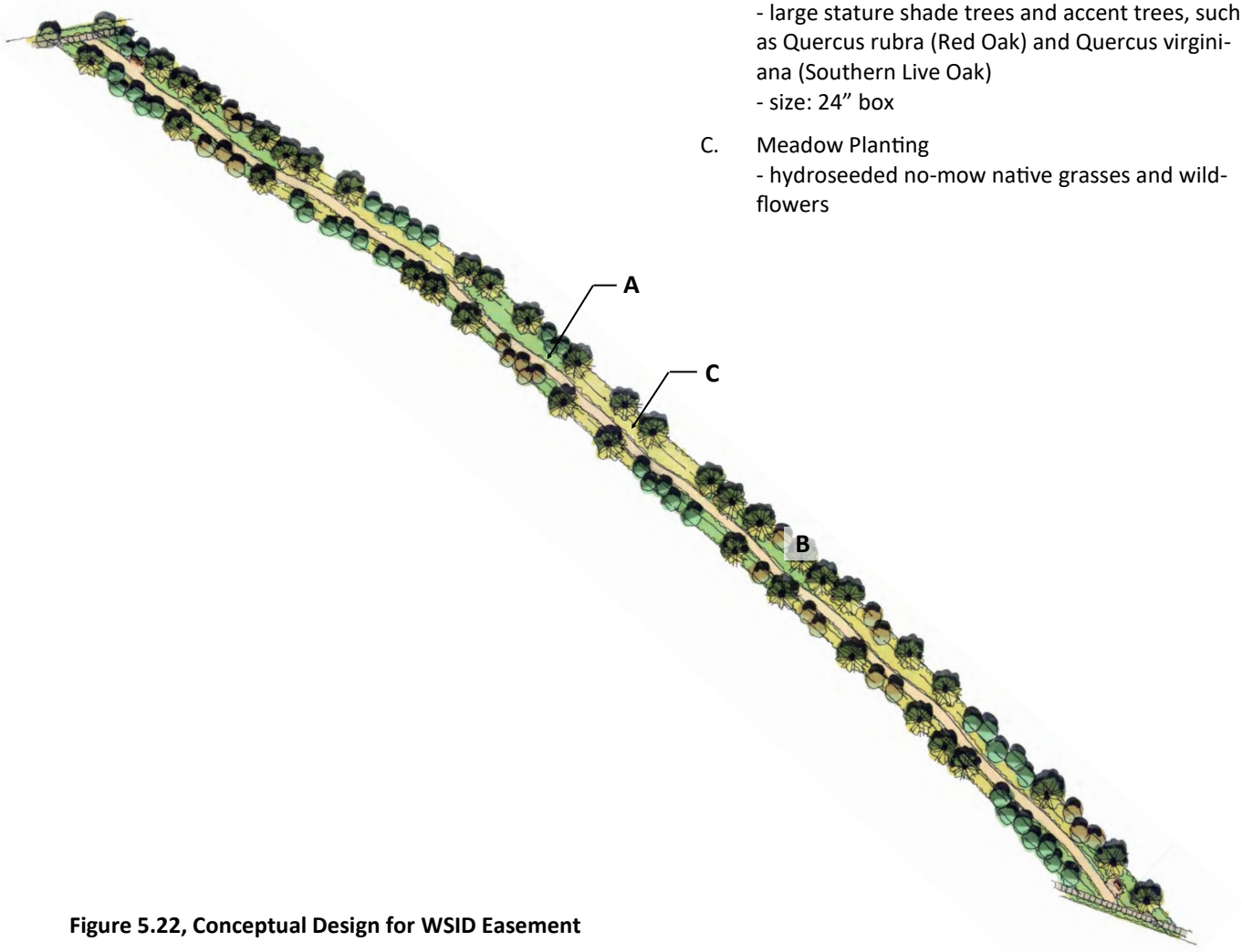


Figure 5.22, Conceptual Design for WSID Easement

Conceptual Design for WSID Easement

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

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

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



Decomposed granite trail, no-mow grasses, seating



Figure 5.23, WSID Easement – Section



Landscape strip, multi-use path, landscape setback

5.12 STREETSCAPES

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

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

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

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

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

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

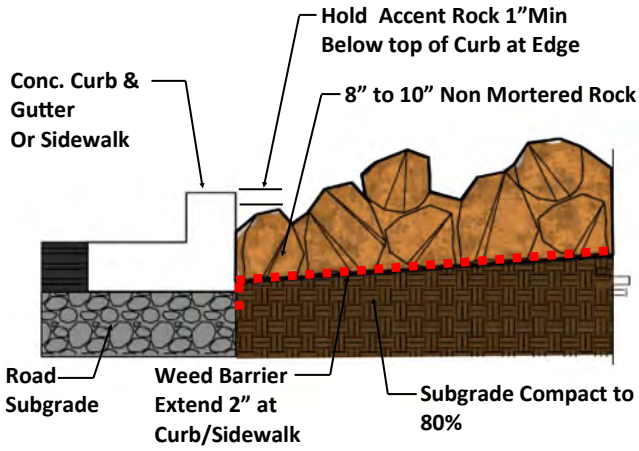
The accent rock surfacing can be generally described as 8” to 10” brown in color fractured angular rock that will be placed un-mortared over a weed barrier to help with the control of weeds and pests, see Accent Rock Detail on page 5-29. The purpose of the rock design concept is to create a varied experience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

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

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



Typical 8" to 10" Brown Fractured Angular Rock



Typical Accent Rock Detail

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

Four Lane Parkway

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

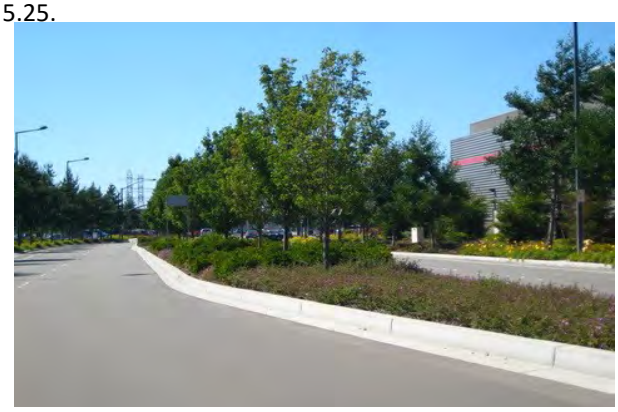
South of the Delta Mendota Canal, International parkway (formerly Mountain House Parkway) has already been improved on the west side, therefore the Project will install the east portion of the street section. See Figure 6.24.

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

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

Six and Eight Lane Parkways

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



Median with trees and low evergreen and color



Key Map

Conceptual International Parkway (formerly Mountain House Parkway) Tree Palette

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

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

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

Conceptual Old Schulte Road Tree Palette

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

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

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

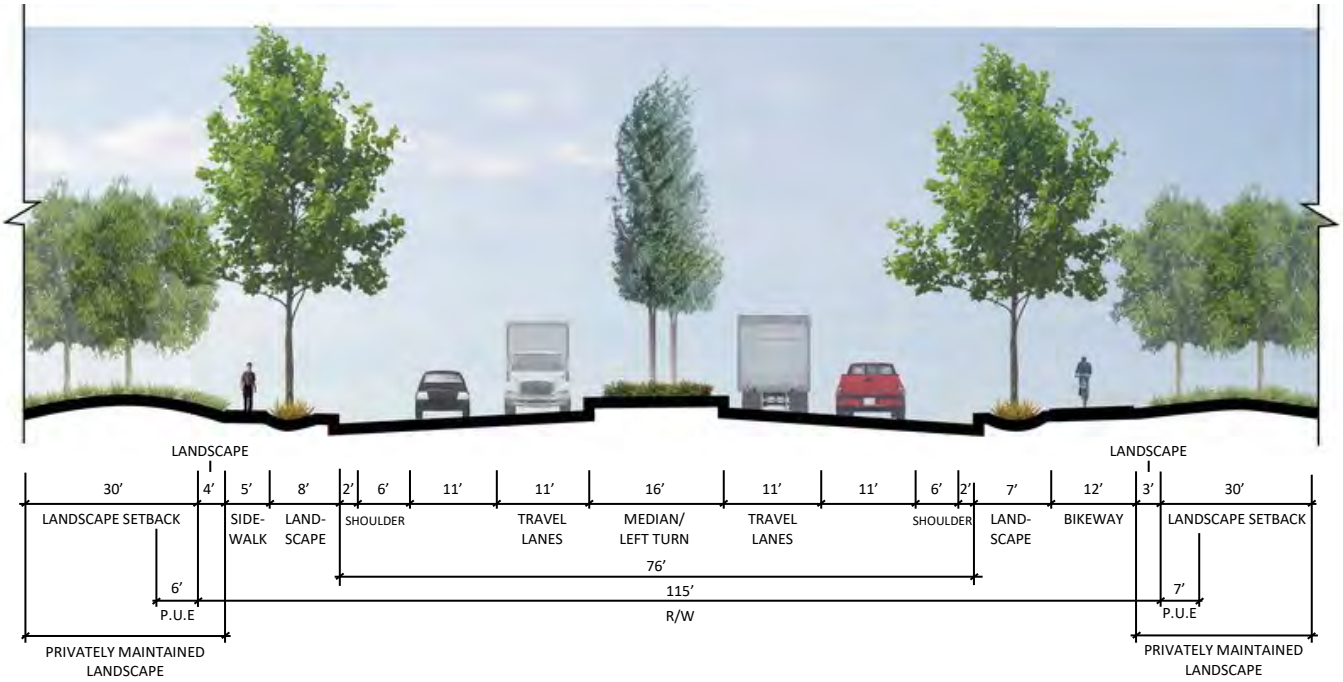


Figure 5.24, Conceptual Design for Four Lane Parkway

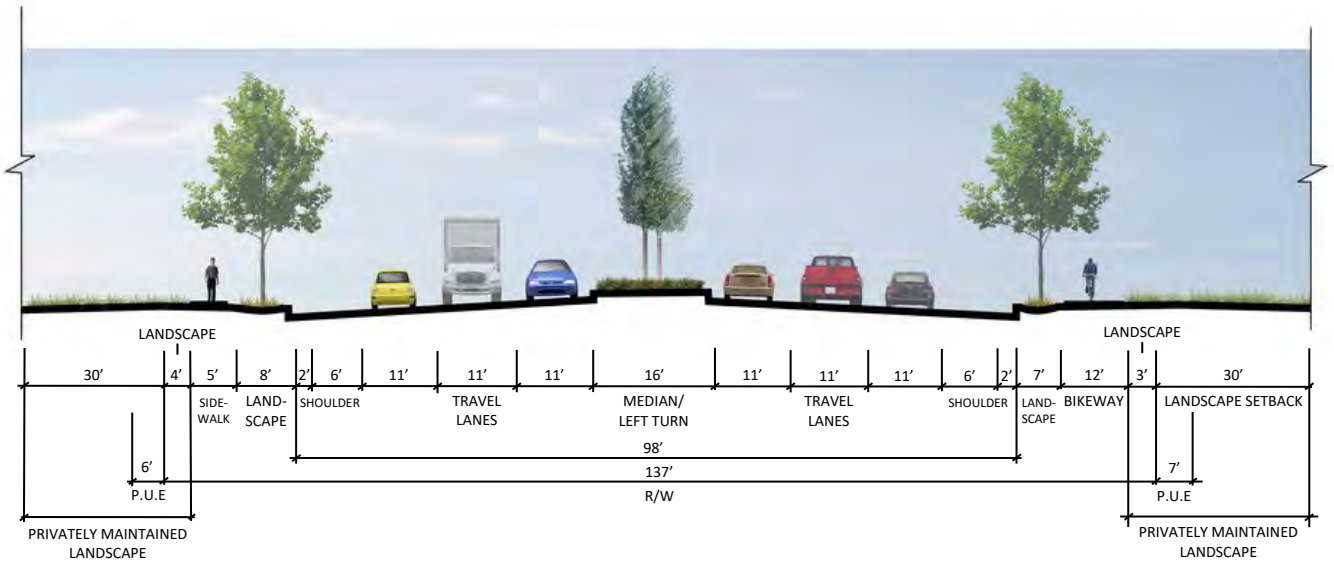


Figure 5.25, Conceptual Design for Six Lane Parkway

Capital Parks Drive, Hansen Road and Pavilion Parkway

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

Conceptual Pavilion Parkway Tree Palette

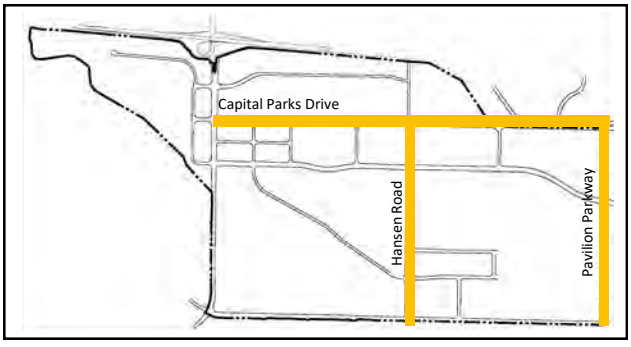
Right of Way Planters	**Spacing**
Zelkova serrata 'Village Green' (Village Green Zelkova)	*30'-0" o.c.*
Lagerstroemia hybrid 'Dynamite' (Dynamite Crape Myrtle)	*20'-0" o.c.*

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

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



Street tree, screen tree, 5' sidewalk



Key Map

Conceptual Capital Parks Drive Tree Palette

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

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

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

Conceptual Hansen Road Tree Palette

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

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

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

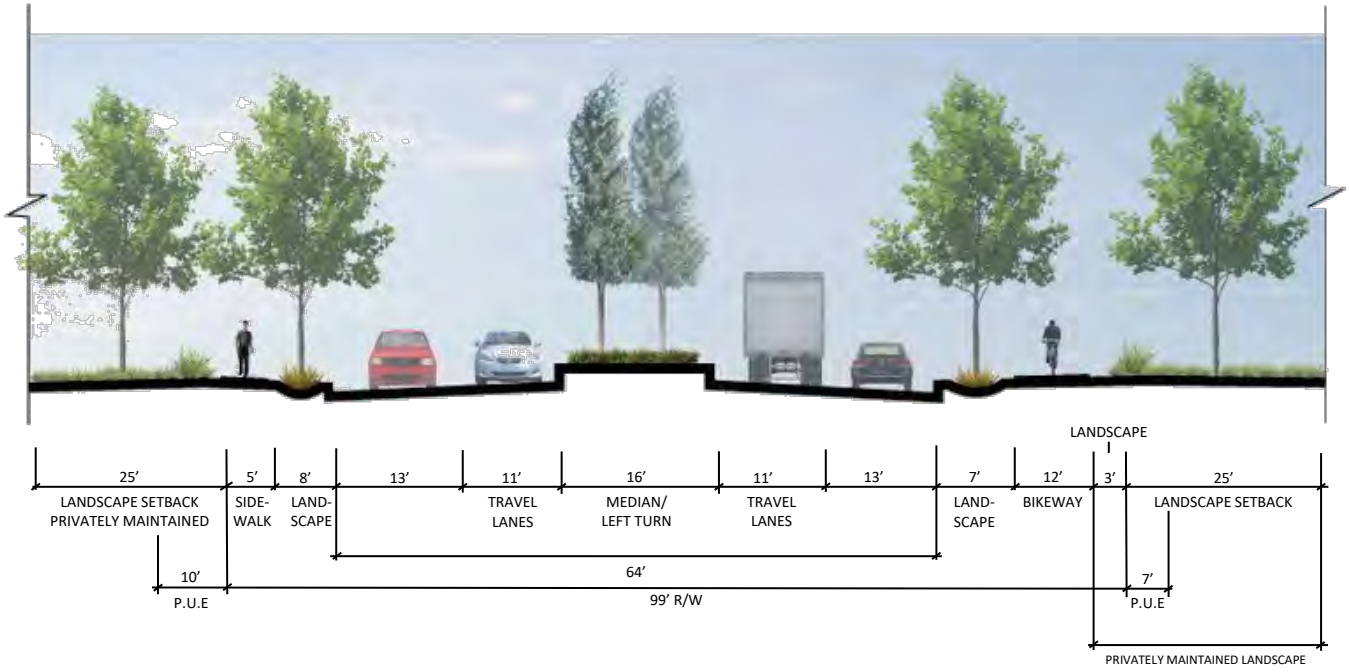


Figure 5.26, Conceptual Design for Four Lane Major Arterial with Median

New Schulte Road

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



Trees, walk and low planting in retail area



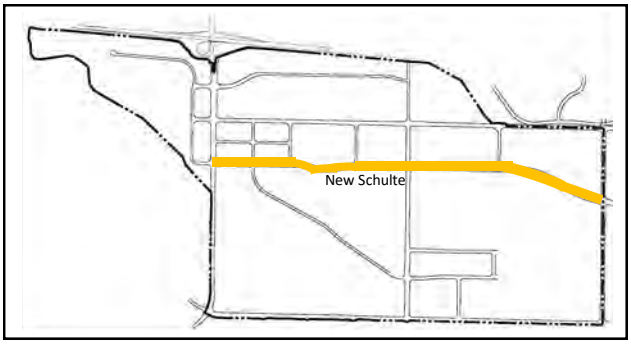
Planted berms as screen in industrial area

Conceptual New Schulte Road Tree Palette

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

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

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



Key Map

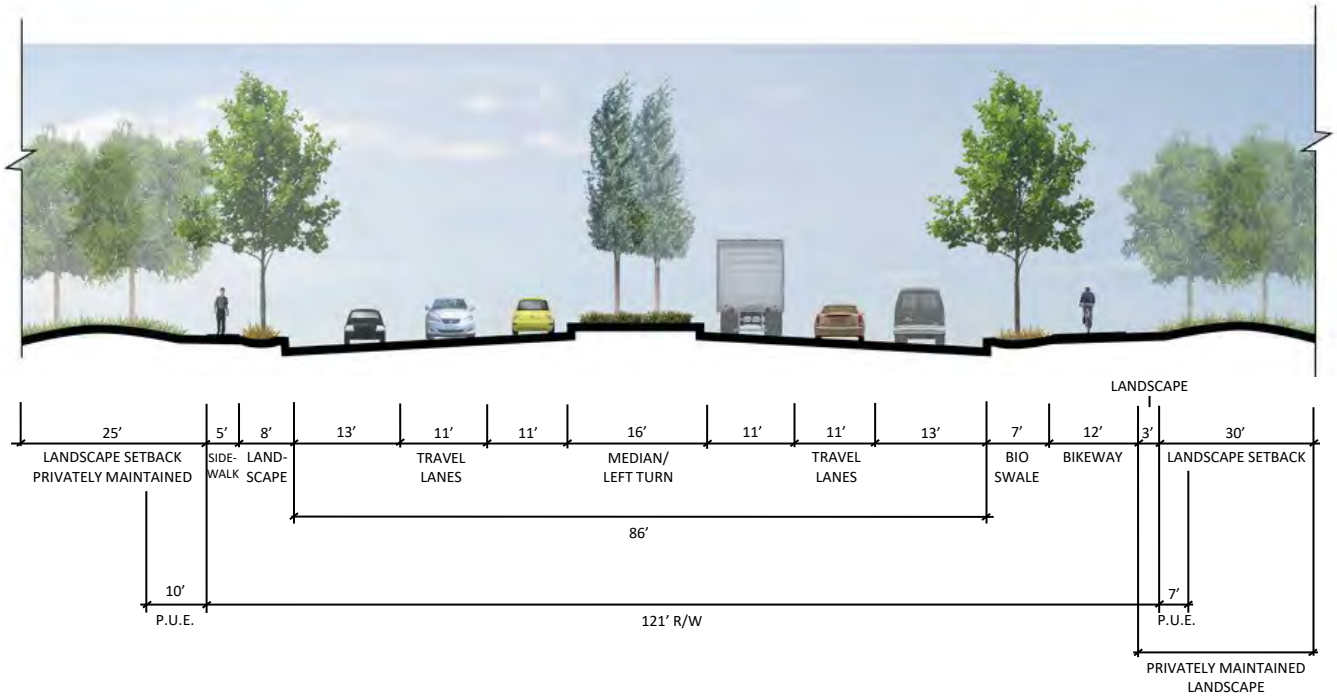


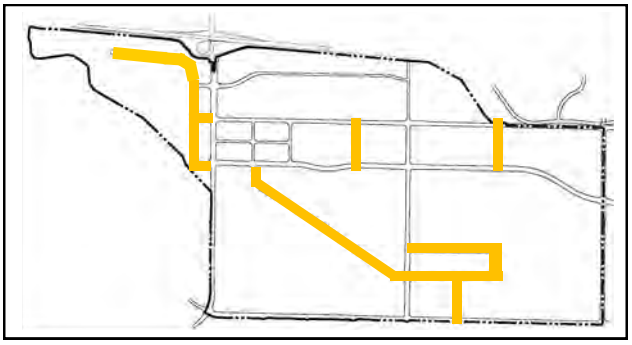
Figure 5.27, Conceptual Design for Six Lane Major Arterial with Intermittent 8-Foot Pull-outs



Street trees, screen trees, low planting in median

Industrial Streets

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



Key Map

Conceptual Industrial Streets Tree Palette

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

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

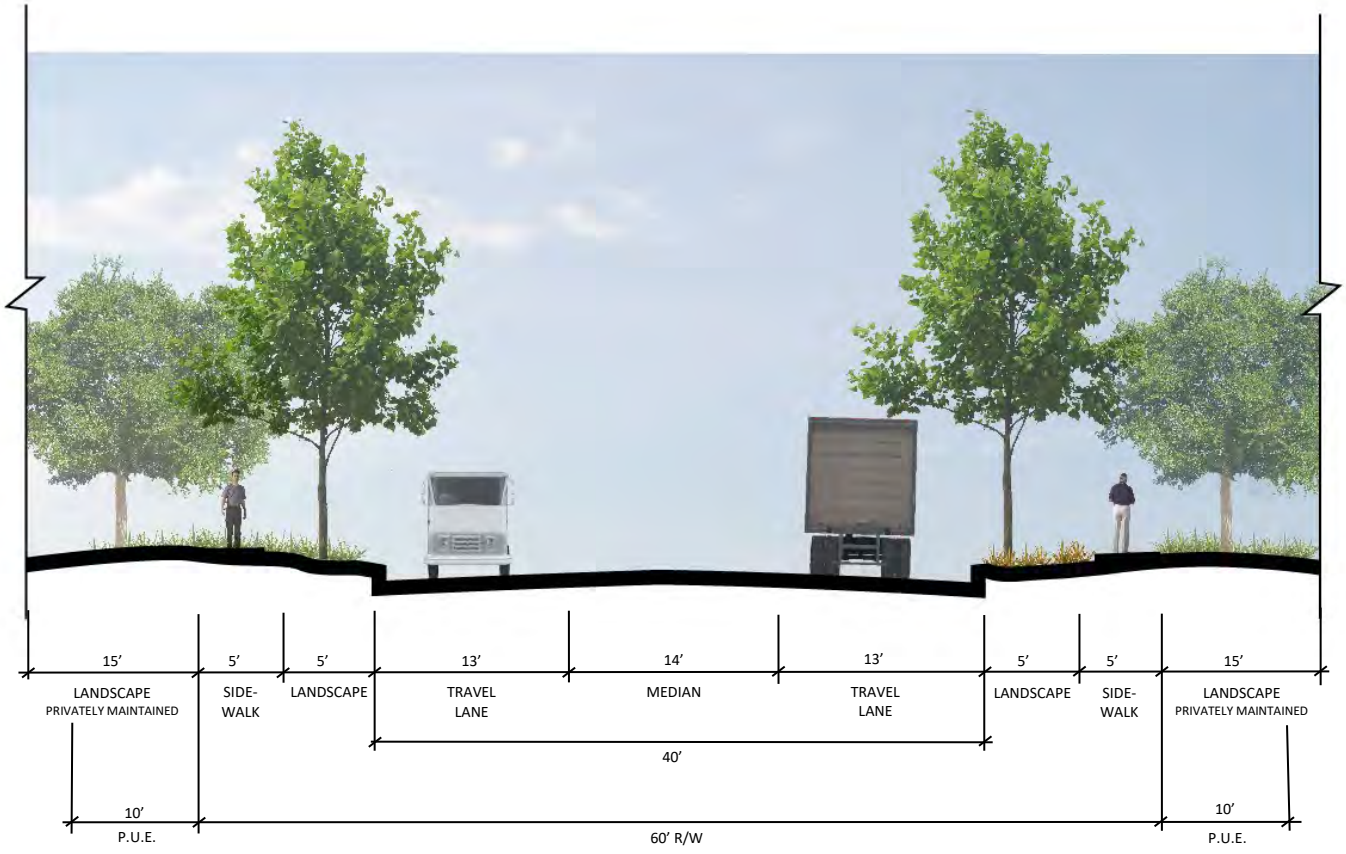


Figure 5.28, Conceptual Design for Industrial Streets (Section I-I)

Street Tree List

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

Right of Way Planters

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

Medians

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

Landscape Setback Area

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

Attachment B

INITIAL STUDY

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

May 2021

Prepared For:

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

Prepared By:

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

TABLE OF CONTENTS

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

LIST OF FIGURES

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

INTRODUCTION

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

PROJECT OVERVIEW

Project Location

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

Existing and Surrounding Land Uses

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

General Plan and Zoning

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

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

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

Project Characteristics

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

Pedestrian and Site Access

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

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

Parking

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

Wetlands

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

Landscape Design

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

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

Grading and Infrastructure

Utilities/Wastewater/Solid Waste

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

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

Stormwater

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

Erosion Control

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

Construction and Operation

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

PREVIOUS ENVIRONMENTAL ANALYSIS OF THE PROJECT SITE

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

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

California Environmental Quality Act

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

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

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

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

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

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

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

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

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

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

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

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

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

PROPOSED AMENDMENT TO THE APPROVED CRSP PROJECT

Specific Plan Amendment

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

Food Truck Use

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

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

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

Park Uses

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

Floor Area Ratio for Hotel Uses

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

Project Signage

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

CRSP ENVIRONMENTAL IMPACT ANALYSIS SUMMARY

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

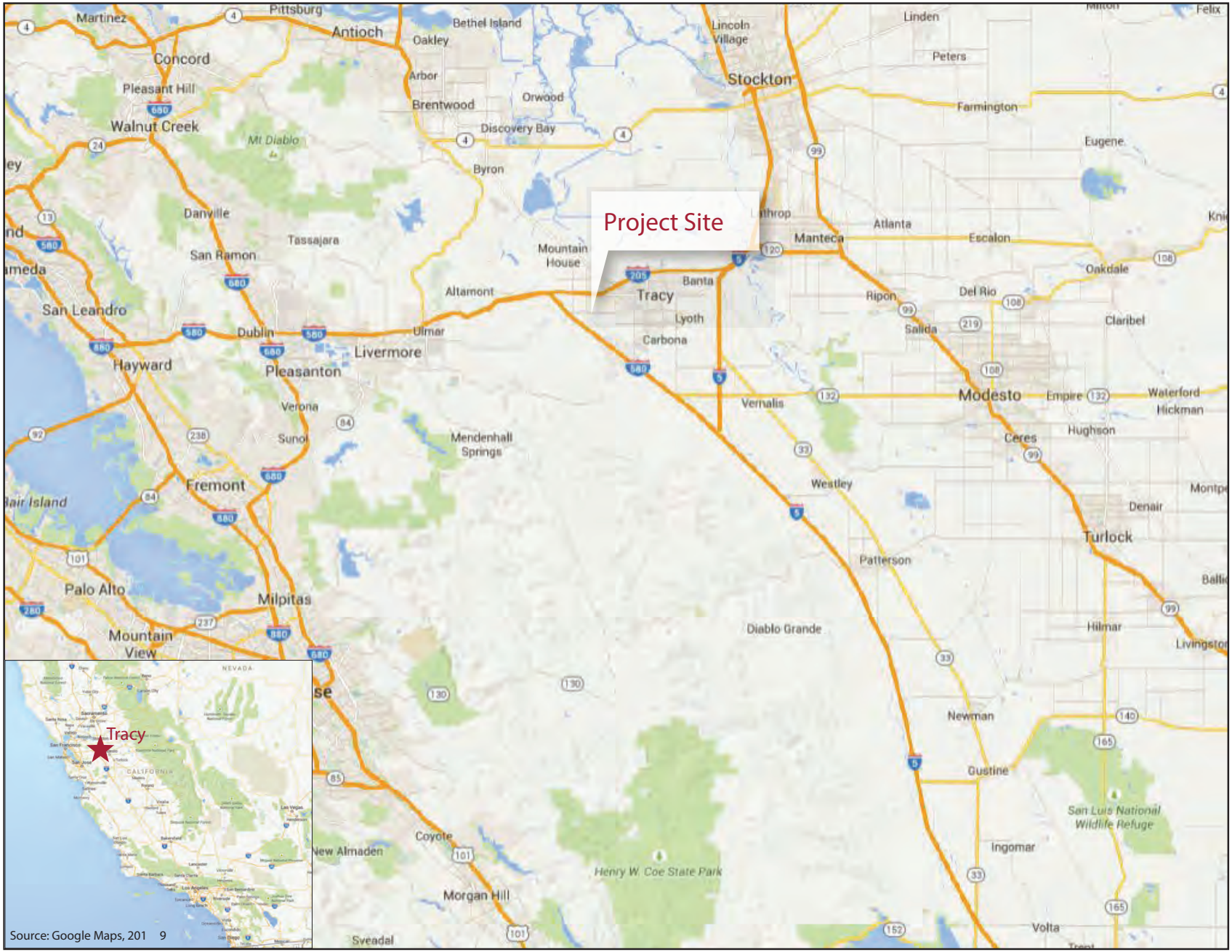
	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
Aesthetics	• Visual aspect of and views in the Specific Plan Area (Project and Cumulative Impact); • Adverse effects on a state-designated scenic highway; • Adverse change in the character of the site	• New sources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

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

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

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

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



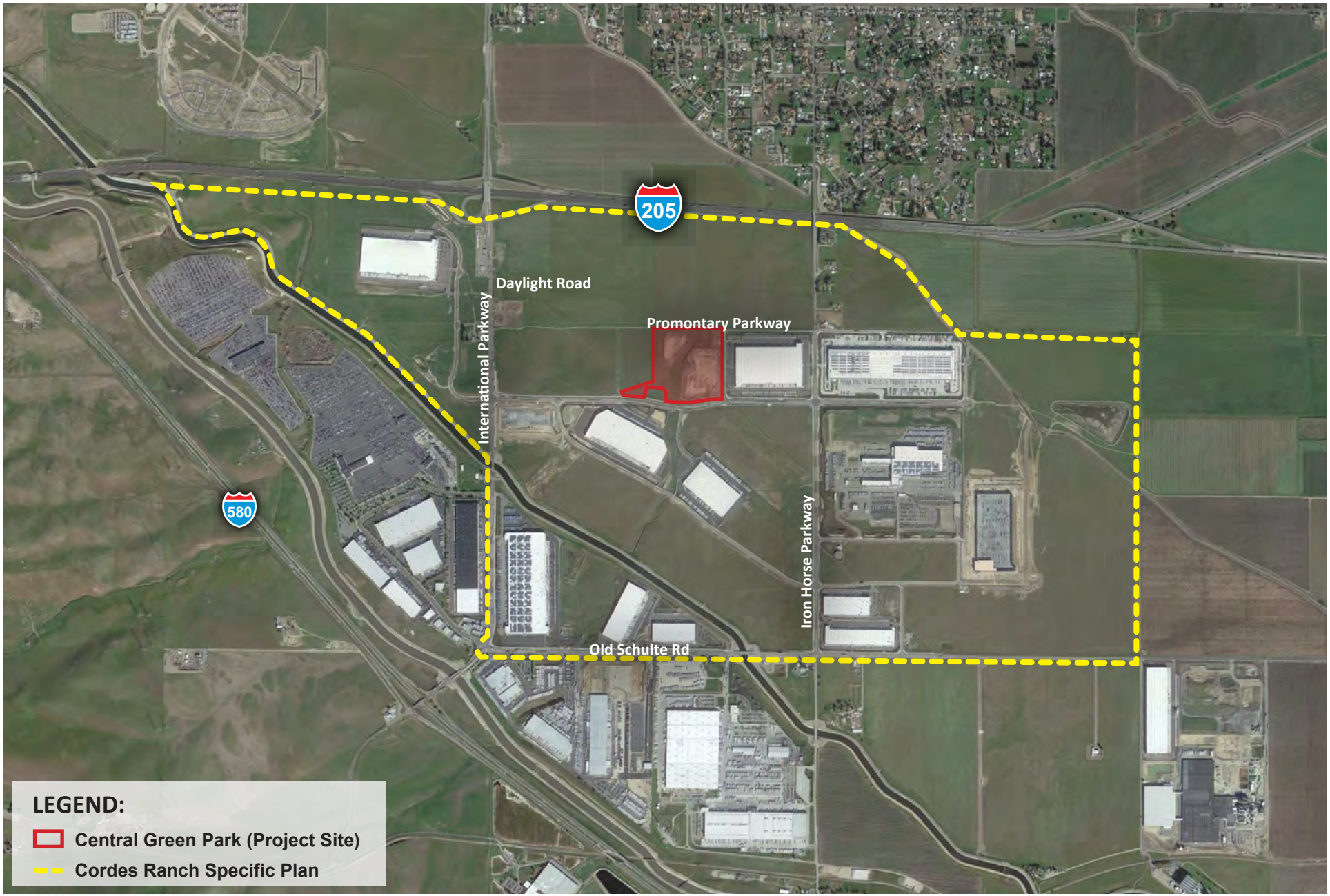
Source: Google Earth, 2020

Figure 1: Regional Location Map

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

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Source: Google Earth, 2020

Figure 2: Project Vicinity Map

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

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Food Truck/Multi Use Area

- Food Trucks
- Bocce Courts
- Multi Use Area w/ Event Pa¨ o
- Detention Basin
- Jogging Path w/ Exercise Sta¨ ons
- Passive Use Garden Area
- Trail System Connectivity
- Parking

Detention Basin Multi Use Area

- Passive Use Turf Area
- Passive Use Area Open Meadow Area
- Low Flow Channel/ Pond Area
- Jogging Path w/ Exercise Stations
- Trail System Connectivity
- Parking

Sport Courts/Picnic Area

- Multi-Sport Courts
- Picnic Area
- Passive Use Area
- Trail System Connectivity
- Parking

Source: Google Earth, 2020

Figure 3: Preliminary Site Plan

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

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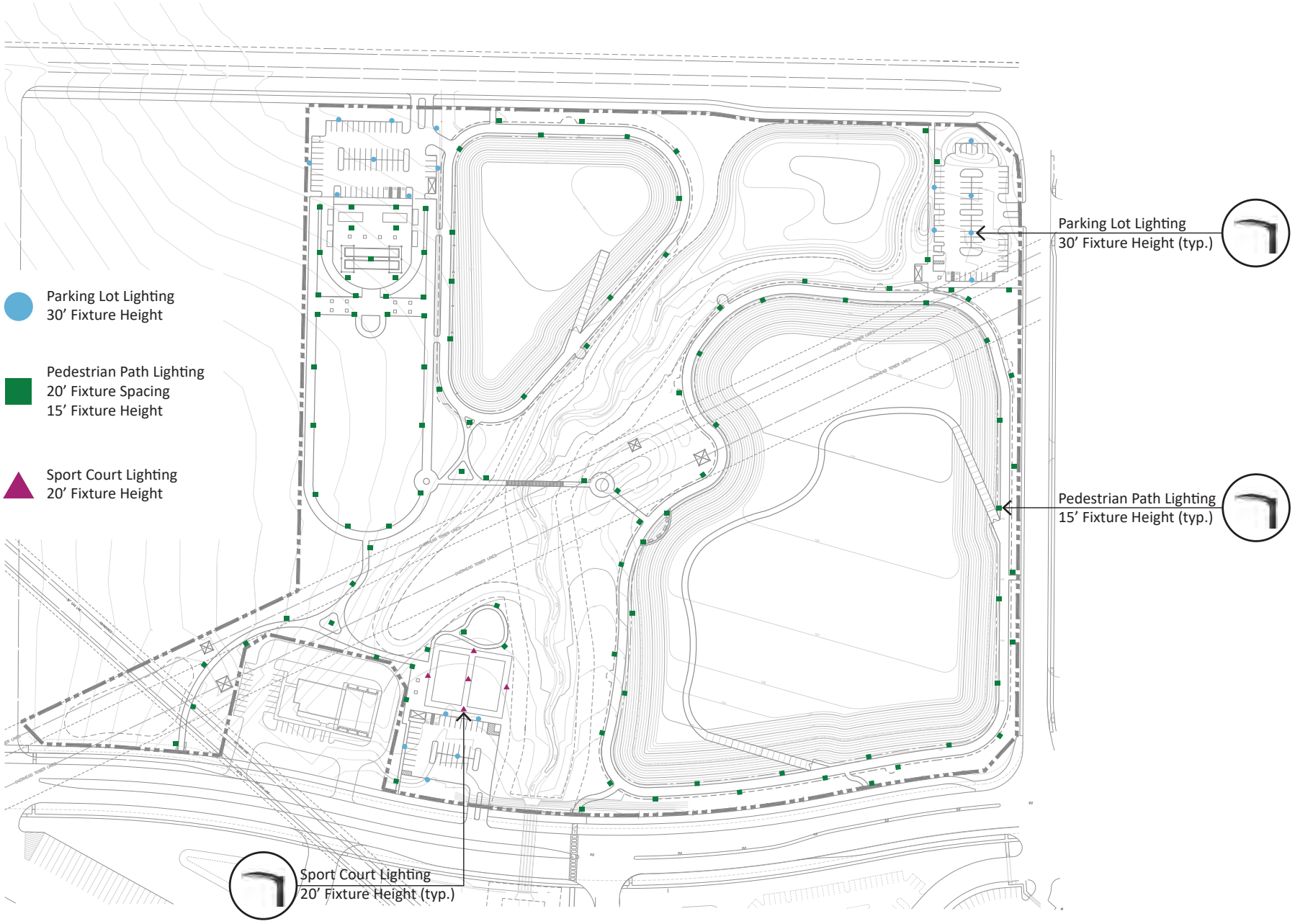
Source: Application Plan Set for SPA20-0004, CUP20-0001, D20-0015, 2021

Figure 4: Landscape Plan

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

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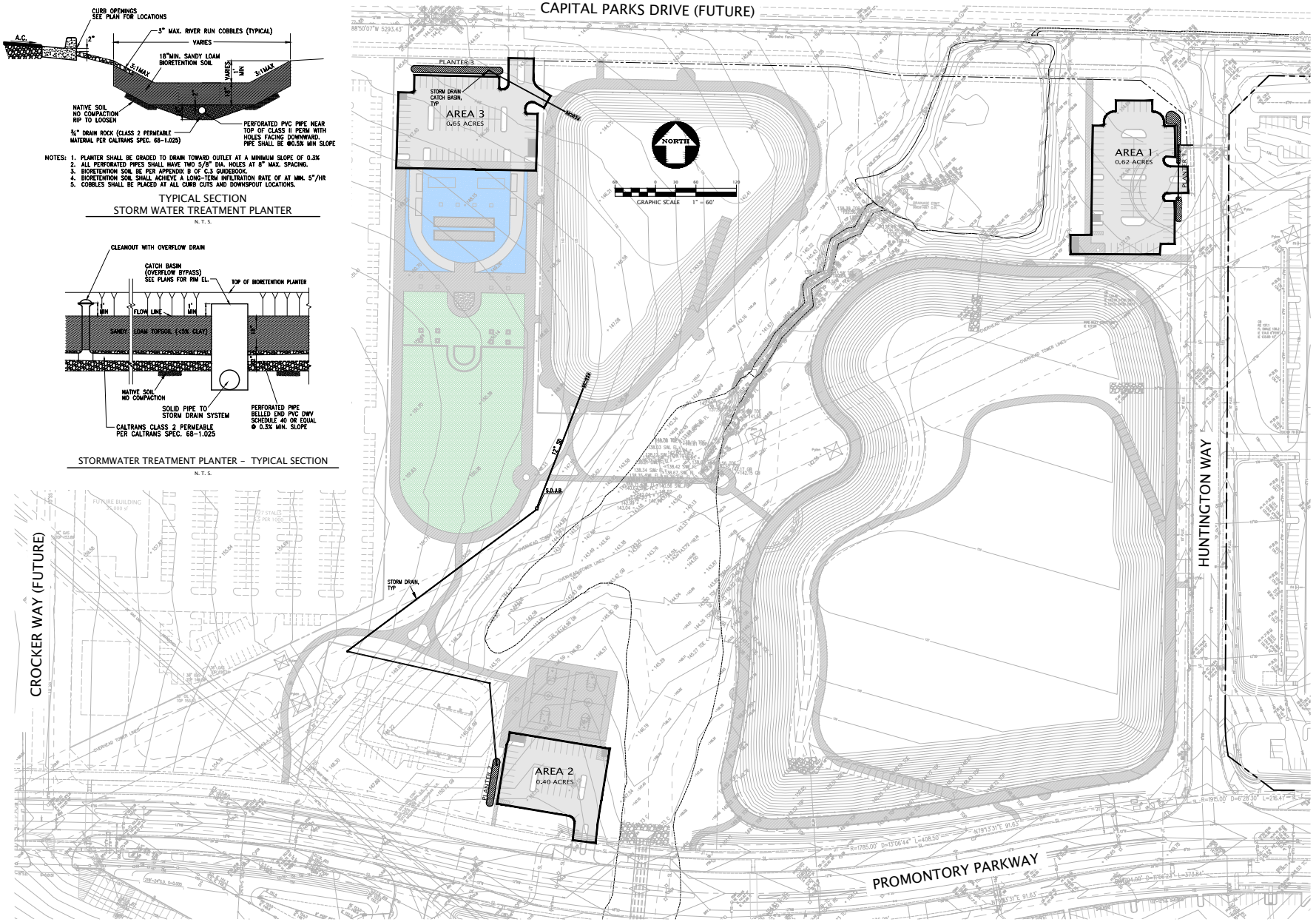
Source: Application Plan Set for SPA20-0004, CUP20-0001, D20-0015, 2021

Figure 5: Lighting Plan

Cordes Ranch Central Green Park Project
City of Tracy

Not to scale

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

Figure 6: Stormwater Quality

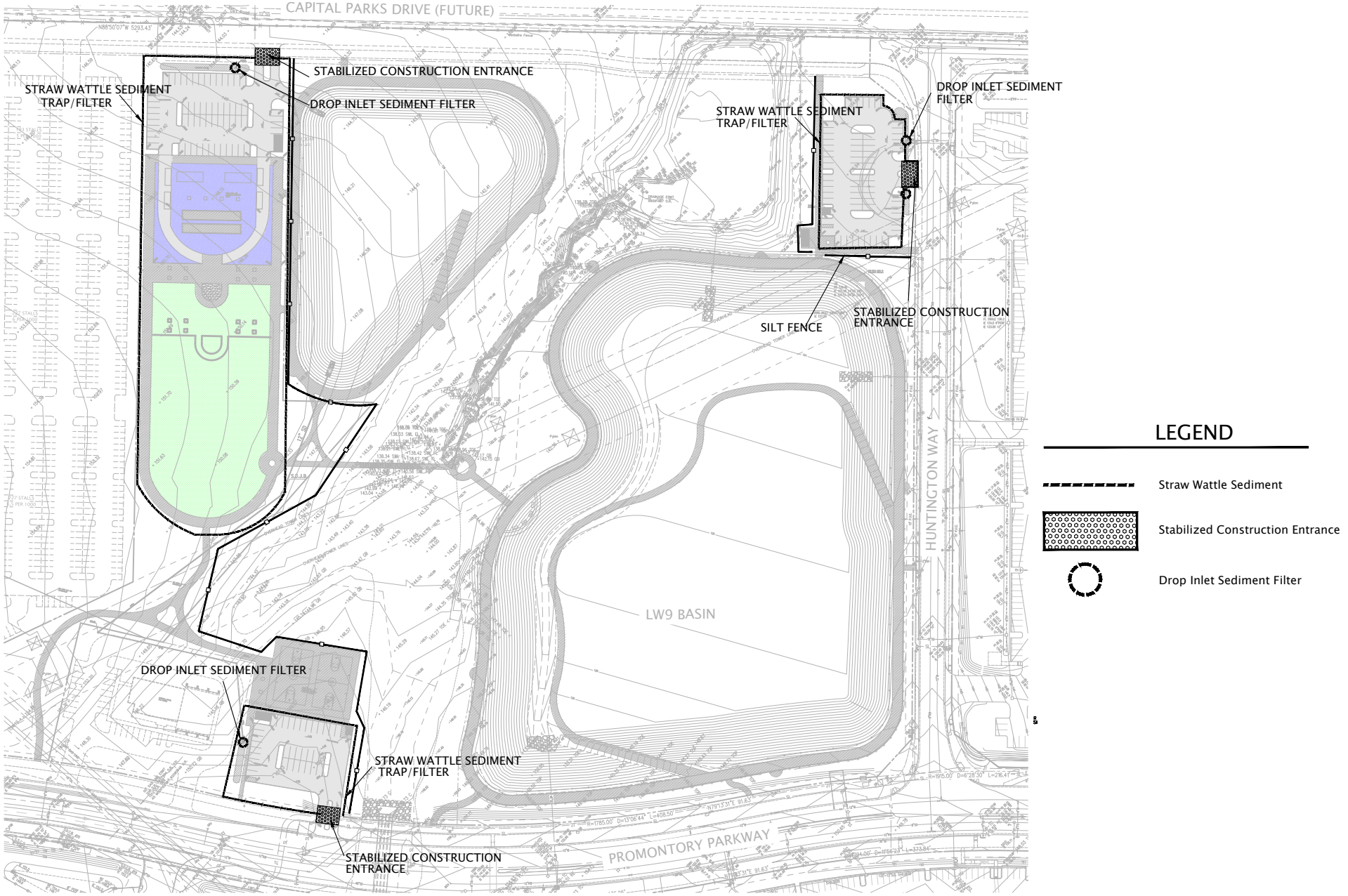
Cordes Ranch Central Green Park Project

City of Tracy

Not to scale

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

Figure 7: Erosion Control Plan

Cordes Ranch Central Green Park Project

City of Tracy

Not to scale

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

Figure 8: Food Truck Plan

Cordes Ranch Central Green Park Project
City of Tracy

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ENVIRONMENTAL EVALUATION

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

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

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

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

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

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

I. AESTHETICS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cumulative Impacts

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

II. AIR QUALITY

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

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

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

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

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

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

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

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

Construction

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cumulative Impacts

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

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

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

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

III. BIOLOGICAL RESOURCES

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

Plants

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

Wildlife Species

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cumulative Impacts

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

IV. CULTURAL RESOURCES

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cumulative Impacts

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

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

V. GEOLOGY AND SOILS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

ii. Strong seismic ground shaking?

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

iii. Seismic-related ground failure, including liquefaction?

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

iv. Landslides?

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

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

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

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

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

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

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

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

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

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

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

Cumulative Impacts

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

VI. GREENHOUSE GAS EMISSIONS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cumulative Impacts

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

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

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

VII. HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No schools are presently located within one-quarter mile of the proposed Project site. The closest school site is Lammersville Elementary School, located at 16555 Von Sosten Road, approximately 1 mile north of the nearest proposed Project site. No school is proposed within the CRSP Area. Any future school developed within the surrounding area would be subject to the oversight of the California Department of Toxic Substances Control (DTSC), as required by State law. New school sites are required to be free of contamination or, if the properties were previously contaminated, they must be cleaned up under DTSC's oversight. As a result, no impacts are anticipated. This topic was evaluated in the CRSP EIR and this conclusion is consistent with and supported by that document. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment?

As identified in the CRSP EIR, seven "hazardous materials sites" were identified on or within one-half mile of the CRSP Area. Five of the cases involved permitted underground storage tanks (USTs) with no reports of release, or inactive sites that have been determined to not likely affect buildout of the CRSP based on distance, existing groundwater data and soils information, and the proposed non-residential uses. The two remaining cases are active cleanup sites and are currently under review by the appropriate regulatory agency. One of the active sites is the Shell Oil Pipeline Cleanup Site ("Site 1: Other Cleanup Site, Shell Oil"), which is located within the CRSP boundaries. This site is the location of a crude oil release from a former pipeline. The crude oil release was subject to a subsequent investigation and on-going cleanup. Accordingly, groundwater has been impacted by dissolved phase petroleum contamination from the Shell pipeline release. In addition, free phase product (crude oil) has been detected floating on the ground water in several of the monitoring wells in the investigation area. To date, Shell (as the responsible party of record) continues to work with the RWQCB. For a complete discussion of Site 1: Other Cleanup Site, Shell Oil, please refer to the Hazards and Hazardous Materials section of the previously certified CRSP EIR.

The other active site is the leaking UST cleanup site known as ARCO #6100 located at 25775 Patterson Pass Road, southwest of the CRSP Area. This site is relatively up gradient from the CRSP Area and proposed Project site with respect to groundwater flow direction. However, these concerns generally apply only to the immediate vicinity of the site, and it is unlikely the release would affect the CRSP Area or the proposed Project. Both sites are subject to various State and federal laws and regulations. The potential for impact

exists and would be mitigated to a level of less than significant with implementation of Mitigation Measure Hazard-2, Hazard-3, and Hazard-4, as identified above. This determination of less than significant impact is supported by the CRSP EIR. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?

The Tracy Municipal Airport is the closest public airport to the proposed Project site and is located approximately five miles from the proposed Project site. The proposed Project is not located within the Tracy Airport zone, nor is it within any area identified as impacted by the Tracy Municipal Airport in the San Joaquin County Airport Land Use Compatibility Plan. Therefore, no associated impacts would occur. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?

The proposed Project site is not located within 2 miles of a private airstrip. The closest private airstrip is 33 Strip Airport (CA54) located five miles southeast of Tracy. Due to the distance separation, the proposed Project will not present a safety hazard for people residing or working in the proposed Project area. This determination is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The proposed Project would not impair or physically interfere with an adopted emergency response or evacuation plan. The City's General Plan includes policies that require the City to maintain emergency access routes that are free of traffic impediments (Objective SA-6.1, P1 and A2). The proposed Project does not include any actions that would interfere with emergency response and evacuation plan policies. Primary access to all major roads would be maintained during construction of the proposed Project and the CRSP provides for streets consisting of two lanes with shoulders on each side to provide for emergency vehicle parking and access. Therefore, no new specific impacts would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas?

According to the previously certified EIR prepared for the CRSP, the CRSP Area consists of areas of moderate wildland fire risk and areas which are unzoned. The moderate wildland fire risk is primarily due

to the terrain consisting largely of crop land with few trees or areas of natural undergrowth that could catch fire. The unzoned areas are somewhat developed areas considered to be physically distant from wildland fire areas and primarily extending along the north central and northeast corner of the CRSP Area. Since there is only a limited fire threat to the CRSP Area, the proposed Project, would not increase the rise of wildland fires because its footprint is within the boundaries of the CRSP Area. Therefore, the impact would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

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

VIII. HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	v	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project violate any water quality standards or waste discharge requirements?

As determined in the CRSP EIR, buildout of the CRSP would have potential water quality impacts from short-term construction-related erosion/sedimentation and long-term operational stormwater discharge. Construction activities for buildout of the CRSP Area could cause soils and other pollutants to enter the storm drain system if grading and associated activities are not managed properly. During heavy rains, this may degrade stormwater quality at downstream locations. Of particular concern is the potential contribution of additional sediments and other urban pollutants to the Old River, which has been identified as a water quality limited segment under the CWA Section 303(d). As determined in the CRSP EIR, future development of the CRSP Area would be responsible for complying with a Storm Water Pollution Prevention Plan (SWPPP) consistent with the General Permit for Stormwater Discharge Associated with Construction National Pollutant Discharge Elimination System (NPDES) requirements. Additionally, future developments would be required to implement stormwater control measures such as Low Impact Development (LID) and Best Management Practices (BMP's) per the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment during construction.

After construction, stormwater from buildout of the CRSP would have the potential to degrade water quality in downstream water bodies, in particular the Old River, which is already impaired. Buildout of the CRSP would add impervious surfaces through construction of buildings, parking areas, roadways, and other improvements. An increase in impervious surfaces has the potential to increase runoff from the CRSP Area, which in turn could transport urban pollutants to off-site areas. However, the future developments would be required to incorporate to the extent feasible, low impact development (LID) features, including directing drainage from impervious surfaces to bioswales for infiltration. In addition, as required in the CRSP, development projects greater than 100,000 square feet are required to implement specific controls, as identified in the City's Multi-Agency Post-Construction Stormwater Standards Manual, and to submit a Stormwater Quality Control Plan (SWQCP) that demonstrates that the future development would conform to all requirements of the City standards.

As concluded in the CRSP EIR, future developments in the CRSP Area would also be required to incorporate post-construction stormwater pollution management measures during operation of industrial facilities. These management measures would prevent polluting stormwater discharges, and they would be monitored as required by the statewide General Permit, which regulates stormwater discharges associated with industrial activities. Storm drainage facilities would be consistent with local, State and Federal requirements, including NPDES requirements, in compliance with General Plan Objective PF-1.1 Policy P4 and other applicable federal, State, and local laws and regulations. The CRSP also contains policies that are designed to further reduce the impacts of increase stormwater flow on and off site and reduce the impacts of urban runoff to water quality, as follows:

- Goal: Implement a range of sustainability measures aimed at conserving resources, decreasing energy and water consumption, and reducing air and water pollutants.

- Sustainability Measures:
    - Landscaping will consist of native species selected for water-efficient characteristics and will include drought tolerant planting materials common to the region.
    - Turf will be discouraged and minimized throughout the project.
    - Irrigation systems and devices will be water efficient and will include satellite soil moisture based irrigation controls and systems.
    - The landscape design will meet or exceed requirements of the Water Efficient Landscape Ordinance.
    - A purple pipe system will be constructed as part of the infrastructure for the project. Reclaimed water will be utilized for landscape irrigation of public and private landscaped areas when available.
    - Watering of non-vegetated surfaces and practices for cleaning outdoor surfaces and vehicles will be restricted and included in the CC&R's.
    - Low-impact development practices will be implemented to the extent feasible, to maintain the existing hydrologic character of the drainage and manage and treat stormwater to protect the environment.
    - Stormwater best management practices (BMPs) including vegetated bioswales, vegetated detention basins, and pervious paving will be incorporated to the extent feasible, into individual development sites and along streets per the San Joaquin County requirements.

The previously certified CRSP EIR identified five mitigation measures that would be effective in addressing water quality standards or waste discharge requirements in respect to buildout of the CRSP Area. The CRSP EIR determined that implementation of these measures would reduce potential impacts to a less than significant level.

The following mitigation measures from the CRSP EIR are applicable to the proposed Project and are identified as follows:

> ***Mitigation Measure Hydro-1****: Grading and ground disturbance on the Specific Plan Area shall be implemented in accordance with each individual development's approved grading plans and related grading permit. For the required treatment of urban pollutants and application of pesticides in the Specific Plan Area, each Project developer shall comply with the approved grading plan and related permit and conditions of approval. [This mitigation is Mitigation Measure HYDRO-1a in the CRSP EIR]*
>
> ***Mitigation Measure Hydro-2****: In accordance with the then-applicable regulations, as part of the application process for each individual development under the Specific Plan, each applicant shall file a Notice of Intent with the SWRCB to obtain coverage under the construction general permit (CGP) and shall comply with all of the requirements associated with the CGP, as necessary to*

mitigate those impacts that would result from the specific development proposed by that applicant. In addition, as part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain City approval of a SWPPP, which shall adequately address stormwater management during each construction phase of the Project.

The SWPPP shall be consistent with the then-applicable RWQCB standards and NPDES permit requirements, and shall be designed to protect water quality during the course of construction. Said BMPs may include, without limitation, the following:

- *Schedule earthwork to occur primarily during the dry season to prevent most runoff erosion.*
- *Protect drainages and storm drain inlets from sedimentation with berms or filtration barriers, such as filter fabric fences, hay bales, or straw wattles.*
- *Divert runoff from exposed slopes to on-site sediment basins before the runoff is released off-site.*
- *Install gravel construction entrances to reduce tracking of sediment onto adjoining streets.*
- *Sweep on-site paved surfaces and surrounding streets daily to collect sediment before it is washed into the storm drains or the Old River.*
- *After construction is completed, clean all drainage culverts of accumulated sediment and debris.*
- *Stabilize stockpiles of topsoil and fill material by watering daily, or by the use of chemical agents.*
- *Store all construction equipment and material in designated areas away from waterways and storm drain inlets. Surround construction staging areas with earthen berms.*
- *Wash and maintain equipment and vehicles in a separate bermed area, with runoff directed to a lined retention basin.*
- *Collect construction waste daily and deposit in covered dumpsters.*

[This mitigation is Mitigation Measure HYDRO-1b in the CRSP EIR].

***Mitigation Measure Hydro-3**: As part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain approval of a grading plan and related permit in accordance with Mitigation Measure HYDRO-1 (a). [This mitigation is Mitigation Measure HYDRO-2a in the CRSP EIR].*

***Mitigation Measure Hydro-4**: As part of the application process for each individual development project under the Specific Plan, each applicant shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site measures consistent with the Cordes Ranch Conceptual Drainage Plan, the CRSP, the Citywide Stormwater Master Plan, and other applicable stormwater standards and requirements that shall be designed to control and treat stormwater for the storm*

events in compliance with the then-applicable City's Multi-Agency Post-Construction Stormwater Standards Manual, including those dealing with capacity design of the facilities and contour grading. All such measures shall be implemented as part of the development and operation of the individual development at issue.

Each developer shall construct drainage improvements and other required stormwater retention/detention facilities as necessary to serve the specific development proposed by that applicant in conformance with the approved drainage plan, the Specific Plan and the then-applicable City standards including those set forth in the City's Storm Drainage Master Plan. These drainage facilities shall accommodate events up to and including a 100-year 24-hour storm.

Any impacts on the operations of Mountain House CSD facilities, including the alteration of cleaning velocities, will require coordination and agreement between Mountain House CSD and the City of Tracy prior to issuance of building permit for any development west of Mt. House Parkway.

The proposed mitigation measures will reduce impacts related to storm water runoff to less-than-significant levels. [This mitigation is Mitigation Measure HYDRO-2b in the CRSP EIR].

***Mitigation Measure Hydro-5**: As part of the development of each individual project under the Specific Plan, each developer shall implement the following measures:*

- *Shall not utilize chemical pesticides in the maintenance of common landscaped areas, open space areas, or parks. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure.*
- *Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to:*
    - *Hazardous material use controls;*
    - *Hazardous materials exposure controls;*
    - *Hazardous material disposal and recycling.*
- *Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system.*
- *To the extent feasible, direct stormwater runoff to percolation swale and basin areas rather than directing stormwater to storm drain pipes.*
- *Use biotreatment (natural pollutant filtering) where stormwater runs off paved surfaces onto pervious surfaces.*
- *Utilize sediment traps, evaporation basins, flow dissipaters, and other methods to reduce the volume and speed of stormwater runoff and reduce pollutant loads.*

[This mitigation is Mitigation Measure HYDRO-2c in the CRSP EIR]

Project implementation would develop a 31-acre park with associated recreational amenities, open space areas, and pond/detention basins and within the CRSP Area. Development of the proposed Project would add impervious surfaces through construction of parking areas, recreational amenities, restrooms, roadways, and other improvements. An increase in impervious surfaces has the potential to increase runoff from the Project site, which in turn could transport urban pollutants to off-site areas. However, similar to the CRSP, the NPDES General Permit requirements and implementation of a SWPPP and monitoring plan would be required to include erosion-control and sediment-control BMPs that would meet or exceed measures required by the General Permit to control potential construction-related pollutants. As shown in Figure 7, erosion control and sediment control BMPs will be in place during construction of the proposed Project. Adherence to NPDES requirements, the SWPPP, BMPs, and City requirements will ensure impacts are less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (b) Would the project substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

As identified in the CRSP EIR, implementation of the CRSP would not have an adverse impact on groundwater recharge. The Water Supply Assessment prepared for the CRSP EIR concluded that the City's existing and additional planned future water supplies are sufficient to meet the City's existing and projected future water demands, including those future water demands associated with buildout of the CRSP to the year 2035 under all hydrologic conditions.

Although the proposed Project would increase impervious surfaces, which could impact groundwater recharge, a range of features such as parks and open space, including detention basins, and other stormwater management features would be included as part of the build-out of the CRSP Area. As noted above, open space areas and pond/detention basins would be included as part of the proposed Project. See Figure 6. These detention basins will be designed to City standards and help to percolate water back into the ground. For these reasons, the Project would not substantially deplete the groundwater supplies or interfere substantially with groundwater recharge any greater than already analyzed in the CRSP EIR and this impact would be less than significant This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

The greatest potential impact with respect to erosion and siltation processes would come during construction when earthmoving and vegetation removal occurs. As identified in the CRSP EIR, significant grading and excavation would be necessary during construction of new commercial, office and industrial buildings, roadways, trails, detention basins, utility placement, and other necessary infrastructure and improvements within the CRSP Area. Figure 4.9-2 of the CRSP EIR provides a conceptual drainage plan for all new development areas within the CRSP. In addition, future and temporary on-site detention basins are shown in this figure. Overall, new development within the CRSP Area would convert a primarily undeveloped site to a developed one. As such, the CRSP EIR determined that buildout of the CRSP Area would substantially alter the CRSP Area's existing charge pattern in a manner that may result in substantial erosion or siltation on or off-site. This would be a significant impact without mitigation. To reduce potential impacts from a change in drainage pattern, implementation of Mitigation Measure Hydro-2, identified above, would require coordination with the SWRCB and the City of Tracy during design and construction of the proposed Project to ensure the Project is consistent with long range planning efforts.

Development of the Project site would have the potential to alter drainage pattern from increased erosion and sedimentation through the removal of vegetation during construction activities. The existing Project site drains from a west to east direction directing all surface water draining towards Huntington Way and Promontory Parkway. The natural drainage pattern of the site will be maintained, and on-site stormwater drain systems will convey all drainage to onsite detention basins. As identified in Figure 4.9-2 of the CRSP EIR, these detention basins were planned as part of buildout of the CRSP. For these reasons, implementation of Mitigation Measure Hydro-2 would be applicable to the Project. With implementation of this mitigation measure, impacts would be less than significant.

For these reasons, implementation of the Project would not result in This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding?

As described in Response (c) above, the proposed Project would not substantially alter existing drainage patterns of the site or vicinity. The site does not include any streams or rivers, which could be altered by the proposed Project. Onsite surface run-off would be collected in proposed drainage facilities within the Project site and associated with build-out of the CRSP Area. With implementation of Mitigation Measure Hydro-4 identified above, the proposed Project would provide detention and stormwater treatment systems to limit the release of stormwater from the site to pre-development conditions; thus, minimizing the potential for flooding to occur on- or offsite. The proposed Project would be consistent with long term planning of flood control and storm drain infrastructure. Therefore, issues related to flooding would not occur and the impact is considered less than significant with mitigation.

This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (e) Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

As described in Response (c) above, the proposed Project would not substantially alter existing drainage patterns of the site or vicinity. The site does not include any streams or rivers, which could be altered by the proposed Project. Onsite surface run-off would be collected in proposed drainage facilities associated with build-out of the CRSP Area. With implementation of Mitigation Measure Hydro-4 identified above, the proposed Project would provide detention and stormwater treatment systems to limit the release of stormwater from the site to pre-development conditions; thus, minimizing the potential for flooding to occur on- or offsite. The proposed Project would be consistent with long term planning of flood control and storm drain infrastructure. Therefore, issues related to flooding would not occur and the impact is considered less than significant with mitigation. This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (f) Would the project otherwise substantially degrade water quality?

As identified in the CRSP EIR, with mitigation, implementation of the THSP would have a less than significant impact on degradation of water quality. As discussed above in Threshold (e), with implementation of Mitigation Measures Hydro-1, Hydro-2, Hydro-3, Hydro-4 and Hydro-5, above, implementation of the CRSP would not substantially degrade water quality.

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

See Mitigation Measures Hydro-1, Hydro-2, Hydro-3, Hydro-4 and Hydro-5 above.

The proposed Project would have the potential to increase runoff through erosion or siltation from construction and operation activities. With implementation of the above mitigation measures, the proposed Project's impact on water quality would be less than significant. This is consistent with the impact conclusions of the CRSP EIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the CRSP.

Threshold (g) Would the project place housing/structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

As identified in the CRSP EIR, the CRSP Area is not located within a 100-year flood hazard area. As a result, no impact would occur from buildout of the CRSP in this regard. As such, the proposed Project would not be located within a 100-year flood hazard either because it is within the footprint of the CRSP Area. Also, housing is not proposed as part of the proposed Project. For these reasons, no impact would occur. This finding is supported by the CRSP EIR. No further analysis is required.

Threshold (h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

The proposed Project is not located within a 100-year flood hazard area, and therefore no structures would be placed in such an area as part of the proposed Project. Thus, no impact would occur. This topic was evaluated in the CRSP EIR and this conclusion is consistent with and supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

As identified in the CRSP EIR, the CRSP is not located within the dam inundation risk areas. As a result, no impacts would occur as a result of the failure of a levee or dam. Since the proposed Project would be within the same footprint as previously analyzed in the CRSP, there would be no impact and no further analysis is required.

Threshold (j) Would the project result in inundation by seiche, tsunami or mudflow?

As identified in the CRSP, the CRSP Area is not located within the inundation zones of the major dams in the region. Therefore, there is no risk of exposure to inundation by seiche or tsunami and no impact would occur. Because implementation of the proposed Project would be still be located within the same footprint of the CRSP Area, the proposed Project would not result in inundation by seiche, tsunami or mudflow. Similar to the CRSP, there would be no impact and no further analysis is required.

Cumulative Impacts

The potential impacts related to hydrology and storm water runoff are typically site specific and has been discussed above and in the previously certified CRSP EIR. As discussed above, the proposed Project would not cause a new hydrological impact to occur, nor an increase in the severity of a hydrological impact previously disclosed in the CRSP EIR, with implementation of the mitigation measures discussed in this section. Given that all present and reasonably foresee future projects larger than one acre would be required to prepare a SWPPP and conform with BMPs, cumulative development would be helping to improve water quality in the watershed basin over the long term. Similarly, present and reasonably foreseeable future projects that create or replace 10,000 sf or more of impervious area would be required to meet post-construction requirements so that receiving waters downstream are not adversely impacted. For the project, the site plan has been designed to retain runoff on-site and drain into the City's stormwater system, resulting in controlled releases to the stormwater drainage system. Thus, while cumulative development may have drainage pattern differences, compliance with NPDES and local requirements for stormwater quantity and quality for each individual project would help to improve overall water quality in the watershed basin. Furthermore, the CRSP EIR analysis determined that the implementation of the proposed Project would not result in significant impacts with mitigation incorporated. As a result, no cumulative impacts are anticipated. The proposed Project would not cause

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

IX. LAND USE AND PLANNING

WOULD THE PROJECT:

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
Would the project:					
a. Physically divide an established community?	☐	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project physically divide an established community?

As identified in the CRSP EIR, implementation of the previously approved CRSP would not have the potential to divide an established community. The THSP SEIR found that, while new development and improvements to the circulation network in the CRSP Area would occur under the CRSP, implementation of the CRSP would not physically divide an established community and impacts would be less than significant.

The Project would result in development of a 31-acre park with amenities including a Food Truck/Multi-Use Area on the western portion of the site, Detention Basin/Multi-Use Area on the eastern portion of the site, and Sports Courts/Picnic Area on the southwestern portion of the site and does not include the construction of public roads, structures, or other improvements that would physically divide or separate neighborhoods within an established community. The project site was analyzed in the CRSP EIR, and although minor modifications to the acreage and uses are included in the proposed Project, the Project is consistent with the land use designation and would not divide an established community.

The finding of no impact is supported by the previously certified EIR prepared for the CRSP which found that no potentially significant impacts to physical division of a community would occur.

Threshold (b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed SPA would modify the General Commercial (GC) and General Office (GO) zoning districts to allow for a FAR of 1.0 for hotel uses. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. Because the proposed SPA is a clarification to what has already been permitted, any potential development related to hotel uses within the GO or GC zoning districts would not result in greater land use impacts than were previously analyzed in the CRSP EIR. While the proposed SPA would provide clarification for FAR standards for future hotel uses within the GC and GO zoning districts, it is highly unlikely this standard would result in more hotels being built within these zoning districts in the CRSP. All future development proposals in the City would be required to go through City review and its own separate site-specific environmental review.

For these reasons, the Project would not conflict with applicable land use plans, policies, or regulations, including the CRSP, the City's current General Plan, Sustainability Action Plan, applicable citywide infrastructure master plans, and regional plans. The Project site was analyzed in the CRSP EIR, and although minor modifications to the park acreage and uses are included in the proposed Project, the Project is consistent with the land use designation and zoning. The previously approved CRSP is consistent with the Tracy General Plan designation of CRSP Area such that the mix of proposed land uses are consistent with the statistical profile evaluated in the General Plan. Overall, the proposed Project is consistent with the underlying land use and zoning designations that have been included in local and regional planning efforts. No impact would occur. This finding is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

The City of Tracy participates in the San Joaquin County Habitat Conservation Plan (HCP), and the CRSP has coverage under the HCP. The Specific Plan Area is located within the Central/Southwest Transition Zone designated by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The ultimate goal of the SJMSCP is to provide 100,241 acres of habitat preserves over the projected 50-year lifetime of the SJMSCP. Most of the land for these preserves would be designated as conservation easements over existing agricultural lands in the areas covered by the SJMSCP. Only a portion of the Specific Plan Area (generally southwest of the Delta-Mendota Canal and northeast of the Upper Main Canal) is located within the Urban Expansion Line designated by the SJMSCP. However, a Minor Amendment allowing the entire Specific Plan Area to participate in the SJMSCP, receive Incidental Take coverage, and mitigate the conversion of open space lands to non-open uses was reviewed and approved by the CDFW and USFWS in 2004.[6] Participation in the SJMSCP includes payment of a fee for each acre of land converted to urban use and compliance with Incidental Take Minimization Measures

[6] CRSP Draft EIR, page 4.4-9.

defined in Section 5.2 of the SJMSCP. Relative to land use and planning issues, the proposed Project conforms to the applicable habitat conservation plan. Therefore, no conflict with such plans would occur with proposed Project implementation. This determination is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

The analysis of potential impacts indicated that no impacts would result from the proposed Project's implementation. As a result, no cumulative impacts related to land use and planning would occur. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

X. MINERAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The main mineral resources found in San Joaquin County and Tracy are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. The City of Tracy has an adopted Aggregate Mining Overlay zone, which has been approved by the State Division of Mines and Geology (Resolution 2000-12 of State Division of Mines and Geology). In order to protect aggregate land and mitigate conflicts between mining activities and urban uses, the 2011 Tracy General Plan designates lands with production quality mineral reserves as Aggregate in the southern portion of Tracy. Of the area classified by the State Division of Mines and Geology as having potentially significant mineral deposits, the City has designated the bulk of this area as Aggregate in the 2011 General Plan.

Since the proposed Project site is not located in an area designated for Aggregate use in the 2011 General Plan, no impacts related to the loss of availability of a known mineral resource would occur.

Threshold (b) Would the project result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The proposed Project site has not been used for mineral resource recovery and is not delineated as a mineral resource recovery site on any land use plans. As the proposed Project site is not currently used (or planned for use) as a mineral resource recovery site, no impacts to mineral resources would occur.

Cumulative Impacts

The analysis of potential impacts indicated that less than significant impacts would result from the proposed Project's implementation. As a result, no cumulative impacts related to mineral resources would occur.

XI. NOISE

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

A noise impact evaluation was performed for the previously certified CRSP EIR to evaluate the potential for noise and vibration impacts resulting from Specific Plan implementation. The results and findings as they apply to the proposed Project are summarized herein.

Noise sources in the proposed Project area consist of vehicular traffic on nearby roadways, including I-205, I-580, Old Schulte Road, Mountain House Parkway, and Hansen Road. According to the previously certified EIR prepared for the CRSP, on-site noise levels were measured on March 4, 2013 to document noise levels at the existing land uses within the Specific Plan Area.[7] Noise levels were based on readings at 3 Long-Term Locations and 10 Short Term Locations, which included five locations outside the Specific Plan Area, four locations adjacent to the Specific Plan boundaries, and four within the Specific Plan Area. The noise environment of the proposed Project's site is dominated by traffic along Capital Parks Drive, Promontory Parkway, Huntington Way, Interstate 205, and activities in the International Park of

[7] CRSP Draft EIR, page 4.11-18.

Commerce business park. Additionally, the noise sources associated with existing warehouse and manufacturing uses located within the Specific Plan Area.

The proposed park is consistent with the zoning district as analyzed in the CRSP, and the hotel use proposed in the GO and GC zoning districts is similar to the noise sources generated by other uses analyzed for those zoning districts in the CRSP EIR and include sources such as, vehicle traffic, emergency generators, trash compactors, and rooftop mechanical equipment.

Threshold (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The proposed Project area consists of a 31-acre park envisioned to be the principal open space and recreational amenity for the International Park of Commerce business park, located centrally in the Specific Plan Area, north of Promontory Parkway, south of Capital Parks Drive, and directly west of Huntington Way. According to the previously certified EIR prepared for the CRSP, future mobile traffic noise levels generated along heavily-traveled roadways may result in potentially significant impacts for existing sensitive receptors and future buildings in the Specific Plan Area;[8] refer to Section XII (c) below. Mitigation Measure NOI-1 was assigned to future development within the Specific Plan Area to address this potentially significant impact.

> ***Mitigation Measure NOI-1:*** *As part of the development process for each individual, site-specific project under the Specific Plan, the development at issue shall adhere to all applicable Building Code and Municipal Code provisions and standards and other requirements, as noted in the above Regulatory Framework discussion.[9] Regarding mitigation of impacts relating to mobile sources for an individual, site specific project, the City will consider, as appropriate and feasible, a variety of techniques to reduce noise, which may include, for example, building setbacks, berms, walls, fences of various materials, and rubberized asphalt, taking into account relevant General Plan policies (as they relate to sound walls) and the nature and location of sensitive receptors at issue. [This is Mitigation Measure NOISE-1 in the CRSP EIR].*

Implementation of Mitigation Measure NOI-1 would reduce the severity of mobile noise sources. The proposed Project is consistent with the zoning district evaluated for the Project site and as such, this mitigation measure would still apply to the proposed Project because it was previously considered for in the CRSP EIR.

The proposed SPA provides clarification for the types of passive and active recreational uses allowed within the Parks Zone. These allowed uses, such as exercise classes, health/fitness events, farmer's market, etc., are not anticipated to generate any noise levels greater than recreational activities previously analyzed in the CRSP EIR. As discussed throughout this document, the proposed SPA would also allow for food truck uses within GO, BPI, P zoning districts and the I-205 overlay of the CRSP. With respect to the proposed Project, these food trucks would be allowed to operate at designated areas, specifically

[8] CRSP Draft EIR, page 4.11-31.
[9] See Draft EIR for complete regulatory discussion.

in the northwestern portion of the Project site, and would operate for up to a maximum of 12 hours at a single location within a 24-hour period. In addition, it is anticipated that mobile food vendors would serve nearby business park employees during lunch time and would not operate past allowed timeframes per Tracy Municipal Code. , For these reasons, no greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project. Impacts would be less than significant. This finding is supported by the previously certified EIR prepared for the CRSP.

Threshold (b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Construction of the proposed Project has the potential to produce short-term construction vibration effects and operational vibration as a result of proposed Project's traffic. According to the previously certified EIR prepared for the CRSP, neither the City of Tracy nor the County of San Joaquin establishes thresholds for "excessive" vibration.[10] Therefore, the United States Department of Transportation (Federal Transit Administration [FTA]) criteria for the evaluation of potential human annoyance and potential for structural damage to result from vibration is used.

Construction of the proposed Project would generate short-term construction vibration during site preparation and construction of the park amenities, detention basin, and related activities. Vibration from construction activities rarely reaches the levels that can damage structures, but groundborne vibration and noise can reach perceptible and audible levels in buildings that are very close to the construction site.[11] Even with vibration reduction measures, such as use of vibration attenuating construction equipment (static rollers) and discretionary scheduling of the noisiest construction activities, groundborne vibration from construction within the Specific Plan Area when in close proximity to sensitive receptors would be a potentially significant impact relative to perception and annoyance.

The nearest residences are located approximately 0.28miles northeast of the proposed park. Between the completion of the Phase 1 development and the Specific Plan's full build-out, all these existing, onsite residential uses are assumed to be replaced by the proposed commercial or light-industrial uses.[12] Moreover, proposed Project construction does not entail pile driving. In addition, vibration effects would be reduced by a combination of appropriate equipment and process selection, as well as implementation of proper administrative controls (refer to Mitigation Measures NOI-2 and NOI-3 below). Even with these vibration reduction approaches, it is still possible that individual, site-specific developments could exceed either the annoyance threshold and/or the architectural damage threshold. This potential situation would be exacerbated with the use of standard pile driving techniques. As such, groundborne vibration from construction could result in a potentially significant impact with respect to perception or architectural damage. The proposed Project would also implement best practices for construction activities (as specified in Mitigation Measures NOI-4), which would reduce groundborne noise and vibration from

[10] CRSP Draft EIR, page 4.11-33.
[11] CRSP Draft EIR, page 4.11-34.
[12] CRSP Draft EIR, page 4.11-31.

construction. Mitigation Measures NOI-2 and NOI-3 are applicable to the proposed Project and are identified as follows:

> ***Mitigation Measure NOI-2:*** *The following measures, in addition to the best practices for construction activities (as specified in Mitigation Measure NOI-4), are recommended to reduce groundborne noise and vibration from construction activities:*
>
> *1. Avoid impact pile driving process, when feasible. The use of a predrilling pile installation process shall be utilized when feasible, where geological conditions permit their use, so as to reduce vibration levels at adjacent receptors.*
>
> *2. Avoid using vibratory rollers and vibratory tampers near vibration-sensitive uses.*
>
> *[This is Mitigation Measure NOISE-2a in the CRSP EIR].*
>
> ***Mitigation Measure NOI-3:*** *Before any individual, site-specific development conducts any high vibration-generating activities (such as pile driving or vibratory compacting) within one hundred (100) feet of existing structures, the following mitigation measures shall apply:*
>
> *1. Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before- and after-construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of each individual, site-specific development that is subject to this mitigation measure. Limits shall be based on Table 4.11-6 to preclude architectural damage and on Table 4.11-5 to preclude vibration annoyance. For the Specific Plan Area proposed development types (i.e. "institutional land uses with primarily daytime use"), the Table 4.11-5 Category 3 land uses would indicate a threshold of 83 VdB. For future developments that have special, vibration-sensitive operations or equipment, 14 the criteria in the FTA Guideline Manual, Table 8-315 should be implemented. The monitoring and construction contingency plan shall include the following contents described in Numbers 2 through 4 below.*
>
> *2. At a minimum, monitor vibration during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.*
>
> *3. When vibration levels approach the above limits, construction should be suspended and contingencies should be implemented to either lower vibration levels or to secure the affected structures.*
>
> *4. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.*
>
> *[This is Mitigation Measure NOISE-2b in the CRSP EIR].*

With implementation of mitigation, construction vibration levels as a result of proposed Project construction would be less than significant.

The previously certified EIR prepared for the CRSP evaluated the potential for vibration impacts related to transportation activity. According to the previously certified EIR, heavy trucks generate groundborne vibrations that are greater than normal traffic. Moreover, the highest traffic-generated vibrations are along freeways and state routes.[13] However, as a park use, the proposed Project would not contribute significantly to traffic related vibration, and given the width of freeway shoulders and the distances from the freeway right-of-way edges to the Specific Plan Area boundaries, development of the Specific Plan inclusive of the proposed Project would not result in exposure of persons to excessive transportation related vibration impacts. The proposed Project would also not result in significant impacts resulting from long-term operational vibration impacts since proposed future land uses within the Specific Plan Area are compatible with adjacent and surrounding land uses. Overall, long-term operational vibration impacts are less than significant. This finding is supported by the previously certified EIR prepared for the CRSP.

Threshold (c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Although the land uses within the CRSP have been strategically placed to avoid, to the extent feasible, routing truck traffic on roadways near long-term sensitive receptors, a substantial permanent increase in ambient noise levels in the proposed Project vicinity would occur as a result of traffic. As discussed in the previously certified CRSP EIR, Specific Plan implementation would cause a substantial noise increase to most nearby roadways within and in close proximity to the Specific Plan limits during Existing Conditions Plus Project Buildout. The Specific Plan impact was identified as significant and unavoidable despite implementation of Mitigation Measure NOI-1. The proposed Project is consistent with the land use generated traffic evaluated in the previously certified EIR prepared for the CRSP. Therefore, the proposed Project would also result in a significant and unavoidable impact related to future mobile traffic noise. As such, the proposed Project would be subject to Mitigation Measure NOI-1, which would reduce the severity of mobile traffic noise impacts to the maximum extent feasible.

Threshold (d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Noise emissions from construction of the proposed Project would be localized and occur intermittently for varying periods of time. The highest construction noise levels associated with proposed Project construction would be generated during grading and excavation, with lower noise levels occurring during construction of the park amenities. According to the previously certified EIR prepared for the CRSP, potentially significant impacts from construction noise could occur with Specific Plan implementation. , Construction of the proposed Project including individual site specific development in close proximity to existing and/or previously completed land uses may cause notable sound level increases. Implementation

[13] CRSP Draft EIR, page 4.11-36.

of Mitigation Measure NOI-4 would reduce the potential for a substantial temporary or periodic increase in ambient noise levels to occur.

> ***Mitigation Measure NOI-4:*** *The following measures, when applicable and feasible, shall be required to reduce noise from construction activities:*
>
> *1. Ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment.*
>
> *2. Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists.*
>
> *The following measures, when applicable and feasible, shall be required to reduce noise from construction activities:*
>
> *1. Ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment.*
>
> *2. Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists.*
>
> *3. Locate stationary noise-generating equipment as far as reasonable from sensitive receptors when sensitive receptors adjoin or are near a construction Project area.*
>
> *4. Prohibit unnecessary idling of internal combustion engines (i.e. in excess of five minutes).*
>
> *5. Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.*
>
> *6. Erect temporary noise control blanket barriers and/or temporary solid plywood fences around construction sites adjacent to operational businesses or noise-sensitive land uses. This mitigation would only be necessary if (a) potential conflicts could not be resolved by proper scheduling and (b) the temporary barrier could demonstrate a benefit at the façade of the receptor building of at least 10 dB.*
>
> *7. Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.*
>
> *8. Notify businesses and noise-sensitive land uses adjacent to construction sites of the construction schedule in writing. Designate a "Construction Liaison" that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g. starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. A telephone number for the Liaison should be conspicuously posted at the construction site.*
>
> *[This is Mitigation Measure NOISE-4 in the CRSP EIR].*

With mitigation, the construction noise impact is less than significant. This finding is supported by the previously certified EIR prepared for the CRSP.

During 2035 Conditions Plus Project Buildout, Specific Plan-related traffic would cause a substantial noise increase to most study area roadways within and in the vicinity of the Specific Plan. As discussed in the previously certified CRSP EIR, this impact would be significant and unavoidable since possible mitigation (such as sound walls and rubberized asphalt) would not completely mitigate the traffic generated noise. For these reasons, implementation of the Specific Plan would result in significant and unmitigable noise impacts. For purposes of analyzing the proposed Project, since the proposed Project-generated traffic would be consistent with the land use assumptions evaluated in the previously certified EIR prepared for the CRSP, the proposed Project-related noise impact would be within the increase evaluated for the CRSP. In addition, food truck uses that would be allowed as a result of the proposed SPA would not generate any greater trips than what was previously analyzed in the CRSP EIR because it is anticipated that mobile food vendors would serve nearby business park employees during lunch time, who's trips have been accounted for in the CRSP EIR. Impacts under this issue area would remain significant and unavoidable. While the proposed Project's impact remains significant and unavoidable consistent with the effects of implementation of the CRSP, additional environmental review is not required since this impact was addressed and analyzed in the CRSP EIR.

Threshold (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

According to the previously certified EIR prepared for the CRSP, the Specific Plan Area is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, the proposed Project is not located within an airport land use plan or within vicinity to a public use airport such that exposure of persons residing or working in the proposed Project area to excessive airport related noise levels would occur. As such, no further analysis is required.

Threshold (f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

According to the previously certified EIR prepared for the CRSP, the Specific Plan Area is not located within two miles of a private airstrip. Therefore, the proposed Project is not located within a distance of two miles from a private airstrip. Due to the distance separation, the proposed Project would not expose persons to excessive airport-related noise levels. As such, no further analysis is required.

Cumulative Impacts

The proposed Project would introduce the use of stationary equipment that would increase noise levels within the Specific Plan Area and vicinity. With adherence to the City's Municipal Code regulations, development of the proposed Project in conjunction with other cumulative projects would not have the potential to result in cumulatively considerable significant stationary noise impacts. Development of the proposed Project in conjunction with other cumulative projects would result in significant cumulative

noise impacts relative to traffic. According to the previously certified EIR prepared for the CRSP, a cumulative impact would occur when an overall increase from existing noise levels over 5 dBA occurs, and the proposed Project contribution is greater than 3 dBA. Based on the results of the cumulative traffic noise analysis performed for the previously certified EIR prepared for the CRSP, cumulative traffic noise impacts with this cumulative impact threshold would occur at several segments in the Specific Plan Area and vicinity. Therefore, consistent with the results of the previously certified EIR prepared for the CRSP, cumulative proposed Project impacts would be significant and unavoidable.

XII. POPULATION AND HOUSING

WOULD THE PROJECT:

Issues	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed Project does not include the provision of new housing or businesses or propose the construction or extension of any new roads or infrastructure to previously undeveloped or inaccessible areas that would open up new areas for development that have not been previously envisioned for development by the City or contemplated within the parameters of the CRSP. The proposed SPA would modify the General Commercial (GC) and General Office (GO) zoning districts to allow for a FAR of 1.0 for hotel uses. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for future hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. , Thus, it is highly unlikely this standard would result in more hotels being built within these zoning districts in the CRSP, inducing substantial population growth. All future development proposals in the City would be required to go through City review and its own separate site-specific environmental review.

The CRSP EIR determined that the employees generated by the CRSP would not induce substantial population growth (either directly or indirectly) beyond lands already planned for by the City. Therefore, the impact of unexpected population growth associated with the Project would be less than significant.

No potentially significant impacts to population and housing are identified in the previously certified CRSP EIR. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Implementation of the proposed Project would not require the removal of housing necessitating the construction of replacement housing elsewhere. As a result, no impact on housing displacement would occur. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The proposed Project area does not contain housing. No impact would occur.

Cumulative Impacts

The proposed Project would not result in direct or indirect permanent or temporary impacts related to population or housing. Therefore, the proposed Project would not result in incremental effects to population and housing that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. As a result, no cumulative impacts related to population and housing would occur. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

XIII. PUBLIC SERVICES, RECREATION, AND UTILITIES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i. Fire protection?	☐	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☐	☒
b. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐	☒
c. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☐	☒
d. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☐	☒
e. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
f. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
g. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☐	☒

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
h. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☐	☒
i. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☐	☒
j. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

i. Fire Protection

The proposed Project area is currently served by existing public services, including fire and police protection, schools, and parks. As of January 1, 2021, the South San Joaquin County Fire Authority (SSJCFA) began providing, and would continue to provide fire protection and emergency medical services at the site. [14] The SSJCFA provides fire protection and paramedic services to the City of Tracy and the surrounding unincorporated areas that include the communities of Banta, Lammersville and Vernalis. The SSJCFA provides services to over 120,000 residents and visitors out of six fire stations with six engine companies and one truck company. The Authority also provides five paramedic engine companies, two basic life support engine companies, and one ladder truck company.

The existing SCFA Station 94/California Department of Forestry and Fire Protection Station 26, located at 16502 West Schulte Road, would primarily serve the Specific Plan Area, including the proposed Project site. The Citywide Public Safety Master Plan, which guides the provision of public safety facilities needed to serve the existing and future safety needs of the Tracy community, also identifies a new facility that

[14] South San Joaquin County Fire Authority Website, accessed February 5, 2021. https://www.sjcfire.org/administration/chief-s-message.

would be built in the area of Lammers Road, south of 11th Street.[15] Construction of this facility, the Tracy Hills Fire Station No. 95, began in September 2020 and is expected to be complete in August 2021.[16]

Emergency medical services in Tracy are provided by the SSJCFA and a local private transport ambulance provider (American Medical Response [AMR]).

The service demand from the Project would contribute to the need for new or expanded facilities within the overall CRSP Area. In order to address the increase in service population, the CRSP EIR requires the following mitigation measures to be implemented on a project-by-project basis to ensure the payment of a proportionate fair share toward the planned facilities that would be constructed over time to accommodate the additional demand from the Project.

> ***Mitigation Measure Public Services-1:*** *As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fee as set forth in an adopted Cordes Ranch FIP. [This is Mitigation Measure PS-1 in the CRSP EIR].*
>
> ***Mitigation Measure Public Services-2***: *As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to fire protection and emergency response services, such as those relating to fire flows, hydrants and other design and safety features (including any necessary and specialized fire protection equipment to service to individual uses proposed). [This is Improvement Measure PS-1 in the CRSP EIR].*

Implementation of the above mitigation measures would reduce impacts to SCFA's fire operations to less than significant. In addition, although not considered an impact under CEQA, for informational purposes, the City also evaluates the need for necessary and specialized equipment for fire protection through the individual Development Review process on a project-by-project basis. Accordingly, through this process, such needs are addressed as they arise, and all applicable standards relating to fire flow, hydrant and other design and safety features would be imposed as conditions of approval. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

ii. Police Protection

The Tracy Police Department provides police protection services to the City of Tracy. The Department is headquartered at 1000 Civic Center Drive. The Department employs 93sworn officers (54 officers in the Field Operations Division are sworn officers).[17] The Tracy Police Department provides mutual aid to the San Joaquin County Sheriff's office, and vice versa, when a situation exceeds the capabilities of either department. Mutual aid is coordinated by Sheriff's office.

[15] City of Tracy, accessed February 5, 2021. https://www.ci.tracy.ca.us/documents/Final_Citywide_Public_Safety_Master_Plan.pdf.
[16] City of Tracy, accessed February 5, 2021. https://www.ci.tracy.ca.us/?navid=11610
[17] City of Tracy Police Department website, accessed May 28, 2019. https://www.ci.tracy.ca.us/?navId=1631.

Short term impacts to emergency services, fire and police protection could result during construction of the proposed Project if any road closures or detours are proposed. Implementation of a Traffic Control Plan, as determined necessary by the City of Tracy, would reduce the potential for short term impacts to occur. As a standard measure, a Traffic Control Plan, as determined applicable by the City, would include provisions for allowing emergency access or designate alternate routes for emergency response where required. The Traffic Control Plan would also provide for notification to the police and fire departments of the construction schedule and any required detours. No short-term impacts to fire and police protection services would occur.

Police protection for the proposed Project would be provided by the Tracy Police Department, which already services the immediate vicinity. However, it is possible that the need for additional equipment or staff or construction of new or modification of existing facilities could result from build-out of the CRSP, and the proposed Project would contribute to that demand.

As a means to provide adequate funding for fire protection, police, and other essential public services, the City has established development impact fees that are charged to all new development within Tracy. The fees are designed to cover the added expense to public services resulting from new development. The development impact fees levied on the proposed Project would help the city finance new fire and police infrastructure, equipment, and staffing. Therefore, in order to reduce impacts related to police protection, Mitigation Measure Public Services-3 would be required. Implementation of this mitigation measure would reduce impacts related to police service to less than significant.

> ***Mitigation Measure Public Services*-3**: *As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to police protection services, such as safety features, emergency access, and physical improvements to the proposed site plan and/or to police facilities and equipment to ensure adequate service is maintained. [This is Improvement Measure PS-2 in the CRSP EIR].*

This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

iii. Schools

The proposed Project would not directly generate any residents who would require schools. However, the generation of jobs could indirectly increase the population of school children in Tracy, thereby requiring construction of new school facilities or modification of existing facilities. However, the Project's anticipated service population has been accounted for in the City's General Plan. Furthermore, each individual development application would be subject to the requirement to pay the applicable impact fee in accordance with SB 50. Under Section 65996 of the California Government Code, the payment of such fees is deemed to fully mitigate the impacts of new development on school facilities. Therefore, Project impacts in this regard would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause

neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

iv-v. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks and other recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The Project includes a SPA to the CRSP that would modify the GC and GO zoning districts to allow hotel uses with a maximum FAR of 1.0. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. As addressed in Section XII, it is highly unlikely this standard would result in more hotels being built within these zoning districts in the CRSP, requiring more parks or recreational facilities to serve the residents of City. The Project would also allow for the development of a 31-acre park that is part of the approximately 88.6 acres of parks and recreational facilities analyzed in the build-out of the Specific Plan Area. The Project does not include residential development and therefore would not directly increase the population of Tracy. Further, the Project does not include uses that would generate employment beyond what was analyzed in the CRSP EIR.

Because this is a non-residential development, and because the proposed Project is part of the adopted Specific Plan development that would provide for more than 88 acres of parks and recreational facilities, as well as an integrated trail network, the Project's impacts in this regard would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed Project does not include a residential component and would not generate population growth beyond what has been anticipated; therefore, it would not create an increased demand for recreational facilities. Impacts to recreational facilities were considered less than significant in the previously certified CRSP EIR. Therefore, impacts would remain less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The Project would allow for the development of a 31-acre park that is part of the approximately 88.6 acres of parks and recreational facilities analyzed in the build-out of the Specific Plan Area. Because the

proposed Project is part of the adopted Specific Plan development that would provide for more than 88 acres of parks and recreational facilities, as well as an integrated trail network, the Project's impacts in this regard would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The City of Tracy provides wastewater services throughout the city and the proposed Project site. Impacts to wastewater treatment requirements were analyzed in the previously certified CRSP EIR for build-out of the Specific Plan Area. As described in the previously certified CRSP EIR, the City's Waste Water Treatment Plant releases effluent into the Old River, therefore the City is subject to NPDES permitting requirements, as implemented by the RWQCB. To accommodate future planned growth, including the build-out of the Specific Plan Area, the City plans to implement a wastewater treatment system upgrade in accordance with the Wastewater Master Plan (WWMP) and as evaluated in the related environmental documentation. Since the proposed Project would be utilizing the City's wastewater treatment facilities, anticipated wastewater generated by the proposed Project would not be expected to result in an exceedance of any wastewater treatment requirements of the applicable RWQCB. Therefore, impacts would be considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The City of Tracy provides water and wastewater services throughout the City and the proposed Project site. Impacts to existing water and wastewater treatment facilities were analyzed in the previously certified CRSP EIR for build-out of the Specific Plan Area. Although build-out of the Specific Plan Area would require new water facilities and would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, the environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Water System Master Plan (WSMP) and the Wastewater Master Plan (WWMP). According to the CRSP EIR, because implementation of the CRSP would require the construction of yet-to-be-built WSMP facilities, and may require the construction of certain interim improvements pending completion of WSMP improvements, the Specific Plan would have potentially significant impacts. Since the proposed Project is part of overall Specific Plan implementation, project-level impacts would contribute to the impacts identified in the CRSP EIR. Implementation of Mitigation Measure Utilities-1 through Utilities-4 would reduce but not eliminate potentially significant impacts.

Mitigation Measure Utilities-1: *To ensure the construction of the necessary WSMP facilities, the Project shall be required to pay appropriate development impact fees as contemplated by WSMP. [This mitigation is Mitigation Measure UTIL-1 in the CRSP EIR].*

Mitigation Measure Utilities-2: *At no cost to the City, flow monitoring equipment shall be installed in the Hansen Sewer Line, as approved by the City, prior to the issuance of the certificate of occupancy for the first (1st) building constructed as part of the Project. Flow monitoring shall be used to determine available capacities to serve site-specific developments proposals under the Specific Plan. In monitoring flows for purposes of determining available capacity, the initial 0.145 shall be attributable to those lands within the Specific Plan identified in the proposed development agreement. [This mitigation is Mitigation Measure UTIL-2a in the CRSP EIR].*

Mitigation Measure Utilities-3: *As part of the development process for each individual site-specific development under the Specific Plan, the applicant shall pay its applicable development impact fees for wastewater facilities prior to issuance of building permits. [This mitigation is Mitigation Measure UTIL-2b in the CRSP EIR].*

Mitigation Measure Utilities-4: *As part of the development process for each individual site-specific development under the Specific Plan, the City shall review flow monitoring, at the applicant's cost, to determine available capacity. If the City determines, based on technical and legal constraints and other relevant data, that existing capacity is available to serve the development at issue, then no further mitigation is required. However, if the City determines, based on technical and legal constraints and other relevant data, that existing capacity is not available to serve the development at issue, then the improvements as identified in the Master Plan must be constructed that are necessary to create the additional capacity required, subject to any applicable credit and/or reimbursement provisions, as determined by the City. [This mitigation is Mitigation Measure UTIL-2c in the CRSP EIR].*

Construction of the Citywide water system and wastewater system master plan improvements would mitigate the proposed Project's impacts to a less than significant level. However, given that implementation of improvements is contingent upon the triggers, timing and contribution of substantial funding from other developments, the timing of construction of such improvements cannot be guaranteed. Therefore, the proposed Project's impact in this regard remains significant and unavoidable. The proposed Project's impact remains significant and unavoidable consistent with the effects of implementation of the CRSP. Additional environmental review is not required since this impact was addressed and analyzed in the CRSP EIR.

Threshold (f) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

As discussed in Section IX (Hydrology and Water Quality), the construction of new stormwater drainage facilities or expansion of existing facilities would be required for build-out of the Specific Plan Area as well

as individual development projects like the proposed Project. Mitigation for impacts to stormwater facilities was included as a condition of the CRSP project approval and would be required as part of the proposed Project to reduce impacts to the extent feasible. Construction of stormwater drainage facilities to serve the propose Project may result in significant impacts without mitigation. No greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project.

Threshold (g) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The proposed Project would be served by the City from its existing and future portfolio of water supplies as described in the Water Supply Assessment (WSA) conducted for the previously certified CRSP EIR. The WSA conducted for the Specific Plan Area concluded that the City's existing and planned water supplies would be sufficient to meet the water demand for any hydrologic conditions to the year 2035. No water supply shortages are anticipated for any hydrologic conditions based on Year 2035 water demands. As the proposed Project was analyzed by the CRSP EIR, no greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project. Therefore, the proposed Project would have no impact on water supplies.

Threshold (h) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As explained in Threshold (e), the City of Tracy would provide wastewater services to the proposed Project. Build-out of the Specific Plan Area would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, but not as a result of the proposed Project solely. Environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Wastewater Master Plan (WWMP)[18]. As the proposed Project is was analyzed by the CRSP EIR, no greater impacts and no change to the disposition of impacts on the build-out of the CRSP would occur as a result of the proposed Project. Thus, no further impacts would result from the proposed Project and impacts would be considered less than significant.

Threshold (i) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The proposed Project site would be served by the Foothill Sanitary Landfill, which has sufficient capacity to serve the City of Tracy through the year 2082. The proposed Project and build-out of the Specific Plan is considered a small addition to the overall tons per day Tracy currently generates.[19] For these reasons, the proposed Project's solid waste disposal needs can be met and existing landfill and associated impacts are less than significant. This determination of less than significant impact is supported by the previously

[18] CRSP Draft EIR, page 4.15-33
[19] CRSP Draft EIR, page 4.15-74

certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (j) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

As stated in the CRSP EIR, the waste diversion programs, together with adherence to the CALGreen Code, are sufficient to ensure that implementation of the proposed Project would not compromise the ability to meet or perform better than the State-mandated target. Therefore, the proposed Project would comply with applicable statutes and regulations and the impact would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

The proposed Project would not result in a significant impact to any public services, public facilities, recreational facilities or recreational services. The proposed Project would not result in growth beyond what has been planned in the CRSP. Therefore, the proposed Project would not result in incremental effects to public services or facilities that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. The proposed Project would not result in cumulatively considerable impacts to public services or facilities. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

The proposed Project would require additional water and wastewater infrastructure, as well as demand for solid waste disposal for building facility operation. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of development and infrastructure plans is intended to ensure that adequate resources are available to serve both individual projects and cumulative demand for resources and infrastructure as a result of cumulative growth and development in the area. Each individual project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility companies would allow for the provision of utility service to the proposed Project and other developments. The proposed Project and other planned projects are subject to connection and service fees to assist in facility expansion and service improvements triggered by an increase in demand. Because of the utility planning and coordination activities described above, no significant cumulative utility impacts are anticipated. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

XIV. TRANSPORTATION/TRAFFIC

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☐	☒
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☐	☒
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The proposed SPA would modify the permitted uses within the CRSP to allow hotel uses with a maximum FAR of 1.0 in the General Commercial (GC) and General Office (GO) zoning districts. However, hotel uses have already been a permitted use within these zoning districts in the CRSP. The proposed SPA would help to provide clarification on FAR development standards for hotel uses within the GC and GO zoning districts within the CRSP because no current specific FAR has been identified for these uses in the CRSP. The traffic

analysis conducted for the CRSP EIR used the #820 (Shopping Center) and #710 (General Office Building) traffic rates from the Institute of Transportation Engineers Trip Generation, Eighth Edition to estimate trips generated for commercial and office uses within the CRSP. The number of employees was estimated with densities of 2 employees per 1,000 square feet for commercial uses and 3 employees per 1,000 square feet for office uses, which are consistent with those in the Tracy Travel Demand Model and are commonly used in most travel demand models. Because the proposed SPA is a clarification to what has already been permitted, any potential development related to hotel uses within the GO or GC zoning districts is not anticipated to result in greater traffic impacts than were previously analyzed in the CRSP EIR.

The proposed Project would also require a SPA to the CRSP to allow food truck uses within the GO, BPI, P zoning districts and the I-205 overlay of the CRSP. With respect to the proposed Project, food truck use would be allowed on site because the Project is within the Parks (P) zoning district. As discussed throughout this document, the food truck uses are intended to serve park users and provide a lunch option for the employees of the commercial, office, and industrial uses in the surrounding area. Food truck customers who are park users would not generate a new trip to the proposed Project, as visiting the food truck court would not be their primary reason for visiting to the park. The majority of the visitors to the food truck court would likely be employees from businesses in the surrounding area. Although the CRSP EIR did not specifically analyze food truck, the CRSP EIR analysis accounts for the credit for any trips that employees may already make to restaurants in the surrounding area, which was considered in the CRSP EIR. Therefore, although the trips to food trucks is not anticipated to cause any level of service deficiencies, it is also a conservative estimate. Further, the temporary nature and limited hours of the food truck court would minimize trips originating from outside the vicinity of the CRSP Area. For these reasons, the proposed Project would not result in a new specific impact or an increase in the severity of an impact that was identified in the CRSP EIR and would be consistent with the effects of implementation of the CRSP.

The CRSP EIR found that construction of Phase 1 and Build-out of the Specific Plan would cause significant impacts on the existing roadway and freeway network. Although, individually, the proposed Project would not cause this impact, it would contribute to the impact, and would therefore be required to implement the following mitigation measure in addition to the identified interim improvements.

> ***Mitigation Measure Transportation-1:*** *Each Project applicant will pay the applicable TMP Program Fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].*

Although mitigation would reduce impacts related to overcapacity traffic conditions, the impact would remain significant and unavoidable in accordance with the CRSP EIR. This is because construction timing of said improvements is uncertain since they are program improvements dependent on funding from development throughout Tracy (see Mitigation Transporation-2 below). Impacts would remain significant and unavoidable in accordance with the CRSP EIR. Additional environmental review is not required since

this impact was addressed and would not exacerbate the impacts previously analyzed in the CRSP EIR. No further analysis is required.

Threshold (b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

The previously certified CRSP EIR identified the following Congestion Management Program (CMP) network standards that apply to the Specific Plan Area:

- For I-205 and I-580 segments in San Joaquin County, an impact is significant if the project causes a segment to fall from LOS D to LOS E or F, or if it adds 5 percent to the total future traffic volume on a segment already operating at LOS F;

- For the analysis segment of I-580 in Alameda County, an impact is significant if the project causes the segment to fall from LOS E to LOS F, or if it adds 5 percent to the segment already operating at LOS F without the Project.

The proposed Project would contribute to the significant impact on one freeway segment – I-205 Eastbound between Mountain House Parkway and Tracy Boulevard, which would fall from LOS D to LOS E in the PM peak hour. The following mitigation measure would be required along with the implementation of the identified interim improvements.

> ***Mitigation Measure Transportation-2:*** *The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project, nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact. [This is Mitigation Measure TRANS-9 in the CRSP EIR].*

Since expansion of I-205 to include auxiliary lanes is currently not funded, and the improvement project is not included in the Regional Transportation Improvement Fee, there is currently no mechanism for the Project to contribute to the I-205 capacity project. Therefore, the proposed Project would contribute to the significant and unavoidable impact identified in the CRSP EIR. Additional environmental review is not required since this impact was addressed and would not exacerbate the impacts previously analyzed in the CRSP EIR. As such, no further analysis is required.

Threshold (c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed Project does not include any aviation components or structures where height would be an aviation concern. Additionally, no substantial new air traffic would be generated at the local airports in San Joaquin County as a result of the proposed Project. No associated traffic impacts would occur.

Threshold (d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed Project roadway system, including facilities for vehicles (autos, trucks and buses), bicyclists and pedestrians, would be designed in conformance with the City of Tracy Transportation Master Plan, including all design guidelines contained therein, as well as in conformance with the City's standard plans. As discussed in the previously certified CRSP EIR, the City reviews each development project, and would require conformance with City standards in terms of driveway design and location, traffic controls, and other traffic engineering requirements. Since roadway and intersection designs would be required to meet the City of Tracy roadway design criteria requirements, hazard impacts are considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Result in inadequate emergency access?

The previously certified EIR prepared for the CRSP indicated that emergency access during build-out conditions would be significant and unavoidable as a result of future traffic congestion resulting from Specific Plan implementation. Mitigation measures were assigned to the Specific Plan to reduce the severity of impacts to emergency access (see Mitigation Measure Transportation-3, below). Therefore, Project-specific emergency access impacts are considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

As discussed in the CRSP, Project applicants are required to work cooperatively with the City to modify and expand transit routes and pedestrian facilities as necessary and when feasible to efficiently accommodate demand. Projected transit route extensions were not identified at the time of Specific Plan adoption. Instead, the Specific Plan confirms that "in determining the final bus stop locations additional right-of-way may be required to accommodate bus stops and shall be dedicated through the mapping process."

The CRSP includes design guidelines and elements to promote pedestrian circulation by creating pathways, linkages, and visual connections between buildings; and by including multiple connections to public sidewalks and pathways between buildings and areas throughout the Specific Plan Area to foster connectivity. Since implementation of the proposed Project would require coordination with the City of Tracy to ensure compliance with design guidelines and the adequate accommodation of transit demand, impacts are considered less than significant in this regard. This determination of less than significant impact is supported by the previously certified EIR prepared for the CRSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

Under Cumulative Conditions, the City of Tracy Transportation Master Plan (TMP) Roadway improvements are assumed to be in place. The Trip Generation results in **Error! Reference source not found.** indicate cumulative conditions consistency between the proposed Project and the THSP SEIR. Project applicants would also pay the City of Tracy Traffic Impact Fees to fund the Cumulative Improvements identified in the City Transportation Master Plan to offset potential cumulative impacts.

Project applicants would also be required to implement the Mitigation Measures identified above; these measures include Mitigation Measure Trans-7 (and the first paragraph of Mitigation Measure Trans-10 which is identical to Mitigation Measure Trans-7) and Mitigation Measure Trans-9 in the certified CRSP EIR. Cumulative Project impacts would be considered Significant and Unavoidable since the proposed Project would contribute to the cumulative significant and unavoidable impacts previously identified in the CRSP EIR. Additional environmental review is not required since this impact was addressed and would not exacerbate the previously identified impacts in the CRSP EIR.

> ***Mitigation Measure Transportation-3:*** *Each applicant will pay the applicable TMP Program fee, the RTIF and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].*

XV. XIX. MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☐	☒
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☐	☒
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

a – c. As described throughout the analysis above, the proposed Project would not result in any significant impacts to the environment that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and/or standards that were not already anticipated in the CRSP EIR. The proposed Project is required to implement a range of standard and uniformly applied development policies and standards, as well as any previously identified mitigation measures, all of which are identified in the previously certified CRSP EIR, which would reduce the majority of potentially significant impacts to a less than significant level. The cumulative impacts associated with development of the proposed Project were considered and found not to be cumulatively considerable. Further, cumulative impacts of the proposed Project would be consistent with those analyzed and disclosed in the previously certified CRSP EIR. The proposed Project would not result in any cumulative impacts that were not contemplated in the previously certified CRSP EIR. The proposed Project would not result in any peculiar site-specific impacts, impacts to biological resources or impacts to cultural and/or historical resources that were not contemplated in the previously certified CRSP EIR. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

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

Section 15162 – Subsequent EIRs and Negative Declarations

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

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

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

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

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

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

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

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

Based on the preceding evaluation, the City has determined that (a) none of the conditions described in Section 15162(a) have occurred or will occur with approval of the proposed Project, and (b) no changes or additions are required to the certified CRSP EIR. Because no changes or additions are required to the CRSP EIR, an addendum to the CRSP EIR is not necessary. And based on the foregoing determinations, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City can approve the proposed Project as within the scope of the development program evaluated in the CRSP EIR and no further environmental document is required.

This document provides substantial evidence for City of Tracy records to support its approval of the Project pursuant to Section 15168(c)(2) of the CEQA Guidelines.

CONCLUSION

This Initial Study has been prepared in accordance with the provisions of the State CEQA Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15168 of the State CEQA Guidelines, exist in connection with the proposed Project. No revisions are required to the CRSP EIR prepared for the City of Tracy as a result of the proposed Specific Plan Amendment. No new significant environmental impacts have been identified. Since the certification of the CRSP EIR, there has been no new information showing that mitigation measures or alternatives once considered infeasible are now feasible or showing that there are feasible new mitigation measures or alternatives substantially different from those analyzed in the EIR that the City declined to adopt. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects. Therefore, pursuant to Section 15168(c)(2), the City can approve the Project as within the scope of the development program evaluated in the CRSP EIR and no further environmental document is required. This document will be maintained in the administrative record files at City of Tracy City Hall.

MITIGATION, MONITORING, AND REPORTING PROGRAM

A number of mitigation measures required to avoid and reduce potentially significant adverse impacts of the proposed CRSP Project. Mitigation measures from the EIR prepared for the CRSP EIR are applicable to the proposed Project. To mitigate the proposed Project's impacts, the mitigation measures listed below would be implemented as part of the proposed Project.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
Aesthetics	**Aesthetics-1:** The Specific Plan contains numerous design and landscaping requirements intended to beautify the Project, which shall be imposed on individual, site-specific developments under the Specific Plan. Beyond these measures, there is no feasible mitigation. [This is Mitigation Measure AES-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
	Aesthetics-2: Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light on to public rights-of-way or adjacent residential property, consistent with City standards. [This is Mitigation Measure AES-4 in the CRSP EIR].	Prior to inspection.	Development Services/Engineering	Construction inspection.
Agricultural and Forestry Resources	**Agriculture-1:** As part of the development process for each individual site-specific development project under the Specific Plan, the applicable agricultural mitigation fee for each acre of farmland to be developed shall be paid, in compliance with Chapter 13.28, Agricultural Mitigation Fee, of the Tracy Municipal Code. The fees shall be collected by the City at the time that building permits are issued for such site-specific development project, or as otherwise required by City. [This is Mitigation Measure AG-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

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

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday; • Any site with 150 or more vehicle trips per day shall prevent carryout and trackout; • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the Specific Plan Area; • Adhere to Regulation VIII's 20 percent opacity limitation, as applicable; • Use of construction equipment rated by the United States Environmental Protection Agency (US EPA) as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower that are on site for more than 5 days, if available and feasible. Tier 3 engines between 50 and 750 horsepower are available for 2006 to 2008 model years. After January 1, 2015, encourage the use of equipment over 50 horsepower that are on-site for more than 5 days to meet the Tier 4 standards, if available and feasible. A list of construction equipment by type and model year shall be maintained by the construction contractor on-site, which shall be available for City review upon request. • Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible; and • Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g. 5 minute maximum). [This is Mitigation Measure AQ-2b in the CRSP EIR]. **AQ-3:** Applicants for industrial or warehousing land uses that: 1) are expected to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive receptor, as measured from the property line of the development at issue to the property line of the nearest sensitive receptor, shall adhere to applicable Best Available Control Technologies for Toxics (T-BACT), as set forth in CARB or SJVAQPD guidance (as applicable), for the purpose of reducing potential cancer and non-cancer risks to below the applicable thresholds, as feasible (e.g., restricting idling onsite, electrifying ware-house docks, requiring use of newer equipment and/or vehicles, restricting offsite truck travel through the creation of truck routes). Provided, however, that an	Prior to and during construction.	Development Services, Planning	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	applicant may submit a health risk assessment (HRA) to the City of Tracy prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (SJVAPCD); if this HRA demonstrates that the incremental cancer risk for the individual development at issue would not exceed ten in one million (10E-06) or the appropriate non-cancer hazard index would not exceed 1.0, then no further mitigation shall be required. [This is Mitigation Measure AQ-5 in the CRSP EIR].			
Biological Resources	**Bio-1:** To mitigate the potential adverse impacts on special-status species, and provide for the incidental take of State and/or federally listed species, the applicant shall either: 1) participate in the SJMSCP and comply with all required Incidental Take Minimization Measures or 2) secure incidental take authorizations for State and/or federally-listed species directly from the CDFW and USFWS, respectively. Participation in the SJMSCP shall include compliance with all relevant Incidental Take Minimization Measures pertinent to the proposed Project Area, including pre-construction surveys for covered species to confirm presence or absence and provide for their relocation, if necessary. Issuance of grading and construction permits shall be contingent on providing evidence of either 1) compliance with the SJMSCP or 2) a 2081 Permit from the CDFW and Biological Opinion from the USFWS to the City of Tracy Development Services Director to ensure compliance with applicable regulations and ensure adequate compensatory mitigation has been provided. [This is Mitigation Measure BIO-1 in the CRSP EIR]. **Bio-2:** To avoid the potential for disturbance of nesting birds on or near the Project area, schedule the initiation of any vegetation removal and grading for the period of September 1 through February 15. If construction work cannot be scheduled during this period, a qualified biologist shall conduct pre-construction surveys for nesting birds according to the following guidelines: • The preconstruction surveys shall be conducted by the qualified biologist no later than 14 days prior to the start of vegetation removal or initiating project grading.	Prior to construction. Prior to and during construction.	Development Services, Engineering, Planning Development Services, Engineering, Planning	Compliance with project conditions of approval. Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• If birds protected under the Migratory Bird Treaty Act are found nesting, then appropriate construction buffers shall be established to avoid disturbance of the nests until such time that the young have fledged. The size of the nest buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. Typically, these buffers range from 75 to 250 feet from the nest location. • Nesting activities shall be monitored periodically by a qualified biologist to determine when construction activities in the buffer area can resume. • Once the qualified biologist has determined that young birds have successfully fledged, a monitoring report shall be prepared and submitted to the City of Tracy Development Services for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until the written authorization is received by the applicant from the Development Services Director. The above provisions are in addition to the preconstruction surveys to confirm presence or absence of nesting Swainson's hawk, burrowing owl, and other special-status species as required under the Incidental Take Minimization Measures of the SJMSCP. [This is Mitigation Measure BIO-2 in the CRSP EIR].			
Cultural Resources	**Cult-1:** If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to *CEQA Guidelines* Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g. data recovery) shall be instituted. Work may proceed on other parts of the Specific Plan Area while mitigation for historical resources or unique archaeological resources is being carried out. [This is Mitigation Measure CUL-1 in the CRSP EIR].	During construction.	Development Services, Engineering	Construction inspection.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	Cult-2: In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in *CEQA Guidelines* Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval and the Project proponent shall implement the approval plan. [This is Mitigation Measure CUL-2 in the CRSP EIR]. **Cult-3:** If human skeletal remains are uncovered during construction, the contractor (depending on the Project component) shall immediately halt work within 50 feet of the find, contact the San Joaquin County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the *CEQA Guidelines*. If the county coroner determines that the remains are Native American, the Project proponent shall contact the NAHC, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the human remains are located, is not damaged or disturbed by further development activity until the contractor has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. [This is Mitigation Measure CUL-3 in the CRSP EIR].	During construction. During construction.	Development Services, Engineering Development Services, Engineering	Construction inspection. Construction inspection.
Geology and Soils	Implement Mitigation Measures Hydro-1, Hydro-2, Hydro-3, Hydro-4 and Hydro-5. Refer to Hydrology and Water Quality.			
Greenhouse Gas Emissions	**GHG-1:** Applicants for individual, site-specific developments shall conform to the then applicable requirements of the California Building Code, including the Green Code's provisions relating to "solar readiness." Applicants will be encouraged to utilize or otherwise facilitate the use of alternative energy generation technologies, as feasible, to offset their energy consumption, by, for example, ensuring that roof structures are built such that they can accommodate the weight of solar panels in accordance with the	Prior to construction.	Development Services, Building	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	California Building and Energy Standards; providing for energy storage within their buildings; and installing electrical switch gears to facilitate solar usage. [This is Mitigation Measure GHG-1 in the CRSP EIR]. **GHG-2:** Prior to issuance of a building permit for an individual, site-specific development that requires or is intended to accommodate refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions. [This is Mitigation Measure GHG-1b in the CRSP EIR]. **GHG-3:** Applicants for individual, site-specific developments with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 §2485). [This is Mitigation Measure GHG-1c in the CRSP EIR] **GHG-4:** Applicants for individual, site-specific developments shall identify in the grading plans that non-essential idling of construction equipment and vehicles shall be restricted to no more than 5 minutes in accordance with California Air Resources Board Rule 2485 (13 CCR Chapter 10 §2485). [This is Mitigation Measure GHG-1d in the CRSP EIR].	Prior to construction. Prior to and during construction. Prior to and during construction.	Development Services, Building Development Services, Building Development Services, Engineering	Compliance with project conditions of approval. Construction inspection. Construction inspection
Hazards and Hazardous Materials	**Hazard-1:** The project applicant shall fully implement the provisions of the San Joaquin County Hazardous Material Area Plan and the Tracy General Plan, including but not limited to: • Ensuring that any business locating in the Specific Plan Area which stores particular quantities of hazardous materials (e.g. larger than 55 gallons of liquid, 500 pounds of solid or 200 cubic feet of some compressed gases) as stipulated under Chapter 6.95 of the California Health and Safety Code annually files a hazardous materials business plan establishing incident prevention measures, hazardous material protocols, and emergency response and evacuation procedures; • Providing adequate separation between areas where hazardous materials are present and sensitive uses; and • Submitting an emergency response plan for any large generators of hazardous waste located or proposed to be located in the Specific Plan Area. [This is Mitigation Measure HAZ-1 in the CRSP EIR]. **Hazard-2:** A Soil Management Plan and companion Sampling and Analysis Plan, as well as a Health and Safety Plan (HASP), shall be prepared and implemented during and following any soil excavation and	Prior to and during construction. Prior to construction.	Development Services, Building Development Services, Engineering	Compliance with project conditions of approval. Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	compaction associated with implementation of the Project where such activities may encounter residual soil, soil vapor, or groundwater contamination that exceeds risk-based levels established by the RWQCB or Cal-EPA. As part of the Soil Management Plan, the applicant shall retain an experienced, independent environmental monitor to observe all significant earth-moving activities. The monitor shall observe the operations, remaining watchful for stained or discolored soil that could represent residual contamination. The monitor shall also be empowered to alert the City and regulatory agencies, when appropriate, and provide direction to the grading contractor. The monitor shall confirm the location of the one plugged and abandoned well in consultation with the Division of Gas, Oil, and Geothermal Resources, and shall comply with any remedial measures that may be required in connection therewith under applicable law and regulations. In addition, in the event that a previously unknown abandoned well is discovered, construction activities that are proximate to said abandoned well shall stop and the Division of Gas, Oil, and Geothermal Resources shall be contacted. No structures shall be built on a discovered abandoned well until it is deemed safe by the State Oil and Gas Supervisor in accordance with applicable laws and regulations. [This is Mitigation Measure HAZ-2a in the CRSP EIR]			
	Hazard-3: A plan shall be developed for installation of a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual petroleum hydrocarbons in soil vapor exceed risk-based levels established by the RWQCB or Cal-EPA, where exposure pathways are considered potentially complete. The system shall be designed to eliminate potentially significant indoor air quality health risks associated with subsurface contaminant vapor intrusion. The Plan shall be prepared by a California professional engineer experienced in vapor intrusion mitigation and who shall certify the installation. [This is Mitigation Measure HAZ-2b in the CRSP EIR].	During construction.	Development Services, Engineering	Construction inspection.
	Hazard-4: Soil sampling shall occur within the portions of the Specific Plan Area that have historically been utilized for mixing or storing pesticides and that may contain pesticide residues in the soil, prior to issuance of grading permits in such areas. The sampling will be performed in accordance with a Sampling and Analysis Plan and Soil Management Plan prepared by a qualified Environmental Professional and/or California professional engineer experienced in Phase II site characterization. The sampling shall be conducted in accordance with applicable guidance from DTSC and San Joaquin County Environmental Health Department, and shall determine if pesticide concentrations exceed established regulatory thresholds. Should pesticide contaminated soil be identified as a result of the evaluation, further site characterization and remedial activities, if necessary, will be implemented in accordance with the Soil Management Plan. [This is Mitigation Measure HAZ-2c in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
Hydrology and Water Quality	**Hydro-1:** Grading and ground disturbance on the Specific Plan Area shall be implemented in accordance with each individual development's approved grading plans and related grading permit. For the required treatment of urban pollutants and application of pesticides in the Specific Plan Area, each Project developer shall comply with the approved grading plan and related permit and conditions of approval. [This mitigation is Mitigation Measure HYDRO-1a in the CRSP EIR]	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.
	Hydro-2: In accordance with the then-applicable regulations, as part of the application process for each individual development under the Specific Plan, each applicant shall file a Notice of Intent with the SWRCB to obtain coverage under the construction general permit (CGP) and shall comply with all of the requirements associated with the CGP, as necessary to mitigate those impacts that would result from the specific development proposed by that applicant. In addition, as part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain City approval of a SWPPP, which shall adequately address stormwater management during each construction phase of the Project. The SWPPP shall be consistent with the then-applicable RWQCB standards and NPDES permit requirements, and shall be designed to protect water quality during the course of construction. Said BMPs may include, without limitation, the following: • Schedule earthwork to occur primarily during the dry season to prevent most runoff erosion. • Protect drainages and storm drain inlets from sedimentation with berms or filtration barriers, such as filter fabric fences, hay bales, or straw wattles. • Divert runoff from exposed slopes to on-site sediment basins before the runoff is released off-site. • Install gravel construction entrances to reduce tracking of sediment onto adjoining streets. • Sweep on-site paved surfaces and surrounding streets daily to collect sediment before it is washed into the storm drains or the Old River. • After construction is completed, clean all drainage culverts of accumulated sediment and debris. • Stabilize stockpiles of topsoil and fill material by watering daily, or by the use of chemical agents. • Store all construction equipment and material in designated areas away from waterways and storm drain inlets. Surround construction staging areas with earthen berms.	Prior to construction.	Development Services, Engineering/Utilities	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Wash and maintain equipment and vehicles in a separate bermed area, with runoff directed to a lined retention basin. • Collect construction waste daily and deposit in covered dumpsters. [This mitigation is Mitigation Measure HYDRO-1b in the CRSP EIR].			
	Hydro-3: As part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain approval of a grading plan and related permit in accordance with Mitigation Measure HYDRO-1 (a). [This mitigation is Mitigation Measure HYDRO-2a in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.
	Hydro-4: As part of the application process for each individual development project under the Specific Plan, each applicant shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site measures consistent with the Cordes Ranch Conceptual Drainage Plan, the CRSP, the Citywide Stormwater Master Plan, and other applicable stormwater standards and requirements that shall be designed to control and treat stormwater for the storm events in compliance with the then-applicable City's Multi-Agency Post-Construction Stormwater Standards Manual of Stormwater Quality Control Standards for New Development and Redevelopment, including those dealing with capacity design of the facilities and contour grading. All such measures shall be implemented as part of the development and operation of the individual development at issue. Each developer shall construct drainage improvements and other required stormwater retention/detention facilities as necessary to serve the specific development proposed by that applicant in conformance with the approved drainage plan, the Specific Plan and the then-applicable City standards including those set forth in the City's Storm Drainage Master Plan. These drainage facilities shall accommodate events up to and including a 100-year 24-hour storm. Any impacts on the operations of Mountain House CSD facilities, including the alteration of cleaning velocities, will require coordination and agreement between Mountain House CSD and the City of Tracy prior to issuance of building permit for any development west of Mt. House Parkway. The proposed mitigation measures will reduce impacts related to storm water runoff to less-than-significant levels. [This mitigation is Mitigation Measure HYDRO-2b in the CRSP EIR].	Prior to construction.	Development Services Engineering/Utilities	Compliance with project conditions of approval.
	Hydro-5: As part of the development of each individual project under the Specific Plan, each developer shall implement the following measures:	During construction.	Development Services, Engineering	Construction Inspection.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Shall not utilize chemical pesticides in the maintenance of common landscaped areas, open space areas, or parks. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure. • Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to: - Hazardous material use controls; - Hazardous materials exposure controls; - Hazardous material disposal and recycling. • Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system. • To the extent feasible, direct stormwater runoff to percolation swale and basin areas rather than directing stormwater to storm drain pipes. • Use biotreatment (natural pollutant filtering) where stormwater runs off paved surfaces onto pervious surfaces. • Utilize sediment traps, evaporation basins, flow dissipaters, and other methods to reduce the volume and speed of stormwater runoff and reduce pollutant loads. [This is Mitigation Measure HYDRO-2c in the CRSP EIR].			
Noise	**NOI-1:** As part of the development process for each individual, site-specific project under the Specific Plan, the development at issue shall adhere to all applicable Building Code and Municipal Code provisions and standards and other requirements, as noted in the above Regulatory Framework discussion. Regarding mitigation of impacts relating to mobile sources for an individual, site specific project, the City will consider, as appropriate and feasible, a variety of techniques to reduce noise, which may include, for example, building setbacks, berms, walls, fences of various materials, and rubberized asphalt, taking into account relevant General Plan policies (as they relate to sound walls) and the nature and location of sensitive receptors at issue. [This is Mitigation Measure NOISE-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	NOI-2: The following measures, in addition to the best practices for construction activities (as specified in Mitigation Measure NOI-4), are recommended to reduce groundborne noise and vibration from construction activities: 1. Avoid impact pile driving process, when feasible. The use of a predrilling pile installation process shall be utilized when feasible, where geological conditions permit their use, so as to reduce vibration levels at adjacent receptors. 2. Avoid using vibratory rollers and vibratory tampers near vibration-sensitive uses. [This is Mitigation Measure NOISE-2a in the CRSP EIR].	During construction.	Development Services, Planning	Construction inspection.
	NOI-3: Before any individual, site-specific development conducts any high vibration-generating activities (such as pile driving or vibratory compacting) within one hundred (100) feet of existing structures, the following mitigation measures shall apply: 1. Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before- and after-construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of each individual, site-specific development that is subject to this mitigation measure. Limits shall be based on Table 4.11-6 to preclude architectural damage and on Table 4.11-5 to preclude vibration annoyance. For the Specific Plan Area proposed development types (i.e. "institutional land uses with primarily daytime use"), the Table 4.11-5 Category 3 land uses would indicate a threshold of 83 VdB. For future developments that have special, vibration-sensitive operations or equipment, the criteria in the FTA Guideline Manual, Table 8-315 should be implemented. The monitoring and construction contingency plan shall include the following contents described in Numbers 2 through 4 below. 2. At a minimum, monitor vibration during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements. 3. When vibration levels approach the above limits, construction should be suspended and contingencies should be implemented to either lower vibration levels or to secure the affected structures.	Prior to Construction	Development Services, Planning	Construction inspection

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	4. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities. [This is Mitigation Measure NOISE-2b in the CRSP EIR]. **NOI-4:** The following measures, when applicable and feasible, shall be required to reduce noise from construction activities: 1. Ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment. 2. Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists. 3. Locate stationary noise-generating equipment as far as reasonable from sensitive receptors when sensitive receptors adjoin or are near a construction Project area. 4. Prohibit unnecessary idling of internal combustion engines (i.e. in excess of five minutes). 5. Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. 6. Erect temporary noise control blanket barriers and/or temporary solid plywood fences around construction sites adjacent to operational businesses or noise-sensitive land uses. This mitigation would only be necessary if (a) potential conflicts could not be resolved by proper scheduling and (b) the temporary barrier could demonstrate a benefit at the façade of the receptor building of at least 10 dB. 7. Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. 8. Notify businesses and noise-sensitive land uses adjacent to construction sites of the construction schedule in writing. Designate a "Construction Liaison" that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g. starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. A telephone number for the Liaison should be conspicuously posted at the construction site. [This is Mitigation Measure NOISE-4 in the CRSP EIR].	Prior to Construction	Development Services, Planning	Construction inspection.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
Public Services	**Mitigation Measure Public Services-1:** As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fee as set forth in an adopted Cordes Ranch FIP. [This is Mitigation Measure PS-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
	Mitigation Measure Public Services-2: As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to fire protection and emergency response services, such as those relating to fire flows, hydrants and other design and safety features (including any necessary and specialized fire protection equipment to service to individual uses proposed). [This is Improvement Measure PS-1 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
	Mitigation Measure Public Services-3: As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to police protection services, such as safety features, emergency access, and physical improvements to the proposed site plan and/or to police facilities and equipment to ensure adequate service is maintained. [This is Improvement Measure PS-2 in the CRSP EIR].	Prior to construction.	Development Services, Planning	Compliance with project conditions of approval.
Transportation	**Transportation-1a:** Each Project applicant will pay the applicable TMP Program Fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.
	Transportation-1b: The Project will construct the following improvements, in accordance with then-applicable engineering standards and requirements, and as determined by the City Engineer: • Intersection #1 (Mountain House Parkway/I-205 Westbound Ramps): Restripe westbound off-ramp to provide two left-turn lanes and one shared through/right lane, and optimize signal timings. • Intersection #2 (Mountain House Parkway/I-205 Eastbound Ramps): Convert the northbound right-turn lane to a free right with an acceptance lane on the eastbound on-ramp, and optimize signal timings. • Intersection #6 (Mountain House Parkway/I-580 Westbound Ramps): Signalize the intersection with eastbound/westbound split phasing, or install a roundabout. • Intersection #7 (Mountain House Parkway/I-580 Eastbound Ramps): Signalize the intersection with eastbound/westbound split phasing, or install a roundabout.	Prior to construction.	Engineering	Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Intersection #10 Old Schulte Road/Hansen Road): Signalize the intersection, and construct an additional westbound left turn lane, eastbound left-turn and right-turn lanes, and a southbound left-turn lane. • New Schulte Road: Construct New Schulte Road between Hansen Road (the end of the Phase 1 proposed network) and Lammers Road as a two-lane road. • Intersection #18 (New Schulte Road/Lammers Road): Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and southbound approaches. • Intersection #19 (Old Schulte Road/Lammers Road): Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and eastbound approaches. • Intersection #20 (Valpico Road/Lammers Road): Signalize the intersection and construct a left-turn lane on the southbound approach. • A "trigger" analysis, provided in Table 4.14-13 in Section E.1.a.i, provides the estimated timing for provision of each of the above mitigations, based on Project AM and PM peak hour trip generation. In terms of when the above improvements would need to be constructed, as part of the application process for each individual, site-specific development under the Specific Plan, the applicant will submit a trip generation study for the development at issue or will fund the preparation of this study by the City's consultants. This information will be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. • Mountain House Parkway/I-205 Bridge Maintenance: At the time a development application is submitted to the City within the area north of new Schulte Road, the city will implement a monitoring program, with yearly traffic counts to compare the increase in traffic volumes from the pre-existing base line condition that uses I-205/Mountain House interchange. The difference or increase in the traffic volume will be used to determine City's fair share maintenance cost for on-going bridge maintenance activities. Once 300 acres of the Specific Plan area has developed, the City of Tracy will either enter into a tri party agreement between Caltrans, MHCSD and the City to pay its fair share maintenance cost or enter in to a separate agreement with MHCSD to pay its fair share maintenance cost thereafter. • The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. With construction of the required improvements at intersections 10, 18, 19, and 20, impacts to these identified intersections would be less than significant.			

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	• Lengthen the northbound Mountain House Parkway right-turn lane to provide additional storage and access to the eastbound I-205 on-ramp. • Ramp metering, with two mixed-flow and 1 HOV bypass lane for the eastbound I-205 diagonal on-ramp. • Ramp metering, with two mixed-flow and 1 HOV bypass lane for the eastbound I-205 diagonal on-ramp. Because the improvements to the freeway interchange intersections require the approval of Caltrans, the impacts at intersections 1, 2, 6 and 7 remain significant and unavoidable. [This is Mitigation Measure TRANS-1 in the CRSP EIR]. **Transportation-2**- The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project, nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact **Transportation-3**: Each applicant will pay the applicable TMP Program fee, the RTIF and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. [This is Mitigation Measure TRANS-7 in the CRSP EIR].	Prior to construction	Development Services, Engineering	Compliance with project conditions of approval.
Utilities and Service Systems	**Utilities-1:** To ensure the construction of the necessary WSMP facilities, the Project shall be required to pay appropriate development impact fees as contemplated by WSMP. [This mitigation is Mitigation Measure UTIL-1 in the CRSP EIR]. **Utilities-2:** At no cost to the City, flow monitoring equipment shall be installed in the Hansen Sewer Line, as approved by the City, prior to the issuance of the certificate of occupancy for the first (1st) building constructed as part of the Project. Flow monitoring shall be used to determine available capacities to serve site-specific developments proposals under the Specific Plan. In monitoring flows for purposes of determining available capacity, the initial 0.145 shall be attributable to those lands within the Specific Plan identified in the proposed development agreement. [This mitigation is Mitigation Measure UTIL-2a in the CRSP EIR]. **Utilities-3:** As part of the development process for each individual site-specific development under the Specific Plan, the applicant shall pay its applicable development impact fees for wastewater facilities prior to issuance of building permits. [This mitigation is Mitigation Measure UTIL-2b in the CRSP EIR]. **Utilities-4:** As part of the development process for each individual site-specific development under the Specific Plan, the City shall review flow monitoring, at the applicant's cost, to determine available capacity. If the City	Prior to construction. Prior to construction. Prior to construction.	Development Services, Engineering Development Services, Engineering Development Services, Engineering	Compliance with project conditions of approval. Compliance with project conditions of approval. Compliance with project conditions of approval.

Mitigation, Monitoring, and Reporting Program

Impact Category	*Mitigation Measure*	*Implementation Timing*	*Responsible Monitoring Party*	*Monitoring/ Reporting Method*
	determines, based on technical and legal constraints and other relevant data, that existing capacity is available to serve the development at issue, then no further mitigation is required. However, if the City determines, based on technical and legal constraints and other relevant data, that existing capacity is not available to serve the development at issue, then the improvements as identified in the Master Plan must be constructed that are necessary to create the additional capacity required, subject to any applicable credit and/or reimbursement provisions, as determined by the City. [This mitigation is Mitigation Measure UTIL-2c in the CRSP EIR].	Prior to construction.	Development Services, Engineering	Compliance with project conditions of approval.

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ATTACHMENT C

ORDINANCE 1311

AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE CORDES RANCH SPECIFIC PLAN REGARDING MOBILE FOOD VENDORS, PARK USES, MAXIMUM FLOOR AREA RATIO FOR HOTELS, AND SIGNS, APPLICATION NUMBER SPA20-0004

WHEREAS, On September 3, 2013, City Council certified the Final Revised Environmental Impact Report for the Cordes Ranch Project and approved a General Plan Amendment, annexation, a development agreement, and the Cordes Ranch Specific Plan for the approximately 1,780-acre site; and

WHEREAS, Annexation of the Cordes Ranch site to the City of Tracy was completed by LAFCo on November 21, 2013; and

WHEREAS, An application was submitted for an amendment to the Cordes Ranch Specific Plan regarding mobile food vendors, park uses, maximum floor area ratio for hotels, and signs, Application Number SPA20-0004; and

WHEREAS, The proposed Specific Plan Amendment would add a new use of “mobile food vendors” to Table 3.1, Permitted and Conditionally Permitted Uses, which would allow mobile food vendors as a permitted use in the General Office (GO) Zone, Business Park Industrial (BPI) Zone, I-205 Overlay Zone, and the Parks Zone, subject to all requirements for mobile food vendors in the Tracy Municipal Code, except as modified by the Specific Plan; and

WHEREAS, The proposed Specific Plan Amendment also states that a mobile food vendor’s operation (not including set up and take down) would be allowed for up to a maximum of twelve hours at a single location within a 24-hour period; and

WHEREAS, The proposed Specific Plan amendment includes the addition of note “10” to Table 3.1, which provides clarification to the type of uses permitted in the Parks Zone. Note “10” specifies that permitted passive or active recreational uses include, but are not limited to, events and activities such as exercise classes, health/fitness events, cooking demonstrations and food tastings, farmer’s market, beer and wine tasting events, arts and crafts fairs, live music/music festivals, corporate trainings/presentations, movie screenings, environmental/ nature classes, weddings, car club/concourse, and performing arts/theater; and

WHEREAS, The proposed Specific Plan amendment would create an exception to maximum floor area ratio (FAR) for hotels, which would add note “3” to Table 3.3 to create an exception that would allow a maximum FAR of 1.0 for hotels in the General Commercial (GC) and General Office (GO) Zones; and

WHEREAS, The proposed Specific Plan amendment would add language in Section 3.8 to specify that a freeway sign may identify any tenants within the GC Zone of the Cordes Ranch Specific Plan area; and

WHEREAS, The proposed Specific Plan amendment would also revise Section 5.6 to allow project entry signs (Sign Type C) at the northeast and southeast corners of International Parkway and Daylight Road; and

WHEREAS, The proposed Specific Plan amendment would remove references to Street Section "J" in Table 3.3 and Table 3.4 because Street "J" does not exist as a planned street in the Cordes Ranch Specific Plan; and

WHEREAS, The proposed amendment to the Cordes Ranch Specific Plan is consistent with the City's General Plan, including the proposed maximum FAR of 1.0 for hotels in the GC and GO zones because the General Plan states that the Commercial and Office land use designations shall allow a maximum FAR of 1.0; and

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

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on May 12, 2021 and recommended that the City Council introduce and adopt the ordinance to amend the Cordes Ranch Specific Plan, Application Number SPA20-0004; and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on June 15, 2021;

The City Council of the City of Tracy does ordain as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2. The City Council hereby approves the Cordes Ranch Specific Plan Amendment, Application Number SPA20-0004, as attached to the June 15, 2021 City Council staff report as Attachment "A".

SECTION 3. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 4. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* *

This Ordinance 1311 was introduced at a regular meeting of the Tracy City Council on the 15th day of June, 2021, and finally adopted on the _____ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 1.C

REQUEST

WAIVE SECOND READING AND ADOPT ORDINANCE 1312, AN ORDINANCE OF THE CITY OF TRACY APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT AND PRE-ZONING THE TRACY HILLS 35-ACRE ANNEXATION AREA AS TRACY HILLS SPECIFIC PLAN ZONE FOR APPROXIMATELY 35 ACRES LOCATED SOUTH OF I-580 IN THE VICINITY OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 253-030-13 AND 253-040-10, APPLICATION NUMBERS SPA20-0001 AND AP20-0002

EXECUTIVE SUMMARY

Ordinance 1312 was introduced at the regular Council meeting held on June 15, 2021. Ordinance 1312 is before Council for adoption.

DISCUSSION

The Tracy Hills Specific Plan consists of approximately 2,732 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580. Applications were submitted regarding the Tracy Hills 35-Acre Annexation Project, which includes an amendment to the Tracy Hills Specific Plan and pre-zoning the Tracy Hills 35-Acre Annexation area as Tracy Hills Specific Plan Zone for approximately 35 acres located south of I-580 in the vicinity of Corral Hollow Road, Assessor's Parcel Numbers 253-030-13 and 253-040-10, Application Numbers SPA20-0001 and AP20-0002

The proposed Tracy Hills Specific Plan Amendment would revise the Specific Plan Area boundary to include the approximately 35-acre annexation area and apply the zoning district of Low Density Residential (LDR-TH) to the subject property, and also change the zoning district from Residential Estate (RE-TH) to Tracy Hills Conservation (C-TH) for an equivalent sized 35-acre area located within the Tracy Hills Specific Plan area, adjacent to the southwestern boundary of the Specific Plan.

The overall Specific Plan area would increase by approximately 35 acres from 2,731.6 acres to 2,767.3 acres, but the proposed amendment would result in no change to the number of projected dwelling units for the overall Tracy Hills Specific Plan area as a result of this 35-acre annexation project.

Ordinance 1312 was introduced at the regular Council meeting held on June 15, 2021, and is before Council for adoption.

STRATEGIC PLAN

This agenda item supports the City of Tracy's Economic Development Strategic Priority, which is to enhance the competitiveness of the City while further developing a strong and diverse economic base.

FISCAL IMPACT

There is not expected to be any fiscal impact as a result of this project. The costs of this development application were covered by a cost recovery agreement with the developer.

RECOMMENDATION

Staff recommends that City Council waive the reading of the full text and adopt Ordinance 1312, an ordinance approving a Tracy Hills Specific Plan Amendment (Application No. SPA20-0001) and pre-zoning the Tracy Hills 35-Acre Annexation area as Tracy Hills Specific Plan Zone (Application No. AP20-0002).

Prepared by: Necy Lopez, Deputy City Clerk

Reviewed by: Adrianne Richardson, City Clerk
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

Attachment A: Tracy Hills Specific Plan Amendment
Attachment B: Tracy Hills 35-Acre Annexation Area
Attachment C: Addendum to the EIR
Attachment D: Ordinance 1312

TRACY





Attachment A

Tracy Hills Specific Plan

RECEIVED
May 18, 2021
City of Tracy
Development Services

Approved April 5, 2016 (Tracy Resolu˜ on 2016-063
Amended June 18, 2019, incorporated herein (Tracy Ordinance 1270)
Amended May 19, 2020, incorporated herein (Tracy Ordinance 1286)
Amended July 21, 2020, incorporated herein (Tracy Ordinance 1294)
Amended November 10, 2020, incorporated herein (Tracy Ordinance 1298, 1301, 1302)
Draft Amendment February 5, 2021, Phase 2-4 CE

1 INTRODUCTION

1.1 PURPOSE AND SCOPE OF THE TRACY HILLS SPECIFIC PLAN

The Tracy Hills Specific Plan is the detailed plan and regulatory document for the development of the entire Specific Plan area. This Specific Plan document is intended to implement the General Plan and direct all facets of the development of the property including, but not necessarily limited to, the distribution of land uses, the location and sizing of the existing and proposed supporting infrastructure, and an overview of the financial vehicles that are intended to be used to plan, construct, and operate these facilities. This Specific Plan is a regulatory document, is incorporated into the City's Zoning Ordinance, and serves as the zoning for all properties within the Specific Plan area.

The Tracy Hills Specific Plan was originally adopted in 1998 (the 1998 THSP). Since then, City policies and developer plans have changed. Due to these changes, the developer submitted and the City approved this new THSP to replace the former 1998 THSP.

1.2 PROJECT OVERVIEW

The Tracy Hills Specific Plan area encompasses approximately 2,767.3 ~~2,731.6~~ acres within the southern portion of the City of Tracy surrounding the existing interchange at Corral Hollow Road and the proposed Lammers Road interchange on Interstate 580 (I-580). (Refer to **Figure 1-1, Regional Context Map;** and **Figure 1-2, Vicinity Map.)**

The Specific Plan consists of three areas defined by the physical characteristics of the site. (Refer to **Figure 1-3, Land Use Concept.)**

1. The northern portion of the Specific Plan between the Delta-Mendota Canal and the California Aqueduct is zoned for medium density residential and light industrial uses.
2. The central portion of the Specific Plan, south of the California Aqueduct and north of I-580, is planned predominately for single-family homes, open space conservation easements, mixed use business park, and commercial retail areas. These uses will provide employment opportunities and daily needs and services for residents. Multi-use trails will connect residential neighborhoods, integrated with public park amenities that are within walking distance. Additionally, an elementary school site is planned to serve the neighborhood residents of this area.
3. The southern portion of the Specific Plan area, with rolling and steeper slopes on the southern side of I-580, will be primarily residential neighborhoods with parks and school sites. Consistent with the General Plan, 180 to 185 acres of open space, (originally shown as a golf course in the 1998 THSP), will be integrated into the low density residential areas. A mixed use business park area will be located southwest of the planned Lammers interchange and a commercial retail area will be located along the southeasterly project boundary at Corral Hollow Road. This area abuts approximately 3,500 acres of open space under a conservation easement.

Table 1-1, Land Use Plan Buildout Example summarizes the various proposed land uses, and provides the approximate developable acreages, development ranges, and the projected buildout of residential dwelling units and non-residential development square footage. The approximate gross acres for the Zoning designations for the Tracy Hills Specific Plan are also summarized.

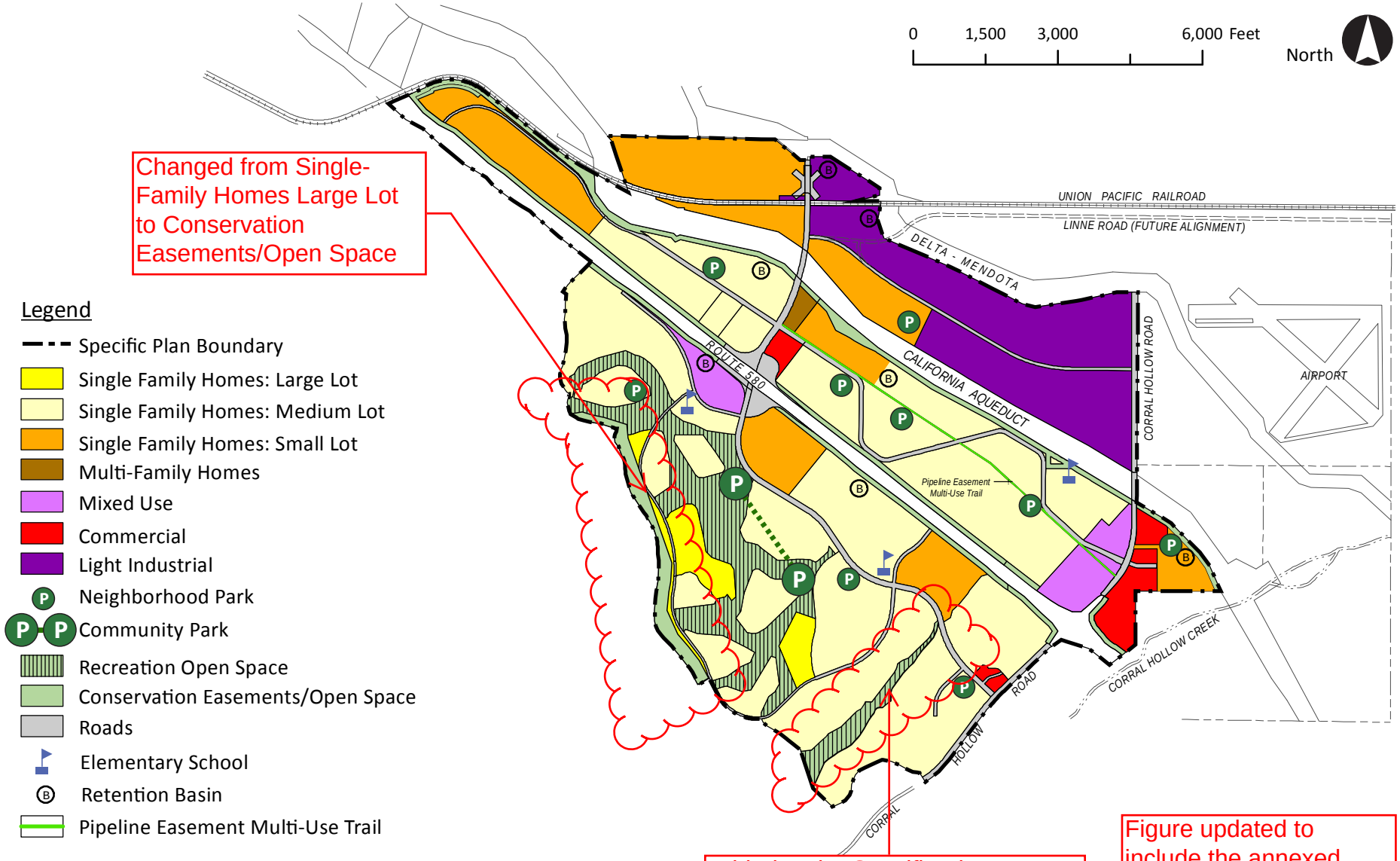


Figure 1-1

Regional Context Map



Figure 1-2
Vicinity Map



NOTES:
1. The locations, numbers, and configurations of public schools, park sites, and public utilities are conceptual and subject to change.
2. This exhibit is for conceptual purposes to show approximate locations.

Figure 1-3

Land Use Concept

TABLE 1-1
LAND USE PLAN BUILDOUT EXAMPLE

Zoning District or Land Use	Approximate Gross Acres[1]	Approximate Adjusted Developable Acres[1, 2, 3]	Target Density Range or F.A.R.	Projected Dwelling Units or Square Feet[1]
Residential Estate	~~95.6~~59.9	~~81.3~~50.9	(0.5-2.0 DU's/ac.)	~~122~~76 DU's
Low Density Residential	~~1,316.2~~1,351.9	~~961.5~~991.9	(2.1-5.8 DU's/ac.)	~~3,558~~3,604 DU's
Medium Density Residential	422.1[4]	358.8	(5.9-12.0 DU's/ac.)	2,672 DU's
High Density Residential	9.2	7.8	(12.1-25.0 DU's/ac.)	125 DU's
Mixed Use Business Park	79.0	67.2	0.20 F.A.R.	585,446 s.f.
General Highway Commercial	53.8[4]	45.7	0.20 F.A.R.	398,499 s.f.
Light Industrial	336.4	285.9	0.25 F.A.R.	3,113,887 s.f.
Conservation Easements	~~126.5~~162.2		n/a	
Subtotal:	**~~2,438.8~~2,474.5**	**1,808.2**		
Interstate 580 Interchange and ROW	137.5			
California Aqueduct ROW	143.1			
Union Pacific Rail Road	12.2			
TOTAL:	**~~2,731.6~~2,767.3**	**1,808.2**		6,477 DU's 4.1 mil s.f.

1 All Acreages, dwelling units, and square footage examples shown herein are approximate.

2 Adjusted Developable Acres - Residential, Mixed Use Business Park, General Highway Commercial, and Light Industrial acreages have been adjusted to show that an estimated 15% of the land area is used for infrastructure such as roads and utilities, and/or public facilities such as neighborhood parks/amenities, schools, and/or public facilities such as retention basins as noted in the General Plan. Actual numbers will vary depending on site specific characteristics.

3 180 to 185 acres of General Plan mandated Open Space taken out of Low Density Residential land use category.

4 8.7 acres of General Highway Commercial will be zoned with a Medium Density Residential Overlay and is anticipated to be developed with residential uses. As such this acreage is accounted for in the Medium Density Residential zoning district.

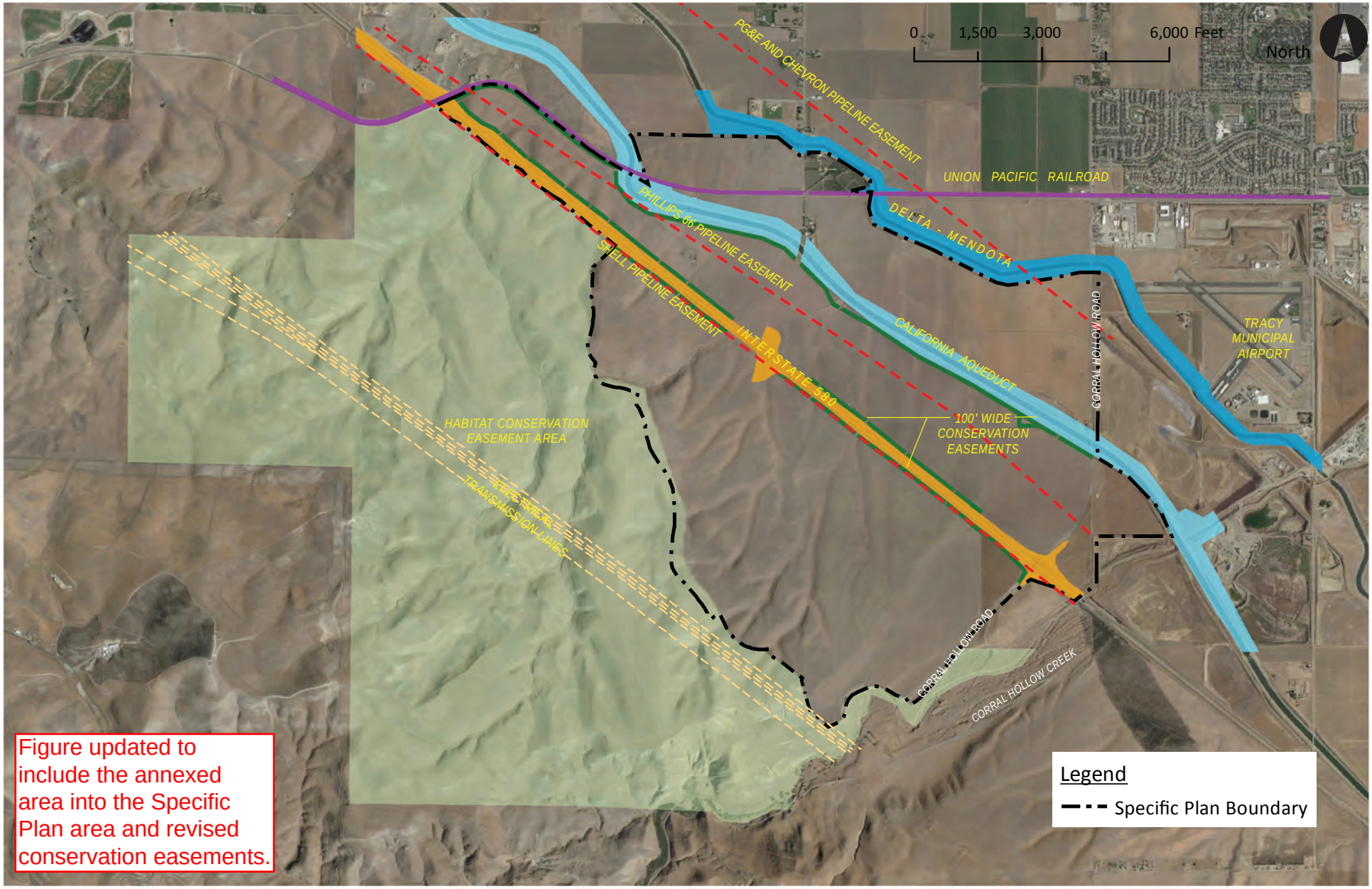


Figure updated to include the annexed area into the Specific Plan area and revised conservation easements.

Figure 1-4

Existing Conditions

1.3 EXISTING CONDITIONS

The Specific Plan area has ground elevations that begin at approximately 195 feet above sea level on the north east side of the site, and rise to over 1,200 feet in the south west corner. The area southwest of the California Aqueduct is primarily used for grazing. Other uses include row crop agriculture and orchards, with open space on the steep upland portions. Vegetation that occurs on site is primarily grassland dominated by non-native species and contains little undisturbed habitat in the flatter lowland areas. The riparian woodland along Corral Hollow Creek has been degraded by historical grazing. Scrub grows in areas of rock outcrops and shallow soil. The area between I-580 and the Union Pacific Railroad/California Aqueduct is vacant with an abandoned structure formerly used in relation with the livestock operation. The portion of the site bound by the California Aqueduct, Union Pacific Rail Road, Delta-Mendota Canal and Corral Hollow Road is utilized as agriculture with three existing residences. (Refer to **Figure 1-4, Existing Conditions Map.)**

1.3.1 Conservation Easement(s) and Protected Open Space

The Specific Plan contains approximately 125 acres of open space in 100-foot wide conservation easements that are located adjacent to I-580 and the southern side of the California Aqueduct. These open space conservation easement areas were granted to the San Joaquin Council of Governments (SJCOG).

Approximatly 35 acres of additional open space within a conservation easement is located along the Specfic Plan's western boundary. The open space conservation easement was granted to SJCOG.

Adjacent to the Specific Plan's western boundary and outside of the City limits, over 3,500 acres of open space has been set aside for the conservation of wildlife habitat. A conservation easement was recorded on the open space in July 2012 and granted to SJCOG. The conservation easement ensures that the lands will be preserved for habitat in perpetuity.

1.3.2 Interstate 580 and Pipeline Easements

Interstate 580 is a four-lane, limited-access interstate highway that bisects the property on a northwest to southeast axis. Interstate 580 connects to I-205 and the western extension of I-580 to the north and to I-5 to the south. The freeway is also fronted by the 100-foot wide, open space conservation easements.

Paralleling and adjacent to the freeway right-of-way are two easements that contain pipelines. A third pipeline easement transects the northeastern corner of the Specific Plan. Refer to Figure 1-4, Existing Conditions Map, for the general locations of pipeline easements.

1.3.3 California Aqueduct and the Delta-Mendota Canal

The California Aqueduct bisects the Specific Plan area north of I-580 in a general northwest-to-southeast direction. Located outside the northern Specific Plan boundary, the Delta-Mendota Canal (DMC), also runs in a northwest to southeast direction and abuts the northern Specific Plan boundary. This segment of the DMC is also located outside of City limits. The two aqueducts carry water south for agricultural use and further south into the Los Angeles basin.

1.3.4 Union Pacific Railroad Line

A segment of the Union Pacific Railroad line crosses the northwest corner of the Specific Plan area in an east-west direction and is an active railway.

0 900 1,800 3,600 Feet

North

Specific Plan Boundary

Roads

UNION PACIFIC RAILROAD

LINNE ROAD (FUTURE ALIGNMENT)

DELTA - MENDOTA

CALIFORNIA AQUEDUCT

CORRAL HOLLOW ROAD

ROUTE 580

AIRPORT

CORRAL HOLLOW CREEK

CORRAL HOLLOW ROAD

MDR-TH

M1-TH

C-TH

LDR-TH

HDR-TH

GHC-TH

MUBP-TH

RE-TH

GHC-MDR-TH

Changed from residential Estate (RE-TH) to Tracy Hills Conservation (C-TH)

Added to SP area and given a zoning of Low Density Residential

Figure updated to include the annexed area into the Specific Plan area and shift around land uses.

Legend

RE-TH	Residential Estate
LDR-TH	Low Density Residential
MDR-TH	Medium Density Residential
HDR-TH	High Density Residential
MUBP-TH	Mixed Use Business Park
GHC-TH	General Highway Commercial
GHC-MDR-TH	General Highway Commercial w/ Medium Density Residential Overlay
M1-TH	Light Industrial
C-TH	Tracy Hills Conservation

Figure 2-1

Zoning Districts

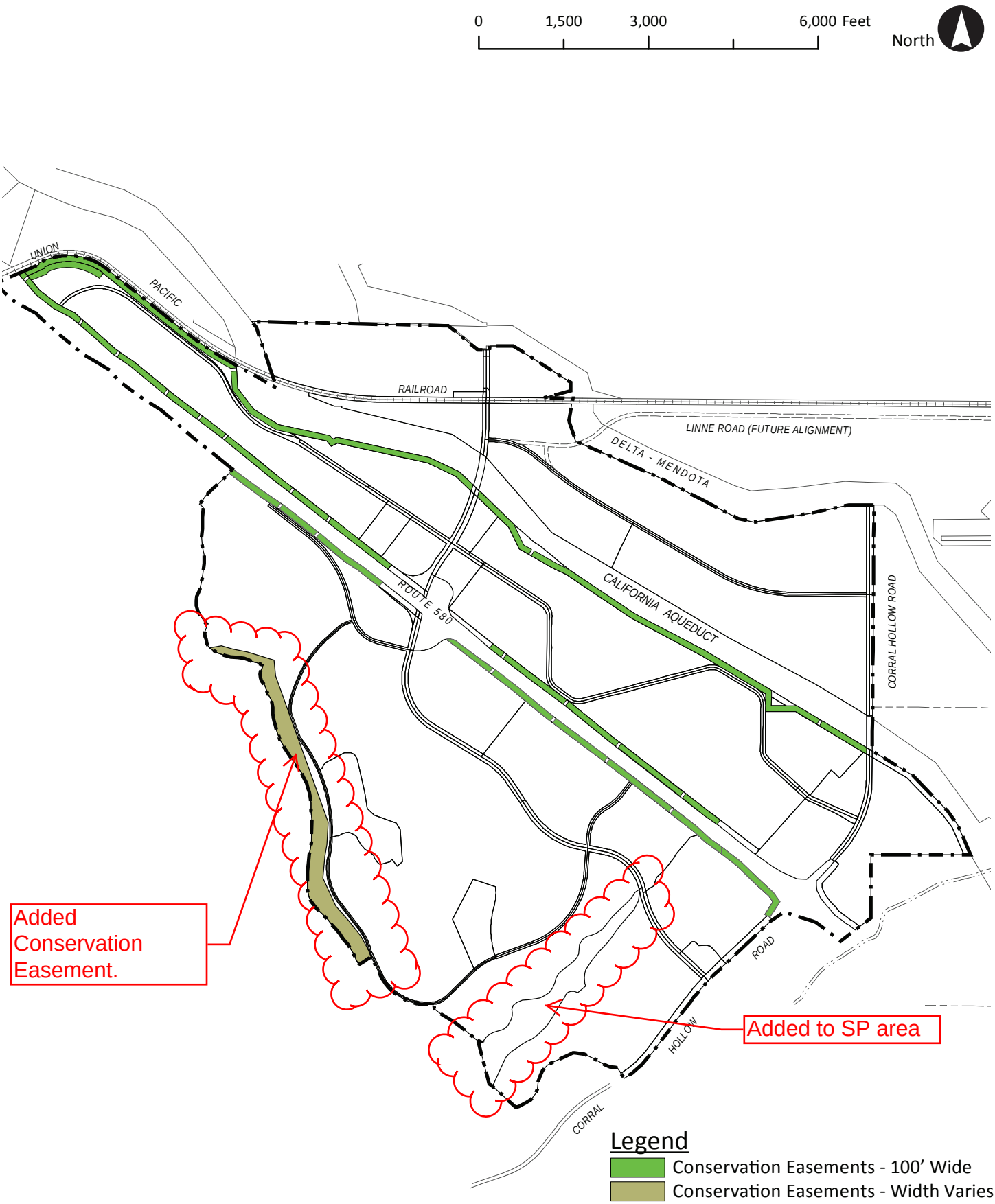


Figure 2-2

Conservation Easements

2.6 OTHER LAND USES

2.6.1 Parks/Recreation

Active and passive park and recreation facilities will be provided within the Specific Plan area in a variety of forms at a minimum rate of three acres of neighborhood park land and one acre of community park land per 1,000 population, in accordance with the City of Tracy Parks Master Plan. The tentative subdivision maps within the Specific Plan may have less than three acres of neighborhood park land per 1,000 residents or one acre of community park land per 1,000 residents, due to the size, shape, location, accessibility, or other characteristics of any single tentative map. The community park will be located as otherwise described in the Specific Plan. The Specific Plan also provides for HOA maintained park and recreation facilities in addition to the neighborhood and community park land.

Therefore, prior to each residential tentative subdivision map approval, an analysis shall be required of the amount of neighborhood and community park land provided within the entire Specific Plan area. Each tentative subdivision map shall either include adequate neighborhood park land to bring the total neighborhood park land within the tentative-map-approved portion of the Specific Plan to three acres per 1,000 population, or the developer shall demonstrate how future tentative map areas of the Specific Plan will include park land to achieve the minimum three acres per 1,000 population requirement, and otherwise comply with the Parks Master Plan.

After dedication to the City, most park and recreation facilities will be under the jurisdiction of the City Public Works Department and will be operated and maintained by the City for the enjoyment of all residents of Tracy. The Park sites shown on Figure 1-3, Land Use Concept, and Figure 2-4, Public Facilities Plan, indicate conceptual park locations. Parks may include community or neighborhood parks with active and passive recreation. These parks may feature play fields, ball fields, children play areas, picnic areas, tennis courts, open lawn areas, or other amenities including a park located at an elevated location to provide a "view park". All parks in Tracy Hills are envisioned to be interconnected by trails and bikeways within parkways, public streets, open space, and utility corridors. Community and neighborhood park design shall comply with the City of Tracy Parks Master Plan with final design approved by the City.

Approximately 180 to 185 acres will be provided for a Tracy Hills Community / Open Space Park to the south of the I-580, and is conceptually shown on Figure 1-3, Land Use Concept, and Figure 2-4, Public Facilities Plan. It is envisioned that the Community / Open Space Park will be designed and improved for scenic and visual enjoyment, provide outdoor recreation opportunities, improve public health and safety, preserve natural resources and control the urban form. The Community /Open Space Park area is subject to final design approval by the City and at a minimum could include both passive and active features including a nature trail system and pathways that can be used for hiking, walking, biking and jogging, picnic and sitting areas, lawn areas, nature viewing areas, disc golf, and/or golf course. In specific areas of the open space, enhancements may be incorporated into the final design through the planting of native landscape as passive open space and for habitat improvement. The conceptual design of the 180 to 185 acres including the 30 acres of community park will occur with the first subdivision map south of I-580. The Community / Open Space Park will be improved in phases with development of Tracy Hills south of I-580.

The 180 to 185 acres of Community / Open Space Park is contrasted with the ~~100-foot wide~~ conservation easements (described in Section 2.5, Tracy Hills Conservation Zoning District) in that the Community / Open Space Park will be design for active and passive recreation, accessible to the public; and the ~~100-foot wide~~ conservation easements will not be accessible to the public.

2.6.2 School Sites

Three public school sites are shown on **Figure 1-3, Land Use Concept,** and **Figure 2-4, Public Facilities Plan**. Final locations, numbers, size and configurations of school sites will be determined in consultation with the appropriate School District. In the event the School District does not use, purchase and/or develop a school site, these sites may be developed consistent with zoning development standards.



Figure updated to include the annexed area into the Specific Plan area.

Figure 2-4

Public Facilities Plan

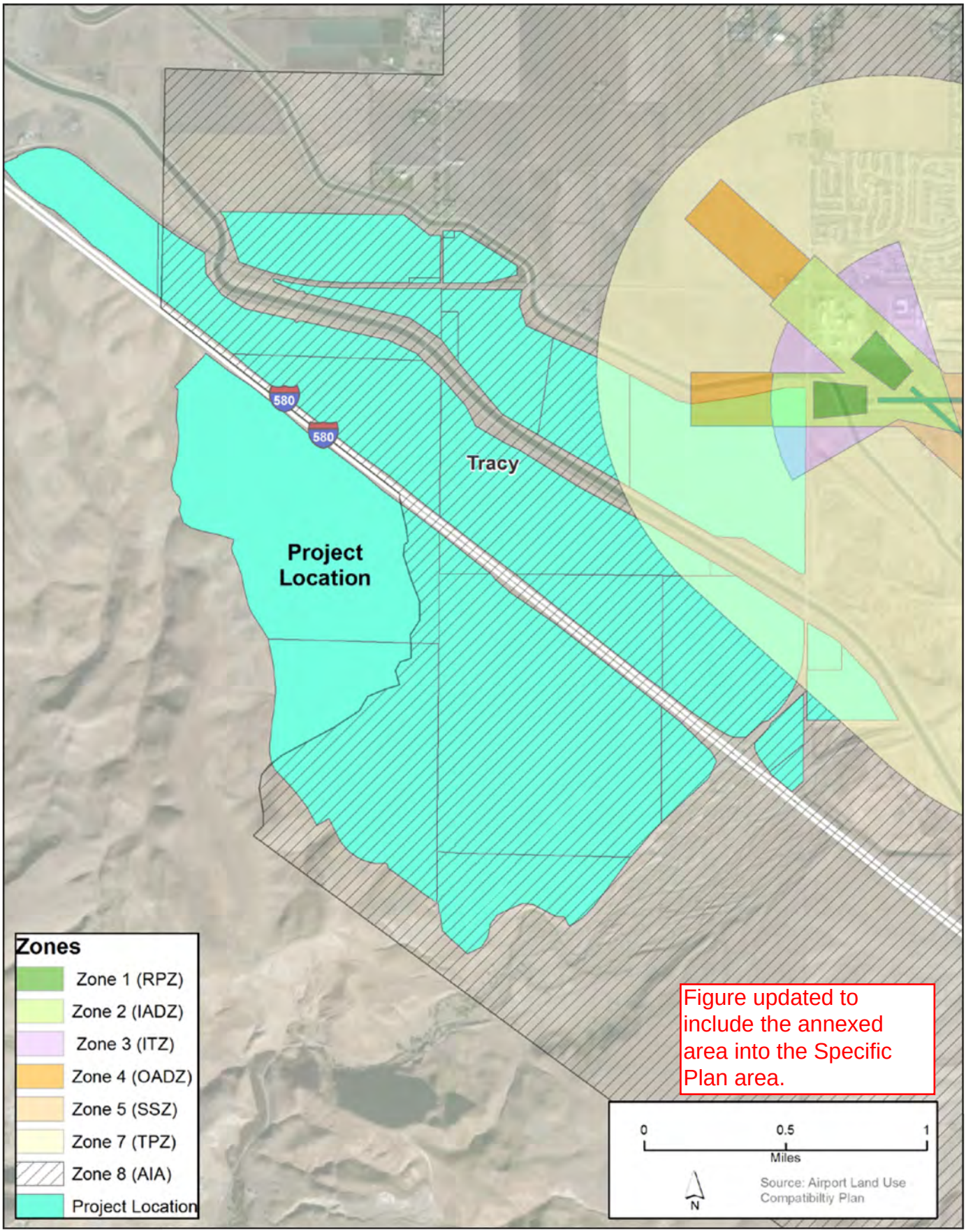
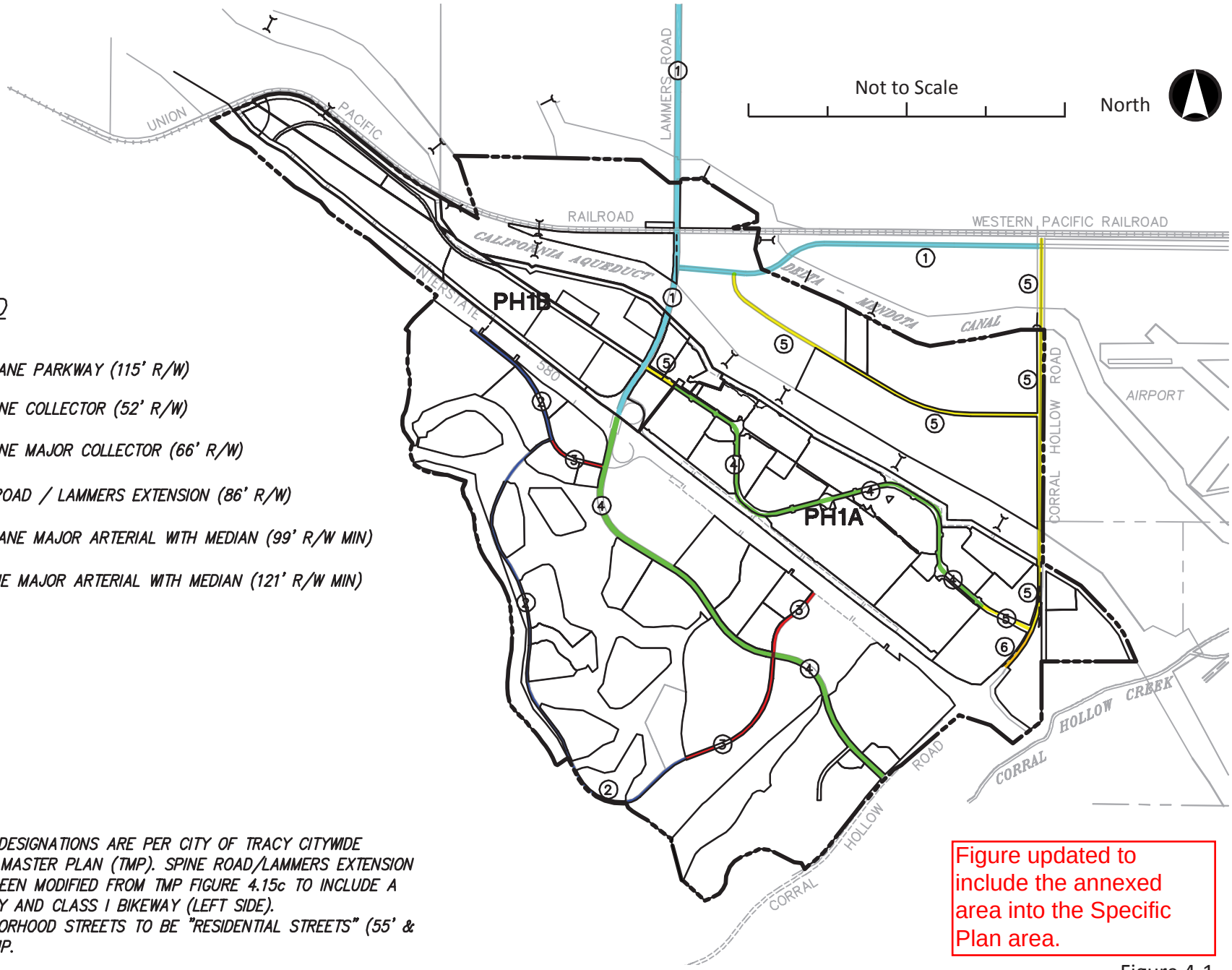


Figure 2-5

Tracy Municipal Airport Land Use Compatibility Zones



NOTES:

1. STREET SECTION DESIGNATIONS ARE PER CITY OF TRACY CITYWIDE TRANSPORTATION MASTER PLAN (TMP). SPINE ROAD/LAMMERS EXTENSION (86' R/W) HAS BEEN MODIFIED FROM TMP FIGURE 4.15c TO INCLUDE A WIDENED PARKWAY AND CLASS I BIKEWAY (LEFT SIDE).
2. INTERNAL NEIGHBORHOOD STREETS TO BE "RESIDENTIAL STREETS" (55' & 57' R/W) PER TMP.

Figure updated to include the annexed area into the Specific Plan area.

Figure 4-1

Roadway Plan

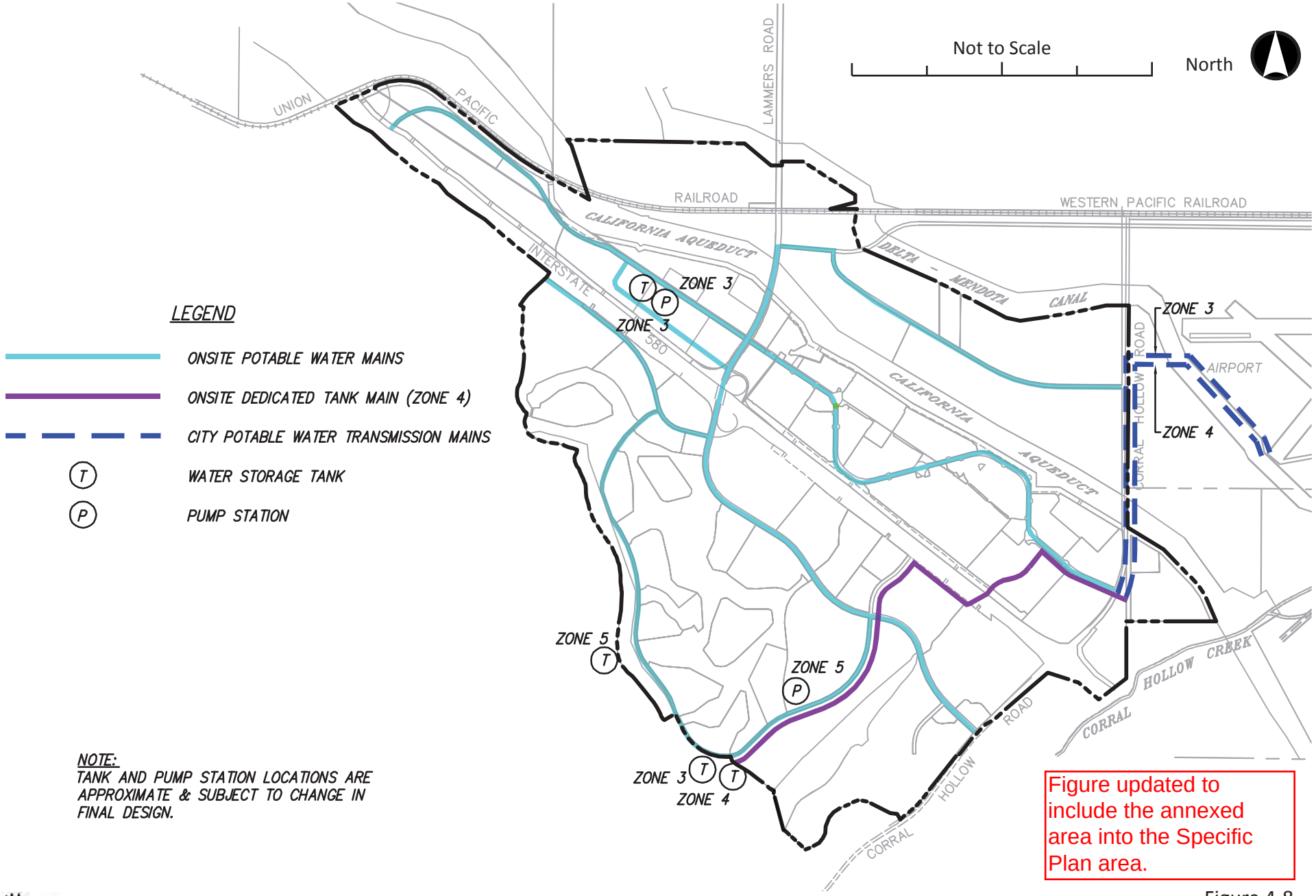


Figure 4-8

Water Distribution System

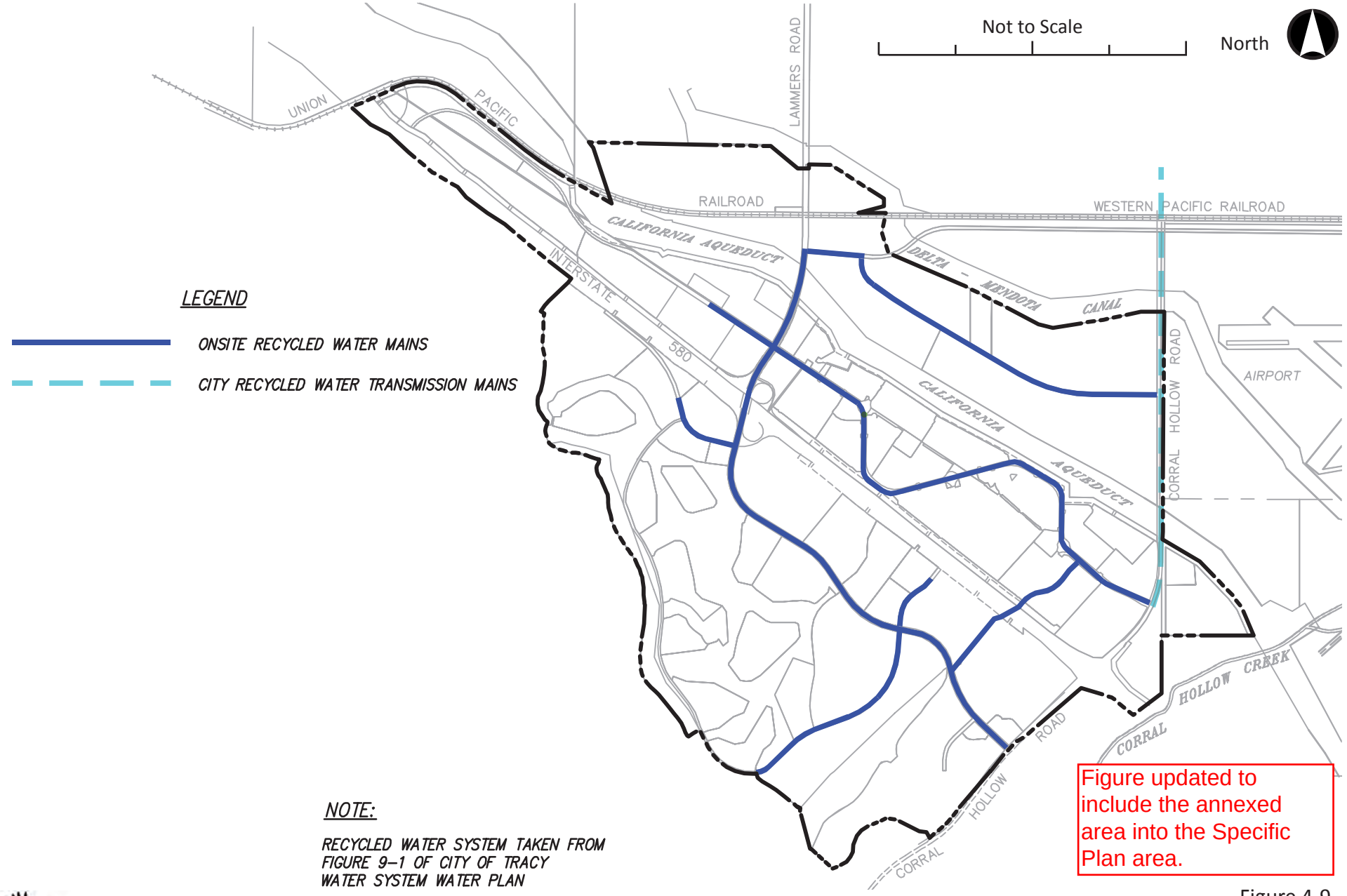
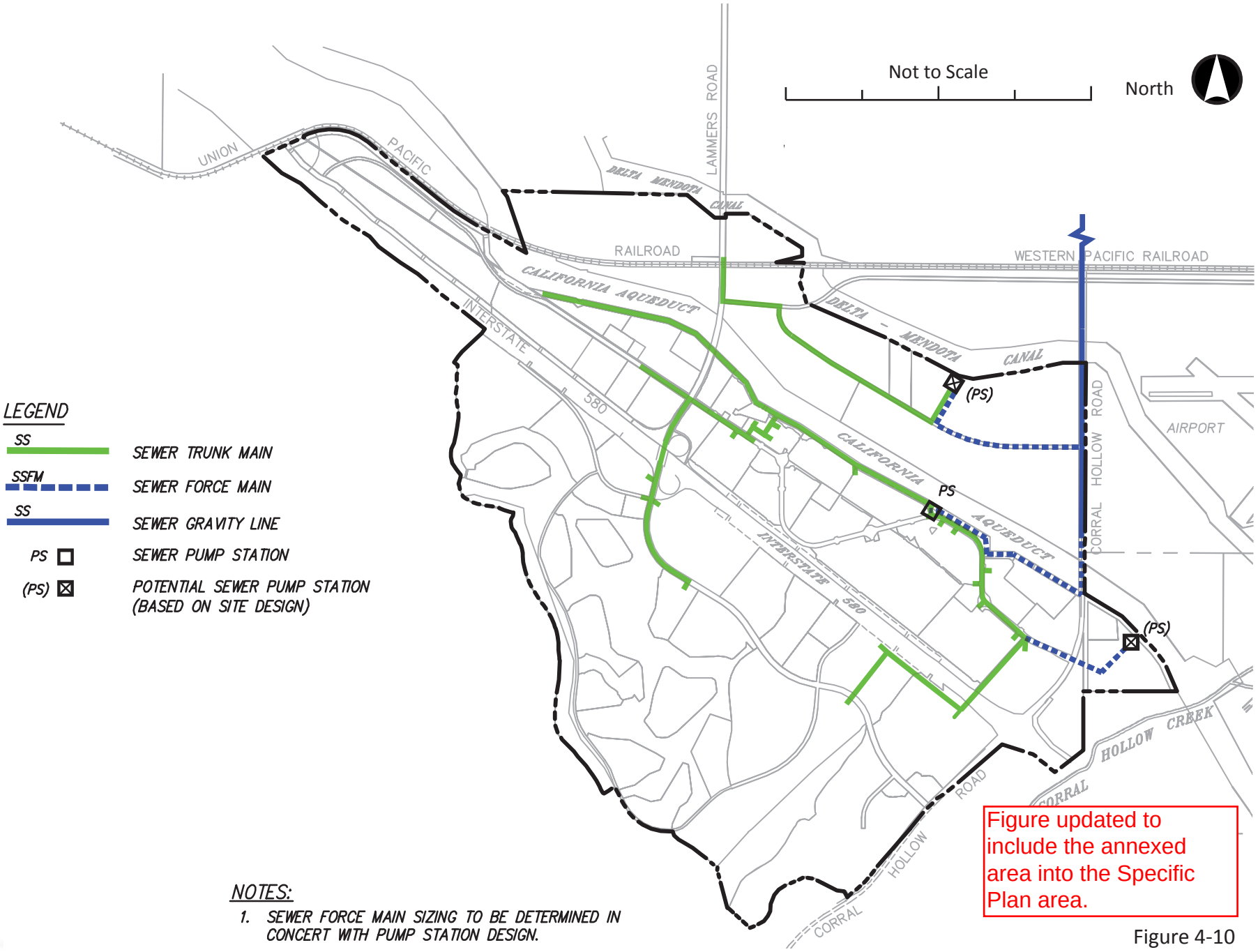


Figure 4-9

Recycled Water Distribution System



NOTES:

1. SEWER FORCE MAIN SIZING TO BE DETERMINED IN CONCERT WITH PUMP STATION DESIGN.

Figure updated to include the annexed area into the Specific Plan area.

Figure 4-10

Wastewater Collection System

4.6 STORM DRAINAGE SYSTEM

4.6.1 Existing Conditions

Tracy Hills is crossed and bordered by numerous canals and transportation thoroughfares that influence its drainage patterns. Interstate 580, a four-lane freeway, bisects the project by crossing from the northwest corner to the southeast corner. The California Aqueduct parallels I-580 to the north which also parallels the Delta-Mendota Canal north of the California Aqueduct. At the southeast corner of the project, I-580 and Corral Hollow Road create a major interchange. From this interchange, Corral Hollow Road, which is part of the project's southeastern boundary, runs north and crosses from south to north, the California Aqueduct, the Delta-Mendota Canal, the project's northern boundary, and the Union Pacific Railroad. Corral Hollow Road also runs southwest from the I-580 interchange and parallels Corral Hollow Creek. Corral Hollow Creek flows northeast toward the San Joaquin River.

Since the alignment of I-580, the California Aqueduct and the Delta-Mendota Canal generally follow the natural ground contours; these structures lie perpendicular to the natural direction of drainage flow. Various drainage structures including culverts, bridges, flumes, and pipelines are constructed over and under I-580, the California Aqueduct, and the Delta-Mendota Canal.

Of the drainage features near the project area, Corral Hollow Creek is the most significant. Its watershed originates in the hills southwest of the project encompassing approximately 62 square miles above the Delta-Mendota Canal. The steep topography of the area causes sharply-peaked runoff hydrographs producing "flash" flooding. Several miles northeast of the project, the creek channel abruptly ends due to farming operations which results in sheet flow toward the San Joaquin River, which dissipates into the ground.

Other natural drainage courses exist within the project area and a majority of the project area drains to these intermittent streams. These carry little runoff in comparison to Corral Hollow Creek, and the shed areas are correspondingly small. However, sharp hydrograph peaks are also characteristic of these intermittent streams. Prior to construction of the canals, storm runoff was carried northeasterly. Existing drainage facilities crossing Interstate 580 and the California Aqueduct represent significant constraints to runoff from the project area. For the last 40 years, the natural flow path of the intermittent streams has been intercepted by the Delta-Mendota Canal, resulting in some runoff directly discharging into the canal, flooding the adjacent properties, and infiltrating into the ground.

Because of the proposed project, the surface characteristics will change and increase the flow rates to these intermittent streams. The surface becomes less pervious, and the precipitation runs off instead of infiltrating into the ground. Under the developed scenario, flow through existing crossings of I-580, the California Aqueduct, and the Delta-Mendota Canal would be mostly reduced from historical flows due to the use of proposed onsite retention basins.

4.6.2 Collection System

The overall project consists of approximately ~~2,731.6~~2,767.3 acres including proposed residential, commercial, mixed use business park, and industrial uses.

Under current conditions at Tracy Hills, runoff from most of the site drains across I-580 and the California Aqueduct via existing drainage structures (culverts and flumes). The majority of this runoff infiltrates into open farmland between I-580 and the California Aqueduct and between the California Aqueduct and the Delta-Mendota Canal. The remainder flows into the Delta-Mendota Canal. In addition, a small portion of the site currently drains to Corral Hollow Creek.

The U.S. Bureau of Reclamation will generally not allow urban runoff to enter the Delta-Mendota Canal. It will be necessary to mitigate the increase in peak flow and total runoff from the site so that flooding downstream of the site will not become more severe. The concept for handling storm runoff involves intercepting runoff from developed areas for disposal to multiple terminal retention basins within the project site. Pipes and channels will be used to convey water to these basins. To the greatest extent possible, runoff from the west of the developed areas will be allowed to

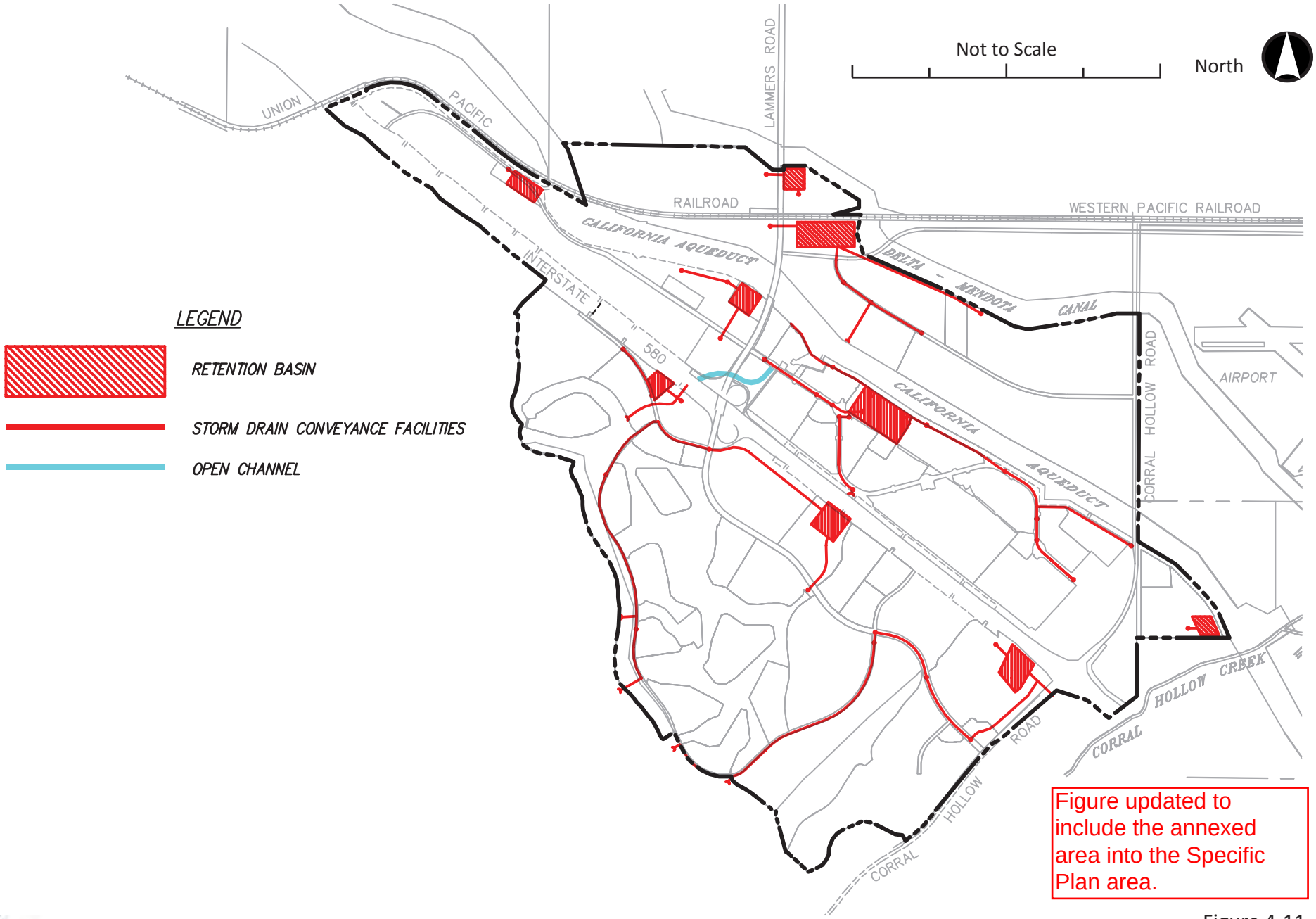


Figure 4-11

Storm Drainage System

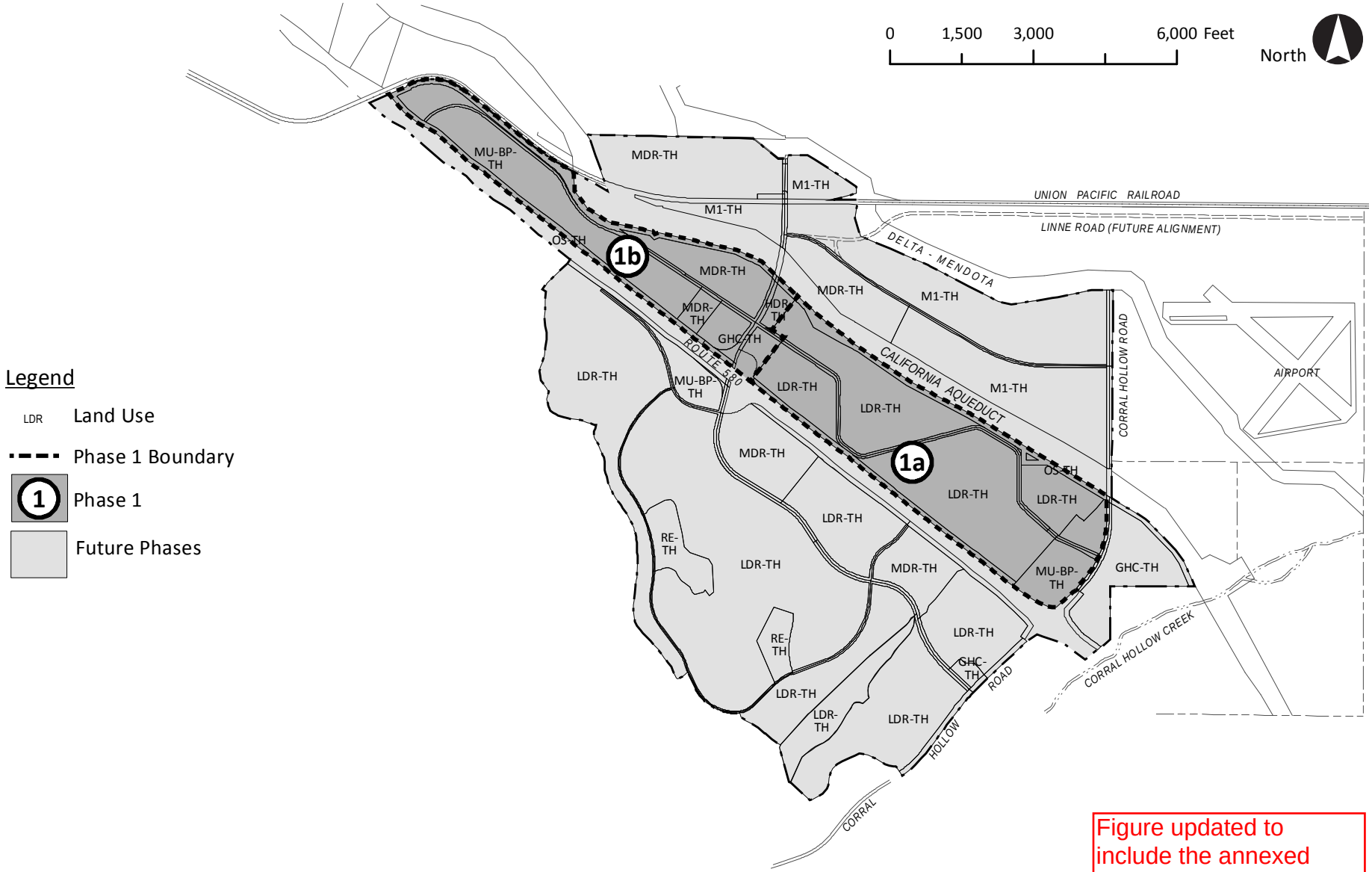
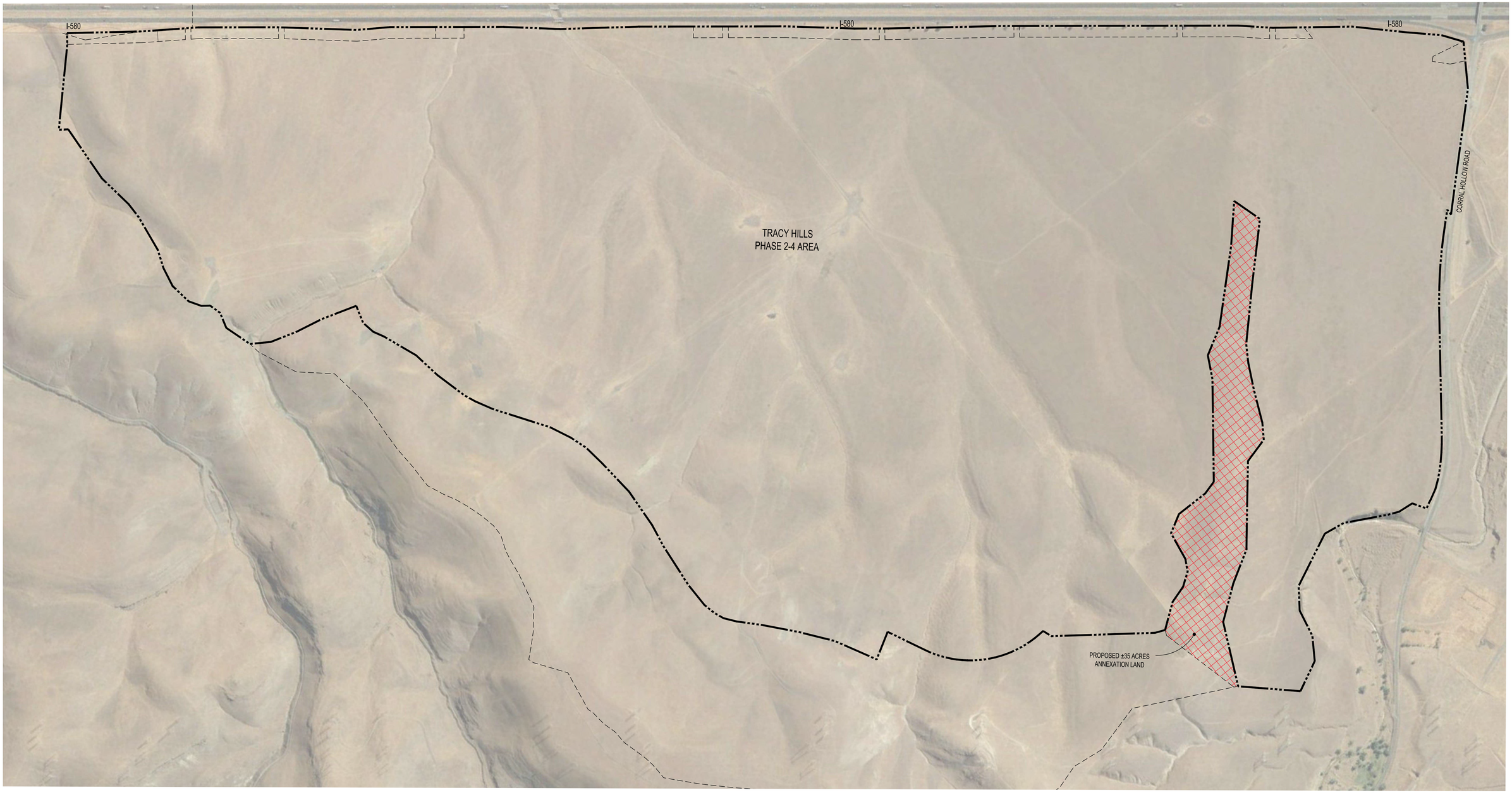


Figure updated to include the annexed area into the Specific Plan area and shift around land uses.

Figure 4-12

Phasing Plan

Attachment B



LEGEND

PROPOSED ±35 ACRE ANNEXATION LAND

INTEGRAL Communities
A DIVERSIFIED REAL ESTATE COMPANY

TRACY HILLS
ANNEXATION LAND EXHIBIT

TRACY, CALIFORNIA
01/28/2021

0 400 800 1200
SCALE IN FEET: 1"= 400'

NORTH

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS

Attachment C

ADDENDUM TO THE TRACY HILLS SPECIFIC PLAN SUBSEQUENT ENVIRONMENTAL IMPACT REPORT SCH NO. 2013102053

April 2021

Proposed Amendment to the Tracy Hills Specific Plan for the 35-Acre Annexation Project

Prepared For:

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

Prepared By:

Kimley-Horn and Associates, Inc.
10 South Almaden Boulevard, Suite 1250
San Jose, CA 95113

TABLE OF CONTENTS

Introduction 1
California Environmental Quality Act 1
Previous Environmental Analysis of the Project Site 3
Purpose of Addendum 3
Proposed Amendment to the Approved THSP Project 4
Project Location 4
Specific Plan Amendment 4
THSP Environmental Impact Analysis Summary 8
Environmental Evaluation 18
I. Aesthetics 19
II. Agricultural and Forestry Resources 23
III. Air Quality 26
V. Biological Resources 34
VI. Cultural Resources 47
VII. Geology and Soils 53
VIII. Greenhouse Gas Emissions 58
IX. Hazards and Hazardous Materials 61
X. Hydrology and Water Quality 70
XI. Land Use and Planning 78
XII. Mineral Resources 81
XIII. Noise 83
XIV. Population and Housing 90
XV. Public Services, Recreation, and Utilities 92
XVI. Transportation/Traffic 102
XIX. Mandatory Findings of Significance 107
Determination of Appropriate CEQA Documentation 108
Section 15162 – Subsequent EIRs and Negative Declarations 108
Section 15164 – Addendum to an EIR or Negative Declaration 109
Conclusion 110

LIST OF FIGURES

Figure 1: Regional Location Map 12
Figure 2: Project Vicinity Map 13
Figure 3: Proposed General Plan Land Use 14
Figure 4: Proposed THSP Zoning 15
Figure 5: Proposed THSP Land Use Concept 16
Figure 6: City of Tracy Conservation/Open Space 17

LIST OF TABLES

Table 1: Land Use Plan Buildout (2035) 6
Table 2: THSP SEIR Potentially Significant Environmental Impacts Table 8

ATTACHMENTS

Attachment A: **Biological Technical Report**

Attachment B: **CHRIS Search Results**

INTRODUCTION

This document provides an analysis of a proposed Amendment to the Tracy Hills Specific Plan (THSP) (proposed Project). The proposed Project would result in the annexation into the City limits of approximately 35.7 acres of land (Annexation Area) currently located outside of the City limits and THSP Area, but within the City's Sphere of Influence, a THSP amendment to bring the 35.7-acre Annexation Area into the THSP, and the concurrent execution of a conservation easement on an equivalently sized 35.7 acre area currently located within and adjacent to the southwestern edge of the THSP Area (Conservation Easement). Approvals required for Project implementation include: a General Plan Amendment, a THSP Amendment, and pre-zoning of the Annexation Area into the THSP/City limits. Pre-zoning the Annexation Area to THSP would allow the City to authorize a petition to the San Joaquin County Local Agency Formation Commission (LAFCo) for annexation of the Annexation Area within the City limits, and action by LAFCo to approve the annexation. Upon annexation, the THSP Area would increase from approximately 2,731 acres to 2,767 acres. However, because the Project would add 35.7 developable acres to the THSP Area by the annexation, and subtract 35.7 developable acres from the THSP Area by the Conservation Easement, there would be no change in development intensity in the THSP from approval of the proposed Project.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Section 15164(a) of the State CEQA Guidelines states that "the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Pursuant to Section 15162(a) of the State CEQA Guidelines, a subsequent EIR or Negative Declaration is only required when:

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

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

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

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

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

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

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

The following describes the requirements of an addendum, as defined by CEQA Guidelines Section 15164:

(a) The lead agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

(b) An Addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(c) An Addendum need not be circulated for public review but can be included in or attached to the Final EIR.

(d) The decision-making body shall consider the Addendum with the Final EIR prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a Subsequent EIR pursuant to Section 15162 should be included in an Addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

As set forth in Section 15164(a), if none of the circumstances or conditions described in Section 15162 are present, and only minor technical changes or additions are necessary to update the previously certified EIR, an addendum may be prepared, consistent with CEQA Guidelines Section 15164.

Based on the analysis and evaluation provided in this Addendum, no new significant impacts would occur because of the proposed Amendment, nor would there be any substantial increase in the severity of any previously identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the Tracy Hills Specific Plan Final Environmental Impact Report would substantially reduce one or more significant effects on the environment. Therefore,

no conditions described in Section 15162 of the CEQA Guidelines have occurred. For this reason, an Addendum is the appropriate document to comply with CEQA requirements for the proposed Amendment.

PREVIOUS ENVIRONMENTAL ANALYSIS OF THE PROJECT SITE

The Tracy City Council approved the THSP Project and certified the corresponding Subsequent EIR (Tracy Hills Specific Plan SEIR [SCH# 2013102053]) in October 2015 and certified the final subsequent EIR on April 5, 2016 (the "THSP SEIR"). This analysis incorporates by reference, where relevant and appropriate, discussion and analysis contained in the previously certified THSP SEIR. The THSP SEIR evaluates the potential environmental impacts resulting from the approval and implementation of the THSP. The THSP involves the development of 2,736.1 acres of land with residential, commercial, open space, mixed-use business park, and industrial uses. The THSP SEIR evaluated several actions associated with implementation of the THSP including approval of the Specific Plan and a General Plan Amendment; approval of a Zoning Map and Text Amendment; approval of a development agreement; approval of a new Storm Drainage Master Plan; tentative and final map approvals; and development permits and building permits. The THSP was prepared to set forth a comprehensive planning framework, as well as to identify development regulations and design guidelines relating to land uses, development standards, architecture, landscaping, park/recreational and open space facilities, circulation, signage, sustainability features, as well as all other necessary on- and off-site infrastructure improvements required to implement the THSP.

Purpose of Addendum

The purpose of this checklist is to analyze any potential differences between the impacts identified in the previously certified THSP SEIR and those that would be associated with the proposed Amendment to the THSP.

Pursuant to provisions of CEQA and the State CEQA Guidelines, the City of Tracy is the Lead Agency charged with the responsibility of determining whether to approve the proposed Amendment. As part of its decision-making process, the City is required to review and consider whether the proposed Amendment would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the previously certified THSP SEIR. The decision-making body must consider the whole of the data presented in the THSP SEIR, and as augmented by this Addendum and the previously adopted Mitigation Monitoring and Reporting Program. Additional CEQA review beyond this Addendum would only be triggered if one or more of the circumstances or conditions described in Section 15162(a) of the CEQA Guidelines was determined to be present or to have occurred.

PROPOSED AMENDMENT TO THE APPROVED THSP PROJECT

Project Location

The Project site is located within the THSP Area in the southern portion of the City of Tracy in San Joaquin County, California as shown in Figure 1, *Regional Location Map*. The THSP Area consists of approximately 2,731.6 acres and surrounds the existing interchange at Corral Hollow Road and the proposed Lammers Road interchange on Interstate 580 (I-580). Refer to Figure 2, *Project Vicinity*.

General Plan Amendment

The proposed General Plan Amendment would change the General Plan land use designation of the Annexation Area from City of Tracy Open Space to Residential Low and identify the Annexation Area as within City limits; refer to Figure 3, Proposed *THSP Land Use*. The proposed General Plan Amendment would also change the land use designation for the Conservation Easement area from Residential Very Low to Open Space.

Tracy Hills Specific Plan Amendment

An application for an Amendment to the previously approved THSP has been submitted to the City of Tracy for consideration. The proposed Project would revise the THSP Area boundary to include the Annexation Area and zone it as Low Density Residential (LDR-TH); refer to Figure 4,*THSP Zoning*.

The proposed Project would change the zoning district from Residential Estate (RE-TH) to Tracy Hills Conservation (C-TH) for the proposed Conservation Easement area. The proposed Project would also remove the existing conservation easement managed by SJCOG from the Annexation Area. SJCOG would be responsible for approving the proposed conservation exchange and future management of the conservation easement.

As shown in Figure 6, *City of Tracy Conservation/Open Space*, the proposed Conservation Easement is physically more connected to the open space and would provide for more habitat continuity as compared to the Annexation Area, which is a comprised of a linear and narrow piece of land wedged between planned development areas. Accordingly, the THSP Area would increase by 35.7 acres from 2,731.6 acres to 2,767.3 acres, however, the total developable acres would remain unchanged.

Future Development

The Annexation Area is currently surrounded by the THSP development footprint to the west, north, and east. Project implementation would allow for residential development within the Annexation Area, thus creating a more focused development footprint. The proposed Project would move development closer within the overall THSP footprint and increase buffers between the THSP Area and the existing open space. Because the Project would add 35.7-acres of developable land to the THSP in the Annexation area, and subtract 35.7-acres of developable land in the Conservation Easement area, the proposed Project would result in a net zero change in developable acreage and would not change the intensity of development previously proposed in the THSP.

As shown in Table 1: Land Use Plan Buildout (2035), the proposed Project would not change the developable acres as compared to what was previously analyzed in the THSP SEIR. Changes in THSP zoning would be balanced and no net change to the number of projected dwelling units within the THSP would occur. Additionally, development standards would remain the same as those previously discussed under the THSP. The number of vehicle trips generated by the proposed Project would be identical to the THSP since no changes in development intensity would occur.

Table 1: Land Use Plan Buildout (2035)[1]

Zoning District or Land Use Designation	Target Density Range or F.A.R (DU's/ac.)	THSP			Proposed Project			Difference Between THSP and Proposed Project		
		Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres[2]	Developable Acres[3]	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)
Residential Estate	0.5-2.0	95.6	81.3	122 DU	59.9	50.9	76	-35.7	-30.4	-46
Low Density Residential[4]	2.1-5.8	1,316.2	961.5	3,558DU	1,351.9	991.9	3,604	+35.7	+30.4	+46
Medium Density Residential	5.9-12.0	422.1	358.8	2,672 DU	N/A	N/A	N/A	No change	No change	No change
High Density Residential	12.1-25.0	9.2	7.8	125 DU	N/A	N/A	N/A	No change	No change	No change
Mixed-use Business Park	0.2 F.A.R	79	67.2	585,446 SF	N/A	N/A	N/A	No change	No change	No change
General Highway Commercial[5]	0.2 F.A.R	53.8	45.7	398,400 SF	N/A	N/A	N/A	No change	No change	No change

[1] Approved KT/7C Village and 1b/1c Project are reflected as background conditions.
[2] All Acreages, dwelling units, and square footage examples shown herein are approximate
[3] Adjusted Developable Acres - Residential, Mixed Use Business Park, General Highway Commercial, and Light Industrial acreages have been adjusted to show that an estimated 15% of the land area is used for infrastructure such as roads and utilities, and/or public facilities such as neighborhood parks/amenities, schools, and/or public facilities such as retention basins as noted in the General Plan. Actual numbers will vary depending on site specific characteristics.
[4] 180 to 185 acres of General Plan mandated Open Space taken out of Low Density Residential land use category.
[5] 8.7 acres of General Highway Commercial will be zoned with a Medium Density Residential Overlay and is anticipated to be developed with residential uses. As such this acreage is accounted for in the Medium Density Residential zoning district.

Zoning District or Land Use Designation	Target Density Range or F.A.R (DU's/ac.)	THSP			Proposed Project			Difference Between THSP and Proposed Project		
		Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres[2]	Developable Acres[3]	Dwelling Units (DU)/ Square Feet (SF)	Gross Acres	Developable Acres	Dwelling Units (DU)/ Square Feet (SF)
Light Industrial	0.25 F.A.R	336.4	285.9	3,113,887 SF	N/A	N/A	N/A	No change	No change	No change
Conservation Easements	N/A	126.5	N/A	N/A	162.2	N/A	N/A	+35.7	N/A	N/A
Interstate 580 Interchange and ROW	N/A	137.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
California Aqueduct ROW	N/A	143.1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Union Pacific Rail Road	N/A	12.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Totals		**2,731.6**	**1,808.2**	**6,477 DUs; 4.1 million SF**	**2,767.3**	**1,808.2**	**No Change**	**+35.7**	**No Change**	**No Change**

Source: Application For Tracy Hill Specific Plan Amendment For the 35-acre Annexation Project, January 2021; Tracy Hill Specific Plan (amended 2020), October 2020.

THSP ENVIRONMENTAL IMPACT ANALYSIS SUMMARY

The 2016 THSP SEIR certified in January 2016, found the potentially significant environmental effects of the THSP to be as shown in Table 2: *THSP SEIR Potentially Significant Environmental Impacts Table*.

Table 2: THSP SEIR Potentially Significant Environmental Impacts Table

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
Aesthetics	• Visual aspect of and views in the Specific Plan Area (Project and Cumulative Impact) • Adverse effects on a state-designated scenic highway • Adverse change in the character of the site	• New sources of light and glare
Agriculture	• Conversion of Prime Farmland and other Important Farmland (Project and Cumulative)	• Incompatible with adjacent agricultural activity
Air Quality	• Inconsistency with adopted Air Quality Management Plan • Cumulative construction emissions (ROG, and NO_x) (Buildout) • Cumulative operational emissions (ROG, NO_x, CO, PM_{10}, $PM_{2.5}$) (Phase I and Buildout) • Emission of ozone precursors and particulate matter	• Exposure of sensitive receptors to substantial pollutant concentrations
Biological Resources	N/A	• Adverse impact on wildlife movement • Impact on special-status animal species • Impact on federally protected wetlands as defined by Section 404 of the Clean Water Act • Construction during bird nesting season

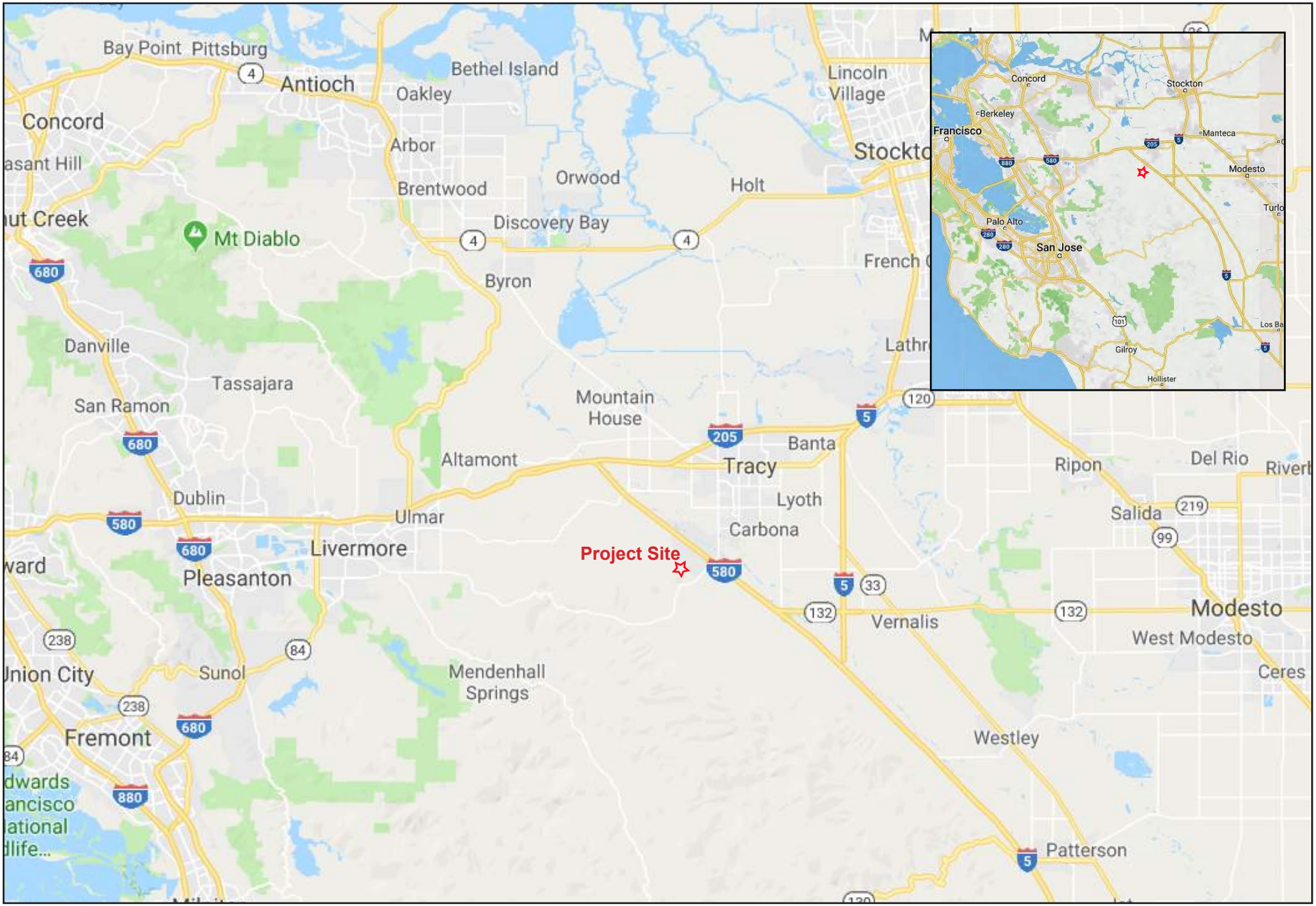
	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
		• Conflict with tree preservation policy or ordinance • Conflict with Habitat Conservation Plan/Natural Community Conservation Plan
Cultural Resources	N/A	• Damage to cultural resources (buried archeological deposits) • Damage to paleontological resources • Human remains encountered during construction
Greenhouse Gas Emissions	• Generation of GHG emissions during construction and operation (Project and Cumulative)	• Conflict with greenhouse gas reduction plan, policy, or regulation
Geology and Soils	N/A	• Expansive soil
Hazards and Hazardous Materials	N/A	• Routine use, transport, and disposal of hazardous materials • Release from nearby crude oil, natural gas, and petroleum pipelines • Breach or rupture of the California aqueduct • Attract wildlife that is hazardous to aircraft associated with Tracy Municipal Airport • Conflict with adopted emergency response plan and emergency evacuation plan • Exposure structures adjacent to undeveloped areas to risk of wildland fires
Hydrology and Water Quality	N/A	• Storm water discharge requirements and water quality

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
		• Soil erosion and sedimentation • Storm water runoff volumes • Pollutants (associated with non-residential storm water runoff) • 100-Year Flood Hazard Areas
Land Use	N/A	• Conflict with 2009 San Joaquin Airport Land Use Compatibility Plan
Noise	• Exposure of persons to noise levels in excess of established standards • Traffic noise level increases (Project and Cumulative)	• Expose persons or generate excessive groundborne vibration
Public Services and Utilities	N/A	• Need for new or physically altered fire protection facilities • Need for new or physically altered law enforcement facilities • Need for yet to be constructed City Water System Master Plan (WSMP) facilities • Need for wastewater treatment capacity
Traffic	• Impact to bicycle and pedestrian modes • Freeway segments during construction (Phase 1) • Impact to the existing roadway, intersections and freeway network (Buildout) • Impact to the existing roadway, Caltrans intersections (Buildout) • Level of service at intersections during construction (Phase 1)	• Impact to Phase 1a roadway network and operation and safety of pedestrians, cyclists, and vehicles on adjacent roadway facilities • Impact to roadway network and safety and operations on adjacent roadway facilities from temporary offsite school for 450 students • Impact to Phase 1a roadway network and roadway facilities from temporary on-site school

	Significant and Unavoidable Impacts	Less Than Significant with Mitigation Incorporated
	• Impact to the 2035 roadway and freeway network (Phase 1 and Cumulative) • Impact to the 2035 roadway and freeway network (Buildout) • Impact to Altamont Pass, Corral Hollow Road, Patterson Pass, roadways in Alameda County (Phase 1) • Impact on existing Phase 1a street network and streets surrounding the school site (Phase 1) • Impact to bicycle and pedestrian connection from Spine Road along Corral Hollow Road	

It was determined in the THSP SEIR that implementation of mitigation measures identified in the THSP SEIR would reduce the severity of several of the aforementioned impacts to a level of less than significant. Where the THSP SEIR identified significant and unavoidable impacts, even after the consideration of mitigation measures, such impacts are identified herein as significant and unavoidable. Where applicable, mitigation measures stemming from the previously certified THSP SEIR and adopted as conditions of THSP approval would be incorporated into the proposed Project.

For impacts not identified in Table 2*: THSP SEIR Potentially Significant Environmental Impacts Table,* the THSP SEIR found that buildout of the THSP would have a less than significant impact or no impact to topical areas evaluated pursuant to the *CEQA Guidelines*.



Source: Google Maps, 2020

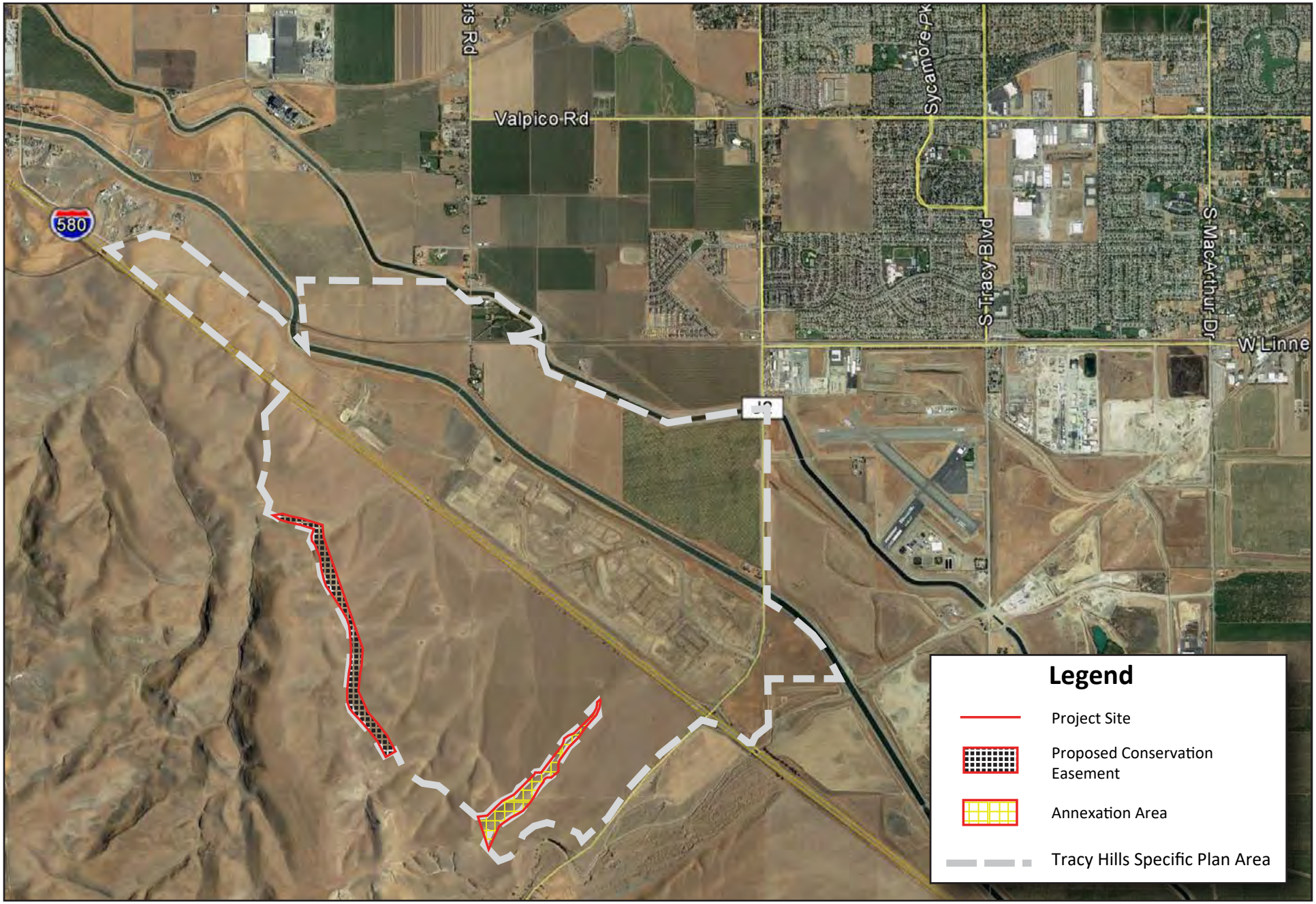
Figure 1: Regional Location Map

Addendum to the Tracy Hills Specific Plan SEIR

Not to scale

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Source: Google Maps, 2019

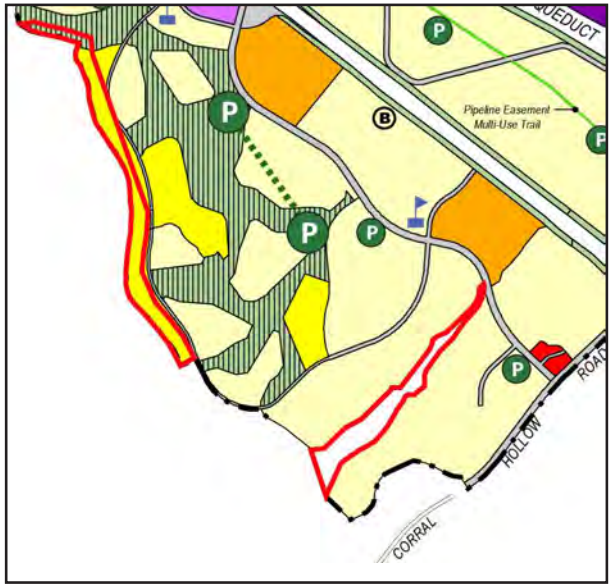
Figure 2: Project Vicinity Map

Addendum to the Tracy Hills Specific Plan

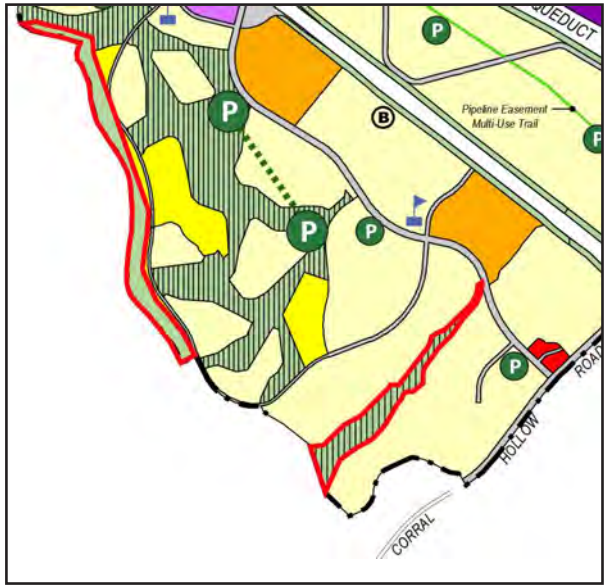
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Current General Plan Land Use



Proposed General Plan Land Use

City of Tracy General Plan Land Use Designations

- Commercial
- Residential High
- Residential Medium
- Residential Low
- Light Industrial
- Mixed Use
- Conservation Easements/Open Space
- Recreation Open Space

Legend

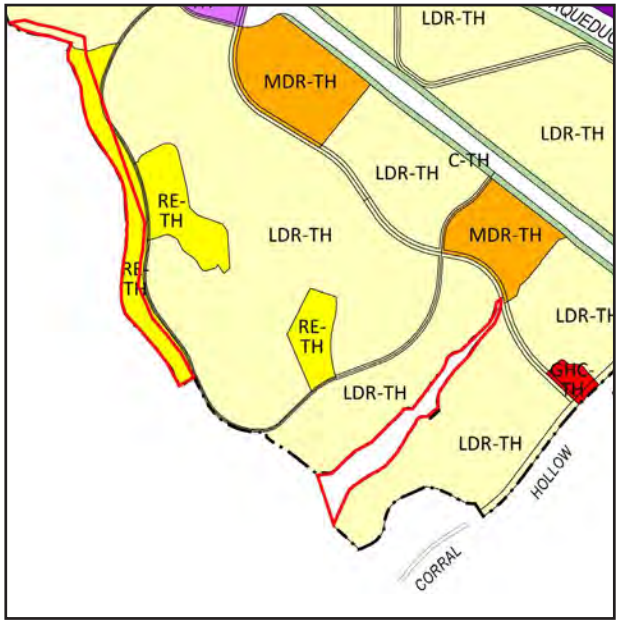
- Project Site

Source: City of Tracy, 2016; Kimley-Horn, 2021

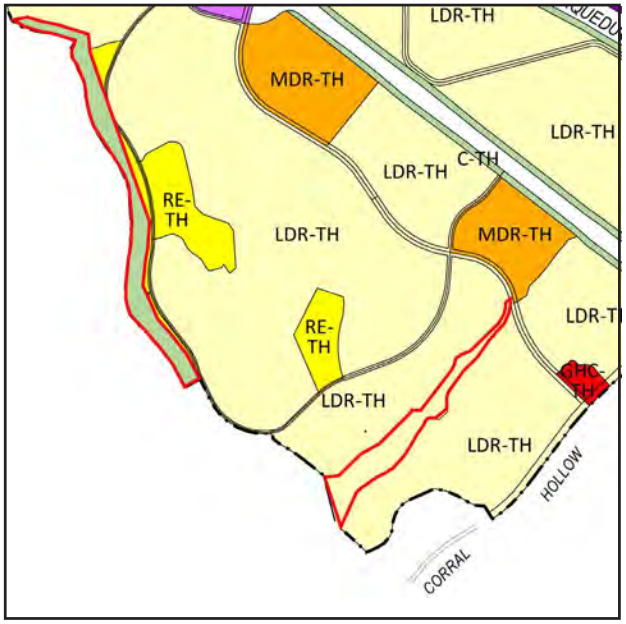
Figure 3: Proposed General Plan Land Use
Addendum to the Tracy Hills Speci ic Plan

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Current THSP Zoning Concept



Proposed THSP Zoning Concept

Tracy Hills Specific Plan (THSP) Zoning

- Low Density Residential (LDR-TH)
- Residential Estate (RE-TH)
- Medium Density Residential (MDR-TH)
- General Highway Commercial w/ Medium Density Residential Overlay (GHC MDR-TH)
- Tracy Hills Conservation (C-TH)
- Light Industrial (M1-TH)

Legend

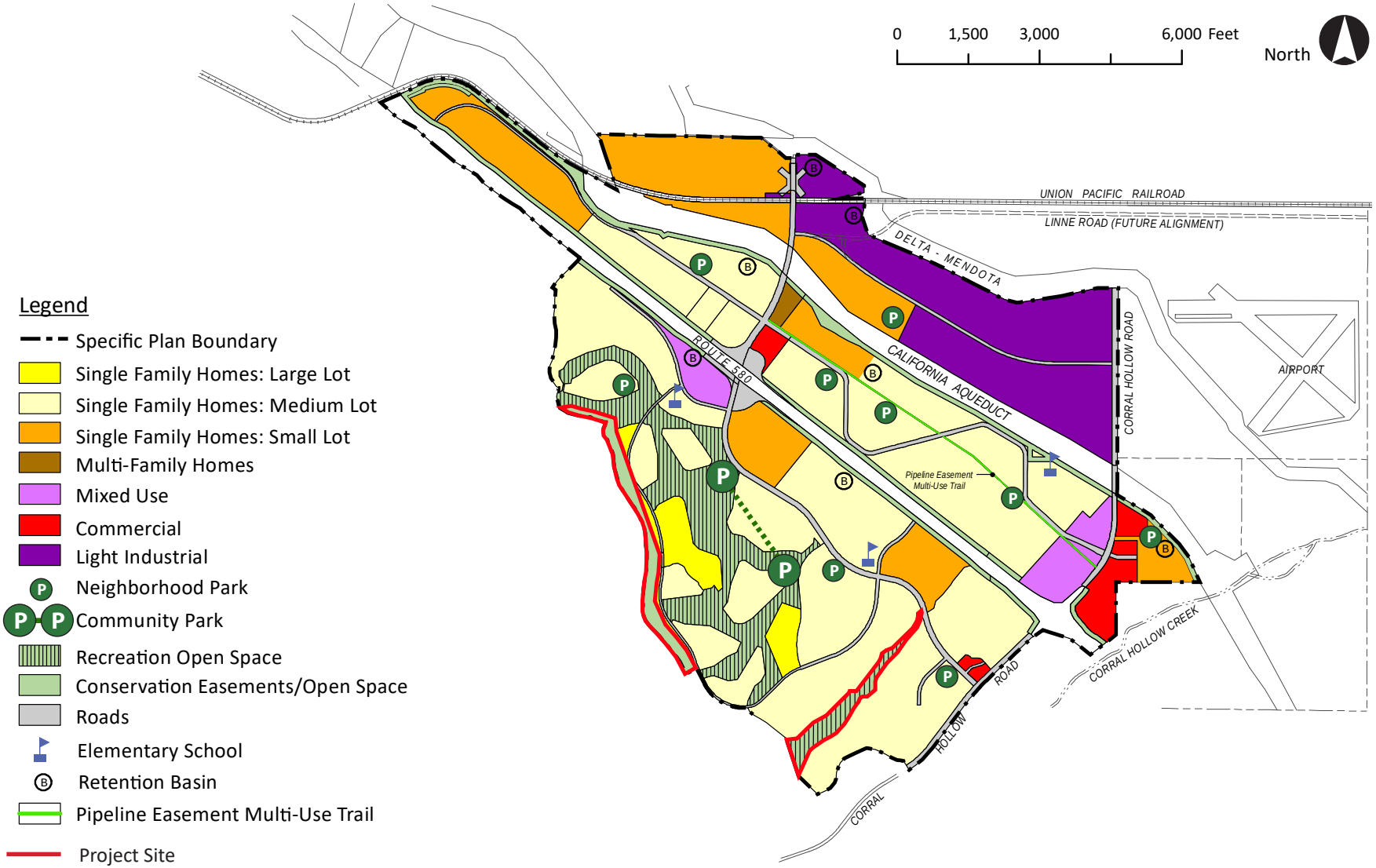
- Project Site

Source: City of Tracy, 2016; Kimley-Horn, 2021

Figure 4: Proposed THSP Zoning
Addendum to the Tracy Hills Specific Plan

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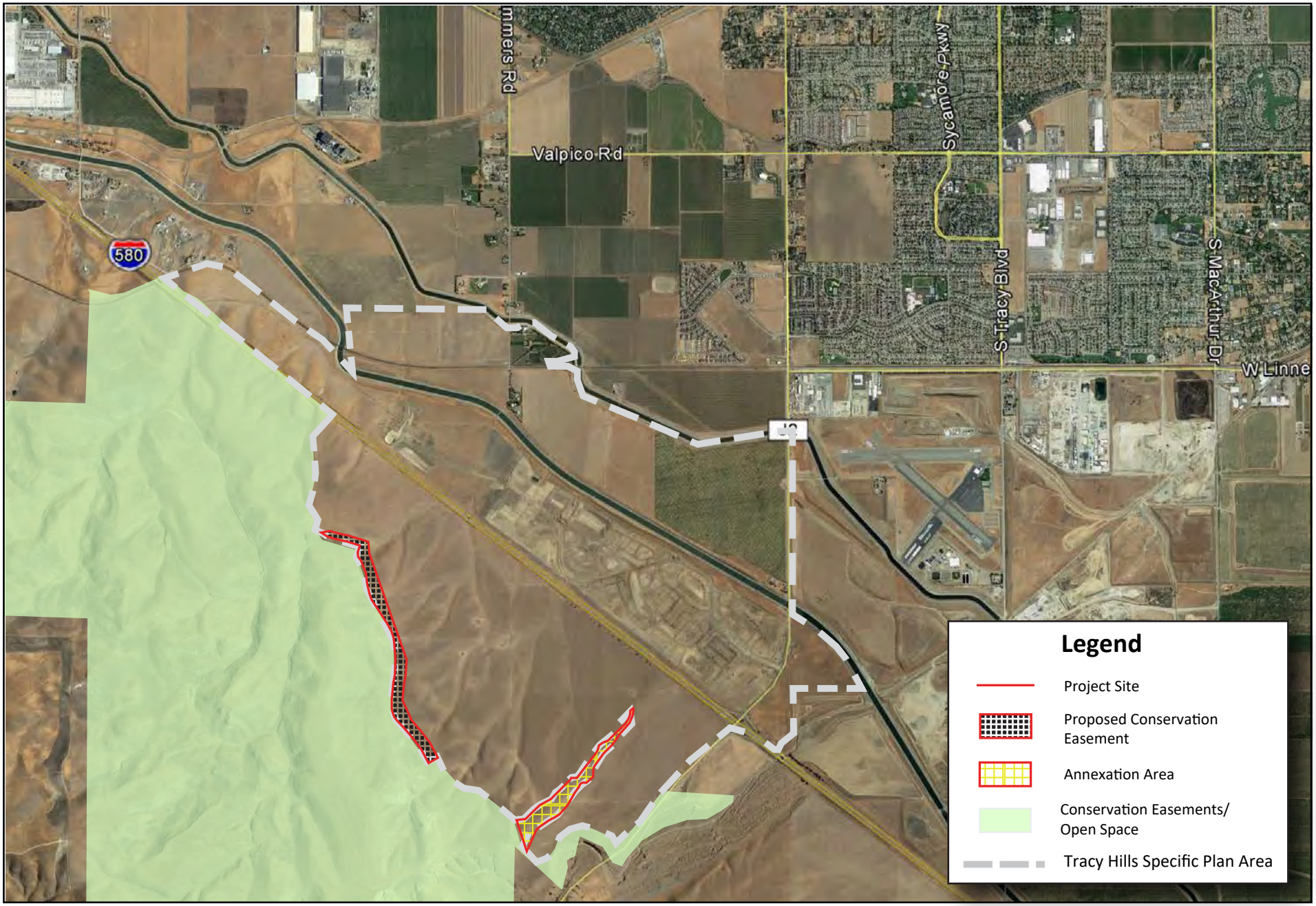


NOTES:
1. The locations, numbers, and configurations of public schools, park sites, and public utilities are conceptual and subject to change.
2. This exhibit is for conceptual purposes to show approximate locations.

Source: City of Tracy, 2016; Kimley-Horn, 2021

Figure 5: Proposed THSP Land Use Concept
Addendum to the Tracy Hills Specific Plan

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Source: City of Tracy, 2016; Kimley-Horn, 2021

Figure 6: City of Tracy Conservation/Open Space

Addendum to the Tracy Hills Specific Plan

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ENVIRONMENTAL EVALUATION

This section evaluates the potential environmental effects of the proposed Project, as compared to the THSP SEIR, using the environmental checklist from the State *CEQA Guidelines* as amended. The definitions of the response column headings include:

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

B. "Less than Significant With Mitigation Incorporated" applies where the incorporation of a new mitigation measure has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The impact would be outside the scope of analysis in the THSP SEIR and would incorporate mitigation measures that were not identified in the THSP SEIR.

C. "Less Than Significant Impact" applies where the project creates no significant impacts, only Less than Significant Impacts with incorporation of mitigation measures previously identified in the THSP SEIR. These impacts are within the scope of Less Than Significant Impacts or Less Than Significant With Mitigation Incorporated identified and evaluated within the THSP SEIR and below thresholds considered significant after consideration of THSP SEIR mitigations. Mitigation measures from the THSP SEIR will be cross-referenced when applicable.

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

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

I. AESTHETICS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

As identified in the THSP SEIR, impacts related to scenic vistas were considered significant and unavoidable. Impacts to scenic vistas were found to be significant and unavoidable because implementation of the THSP would change the visual character and views to and from across the approximate 2,732-acre THSP Area. The THSP SEIR concluded that with implementation of Mitigation Measure AES 4.1-1 in the THSP SEIR, impacts to scenic vistas would still remain significant and unavoidable.

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

> ***Mitigation Measure AES 4.1-1****: The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which have been implemented in the Phase 1a Vesting Tentative Map (Figure 3-12, Phase 1a Vesting Tentative Map), and which would be required on individual, site-specific developments within the THSP. These measures would ensure that development within the Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation. [This is Mitigation Measure 4.1-1 in the THSP SEIR]*

The proposed Project would not result in additional development compared to the THSP. The Project would annex 35.7-acres of land previously restricted for development as part of a conservation easement and rezone to allow for Low Density Residential. In exchange, the Project would set aside 35.7-acres in the northwestern portion of the THSP Area into a conservation easement. Similar to the THSP, the proposed Project would still allow for development in a previously undisturbed area. Since the proposed

Project would change from undeveloped land to urbanized development, the proposed Project would have the potential to create a substantial adverse impact on a scenic vista. With implementation of the above mitigation measure, the proposed Project's impact on a scenic vista would remain significant and unavoidable. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

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

As noted in the THSP SEIR, the THSP Area is bisected by Interstate 580, a State designated scenic highway and borders Corral Hollow Road, a scenic road designated in the 1978 San Joaquin County General Plan. Views from I-580 to the THSP Area would be directly impacted due to the adjacent development. As identified in the THSP SEIR, impacts related to scenic resources were considered significant and unavoidable. The THSP SEIR concluded that even with implementation of Mitigation Measure AES 4.1-2 identified in the THSP SEIR, impacts to scenic vistas would remain significant and unavoidable.

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

> ***Mitigation Measure AES 4.1-2****: The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which have been implemented in the Phase 1a Vesting Tentative Map (Figure 3-12, Phase 1a Vesting Tentative Map), and which would be required on individual, site specific development within the THSP. These measures would ensure that development within the THSP Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation*. [This is Mitigation Measure 4.1-2 in the THSP SEIR]

Project implementation would have the potential to impact views from the I-580. Similar to the approved THSP, the proposed Project would have the potential to create substantial damage to the identified scenic resources. Since the proposed Project site is within the viewshed of Interstate 580 and Corral Hollow Road, which are considered as scenic routes, Project development would have the potential to significantly impact scenic views. The proposed Project's impact would remain significant and unavoidable even with implementation of the above mitigation measure. The proposed Project's annexation would further concentrate the development footprint though impacts to scenic views would occur regardless compared to THSP development. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

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

As identified in the THSP SEIR, impacts related to degradation of the existing visual character or quality of the site and its surroundings were considered significant and unavoidable. Development of the THSP Area

would transition from primarily undeveloped rural agricultural land to a range of urban development including residential, office, and commercial, and industrial uses. Implementation of the THSP's development standards and design guidelines, and adherence to the Tracy General Plan goals, objectives, and policies, would reduce impacts associated with development within the THSP Area. However, due to the size and scope of the THSP Area, impacts to the visual character or quality of the THSP Area would remain significant and unavoidable even with implementation of Mitigation Measure AES 4.1-3 identified in the THSP SEIR.

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

> ***Mitigation Measure AES 4.1-3:*** *The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which would be required on individual, site specific development within the THSP. These measures would ensure that development within the THSP Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation. [This is Mitigation Measure 4.1-3 in the THSP SEIR]*

Similar to the approved THSP, the proposed Project would have the potential to degrade the existing visual character or quality of the Project site. The proposed Project would not result in a net increase in developable acres of development intensity. With implementation of the above mitigation measure, the proposed Project's impact on the existing visual character or quality of the Project site would remain significant and unavoidable. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

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

As identified in the THSP SEIR, impacts related to light and glare, which would adversely affect day or nighttime views in the area, were considered significant and unavoidable. Light and glare from the THSP Area would come primarily from vehicle headlights and windshields traveling along I-580 and Corral Hollow Road. Other sources of light and glare within the THSP Area would come from single-family homes along Lammers Road and Corral Hollow Road. Development of the THSP Area would also introduce new sources of light and glare coming from new commercial, business park and residential uses. Thus, impacts with respect to light and glare were determined to be significant and unavoidable with implementation of Mitigation Measure AES 4.1-4 in the THSP SEIR.

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

> **Mitigation Measure AES 4.1-4:** *To decrease light spillage and glare to the maximum extent practicable, all individual developments under the THSP shall be required to:*

- *Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light on to public rights-of-way or adjacent residential property, consistent with City standards.* [This is Mitigation Measure 4.1-4 in the THSP SEIR]

Project implementation would result in the same development intensity as previously analyzed in the THSP SEIR. However, the sources of light from residential uses and open space uses would not be considered new light sources to the Project site, compared to the assumptions in the THSP SEIR. The proposed Project would move development closer within the THSP footprint and increase buffers between the THSP Area and proposed Conservation Easement. In addition, open space uses, such as neighborhood parks would have restricted hours, closed between the hours of dusk and dawn per Section 4.16.190 of the Tracy Municipal Code. Similar to the approved THSP, compared to existing conditions, the proposed Project would have the potential to create a new source or light or glare which would adversely affect day or nighttime views in the area. With implementation of the above mitigation measure, the proposed Project's impact on light and glare would remain significant and unavoidable. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Cumulative Impacts

The potential aesthetic impacts related to views, aesthetics, and light and glare are site specific. While impacts are minimized with implementation of mitigation measures, impacts related to aesthetics across the THSP Area were considered cumulatively significant and unavoidable in the previously certified THSP SEIR. As identified in the THSP SEIR, the THSP would change the visual aspect of and views from, to, and across the THSP Area, add new development to viewsheds, bring urban development to a rural and agricultural area, resulting in cumulatively considerable contributions to significant impacts on scenic vistas, scenic resources within a State scenic highway, and visual character. The THSP SEIR concluded that with Mitigation Measure AES 4.1-5, impacts would remain significant and unavoidable.

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

> **Mitigation Measure AES 4.1-5:** *The THSP contains design guidelines and landscaping standards (Tracy Hills Specific Plan, pages 3-1 through 3-96) which would be required on individual, site specific development within the THSP. These measures would ensure that development within the THSP Project Area is aesthetically pleasing and is compatible with current development in the City of Tracy. Beyond these measures, there is no feasible mitigation. [*This is Mitigation Measure 4.1-5 in the THSP SEIR]

As discussed above, the proposed Project would not cause a new aesthetic impact to occur, nor an increase in the severity of an aesthetic impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

II. AGRICULTURAL AND FORESTRY RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	*Reviewed Under Previous Document*
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

As noted in the THSP SEIR, the California Department of Conservation Farmland Mapping and Monitoring Program shows that the THSP Area contains approximately 25 acres of Prime Farmland as well as 2,700 acres of other farmland.[6] The 25 acres of Prime Farmland is located along Lammers Road, just south of the Delta-Mendota Canal and is made up of an existing vineyard. Impacts related to agricultural resources within the THSP Area were previously considered in the impact analysis in the Tracy General Plan EIR,

[6] THSP SEIR, Figure 4.2-1

however, no mitigation measures were identified to reduce this impact, and the Tracy City Council adopted a statement of overriding considerations with respect to the anticipated loss of farmland.[7]

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

> ***Mitigation Measure AG 4.2-1:*** *As part of the development process for individual site-specific development projects, the agricultural mitigation fee adopted by the City shall be paid for each acre of Prime Farmland to be developed. The fees shall be collected by the City at the time building permits are issued for such site-specific development projects, or as otherwise required by the City. [This is Mitigation Measure 4.2-1 in the THSP SEIR]*

The City currently uses the Agricultural Mitigation Fee Ordinance to collect in-lieu fees for impacts from development on agricultural land. Impacts related to the conversion of prime farmland were considered significant and unavoidable in the previously certified THSP SEIR. The Project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Annexation Area is designated as "Grazing Land", which is not recognized in CEQA thresholds of significance with respect to farmland conversion. The proposed Project would not impact any Prime farmland and the specified mitigation measure above would not be required for the Project. The proposed Project's impact on conversion of prime farmland to non-agricultural uses would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP. As such, no further analysis is required.

Threshold (b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

A Williamson Act contract is formed between local governments and private landowners for the purpose of restricting certain parcels of land to agricultural or related open space use. The Annexation Area is not the subject of a Williamson Act contract and does not contain any lands zoned for agricultural uses. Therefore, no conflict exists in regard to the current zoning of the Project site. As such, the proposed Project would not include properties zoned for agricultural use or under Williamson Act Contract, and therefore no impact would occur. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP. As such, no further analysis is required.

Threshold (c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

As discussed in the previously certified THSP SEIR, full buildout of the THSP would result in conversion of the THSP Area to urban uses. However, the proposed land uses in the THSP Area would be incompatible with adjacent land uses without appropriate buffer activities from development of the THSP. Impacts related to other changes in the existing environment which, due to the conversion of farmland to non-

[7] THSP SEIR, page 4.2-9

agricultural use were considered significant and unavoidable in the previously certified THSP SEIR even with implementation of Mitigation Measure AG 4.2-2.

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

> ***Mitigation Measure AG 4.2-2:*** As construction occurs along the Project Area boundary, buffers such as roadways, conservation easements, building setbacks, and parking areas, shall be required prior to occupancy of those structures, in compliance with General Plan Policy OSC-2.2 *[This is Mitigation Measure 4.2-2 in the THSP SEIR]*

The Annexation Area does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Given that no important Farmland exists on the site, Project implementation would not result in conversion of farmland to non-agricultural use. Impacts in this regard would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified in the certified THSP SEIR. Since there is no important Farmland within the Annexation Area, mitigation measure AG 4.2-3 from the previously certified THSP SEIR would not be required to reduce Project impacts. The proposed Project would not cause a new agricultural impact to occur, nor an increase in the severity of an agricultural impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

III. AIR QUALITY

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

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

pollutants that would exceed the SJVACPD's significance thresholds during both construction and operation of the THSP project. As discussed in the THSP SEIR, buildout of the THSP would result in exceedances of the SJVAPCD thresholds for criteria pollutants including inconsistencies with the 2013 Ozone Plan and the 2012 $PM_{2.5}$ Plan in this regard.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure AQ 4.3-1a****: Prior to the issuance of any grading permit the City Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SJVAPCD Regulation VIII, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:*
>
> - *All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover;*
> - *All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant;*
> - *All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking;*
> - *When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained;*
> - *All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.);*
> - *Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant;*
> - *Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday;*
> - *Any site with 150 or more vehicle trips per day shall prevent carryout and trackout;*
> - *Limit traffic speeds on unpaved roads to 15 mph;*

- *Install sandbags or other erosion control measures to prevent silt run-off to public roadways from sites with a slope greater than one percent;*
- *Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the THSP Project Area; and*
- *Fugitive dust emanating from the Project site shall not exceed 20 percent opacity, per SJVAPCD Regulation VIII.*
- *Applicant shall consult with the County Public Health Services Department or California Department of Public Health to develop a Valley Fever Dust Management Plan that addresses Valley Fever exposure. The Plan shall be provided to the City and shall include a program to evaluate the potential for exposure to Valley Fever from construction activities and to identify appropriate dust management and safety procedures that shall be implemented, as needed, to minimize personnel and public exposure to potential Valley Fever- containing dust. [This is Mitigation Measure 4.3-1a in the THSP SEIR]*

Mitigation Measure AQ 4.3-1b: *The following measures shall be implemented during construction to reduce NO_X related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.*

- *Use of construction equipment rated by the United States Environmental Protection Agency (EPA) as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower that are onsite for more than 5 days, if available and feasible. Tier 3 engines between 50 and 750 horsepower are available for 2006 to 2008 model years. After January 1, 2015, encourage the use of equipment over 50 horsepower that are on-site for more than 5 days to meet the Tier 4 standards, if available and feasible. A list of construction equipment by type and model year shall be maintained by the construction contractor onsite, which shall be available for City review upon request.*
- *Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible; and*
- *Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g., 5-minute maximum).*
- *Properly and routinely maintain all construction equipment, as recommended by manufacturer's manuals, to control exhaust emissions.*
- *Use electric equipment for construction whenever possible in lieu of fossil fuel-fired equipment. [This is Mitigation Measure 4.3-1b in the THSP SEIR]*

Mitigation Measure AQ 4.3-1c: *Prior to the issuance of any grading permit, the City shall confirm that the Project complies with the SJVAPCD Rule 9510, Indirect Source (ISR). If feasible measures*

are not available to meet the emissions reductions targets outlined in Rule 9510, then Project applicants shall pay an in-lieu mitigation fee to the SJVAPCD to offset the Project's emissions-related impacts, or coordinate with the SJVAPCD to implement a Voluntary Emission Reduction Agreement (VERA). If in-lieu fees are required, Project applicants shall coordinate with the SJVAPCD to calculate the amount of the fees required to offset the Project's impacts. The applicant shall document, to the City's reasonable satisfaction, its compliance with this mitigation measure. [This is Mitigation Measure 4.3-1c in the THSP SEIR]

Mitigation Measure AQ 4.3-2: *Prior to issuance of building permits, each applicant for individual site-specific developments under the THSP shall demonstrate compliance with SJVAPCD Rule 9510, Indirect Source Review (ISR) or implementation of a Voluntary Emission Reduction Agreement (VERA). Project applicants shall coordinate with the SJVAPCD to ensure that the Project meets the requirements of SJVAPCD Rule 9510 or implements a VERA. If feasible reduction measures are not available to meet the emissions reductions targets as established by the SJVAPCD, then Project applicants shall pay an in-lieu mitigation fee to the SJVAPCD to offset the Project's emissions-related impacts. If in-lieu fees are required, Project applicants shall coordinate with the SJVAPCD to calculate the amount of the fees required to offset the Project's impacts. [This is Mitigation Measure 4.3-2 in the THSP SEIR]*

Mitigation Measure AQ 4.3-4b: *New sensitive land uses including residential, hospital, medical offices, and day care facilities shall not be located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. If new sensitive land uses cannot meet this setback, they shall be designed and conditioned to include mechanical ventilation systems with fresh air filtration. For operable windows or other sources of ambient air filtration, installation of a central heating, ventilation, and air conditioning (HVAC) system that includes high efficiency filters for particulates (Minimum Efficiency Reporting Value [MERV] 13 or higher) or other similarly effective systems shall be required. [This is Mitigation Measure 4.3-4b in the THSP SEIR]*

Therefore, buildout of the THSP Area would be inconsistent with the SJVAPCD's air quality plans and impacts were considered significant and unavoidable within the THSP SEIR. Mitigation Measures AQ 4.3-1a through 4.3-1c, 4.3-2 and 4.3-4b from the certified THSP SEIR are applicable to the proposed Project and would be expected to reduce the severity of the significant and unavoidable impact. However, even with mitigation incorporated, impacts would remain significant and unavoidable.

The Project would not increase development within the THSP. The total development intensity would be consistent with impacts previously analyzed in the THSP SEIR. Additionally, the proposed Project would not result in changes to the vehicle trip generation analyzed in the THSP SEIR. Given that the proposed Project land uses would be consistent with those previously approved in the THSP, the impact relative to an applicable air quality plan would be similar to what was identified in the THSP SEIR and no new impact or increase in the severity of a previously identified impact would occur.

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

Construction

Construction emissions for buildout of the THSP were estimated in the previously certified THSP SEIR using the California Emissions Estimator Model (CalEEMod). Based on the THSP SEIR, buildout of the THSP would result in construction emissions that would exceed SJVAPCD's 10 tons per year threshold for reactive organic gases (ROG) and nitrogen oxides (NO_x). The THSP SEIR found impacts from construction emissions would be significant and unavoidable after implementation of Mitigation Measures AQ 4.3-1a through 4.3-1c, in the THSP SEIR.

Given that no change in net development is proposed by the Project, construction impacts from the proposed Project would be the same as those identified in the THSP SEIR, which is significant and unavoidable. Additionally, the Project would not increase the number of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements compared to the THSP SEIR. Therefore, construction equipment used and phasing for the proposed Project would be roughly similar to the THSP SEIR. The proposed Project's impact relative to construction air emissions would be similar to those identified in the THSP SEIR. No new impact or increase in the severity of a previously identified impact would occur. Mitigation from the certified THSP SEIR is applicable to the proposed Project that would reduce the severity of the significant and unavoidable impact. However, even with mitigation incorporated, impacts would remain significant and unavoidable but would not be greater than the impact analyzed in THSP SEIR.

Operations

Long-term operational emissions would be generated from the day-to-day operations of the buildout of the THSP. Operational emissions for land use development projects are typically distinguished as mobile, energy, and area sources of emissions. Operational emissions for buildout of the THSP were estimated using CalEEMod and analyzed in the THSP SEIR. According to the THSP SEIR, buildout of the THSP Area would result in operational emissions that exceed SJVAPCD thresholds for ROG, NO_X, carbon monoxide (CO), and particulate matter with a diameter smaller than 10 microns (PM_{10}) and smaller than 2.5 microns ($PM_{2.5}$). The proposed Project would not result in an increase of development density or intensity within the THSP Area and would not result in any changes to vehicular trip generation. Therefore, no new impact or increase in the severity of a previously identified impact would occur. Although the previously identified significant and unavoidable impact would remain, implementation of Mitigation Measure 4.3-2 (in the THSP SEIR) would reduce the severity of this impact to the maximum extent feasible. However, impacts would remain significant and unavoidable and would not be greater than the impact analyzed in THSP EIR.

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

The region of the proposed Project area is classified as nonattainment for ozone, PM_{10}, and $PM_{2.5}$. Buildout of the THSP Area would generate emissions of ROG, PM_{10}, and NO_X during construction and operation

that would be above the SJVACPD's regional thresholds of significance. According to the findings in the THSP SEIR, the impact relative to ROG, CO, $PM_{2.5}$, PM_{10} and NO_x is considered potentially significant. This was identified as a significant and unavoidable impact within the THSP SEIR.

Similar to the THSP, the proposed Project would contribute to these overall emissions. However, as discussed in Threshold (a) and (b) above construction and operational air quality impacts would be consistent with the THSP SEIR. Mitigation Measures AQ 4.3-1a through 4.3-1c, 4.3-2 and 4.3-4b from the THSP SEIR would be applicable to the proposed Project and would reduce the severity of the impact. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

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

The *CEQA Guidelines* indicate that a potentially significant impact could occur if the proposed Project would expose sensitive receptors to substantial pollutant concentrations. Exposure of toxic air contaminants was assessed in the previously certified THSP SEIR by evaluating diesel particulate matter (DPM) emissions on nearby sensitive receptors. A Health Risk Assessment (HRA) and addendum were prepared for the previously certified THSP SEIR. The HRA addressed the potential contribution of public exposure to DPM by locating sensitive receptors within 500 feet of I-580 (a generator of toxic air contaminants). The HRA determined that proposed Project operations would not exceed the 10 cases per million that is considered significant by the SJVAPCD and CARB. The proposed Project site is located approximately 1000 feet from I-580 and outside of CARB's 500-foot buffer. Therefore, the Project would not increase risk hazards from freeway exposure. Under the same combined scenario, cancer risk at sensitive receptors adjacent to the THSP Area would have risk up to 4.61 new cases per million persons (in nine-year exposure) and would not exceed the SJVAPCD significance threshold. The HRA determined that the 30- and 70-year exposure periods would exceed SJVAPCD significance thresholds for cancer risk. However, with Project design features including Minimum Efficiency Reporting Value (MERV) 13 (or equivalent air filtration system), all three exposure periods would not exceed the significance threshold.

Impacts associated with the THSP related to criteria pollutant emissions during construction were identified as significant and unavoidable within the THSP SEIR. The proposed Project would not result in an increase in developed area within the THSP Area or an increase in development intensity. Thus, the impact relative to exposure of toxic air contaminants would be similar to that identified in the THSP SEIR. Consistent with the THSP SEIR, with mitigation incorporated (Mitigation Measure AQ 4.3-4b), the resulting impact from the proposed Project would be less than significant. No new impact or increase in the severity of a previously identified impact in the certified THSP SEIR would occur as a result of the proposed Project.

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

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

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

The THSP SEIR found impacts associated with odors to be considered less than significant. SJVAPCD has identified a list of common types of facilities that have been known to produce odors in the Basin along with a reasonable distance from the source within which, the degree of odors could be significant. These land uses include the following: wastewater treatment facilities, sanitary landfills, transfer stations, composting facilities, petroleum refinery, asphalt batch plant, chemical manufacturing, fiberglass manufacturing, painting/coating operations, food processing facilities, feed lot/dairies and rendering plants. The proposed Project would include the development of residential uses and does not propose to include any odor inducing uses on the site. The proposed Project would not be a source of objectionable odors; therefore, no impact would occur. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

Cumulative Impacts

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

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

As discussed above, the proposed Project would not cause a new air quality impact to occur, nor an increase in the severity of an air quality impact previously disclosed in the THSP SEIR, with implementation

of the mitigation measures discussed in this section. The proposed Project would not increase development density within the THSP and therefore air quality impacts would not be greater than those previously analyzed. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

V. BIOLOGICAL RESOURCES

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

A Biological Technical Report was prepared by NOREAS Inc. (July, 2020) for the proposed Project to summarize the findings of baseline biological resources surveys (See Attachment A). The Biological Technical Report provides historic and current data that evaluates land cover types and determines the potential for occurrence of common and special-status species, and their habitats, within the Annexation Area.

The Biological Technical Report found that the Annexation Area has very low species richness and diversity and lacks high quality breeding and refuge habitats for special status species, likely a result of the significant cattle grazing that has occurred within it over the past quarter of a century. The

aforementioned disturbance within the Annexation Area has substantially decreased its value as a migration or overland dispersal corridor and as habitat for wildlife, as it lacks appropriate vegetative cover for native and migratory species movement and refuge, thereby exposing species to a high risk of desiccation and predation. Generally, the Annexation Area has porous soils as well which quickly absorb rainfall, reducing water availability for plants and wildlife. Accordingly, the Annexation Area is lacking in numbers and variety of species.

Further, no State or Federally listed species have ever been detected within the Annexation Area. The area predominately includes existing livestock grazing, and other activities which have greatly reduced the lands ability to support special status species. The data collected and analyzed also suggests that there is extremely low potential for special status species to recruit into the Annexation Area. As identified in THSP SEIR Figure 4.4-1, the Annexation Area is located within Area C of the THSP Area which is not covered by the San Joaquin Multi Species Conservation Plan (SJMSCP) but is located within its sphere of influence. Additionally, pursuant to THSP SEIR Mitigation Measure BIO 4.4-1h, projects implemented within Area C are required to voluntarily secure Section 7 and/or Section 10 incidental take permits in consultation with the appropriate wildlife agencies including the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW).

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

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

Plants

Consistent with the THSP SEIR, the Biological Technical Report determined that no suitable habitat was found in the Annexation Area that would support any candidate, sensitive, or special status plant species. Annual grassland, characterized by grasses and forbs that are annually grazed, was the only land cover type observed within the Annexation Area. Extensive cattle grazing within the area has restricted establishment of native shrubs and trees. Therefore, Project implementation would result in a less than significant impact on sensitive plant species. Nonetheless, implementation of Mitigation Measure BIO 4.4-1b in the THSP SEIR was recommended to ensure impacts related to special status plant species remain less than significant.

Wildlife Species

Consistent with the THSP SEIR, the Biological Technical Report determined that no federally or state listed species were observed within the Annexation Area during 2020 field survey events. However, several listed species have been documented within a 10-mile radius of the Annexation Area (See Biological Technical Report, Figure 4). The California Red Legged Frog (CRLF) was documented off of the THSP Area in the Corral Hollow Creek area, which is located in the adjacent 3,500 acre preserve area and has been designated as critical habitat for the CRLF by the USFWS. It was determined that all areas of the THSP that could potentially support the CRLF are outside the THSP's footprint. The Biological Technical Report and THSP SEIR also determined that the THSP could potentially support Burrowing Owl, Swainson's Hawk,

Northern Harrier, Loggerhead Shrike, American Badger, San Joaquin Whipsnake, Prairie falcon, and Coast Horned Lizard. However, even though some of these species have been spotted on the THSP Area in a limited quantity, the lack of quality habitat on the THSP Area for these species was found to be less than significant. No other listed, sensitive or special status wildlife species are known to occur on the THSP, and no suitable habitat was found on the THSP to support other listed, sensitive or special status wildlife species. To ensure that the THSP's impacts on wildlife species remain less than significant, Mitigation Measures BIO 4.4-1a, 4.4-1b, 4.4-1c, 4.4-1d, 4.4-1e, 4.4-1f, 4.4-1g, 4.4-1h, 4.4-1i, 4.4-1j, 4.4-1k, 4.4-1l, 4.4-1m, 4.4-1n, and 4.4-1o in the THSP SEIR and avoidance measures were recommended.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure BIO 4.4-1a:*** *Construction operations will be overseen by an appropriately credentialed biologist (biological monitor), and the Project will implement a worker environmental awareness training program to reduce the Project's potential adverse effects to special status species. This measure is specific to Areas A, B and C of the Project. [This is Mitigation Measure 4.4-1a in the THSP SEIR]*
>
> ***Mitigation Measure BIO 4.4-1b****: Prior to commencement of ground disturbing activities in any areas of potentially suitable habitat to support special status plant species, pre-activity clearance surveys shall be initiated by a qualified botanist. This measure is specific to Area A, B and C.*

- *Surveys shall be floristic in nature and timed during appropriate blooming periods.*
- *Surveys shall target those locales within the Project Site of direct and indirect effects. The results of these surveys shall be submitted to CDFW and USFWS for review.*
- *In the event special-status plant species are detected within portions of the Project Site proposed for development, individual plant(s) or populations shall plant be avoided whenever possible by delineation and observing a no disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species.*
- *If buffers cannot be maintained, then consultation with CDFW and USFWS is warranted to determine appropriate minimization measures for impacts to special-status plant species. [This is Mitigation Measure 4.4-1b in the THSP SEIR]*

> ***Mitigation Measure BIO 4.4-1c:*** *Prior to commencement of ground disturbing activities in any areas of potentially suitable habitat to support San Joaquin Kit Fox, no less than sixty (60) days prior to any ground disturbing activities or grading, pre-construction clearance surveys shall be initialed by a qualified biologist to reinforce negative findings (the continued absence of SJKF) on the Project Site with substantial evidence. A second SJKF survey shall be conducted no more than thirty (30) days prior to the onset of construction or ground disturbing activities. If SJKF are detected within portions of the Project Site proposed for development, the developer shall immediately contact the USFWS telephonically and in writing, and following consultation with the*

USFWS, avoidance and minimization measures specific to SJKF will be incorporated into the Project as described in the USFWS "Standard Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbing Activities (1999)" and the USFWS "San Joaquin Kit Fox Habitat Evaluation Forms (2001)" to reduce impacts to this species to a less than significant level. These SJKF avoidance and minimization measures shall include the following:

1. *No later than forty five (45) days prior to any ground disturbing activities or grading, the developer shall contact a qualified biologist holding proper permits and provide approval to that biologist to relocate known SJKF located on site to the 3,500 acre open space preserve or another relocation preserve approved by the USFWS or covered by the SJMSCP.*

2. *No later than fourteen (14) days prior to any ground disturbing activities or grading, all known dens shall be monitored for at least three (3) consecutive days to ensure that SJKF dens, to the extent they exist on the Project Site, are unoccupied prior to den excavation.*

3. *The relocation of SJKF would require an ITP per Section 2081 of the Fish and Game Code. If SJKF individuals or dens are discovered, all work within Area C in the vicinity of the discovery shall halt and not continue until CDFW has been consulted and appropriate authorization obtained. [This is Mitigation Measure 4.4-1c in the THSP SEIR]*

***Mitigation Measure BIO 4.4-1d:** During construction, temporary disturbances and Project-related vehicle traffic will be restricted to established roads, construction areas, and other designated lands. Also, during construction:*

1. *Project-related construction vehicles will observe a daytime speed limit of 20-mph, except on County roads and State and Federal highways.*

2. *Night-time construction will be minimized to the greatest extent feasible. However, if it does occur, then the speed limit will be reduced to 10-mph.*

3. *Project-related, non-ranch operations off-road traffic outside of designated Project areas that are undergoing construction will be prohibited.*

4. *To prevent inadvertent entrapment of small mammals, including SJKF, during construction, excavated, steep-walled holes or trenches more than 2-feet deep will be covered at the close of each working day by plywood or similar materials. Each excavation shall contain at least one ramp, with long trenches at least one ramp shall be placed every .25 mile. Slope of ramps shall be now steeper than 1:1. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks will be installed. Before such holes or trenches are filled, they will be thoroughly inspected for trapped wildlife. If at any time a trapped or injured SJKF is discovered, the USFWS and the CDFW will be contacted immediately to attempt to relocate and/or collar the SJKF. Escape ramps shall also be installed immediately to allow trapped animals to escape.*

5. *Construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored within Project limits for one or more overnight periods will be thoroughly inspected for any*

SJKF before the pipe is subsequently buried, capped, or otherwise used or moved. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS and CDFW has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

6. *All food, garbage in plastic shall be disposed of in closed containers and regularly removed from the site to minimize attracting SJKF and other sensitive species to the site.*

7. *Use of rodenticides and herbicides within Project limits will be restricted. Uses of such compounds will observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide or an equivalent material will be used because of a lower adverse health risk to kit fox.*

8. *No dogs, cats or other animals shall be permitted on the Project Site.*

9. *Developer shall provide a sensitive species identification and avoidance education program for all construction employees that consists of a consultation in which persons knowledgeable in kit fox biology and legislative protection to explain endangered species protocols, habitat needs and the measures and conditions of approval being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to all contractors, their employees, and any and all other personnel who are working on the construction site. [This is Mitigation Measure 4.4-1d in the THSP SEIR]*

Mitigation Measure BIO 4.4-1e: *Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support Swainson's hawk, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If Swainson's hawk is detected within portions of the Project Site proposed for development, then avoidance and minimization measures specific to Swainson's hawk will be incorporated into the Project as described in the CDFW "Staff Report on Mitigation for Impacts to Swainson's Hawk (2012)" to reduce impacts to Swainson's hawk to less-than significant. This measure is applicable to Areas A, B and C of the Project.*

1. *If an active nest site is found, the Project will allow sufficient foraging and fledging area to maintain the nest.*

2. *The Project will not remove historic or known Swainson's hawk nest trees unless avoidance measures are determined to be infeasible. Removal of such trees should occur only during the timeframe of October 1 and the last day in February. [This is Mitigation Measure 4.4-1e in the THSP SEIR]*

Mitigation Measure BIO 4.4-1f: *Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support California Tiger Salamander (CTS), pre-activity*

clearance surveys shall be initialed by a qualified biologist in accordance with published guidelines and protocols. Survey methods shall be derived from published protocols, and to reinforce positive or negative findings with substantial evidence. If CTS individuals or eggs are discovered, all work within the vicinity of the discovery shall halt and not continue until CDFW has been consulted and appropriate authorization obtained. This measure is specific to Areas A, B and C of the Project.

1. *Temporary construction disturbances to CTS habitat will be minimized to the extent practicable. All Project-related vehicle traffic will be restricted to established roads, and construction areas.*

2. *A qualified biologist will be on site during all activities that may result in the take of CTS. The biologist will be given the authority to stop any work that may result in the take of this listed species.*

3. *The biologist will be responsible for ensuring that the exclusion fence installed around occupied CTS habitat inspected before the start of each day and remains intact until project construction is complete.*

4. *Plastic monofilament netting (erosion control matting) or similar material will not be used for erosion control or other purposes around occupied CTS habitat because CTS may become entangled or trapped in it. Acceptable substitutes include coconut coir matting or tackified hydroseeding.*

5. *The project proponent or its contractor will implement BMPs to prevent sediment from entering suitable CTS habitat through the use of silt fencing and sterile hay bales.*

6. *A worker training program that includes the CTS will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.*

7. *A speed limit of 20 (mph) will be observed within construction areas, particularly on rainy nights when CTS are most likely to be moving between their breeding ponds and upland habitat. To the extent possible, nighttime construction will be minimized. Off-road traffic outside designated construction areas will be prohibited.*

8. *To prevent entrapment of CTS during construction, any trenches, holes, or other excavations into which CTS could fall and become trapped will be covered. The opening will be completely covered at the end of each workday. [This is Mitigation Measure 4.4-1f in the THSP SEIR]*

***Mitigation Measure BIO 4.4-1g:** Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support California red-legged frog (CRLF), pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. This measure is specific to Areas B and C of the Project.*

1. *Survey will occur during the wet season (generally October 15 to April 15), no more than 48 hours before new ground disturbance.*

2. *A worker training program that includes the CRLF will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.*

3. *If a CRLF is found, the construction supervisor shall halt work immediately within a buffer area of 50 feet of any discovered CRLF. The construction supervisor will also contact the project biologist and will suspend all construction activities in the immediate construction zone (50-foot radius) until the animal leaves the site voluntarily or is removed by the biologist to a release site using USFWS-approved transportation techniques.*

4. *To prevent entrapment of CRLF during construction, any trenches, holes, or other excavations into which CRLF could fall and become trapped will be covered. The opening will be completely covered at the end of each workday. [This is Mitigation Measure 4.4-1g in the THSP SEIR]*

Mitigation Measure BIO 4.4-1h: *All applicants who conduct Projects within Areas A and B of the Project Site shall adhere to the terms of the SJMSCP. Participation in the SJMSCP includes compliance with all incidental take measures as required in the SJMSCP, including but not limited to preconstruction surveys to determine presence for special status flora and fauna. Notwithstanding this biological resource section's less than significant impact conclusions, if required by applicable law, projects being implemented within Area C shall voluntarily secure Section 7 and/or Section 10 permits in consultation with the appropriate wildlife agencies. [This is Mitigation Measure 4.4-1h in the THSP SEIR]*

Mitigation Measure BIO 4.4-1i: *Pre-construction surveys shall include a survey for burrowing owl and raptor nests, which will be conducted prior to grading. Pre-construction surveys for burrowing owl will be conducted weekly, beginning no later than thirty (30) days and ending no earlier than three (3) days prior to the commencement of disturbance. If burrowing owls are found during the pre-construction survey, then replacement burrows and habitat shall be provided prior to the commencement of construction within the 3,500 acre preserve area. The Project applicant shall provide artificial replacement burrows in the event that owls are detected, either as wintering or breeding within Project boundaries.*

Construction activities associated with project features that occur within portions of the Project Site containing occupied or suitable habitat for the burrowing owl and raptor nests shall be restricted to periods outside the breeding season for this species. The breeding season for burrowing owl runs from February 15 through August 31.

If construction or operation activities occur during the breeding season for burrowing owls, surveys are required prior to such construction to determine the presence or absence of this species within the impact area. Focused surveys shall be conducted under CDFW and Burrowing Owl Consortium protocol by a qualified biologist from February 15 to August 31. If this species is determined to occupy any portion of the Project Site, consultation with the CDFW and USFWS is required and no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the

nest/burrow. No disturbance to active burrows shall occur without appropriate permitting through the SJMSCP or CDFW.

If active burrows are detected outside the breeding season, passive and/or active relocation may be approved following consultation with the CDFW and USFWS. The installation of one-way doors may be installed as part of a passive relocation program. Wintering individuals may be evicted with the use of exclusion devices followed by a period of seven days to ensure that animals have left their burrows. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and backfilled to ensure that animals do not reenter. [This is Mitigation Measure 4.4-1i in the THSP SEIR]

***Mitigation Measure BIO 4.4-1j:** To avoid the potential for disturbance of nesting birds on or near the Project Site, schedule the initiation of any vegetation removal and grading for the period of September 1 through February 15. If construction work cannot be scheduled during this period, a qualified biologist shall conduct pre-construction surveys for nesting birds according to the following guidelines:*

1. *The preconstruction surveys shall be conducted by the qualified biologist no later than 14 days prior to the start of vegetation removal or initiating project grading.*

2. *If birds protected under the Migratory Bird Treaty Act are found nesting, then appropriate construction buffers shall be established to avoid disturbance of the nests until such time that the young have fledged. The size of the nest buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. Typically, these buffers range from 75 to 250 feet from the nest location.*

3. *Nesting activities shall be monitored periodically by a qualified biologist to determine when construction activities in the buffer area can resume.*

4. *Once the qualified biologist has determined that young birds have successfully fledged, a monitoring report shall be prepared and submitted to the City of Tracy Development Services for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until the written authorization is received by the applicant from the Development Services Director. The above provisions are in addition to the preconstruction surveys to confirm presence or absence of nesting Swainson's hawk, burrowing owl, and other special-status species as required under the Incidental Take Minimization Measures of the SJMSCP. [This is Mitigation Measure 4.4-1j in the THSP SEIR]*

***Mitigation Measure BIO 4.4-1k:** In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code, any vegetation clearing within the Project Site shall take place outside of the typical avian nesting season (e.g., February 1st until*

September 1st) to the maximum extent practical. If work needs to take place between February 1st and September 1st, a pre-construction survey for nesting birds should be completed prior to the onset of Project activities. If a lapse in Project activity occurs for 7 days or more during the bird nesting season than initial avian clearance surveys shall be repeated. A buffer zone from occupied nests should be maintained during physical ground disturbing activities. Once nesting has ended, the buffer may be removed. [This is Mitigation Measure 4.4-1k in the THSP SEIR]

Mitigation Measure BIO 4.4-1l: *Prior to construction, the Project applicant will stake, flag, fence or otherwise conspicuously delineate all environmentally sensitive areas that are to be protected in place and remain undisturbed during construction. Environmentally sensitive areas would include wetland, riparian habitat, aquatic habitat, raptor nesting locations, etc. The construction materials used to delineate environmentally sensitive areas would be removed no later than 30 days following physical completion of construction. [This is Mitigation Measure 4.4-1l in the THSP SEIR]*

Mitigation Measure BIO 4.4-1m: *The discovery of any previously unidentified protected species that are not covered by the SJMSCP, including those protected under the MBTA and the Fish and Game Code, shall be avoided and evaluated by a qualified biologist during surveys. The USFWS and CDFG shall be notified of the presence of any previously unreported protected species. Any unanticipated take of protected wildlife shall be reported immediately to the USFWS and CDFG. [This is Mitigation Measure 4.4-1m in the THSP SEIR]*

Mitigation Measure BIO 4.4-1n: *Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support Western spadefoot toad, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial* evidence.

1. *For work conducted within suitable habitat and during the western spadefoot toad migration and breeding season (November 1 to May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events. Construction may commence once the biologist has confirmed that no spadefoot toads are in the work area.*

2. *If western spadefoot toad is found within the construction footprint, it will be allowed to move out of harm's way of its own volition or a qualified biologist will relocate the organism to the nearest burrow that is outside of the construction impact area. [This is Mitigation Measure 4.4-1n in the THSP SEIR]*

Mitigation Measure BIO 4.4-1o: *Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support American Badger, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If American badger is located within the Project Site, potential loss of individual animals must be mitigated through one of the following: (1) an on-site passive relocation program, through which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued,*

and hand excavation and collapse of the burrow to prevent reoccupation; or (2) active trapping and relocation of badgers to suitable off-site habitat by a qualified biologist. [This is Mitigation Measure 4.4-1o in the THSP SEIR]

***Mitigation Measure BIO 4.4-1p**: The Project applicant shall execute a management and funding agreement for the managing and monitoring of one hundred percent of the approximately 3,500 acre open space preserve subject to the three conversation easements discussed in this Section, which shall occur before the commencement of any ground disturbing activities in Area C. (Note Areas A and B are already subject to a management and funding agreement and therefore this Measure applies to Area C.) [This is Mitigation Measure 4.4-1p in the THSP SEIR]*

Project implementation would result in the conversion of undeveloped land to urban uses, eliminating potential suitable habitat for numerous special status animal species. While the Annexation Area was not included in the original THSP development footprint, it is surrounded on the west, east, and north by the previously analyzed THSP boundary. Further, the findings of the Biological Technical Report (NOREAS, July 2020) are consistent with prior biological assessments conducted for the THSP Area and evaluated in the THSP SEIR. Similar to the existing THSP Area, the Annexation Area has a low likelihood of special status species habitat and no State or Federally-listed, proposed, or candidate plant or animal species were detected on site.

Notwithstanding, similar to the existing THSP Area, the Annexation Area could potentially support Burrowing Owl, Swainson's Hawk, Northern Harrier, Loggerhead Shrike, American Badger, San Joaquin Whipsnake, Prairie falcon, and Coast Horned Lizard (see Appendix A of the Biological Technical Report). None of these species are federally or state listed, or even candidates to be listed, but they are considered by the State of California to be wildlife "species of special concern." Given the extent of anthropogenic disturbance (i.e., lack of appropriate cover to forage, breed and elude predators, coupled with disked fields, and livestock grazing) and low quality habitat present within the Annexation Area, the likelihood of any of special status species utilizing locales as functional habitat is limited and potential impacts would be less than significant.

While the THSP SEIR determined that THSP implementation would have a less than significant impact on wildlife species, the THSP SEIR imposes mitigation measures that require standard pre-construction surveys and avoidance measures to ensure that impacts on wildlife species remain less than significant. Therefore, the proposed Project would similarly be required to implement the mitigation measures identified above to ensure that the proposed Project's impact on special-status species would remain less than significant.

Accordingly, with incorporation of mitigation measures recommended in the THSP SEIR, Project implementation would not result in any new biological concerns. Project implementation would better serve the overall quality of natural habitat south of the THSP Area by increasing connectivity of conservation land uses and focusing development in a contiguous area. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

The Biological Technical Report determined that no riparian habitat was observed within the Annexation Area. As determined in the THSP SEIR, the only potential riparian habitat near the THSP Area is the Corral Hollow Creek area. However, the THSP was designed to ensure that this area is not impacted by the development of the THSP.

There is no riparian habitat within the Annexation Area. Thus, the proposed Project would not have an adverse effect on any riparian habitat or other sensitive natural community than what was previously analyzed in the THSP SEIR. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

The Biological Technical Report determined that the Annexation Area does not include Regional Water Quality Control Board (RWQCB) or CDFW jurisdictional wetlands. No federal waters under the jurisdiction of the United States Army Corp of Engineers (USACE) were identified in the THSP Area. Therefore, the proposed Project would not affect jurisdictional wetlands and the proposed Project's impact on jurisdictional wetlands would remain less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project.

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

As determined in the Biological Technical Report, the Annexation Area is not likely to support any State or Federally- listed flora or fauna and is comprised entirely of non-native vegetation and low-grade habitat for any native wildlife species. As determined in the THSP SEIR, buildout of the THSP would be designed to avoid impacts to the movement of resident or migratory wildlife. Impacts on wildlife movement opportunities were considered less than significant in the previously certified THSP SEIR. Opportunities for terrestrial wildlife movement within the THSP Area are currently limited by the California Aqueduct and Delta-Mendota Canal located on the northern portion of the THSP Area, separated from the Annexation Area by I-580. Therefore, the proposed Project's impact on the movement of any native resident or migratory fish or wildlife species would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

The THSP SEIR concluded that the THSP adheres to all federal, state, and local regulations regarding sensitive species. As discussed above and in the THSP SEIR, the portion of the THSP Area that would be developed is not expected to support any federally or State listed species, and pre-construction surveys and other preventative measures required by Mitigation Measures BIO 4.4-1a through 4.4-1o in the THSP SEIR would ensure that in the unlikely event these species are found in the THSP Area, impacts to those species would be avoided. Mitigation Measures BIO 4.4-1a through 4.4-1p would assure that any impacts on California species of special concern that may occur on the Annexation Area would be less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

See Mitigation Measures BIO 4.4-1a through 4.4-1p above.

Project implementation would result in urbanized development within the Annexation Area and would maintain the same overall development density and intensity as what was analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on all federal, state, and local regulations regarding sensitive species would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

The Annexation Area is located within Area C of the THSP which is outside the limits of the SJMSCP, but within its sphere of influence. As set forth in Mitigation Measure BIO 4.4-1h of the THSP SEIR, applicants for individual development sites would have the option to participate in the SJMSCP to address potential impacts on special-status species associated with the conversion of existing habitat to urban uses. By participating in the SJMSCP, applicants would be required to comply with all relevant conditions of the use agreement, including the Incidental Take Minimization Measures defined in Section 5.2 of the SJMSCP. As a result, no impacts relative to conservation plans would occur as a result of the THSP.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

See Mitigation Measures BIO 4.4-1h, 4.4-1j, and 4.4-1m above.

As identified in Figure 4.4-1 of the THSP SEIR, the proposed Project is located within Area C of the THSP, located on the southern portion of the THSP, abutting an approximately 3,500-acre open space area

subject to conservation easements. Area C is located within the Sphere of Influence of the SJMSCP and was analyzed at a programmatic level within the THSP SEIR.

While the Annexation Area was identified as a conservation easement under the THSP SEIR, recent discussion with property owners, SJCOG, USFWS and CDFW determined that the Annexation Area provides poor-quality habitat due to steep slopes and future THSP development on three sides, creating a narrow peninsula of conservation easement land.[8] Accordingly, the proposed Project serves to identify and designate a biologically superior location for the 35.7-acre conservation easement. The proposed Conservation Easement area reduces potential conflict and compatibility issues with locations identified for future development and the exchange of conservation land in an equivalent acre for acre basis ensures that the overall preservation of habitat land acreage remains the same.

As discussed above, while Project implementation would have a less than significant impact concerning wildlife species because the biological conditions in the Annexation Area are similar to the previously studied THSP Area and the proposed Project would be subject to THSP SEIR mitigation measures that require standard pre-construction surveys and avoidance measures. These measures ensure that potential impacts on wildlife species remain less than significant. As set forth in Mitigation Measure BIO 4.4-1h of the THSP SEIR, projects implemented within Area C must voluntarily secure Section 7 and/or Section 10 permits in consultation with the appropriate wildlife agencies to address potential impacts to wildlife species.

Accordingly, with implementation of the above mitigation measures, the proposed Project's impact on a habitat conservation plan would be less than significant. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new biological impact to occur, nor an increase in the severity of a biological impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

[8] Personal communications with Scott Claar, February 1, 2021. Email Communications.

VI. CULTURAL RESOURCES

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

Since certification of the THSP SEIR, the topic Tribal Cultural Resources was added to the Appendix G checklist of CEQA thresholds. On September 25, 2014, Governor Brown signed Assembly Bill (AB) 52 into law, which requires tribal cultural resources to be considered during the CEQA process. AB 52 is applicable to projects for which a Notice of Preparation (NOP) is filed on or after July 2015. Because the THSP SEIR filed a NOP in 2014, tribal cultural resources are not required to be analyzed under the Section 15164 standards because it was not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent. However, mitigation measures related to potential impacts to historic and archeological resources in the THSP Area are described in this section.

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

A California Historical Resources Information System (CHRIS) search was conducted in January 2021 for the proposed Project to identify prehistoric or historic archaeological resources within the Annexation Area (see Attachment B). The CHRIS search includes review of historic maps for the Annexation Area and its immediate vicinity, and review of numerous cultural-resource databases.

The CHRIS search found no formally recorded prehistoric or historic archaeological resources within the Annexation Area. A historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. There is one historic structural feature, the Tesla-Salado-Manteca Transmission Line (P-39-005337), located in the Annexation Area. The Transmission Line is currently active and is operated by the Pacific Gas & Electric Company (PG&E). The Transmission Line has experienced sustained outages in recent years and is subject to routine maintenance and upgrade activities.

CEQA Guidelines define a historical resource as a resource listed in or determined eligible for listing in the California Register of Historic Resources (CRHR). This includes cultural resources that have been

determined for a local register or through a local historic resources survey. A resource may be considered potentially eligible for listing in the CRHR if it meets any of the four criteria listed below:

1. The resource is associated with events that have made a contribution to the broad patterns of California history;
2. The resource is associated with the lives of important persons from our past;
3. The resource embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important individual or possesses high artistic values; or
4. The resource has yielded, or may be likely to yield, important information in prehistory or history.

The Tesla-Salado-Manteca Transmission line was constructed to extend PG&E infrastructure and electrical connections throughout the County. The segment of the Transmission Line located within the Annexation Area is connected to the greater PG&E grid which provide electric utility service to the surrounding area. The Transmission Line has served as essential utility infrastructure since its construction and has been routinely improved, reducing its historic potential. Further, the Transmission Line is not associated with events that contributed to California history or important persons from the past, does not represent the work of historic individuals or possess high artistic value, and does not have the potential to yield information prehistoric or historic information. Therefore, the Transmission Line does not meet the definition of a significant historic resource pursuant to CEQA Guidelines.

While Project implementation would allow for Residential Estate land uses within the Annexation Area, the Annexation Area is planned for Open Space/Recreation land uses as shown in Figure 5. If future development were to occur proximate to the Transmission Line, it would be required to comply with PG&E policies and protocols to ensure it would not affect existing infrastructure, including the Tesla-Salado Manteca Transmission Line.

Based on existing data, the Annexation Area is considered to be highly sensitive in reference to the potential discovery of previously unidentified historic resources. Since the Annexation Area has not been subject to project-specific on-site investigations, there may be unidentified features considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline. However, similar to the existing THSP Area, the Annexation Area is located in soils with low potential for buried deposits due to the stability of landforms.

Notwithstanding, to reduce potential impacts from Project implementation, the following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure CUL 4.5-1b: Construction Personnel Training:*** *Construction supervisory personnel shall be notified of the existence of cultural resources and required to keep personnel and equipment away from these areas. A qualified archeologist (see definition under MM 4.5-1a) shall be notified prior to initiation of construction activities. During construction and operations, personnel and equipment shall be restricted to the project work site. [This is Mitigation Measure 4.5-1b in the THSP SEIR]*

The proposed Project would not increase development intensity within the THSP and would not create visual effects that might indirectly impact historic resources on the Annexation Area or within the THSP Area. With implementation of the above mitigation measure the proposed Project's impact on a historical resource would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

As discussed above, no recorded prehistoric or historic archaeological resources were identified within the Annexation Area. Notwithstanding, the Annexation Area is considered to be highly sensitive to the potential discovery of previously unidentified archaeological resources. This finding is consistent with the THSP SEIR which determined that the City of Tracy likely contains undiscovered archaeological resources, especially in undeveloped areas.

Future development within the Annexation Area would have the potential to impact unknown archaeological resources because of its grading and construction activities. However, construction within the Annexation Area would be required to comply with federal and state regulations and the existing Tracy General Plan policies, which would reduce any potential impacts to archaeological resources, if any archaeological resources were discovered during Project implementation. The THSP SEIR concluded that implementation of the THSP with mitigation measures would have a less than significant impact on archaeological resources. The procedures and provisions of Mitigation Measure CUL 4.5-2a would ensure that impacts to unanticipated archaeological discoveries are reduced to less than significant levels.

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

> ***Mitigation Measure CUL 4.5-2a: Training and Reporting:*** *Prior to the initiation of disturbing activities associated with the Project area, all construction personnel shall be alerted to the potential for encountering buried or unanticipated cultural and paleontological remains, including prehistoric and/or historical resources. Construction personnel shall be instructed that upon discovery of buried cultural materials, all work within a 30-meter vicinity of the find will be halted immediately, and the lead agency will be notified. Once the find has been identified by a qualified archaeologist, the lead agency shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the find is found to be an historical resource per State CEQA Guidelines as discussed in Section 4.5.4.2. [This is Mitigation Measure 4.5-2a in the THSP SEIR]*

Similar to the THSP, Project implementation has the potential to impact unknown archaeological resources due to grading and construction activities. While the Annexation Area is located outside the original footprint of the THSP Area, it is located immediately adjacent to planned development areas. Given that the Annexation Area is in close proximity to the THSP development footprint and is subject to

the same geological conditions, potential impacts to unknown archaeological resources during ground disturbance activities would be similar to what was previously analyzed in the THSP SEIR. With implementation of the above mitigation measure, implementation of the proposed Project's impact on archaeological resources would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe because of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

The CHRIS records search conducted for the Annexation Area did not identify any paleontological resources within or adjacent to the Annexation Area. While the Annexation Area is immediately adjacent to the THSP, it was not included in the field-survey radius conducted for the THSP SEIR. The Annexation Area contains steep slopes and has been subject to shallow ground disturbance due to use as pasture for cattle grazing or crop cultivation. Further, the Annexation Area is located in soils with low potential for buried cultural deposits due to the stability of landforms. Therefore, the potential impacts associated with Project implementation would be comparable to findings of the THSP SEIR.

The surface sediments in most of the THSP Area have a low sensitivity for paleontological resources, but this sensitivity increases with depth (below 3-5 feet).[9] As such, build-out of the THSP Area has the potential to impact unknown archaeological resources because of its grading and construction activities. The THSP SEIR concluded that implementation of the THSP with mitigation measures would have a less than significant impact on paleontological resource. Mitigation Measure CUL 4.5-3a would require paleontological monitoring by a trained paleontologist and would reduce the potential impacts to paleontological resources or resource sites, or unique geological feature from implementation of the Project to a less than significant level.

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

> ***Mitigation Measure CUL 4.5-3a: Paleontological Monitoring:*** *Paleontological spot check monitoring by a trained paleontologist (a trained paleontologist should have a Bachelor of Arts/Bachelor of Science in anthropology or related field with an emphasis in paleontology OR adequate training and experience in paleontological field methods, and work under the direct supervision of a qualified paleontologist) of excavations deeper than five feet in depth within the Project area, and spot check monitoring of any excavation in valleys in the eastern portion of the Project area against the hills in several of the washes (all areas of the Oro Loma Formation as mapped on the USGS Geology Map (Dibble 2006)) shall be performed by a trained paleontologist. [This is Mitigation Measure 4.5-3a in the THSP SEIR]*

[9] THSP Draft EIR, page 4.5-25

As discussed above, a records search conducted for the Annexation Area did not identify known paleontological resources on site. As determined by the NCRS Soil Survey done for the Annexation Area, geologic conditions within the Annexation Area are consistent with the existing THSP Area. Therefore, similar to the THSP, Project implementation has the potential to impact unknown paleontological resources during grading and construction activities because the City of Tracy likely contains undiscovered paleontological resources, especially in undeveloped areas. Although there is the potential to disturb previously undiscovered paleontological resources, this potential was previously disclosed and mitigated for in the previously certified THSP SEIR. With implementation of above mitigation measure, the proposed Project would not disturb paleontological resources, any greater than already analyzed in the THSP SEIR. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

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

As discussed in Threshold (b), no archaeological resources were reported within the Annexation Area. However, the City of Tracy likely contains undiscovered archaeological resources, especially in undeveloped areas. As such, build-out of the THSP Area has the potential to disturb any human remains not previously discovered because of its grading and construction activities. However, construction of the THSP would be required to comply with federal and state regulations and the existing Tracy General Plan policies, which would reduce any potential impacts to undiscovered human remains. The THSP SEIR concluded that implementation of the THSP with Mitigation Measure CUL 4.5-2b would have a less than significant impact on human remains. Mitigation Measure CUL 4.5-2b would ensure that impacts to unanticipated human remains are reduced to less than significant levels.

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

> ***Mitigation Measure CUL 4.5-2b: Human Remains:*** *If human remains are encountered during ground disturbing activities, all work within a 30-meter vicinity of the find will be halted immediately, and the City of Tracy and the San Joaquin County Coroner shall be notified. If the remains are determined to be Native American, the Native American Heritage Commission shall be notified within 24 hours as required by Public Resources Code §5097.94 and §5097.98. The Native American Heritage Commission shall notify the designated Most Likely Descendant(s), who will in turn provide recommendations for the treatment of the remains within 48 hours of being granted access to the find. [This is Mitigation Measure 4.5-2b in the THSP SEIR]*

As discussed in the previously certified THSP SEIR, there is a potential for inadvertent discovery of human remains, particularly Native American remains, outside the boundaries of an established cemetery. Build-out of the proposed Project has the potential to impact unknown human remains during grading and construction activities. With implementation of the above mitigation measure, the proposed Project's impact on human remains would be less than significant. This is consistent with the impact conclusions of

the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

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

VII. GEOLOGY AND SOILS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

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

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

The previously certified THSP SEIR determined that the THSP Area is not considered susceptible to the risk of loss, injury, or death due to fault rupture and the associated impacts. As discussed in the THSP SEIR, no known active faults cross the THSP Area and the THSP Area is not located within an Alquist-Priolo Earthquake Fault Zone. The nearest mapped active fault (Carmergie/Corral Hollow) is located approximately eight miles southwest of the THSP Area. The THSP SEIR identified that the impact of groundshaking to people or property caused by seismic activity on nearby faults would be increased as a result of site development. The THSP SEIR concluded that implementation of the requirements of the California Building Code (CBC) and the Tracy General Plan would ensure that impacts on humans associated with seismic hazards would be less than significant.

While the Annexation Area is outside the footprint of the previously evaluated THSP Area, it is immediately adjacent to the existing THSP boundary and is surround on three sides by the THSP. As determined by the Natural Resources Conservation Service (NRCS) Web Soil Survey conducted for the Annexation Area, it is subject to the same geologic conditions as the previously evaluated THSP Area.[10] The nearest mapped active fault is the Carmegie/Corral Hollow Fault, located approximately 4.5 miles southeast of the Annexation Area.[11] At this distance, the impact of groundshaking to people or property caused by seismic activity would be increased by the addition of residential units within the Annexation Area. However, development within the Annexation Area would be subject to requirements of the CBC and General Plan to reduce potential impacts associated with seismic hazards. Further, Project implementation would not increase the developable acres within the THSP Area or result in increased development intensity that could expose a greater number of people to substantial adverse effects involving fault rupture or strong seismic ground shaking.

Based on geologic surveys conducted for the 1998 THSP EIR and geologic resource consistency analyses completed for the THSP SEIR, steep slopes within the THSP and surrounding area were noted as having high landslide potential. A review of the NCRS Web Soil Survey confirmed the presence of steep slopes ranging from eight to thirty percent. However, these slopes remain fairly stable due to existing vegetation.

[10] United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed February 4, 2021.
[11] https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf

If future vegetation removal or ground disturbance would occur, implementation of construction BMPs and post-construction revegetation as required by the Project Stormwater Pollution Prevention Plan (SWPPP), further discussed in Section X. Hydrology and Water Quality, would reduce risks associated with landslides.

Given that the number of people utilizing the THSP Area daily would remain consistent with the THSP SEIR, the impacts on humans associated with seismic hazards and landslides would not be any greater than previously analyzed in the THSP SEIR. Further, with implementation of the requirements of the CBC, the General Plan and Project SWPPP, Project implementation would not expose persons or structures to seismic hazards and impacts associated with the proposed Project would be less than significant. The proposed Project would not result in a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

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

The THSP SEIR concluded that implementation of the THSP would have a less than significant impact related to erosion or loss of topsoil. As construction of the THSP occurs, ground surfaces exposed through the removal of vegetation could be susceptible to erosion from wind, water, and air quality. The use of Best Management Practices during construction as required by the Project Stormwater Pollution Prevention Plan would reduce impacts to a less than significant level.

The construction of new buildings and structures as part of the proposed Project would also create new impervious areas, such as walkways, driveways, parking lots, and rooftops. These impervious areas often result in increased stormwater runoff which can exacerbate soil erosion. However, the proposed Project would not increase developable acres compared to what was previously analyzed in the THSP SEIR. Further, the Project would not result in increased development intensity within the THSP Area. With implementation of the Best Management Practices during construction as required by the Project Stormwater Pollution Prevention Plan, the proposed Project's impact on soil erosion would be less than significant, similar to those impacts previously analyzed in the THSP SEIR. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

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

Typically, subsidence occurs in areas underlain by soils that are highly compressible, such as soft clays or silts and unconsolidated sand or fill material. As discussed above, the THSP SEIR determined that landslide and liquefaction potential for the THSP Area is considered low due to existing soil types and vegetative cover. Potential impacts would be further reduced through compliance with Objective SA-1.1 Policy 1 of the City's General Plan which requires that geotechnical engineering studies be undertaken for any development in areas where potentially serious geologic risks exist. Therefore ,the THSP SEIR concluded

that implementation of the THSP would have a less than significant impact related to landslide, lateral spreading, subsidence, liquefaction and/or collapse.

Similar to the THSP Area, the proposed Project would have the potential to be located on a geologic unit or soil that would become unstable and potentially result in on- or off-site impacts related to landslide, lateral spreading, subsidence, liquefaction and/or collapse due to steep slopes and proximity to a known earthquake fault. However, future development within the Annexation Area would be required to comply with Objective SA-1.1, Policy 1 of the City's General Plan, as required by the THSP SEIR. With implementation of this policy, impacts would be less than significant, similar to the previously certified THSP SEIR. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

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

As discussed in the THSP SEIR, the THSP Area contains soils that are highly expansive and subject to significant volume changes due to moisture fluctuations. The THSP SEIR concluded that, with compliance with CBC requirements and implementation of Mitigation Measure GEO 4.6-4 and geotechnical recommendations, implementation of the THSP would have a less than significant impact related to expansive soils.

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

> ***Mitigation Measure GEO 4.6-4:*** *During excavation activities and prior to the placement of fill on the site, a certified geotechnical engineer shall be retained by the Project applicant/future Project applicants to evaluate subgrade soils for the extent of their expansive potential. For areas found to contain soft, potentially expansive clays, the soil shall be removed (i.e., over excavated) and/or stabilized prior to the placement and compaction of fill. Stabilization techniques include, but are not limited to, the placement of 18 inches of ½-inch to ¾-inch crushed rock over stabilization fabric (such as Mirafi 500X or equivalent), placement of larger, angular stabilization rock (1-inch to 3-inch, clean) and use of chemical treatments such as lime to reduce the soil's expansive potential. In addition, building construction alternatives, such as the use of alternative foundation types (i.e., post-tension, piles, etc.) versus end-bearing foundations, shall be considered and implemented where appropriate. Final techniques shall be (a) developed by a certified geotechnical engineer or engineering geologist and (b) reviewed and approved by the City prior to issuance of a grading permit. [This is Mitigation Measure 4.6-4 in the THSP SEIR]*

A review of the NCRS Web Soil Survey revealed that the Annexation Area is underlain by soils comprising primarily of clay loam.[12] Expansive soils are typically very fine-grained with a high to very high percentage of clay. The clay loam soil types present in the Annexation Area are consistent with the soil types identified

[12] United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed February 4, 2021.

in the THSP SEIR and have a similar medium to high plasticity and moderate to high expansion potential. Therefore, there is potential for post-construction ground surface movement due to expansive soils. However, with implementation of above mitigation measure, the proposed Project's impact as a result of expansive soils would be less than significant. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP and no further analysis is required.

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

No septic tanks would be used as part of the proposed Project. As a result, no impacts associated with the use of septic tanks would occur as part of the proposed Project's implementation. Thus, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new geologic impact to occur, nor an increase in the severity of a geologic impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

VIII. GREENHOUSE GAS EMISSIONS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

The THSP SEIR found that GHG emissions generated by the proposed Specific Plan (both construction and operational-related) would exceed the applicable threshold set forth in SJVAPCD's guidance because the proposed Project's GHG emissions cannot feasibly be reduced to a less than significant level despite the incorporation of numerous sustainability measures. The impact was identified as significant and unavoidable. Mitigation Measure GHG 4.7-1 in the THSP SEIR would reduce but would not eliminate the significant impact.

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

> ***Mitigation Measure GHG 4.7-1:*** *The Project shall include, but not be limited to, the following list of design features. These features shall be incorporated into the design of the Project to ensure consistency with adopted statewide plans and programs to the extent feasible. Project applicants shall demonstrate the incorporation of design features of the Project prior to the issuance of building or occupancy permits, as noted below.*
>
> *Transportation*
>
> - *Provide pedestrian connections to the off-site circulation network (building permit triggers).*
> - *For commercial uses, implement a trip reduction program, for which all employees shall be eligible to participate (occupancy permit).*
> - *Provide a ride sharing program, for which all employees shall be eligible to participate (occupancy permit).*
> - *Provide amenities for non-motorized transportation (i.e., secure bicycle storage, changing rooms, and showers) (building permit).*

- *Provide transit shelters for all transit stops within the Project (building permit triggers and coordination with TRACER.).*
- *Include traffic calming measures at Project intersections and on roadways where feasible (tentative map).*
- *Employers shall provide parking cash-out programs for employees (100 percent of employees eligible).*

Energy Efficiency

- *Design buildings to be energy efficient and meet or exceed Title 24 requirements (per Measure E-1 of the City's Sustainability Action Plan (building permit).*
- *Install "cool" roofs and cool pavements, and strategically placed trees as applicable.*
- *Install high efficiency lighting, and energy efficient heating and cooling systems (building permit).*
- *Install high energy efficient appliances (clothes washers, dishwashers, fan, and refrigerators) (occupancy permit).*
- *Install programmable thermostats (building permit).*
- *Design buildings to reduce energy use through solar orientation and take advantage of landscaping and sun screens (building permit).*
- *Reduce unnecessary outdoor lighting (building permit).*

Water Conservation and Efficiency

- *Install water-efficient irrigation systems (building permit).*
- *Landscaping shall consist of drought tolerant native species with water-efficient characteristics (building permit).*
- *Comply with Municipal Code Section 21.20.050, Efficient Landscape Standards (building permit).*
- *Install water-efficient fixtures (e.g., faucets, toilets, showers) (building permit).*
- *Install infrastructure for recycled water per the City's Infrastructure Master Plan (building permits).*

Solid Waste

- *Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard) (building permit).*
- *Provide interior and exterior storage areas for recyclables and adequate recycling containers located in public areas (occupancy permit). [This is Mitigation Measure 4.7-1 in the THSP SEIR]*

The proposed Project would not change the amount of development, compared to what was previously analyzed in the THSP SEIR. As such, despite the implementation of the above mitigation measure, the impact would be the same as identified in the THSP SEIR, which is significant and unavoidable. This finding is supported by the THSP SEIR because the proposed Project is consistent with the overall land use density and intensity allowed by the THSP. Thus, the proposed Project would not result in a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

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

According to the THSP SEIR, full buildout of the Project would potentially conflict with or otherwise interfere with achievement of CARB's Scoping Plan, the City's Sustainability Action Plan, the California Attorney General's Office, or the California Air Pollution Control Officer's Association (CAPCOA) applicable measures. However, THSP SEIR Mitigation Measure AQ 4.7-1 would lessen the impact to less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

See Mitigation Measure GHG 4.7-1 above.

The proposed Project would not result in a potentially significant conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. The proposed Project would not increase developable acres or development intensity compared to what was previously analyzed in the THSP SEIR. With implementation of the mitigation from the THSP SEIR, the proposed Project would be consistent with local and regional plans designed to reduce GHG emissions. Therefore, the proposed Project would not conflict or interfere with the achievement of an applicable GHG emissions reduction plan. With implementation of the above mitigation measure, impacts would not be altered any greater than what was previously analyzed and remain less than significant.

Cumulative Impacts

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

IX. HAZARDS AND HAZARDOUS MATERIALS

WOULD THE PROJECT:

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

RESPONSES TO CHECKLIST QUESTIONS

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

As identified in the THSP SEIR, implementation of the THSP would have a less than significant impact related to the public with respect to hazardous materials with mitigation incorporated. The types of uses and facilities allowed in the THSP Area may generate, store, use, distribute or dispose of hazardous materials such as industrial waste, oils, solvents, paints, diesel fuel, hydraulic fluid and corrosives. With implementation of Mitigation Measure HAZ 4.8-1, implementation of the THSP would have a less than significant impact. Mitigation Measure HAZ 4.8-1 would require facilities that exceed the threshold specified by Health & Safety Code Section 25532(l) to prepare and implement a Risk Management Plan.

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

> ***Mitigation Measure HAZ 4.8-1:*** *Facilities that store, handle or use regulated substances as defined in the California Health and Safety Code 25532 (g) in excess of threshold quantities shall prepare and implement, as necessary, risk management plans (RMP) for determination of risks to the community. The RMP will be reviewed and approved by the San Joaquin County Environmental Health Department (EHD) through the Certified Unified Program Agencies (CUPA) process. [This is Mitigation Measure 4.8-1 in the THSP SEIR]*

The Project would include the same residential uses currently allowed by the THSP. Upon development of the Annexation Area, hazardous materials would be limited to those associated with common household fertilizers, pesticides, paint, solvent, and petroleum products. Because these materials would be used in very limited quantities, they are not considered a significant hazard to the public. With Implementation of the above mitigation measure, the proposed Project's impact on creating significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

As identified in the THSP SEIR, implementation of the THSP would have a less than significant impact related to release of hazardous materials into the environment. A review of regulatory databases maintained by County, State, and Federal agencies found no documentation of hazardous materials violations or discharge on the THSP Area. The Phase I and II ESAs completed for the THSP SEIR identified two underground crude oil pipelines (both located within the THSP Area) and adjacent former sanitary landfills and former gasoline service stations that may have the potential to impact the THSP Area. The THSP SEIR concluded that with implementation of Mitigation Measure HAZ 4.8-2a and 4.8-2b,

implementation of the THSP would have a less than significant impact. Mitigation Measure HAZ 4.8-2a and 4.8-2b would require a qualified Site Characterization specialist to conduct a site characterization at the Project regarding the active pipelines prior to issuance of building permits, in consultation with Conoco Phillips, Shell and the San Joaquin Environmental Hazards Division.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure HAZ 4.8-2a:*** *Prior to issuance of grading permits, a Phase II ESA focused on soil sampling and soil vapor sampling shall be conducted near the location of the underground crude oil pipelines, as determined by a qualified Phase II/Site Characterization specialist. Upon completion of site characterization activities, the Site Characterization specialist shall recommend remedial activities, if necessary, subject to approval of the City of Tracy Engineering Division. [This is Mitigation Measure 4.8-2a in the THSP SEIR]*

As identified in Figure 4.8-4 on the THSP SEIR, several pipelines bisect the THSP development area. However, no pipelines are recorded within the Annexation Area. Additionally, review of the Regional Water Quality Control Board's Geotracker database and Department of Toxic Substances Control's Envirostor database found no records pertaining to open cases of a leaking underground storage tanks (LUSTs), toxic releases, or site cleanup requirements within the 35.7-acre annexation area.[13,14] With implementation of the above mitigation measures, the proposed Project's impact on release of hazardous materials into the environment would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

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

As identified in the THSP SEIR, three active crude oil pipelines (Chevron 18-inch pipeline, PPL 16-inch pipeline, Shell 20-inch pipeline) and two natural gas pipelines (26-inch natural gas pipeline and 36-inch natural gas pipeline) traverse the THSP Area. The proposed school site that was evaluated in the THSP SEIR is in close proximity to the Conoco pipeline and the Shell pipeline as shown in Figure 4.8-3 of the THSP SEIR. The Conoco pipeline is located approximately 680-700 feet southwest of the proposed school site boundary. The Shell pipeline is located approximately 2,250 feet southwest of the proposed school site. The THSP SEIR concluded that even though the Shell pipeline is at a significant distance from the proposed school site, the main risk issue is the surface flow of crude oil could enter existing drainage culverts. The THSP determined that in the future condition, these drainage culverts would be connected to the development surface drainage (streets) or underground drainage (subdrains). With implementation

[13] State of California, Department of Toxic Substances Control. EnviroStor. Available at: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Tracy%2C+CA. Accessed February 4, 2021.
[14] State of California, Water Resources Control Board. GeoTracker. Available at: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Tracy%2C+CA. Accessed February 4, 2021.

of Mitigation Measure HAZ 4.8-3, potential impacts associated with flash fire and pool fire heat risk to the proposed school would be reduced to less than significant levels.

The THSP SEIR analyzed the risk analysis for all five pipelines in the THSP Area. The calculated risk for each pipeline was determined to be less than significant and the total cumulative risk for all pipelines within the corridor was also determined to be less than significant. With implementation of setback mitigation, Mitigation Measure HAZ 4.8-4, pipeline risk to proposed development within the THSP Area would be reduced to less than significant levels.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure HAZ 4.8-3:*** *The proposed underground storm drain system, roadways, graded slopes, and final surface topography shall be designed and constructed in accordance with the recommendations outlined in the Liquid Petroleum Pipeline Risk and California Aqueduct Flood Risk for the Proposed Tracy Hills School Site, Jefferson School District, City of Tracy, San Joaquin County, California prepared by Wilson Geosciences, Inc. dated May 2013 and to the satisfaction of the City of Tracy Engineering Division. [This is Mitigation Measure 4.8-3 in the THSP SEIR]*
>
> ***Mitigation Measure HAZ 4.8-4:*** *In accordance with the Pipeline Safety Hazard Assessment, Tracy Hills Specific Plan prepared by PlaceWorks dated September 2014, proposed development adjacent to the natural gas and/or crude oil pipelines shall implement the following measures:*
>
> 1. *Incorporate a minimum 13-foot setback distance from the centerline of the Phillips 66 pipeline to the nearest buildings/structures in the proposed development.*
> 2. *Incorporate a minimum setback distance of 25 feet from the centerline of any pipeline within the two natural gas pipelines and the Chevron crude oil pipeline. This would result in an additional 15 feet on the northeast side of the PG&E easement and an additional 20 feet on the southwest side of the easement to be dedicated as open space or public space or used for landscaping.*
> 3. *Incorporate designated land uses over the pipeline easements, such as public space, open space, or green space, to minimize the potential for third party damage.*
> 4. *Mark the pipeline locations prior to THSP development, maintaining the markings throughout the development process, and installing final markings after the work is complete.*
> 5. *Coordinate with the pipeline operators when development calls for excavation or utility trenching near the pipelines.*
> 6. *All contractors must initially pothole or hand dig to the proposed depth of the utility trench or excavation if working within 25 feet of the pipeline easements.*

7. *Consult with the pipeline operators on whether heavy construction vehicles with axle loads greater than 15,000 pounds would create stress on the pipelines at their current burial depths when crossing the lines and/or easements. Establish temporary fill or other protective measures as needed and establish permanent crossing areas for vehicles in excess of 15,000 pounds.*

8. *Avoid placing new utilities and services within the pipeline easements and minimize utility crossings over the pipeline easements to the extent feasible.*

9. *Select landscaping vegetation with shallow root structures within the setback zone to avoid root structures that damage pipeline coatings.*

10. *Avoid planting trees that prevent direct observation of the pipelines by aerial patrol.*

11. *Use non-flammable fencing along the pipeline easement.*

12. *Manage storm water runoff to prevent erosion of the pipeline bedding.*

13. *Maintain access to the pipelines by pipeline personnel and first responders in the event of an emergency.*

14. *Project applicants or sales representatives shall disclose to potential occupants regarding the proximity of the natural gas and crude oil pipelines, as required in accordance with Assembly Bill 1511 – Real Property: Disclosures: Transmission Pipeline.*

15. *Home Owners Associations (HOA) shall maintain an emergency contact list with phone numbers of the local police, fire department, and pipeline operators (PG&E, Chevron, Phillips 66, and Shell).*

16. *Coordinate with the pipeline companies so that the property occupants are notified if excavation or maintenance activities for the pipelines are planned along the pipeline easements.*

17. *Report any roadwork or underground utility work that involves digging in or near the pipelines to the pipeline companies.*

18. *Report immediately any odors or leakage from the pipelines to the pipeline operator and local emergency response personnel (i.e., the Tracy Fire Department).*

19. *HOAs shall maintain at an appropriate on-site location an emergency response plan that outlines emergency procedures to be followed in the event of a pipeline release.*

For additional detail refer to the September 2014 Pipeline Safety Hazard Assessment, Tracy Hills Specific Plan. [This is Mitigation Measure 4.8-4 in the THSP SEIR]

The Annexation Area would be located approximately 0.8 miles southwest of the proposed school site previously identified in the THSP SEIR. As shown in Figure 4.8-4 of the THSP SEIR, the closest pipeline to

the Annexation Area, is the 20-Foot Shell Easement with 20-inch Crude Oil Pipeline, which is located approximately 0.30 miles northeast of the annexation area. In the event a full pipeline rupture from the pipeline were to occur, the THSP SEIR considered hypothetical flow paths that could result in "pools" of crude oil. If a full pipeline rupture were to occur, no impact to the proposed Project would occur since the Annexation Area is at a higher elevation and outside the mapped pool areas. Given the type of land uses proposed on the Annexation Area, and the distance to the nearest school, the Project would not involve a significant transport, use, storage, or risk of upset of hazardous materials within one-quarter mile of any schools. With implementation of the mitigation measures described above, the proposed Project's impact in regard to emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a proposed school would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment?

As identified in the THSP SEIR, the THSP Area is not included on a hazardous sites list compiled pursuant to California Government Code Section 65962.5. The Annexation Area was not previously examined in the THSP SEIR since it is currently outside the THSP boundaries. However, review of the Cortese List on the DTSC Envirostor database determined the Annexation Area is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and there would be no impact and no further analysis is required.

Threshold (e) Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?

A portion of the THSP Area is located within the Tracy Municipal Airport, Traffic Pattern Zone 7 in the 2009 San Joaquin Airport Land Use Compatibility Plan (ALUCP) as shown in Figure 4.10-2 of the THSP SEIR. As identified in the THSP SEIR, the San Joaquin ALUCP specifies sensitive land uses and structure heights which are restricted within these zones. Given the conflict of allowable land uses within the M-1 Light Industrial designation, the Inner Approach/Departure Zone 2 and the Inner Turning Zone 3, the THSP SEIR concluded there would be a potentially significant impact with implementation of the THSP Area. With implementation of Mitigation Measure LU 4.10-1, potential impacts regarding compatibility with the existing land use plans and policies would be reduced to a less- than- significant level by ensuring that tentative and final maps comply with 2009 ALUCP. With implementation of Mitigation Measure HAZ 4.8-6, potential impacts regarding retention basins attracting wildlife that could be hazardous to aircrafts associated with the Tracy Municipal Airport would be less-than-significant.

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

> ***Mitigation Measure HAZ 4.8-6:*** *The proposed retention basins have been designed and constructed in accordance with the recommendations outlined in the Federal Aviation Administration Advisory Circular No. 150/5200-33B to control hazardous wildlife. In the event that the basins do not have a drawdown time of 48 hours following a storm event, the Project applicant shall fund and the City shall use physical barriers, such as bird balls, wires, grids, pillows or netting, to prevent access of hazardous wildlife to open water and minimize aircraft-wildlife interactions which shall be approved and inspected by the City. In addition, all vegetation in or around the basins that provide food or cover for hazardous wildlife should be eliminated. [This is Mitigation Measure 4.8-6 in the THSP SEIR]*
>
> *Refer to* ***Mitigation Measure LU 4.10-1*** *in Section X, Land Use.*

As identified in Figure 4.10-2 of the THSP SEIR, the Annexation Area would be within the Airport Influence Area Zone 8. Future development within the Annexation Area would not be greater than 100 feet tall and comply with height restrictions within the San Joaquin ALUCP. The conservation easement and the annexation portion both fall within the Safety Area Zone 8 and proposed land uses would be compatible with the San Joaquin ALUCP. In addition, any future development including retention basins associated with the proposed Project would be required by Mitigation Measure HAZ 4.8-6 to be designed and constructed in accordance with the recommendations outlined in the Federal Aviation Administration Advisory Circular No. 150/5200-33B to control against wildlife that could be hazardous to aircrafts associated with the Tracy Municipal Airport. With implementation of the above mitigation measures, the proposed Project's impact on the San Joaquin ALUCP would be less- than- significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (f) Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?

The proposed Project area is not located within 2 miles of a private airstrip. Based on the nature of the proposed Project, and given that the THSP site is not located within two miles of a private airstrip, no impact would occur. The proposed Project would not cause a new impact to occur and no further analysis is required.

Threshold (g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The City's General Plan Safety Element includes policies that require the City to provide fire and emergency response facilities and personnel necessary to meet residential and employment growth in the City. Mitigation Measures PSR 4.12-1, 4.12-2, and 4.12-3 in the Public Services Section of the THSP SEIR require future Project applicants within the THSP to pay the applicable impact fees, which ensure payment of a proportionate share toward the planned facilities. With the Project's compliance with the General Plan and provision of adequate emergency planned facilities within and near the THSP Area,

implementation of the THSP would result in a less than significant impact with respect to interference with an adopted emergency response plan or emergency evacuation plan.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> *Refer to **Mitigation Measures PSR 4.12-1, 4.12-2, and 4.12-3** in Section XII, Public Services and Utilities.*

As discussed in the THSP SEIR, the Project applicant would be required to pay applicable impact fees to ensure payment of a proportionate share toward the planned facilities. With implementation of the above mitigation measures, the proposed Project's impact on interference with an adopted emergency response plan or emergency evacuation plan would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas?

The THSP area is zoned "Moderate" in the Local Responsibility Area and "Un-zoned" in the State Responsibility Area, which represent the lowest fire severity. Although the THSP Area is within a low fire severity zone, the THSP Area is adjacent to conservation easements, which are covered primarily with grass and brush, which is considered a flammable material. The City requires brush management of any land that is covered with flammable material such as grass, brush, or forest covered land and adjacent to structures. With implementation of Mitigation Measures HAZ 4.8-8a, 4.8-8b and 4.8-8c in the THSP SEIR, grasses and brush within 100 feet of structures would be required to be mowed to a height of no more than 4 inches or disced in order to minimize the amount of fuel to sustain or allow the spread of fire, reducing potential impacts to a less than significant level.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

To mitigate the fire protection hazards associated with wildland fires, the Applicant shall:

> ***Mitigation Measure HAZ 4.8-8a:** Provide a 100-foot firebreak between developed areas and any land that is covered with flammable material such as grass, brush, or forest covered land, including conservation easements (including but not limited to CE 1, CE 2, and CE 3), but excluding conservation corridors. Grasses or weeds including the conservation corridor, that can be expected to burn shall be cattle grazed, disked or mowed to a height of no more than 4 inches pursuant to the terms of the adopted Preserve Management Plan (dated October 2011), and in accordance with City of Tracy Municipal Code in order to minimize the amount of fuel to sustain or allow the spread of fire. [This is Mitigation Measure 4.8-8a in the THSP SEIR]*

Mitigation Measure HAZ 4.8-8b: *Provide fire department access to all easement corridors and conservation easements (including but not limited CE 1, CE 2, and CE 3) for the purpose of suppressing wildland fires outside of firebreaks. [This is Mitigation Measure 4.8-8b in the THSP SEIR]*

Mitigation Measure HAZ 4.8-8c: *All new buildings that are located on the south side of I-580 and immediately adjacent to conservation easements (including but not limited to portions of CE 1, Southern CE 2, and CE 3) shall include measures that increase the likelihood that a structure would withstand intrusion by fire. This shall be accomplished by constructing those buildings on the edge of development to the standards of the California Building Code, Chapter 7A, Building and Construction Methods for Exterior Wildfire Exposure. [This is Mitigation Measure 4.8-8c in the THSP SEIR]*

Similar to the THSP Area analyzed in the THSP SEIR, the Annexation Area is zoned "Moderate" in the Local Responsibility Area and "Un-zoned" in the State Responsibility Area. Under existing conditions, the Annexation Area is split into two parcels: one currently within the jurisdiction of CAL FIRE and the other within the Tracy Rural Fire Protection District. Upon annexation into the City, based on current LAFCo policy, the Annexation Area would be within the jurisdictional area of the South San Joaquin County Fire Authority for fire protection.

No net change to the amount of residential structures, compared to what was analyzed in in the THSP SEIR, would occur. The proposed Project would provide a larger buffer between the THSP development footprint and the existing surrounding conservation easements to the northwest of the THSP. The proposed annexation would allow for residential estate development to occur within the Annexation Area which is already surrounded by the THSP development footprint, and therefore would concentrate more housing away from areas along the foothills that may be at higher risk of wildfire. Furthermore, as identified in the previously certified THSP SEIR, there is only a limited fire threat to the THSP Area. Although the proposed Project would modify the THSP boundaries, the result would create larger buffers between open space and development. With implementation of the above mitigation measures, the proposed Project's impact in regards to exposing people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new hazardous materials impact to occur, nor an increase in the severity of a hazardous material impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

X. HYDROLOGY AND WATER QUALITY

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	☐	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project violate any water quality standards or waste discharge requirements?

As determined in the THSP SEIR, the buildout of the THSP would have a less than significant impact in respect to violation of water quality with the implementation of the terminal retention/percolation basins or other facilities. Construction activities for buildout of the THSP Area, which would include site development, infrastructure, and the storm drain system would require a National Pollutant Discharge Elimination System (NPDES) permit. As determined in the THSP SEIR, future development of the THSP Area would be responsible for obtaining and complying with NPDES permit requirements. Implementation of BMPs during construction, would minimize water quality impacts to a less- than- significant level.

After construction, stormwater from buildout of the THSP Area could have the potential to degrade water quality to open space along the I-580, California Aqueduct and/or Delta Mendota Canal. Retention basins would provide attenuation storage and opportunities for pollutants to settle and be retained within the basin and provide opportunities for recharge. As determined in the THSP SEIR, retention basins would be utilized to satisfy the requirements set forth in the City's Storm Water Quality Control Manual (SWQC) and NPDES for new development areas. In addition, proposed open channels and existing drainage swales would be used for storm runoff from some of the upslope offsite sub-basins to downstream terminal retention/percolation basins or other facilities. Thus, impacts to water quality would be less- than-significant with the implementation of the terminal retention/percolation basins, open channels and drainage swales as determined in the THSP SEIR.

The proposed Project would not increase the developable acres or development density compared to what was previously analyzed in the THSP SEIR. Potential water quality impacts associated with the proposed Project would include short-term construction-related erosion/sedimentation and long-term operational stormwater discharge. If not managed properly, grading and construction activities could cause soils and other pollutants to enter the storm drain system. During heavy rains, this may degrade stormwater quality at downstream locations. To minimize water quality impacts associated with the proposed Project, construction activities would be required to comply with a SWPPP, consistent with the NPDES. Additionally, the proposed Project would also implement stormwater control measures such as Low Impact Development (LID) and Best Management Practices (BMP's) per the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, as analyzed in the THSP SEIR.

After construction, stormwater from the proposed Annexation Area would be directed to the on-site retention basins. Development of the proposed Project would have a decrease in impervious surfaces through construction of buildings, parking areas, roadways, and other improvements because the proposed. The proposed Project would not increase developable acres or development density compared to what was previously analyzed in the THSP SEIR. However, the proposed Project would still be required to incorporate to the extent feasible, low impact development (LID) features, including directing drainage from impervious surfaces to bioswales for infiltration as part of BMPs per the City's Manual of Stormwater

Quality Control Standards. In addition, as required in the THSP, development projects greater than 100,000 square feet are required to implement specific controls, as identified in the City's SWQC Manual, and to submit a Storm Water Quality Control Plan (SWQCP) that demonstrates that the proposed Project would conform to all requirements of the City standards. Compliance with NPDES permit requirements and implementation of BMPs during construction would ensure the proposed Project's impact on water quality standards or waste discharge requirements would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

As identified in the THSP SEIR, implementation of the THSP would not have an adverse impact on groundwater recharge. The Water Supply Assessment prepared for the THSP SEIR concluded that the City's existing and additional planned future water supplies are sufficient to meet the City's existing and projected future water demands, including those future water demands associated with the THSP to the year 2035 under all hydrologic conditions.

The Project would not change the amount of development allowed, and would therefore not change the demand on water supplies. Further, development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. However as identified in the THSP SEIR, on-site bioswales would still be included to facilitate groundwater recharge as part of buildout of the THSP Area in accordance with BMPs set forth in the City's Manual of Stormwater Quality Control Standards. Therefore, similar to the approved THSP, implementation of the proposed Project would not deplete groundwater supplies or interfere with groundwater recharge, any greater than already analyzed in the THSP SEIR and this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

As identified in the THSP SEIR, with mitigation, implementation of the THSP would have a less than significant impact with respect to substantial erosion or siltation on- or off-site. The Tracy Hills Storm Drainage Master Plan (SDMP) was prepared as a guidance document to identify the primary framework of storm drainage facilities needed to serve future land development under the buildout condition for the THSP Project Area. Individual development projects within the THSP would be required to provide site-specific or project-specific storm drainage solutions that would be consistent with the overall infrastructure approach within the Tracy SDMP. The THSP SEIR determined that buildout of the THSP

would increase erosion and sedimentation through the removal of vegetation during construction of THSP infrastructure. Implementation of the THSP would result in an increase in flow rates and volumes of runoff with an increase in the amount of impervious surface such as buildings, streets and parking areas. However, with implementation of Mitigation Measure HYDRL 4.9-1a and 4.9-2 in the THSP SEIR, potential impacts on erosion and sedimentation would be less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure HYDRL 4.9-1a:*** *Prior to issuance of a grading or building permit, whichever occurs first, all Project applicants shall demonstrate to the City of Tracy compliance with NPDES General Construction Activities Storm Water Permit Requirements established by the Clean Water Act (CWA), including the preparation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall identify specific types and sources of stormwater pollutants, determine the location and nature of potential impacts, and specify appropriate control measures to eliminate any potentially significant impacts on receiving water quality from stormwater runoff. The SWPPP shall comply with the most current standards established by the Central Valley RWQCB. Best Management Practices shall be selected from a menu according to site requirements and shall be subject to approval by the City Engineer and Central Valley RWQCB. [This is Mitigation Measure 4.9-1a in the THSP SEIR]*
>
> ***Mitigation Measure HYDRL 4.9-2:*** *All Project applicants shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site post-construction BMP drainage improvements consistent with the Tracy Hills Storm Drain Master Plan. Once City approval is received, all Project applicants shall construct the drainage improvements as necessary and in accordance with the timing described in the Tracy Hills Storm Drain Master Plan. [This is Mitigation Measure 4.9-2 in the THSP SEIR]*

Development of the Annexation Area would have the potential to alter drainage patterns, as compared to existing conditions, from increased erosion and sedimentation through the removal of vegetation during construction activities. Development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on the existing drainage pattern of the Annexation Area would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding?

As identified in the THSP SEIR, the majority of the THSP Area is not located within the 100-year and 500-year floodplains. Development of the THSP Area would convert a primarily undeveloped site to a

developed one, which would increase flow rates, frequency, and volumes of runoff by introducing streets, buildings, parking areas, and other impervious surfaces within the THSP Area. Flows from the off-site, upstream drainages tributary to the THSP would be intercepted and conveyed through a combination of open channels and underground storm drain system and discharge to the proposed retention basins. The retention basins would capture increases in peak flow as result of development and would substantially reduce or eliminate downstream flow. With implementation of the drainage improvements described in the SDMP, it is unlikely that the THSP Area would result in or be affected by flooding. Therefore, implementation of the THSP would have a less than significant impact on the rate or amount of surface runoff resulting in flooding.

The Biological Technical Report (NOREAS, July 2020) conducted for the proposed Project included review of the National Wetland Inventory and found no records of aquatic resources within the Annexation Area. No riparian habitats were observed within the Annexation Area; however, indicators of ephemeral drainages were observed during field surveys.

Development of the Annexation Area would have the potential to alter drainage pattern through introduction of streets, buildings, parking area, and other impervious surfaces from buildout. Project implementation would not increase developable acres within the THSP SEIR and would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the drainage improvements as described in the SDMP and THSP SEIR, the proposed Project's impact on surface runoff would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (e) Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

As identified in the THSP SEIR, with mitigation, implementation of the THSP would have a less than significant impact in respect to runoff water that exceeds the capacity of existing or planned storm water drainage systems. As discussed in Section 4.8, Hazards and Hazardous Materials of the THSP SEIR, the types of uses and facilities allowed in the THSP Area may generate, store, use, distribute or dispose of hazardous materials such as industrial waste, oils, solvents, paints, diesel fuel, hydraulic fluid and corrosives. With implementation of Mitigation Measures HYDRL 4.9-1a, 4.9-1b, 4.9-2, and 4.9-3, potential impacts from polluted runoff would be less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***See Mitigation Measures HYDRL 4.9-1a and 4.9-2 above.***
>
> ***Mitigation Measure HYDRL 4.9-1b:*** *Prior to issuance of a grading or building permit, whichever occurs first, all Project applicants shall submit to the City Engineer for review a draft copy of the*

Notice of Intent (NOI) and SWPPP. After approval by the City, the NOI and SWPPP shall be sent to the State Water Resources Control Board for approval. [This is Mitigation Measure 4.9-1b in the THSP SEIR]

Mitigation Measure HYDRL 4.9-3: *All Project applicants shall implement the following measures:*

1. *Shall implement sound Integrated Pest Management (IPM) principles and practices in an effort to minimize the use of pesticides in common landscaped areas, open space areas, or park areas. These programs shall include setting acceptable thresholds of infestations and a process for determining the best prevention or treatment method for a given pest. Pest problems in common landscaped areas, open space areas, or park maintenance shall be managed through prevention and treatment using physical, mechanical and biological controls. The use of toxic pesticides will be implemented only after other non-toxic approaches or products have been determined infeasible. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure.*

2. *Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to:*

    - *Hazardous material use controls;*
    - *Hazardous materials exposure controls;*
    - *Hazardous material disposal and recycling.*

3. *Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system. [This is Mitigation Measure 4.9-3 in the THSP SEIR]*

As discussed in the previously certified THSP SEIR, the THSP would be designed to include storm drainage solutions as part of its land plan to accommodate the THSP's drainage as well as drainage from certain other existing surrounding uses and adhere to the City's Storm Drainage Master Plan, which has plans for improvements that accommodate development proposed under the THSP.

Project implementation would have the potential to increase local runoff volumes, frequency, and flow rates compared to existing conditions. The proposed Project would have the potential to contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on increased runoff water would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (f) Would the project otherwise substantially degrade water quality?

As identified in the THSP SEIR, with mitigation, implementation of the THSP would have a less than significant impact on degradation of water quality. As discussed above in Threshold (e), with implementation of Mitigation Measures HYDRL 4.9-1a, 4.9-1b, 4.9-2, and 4.9-3, implementation of the THSP would not substantially degrade water quality.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

See Mitigation Measures HYDRL 4.9-1a, 4.9-1b, 4.9-2 and 4.9-3 above.

The proposed Project would have the potential to degrade water quality through erosion or siltation from construction and operation activities. Development of the proposed Project would result in the same amount of impervious surfaces through construction of buildings, parking areas, roadways, and other improvements as was previously analyzed in the THSP SEIR. With implementation of the above mitigation measures, the proposed Project's impact on water quality would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The THSP SEIR disclosed that a small portion of the THSP Area is located in 100-year and 500-year floodplains areas associated with Corral Hollow Creek (FEMA Flood Insurance Rate Map (FIRM) Panel No. 06077C0740F for San Joaquin County, California and Incorporated Areas dated October 16, 2009). However, as identified in the THSP SEIR, there are no residential uses proposed within the 100-year and 500-year floodplains. Thus, the THSP SEIR identified that no impact would occur.

While Figure 4.9-3A and Figure 4.9-3B of the THSP SEIR mapped a small portion of the THSP as being within the 100-year and 500-year floodplain areas, the Annexation Area is not within any floodplain areas. Thus, there would be no impact associated with placing housing within a 100-year flood hazard area. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (h) Would the project place structures within a 100-year flood hazard area, which would impede or redirect flood flows?

As identified in the THSP SEIR, the majority of the development within the THSP Area would be located outside of the 100-year floodplain and therefore, the floodplain would not impact development. However, as described above, a small portion of the THSP was mapped in the THSP SEIR as being located in 100-year and 500-year floodplains for Corral Hollow Creek. The easternmost edge of the THSP Area where General Highway Commercial land uses encroach into approximately 2.2 acres of the 500-year flood elevation and

0.1 acres of the 100-year flood elevation. Depending on the ground at the proposed building locations, development within this area may need to elevate building finished floors a minimum of 1 foot above the 100-year flood elevation for Corral Hollow Creek, and possibly, meet the requirements to withstand a 200-year flood per the Urban Level of Flood Protection (ULOP) Criteria. Senate Bill 5 establishes a requirement that "urban areas" and "urbanizing areas" apply a 200-year return period storm level of protection standard to new development in locations meeting certain criteria no later than 36 months after the Central Valley Flood Protection Plan is adopted by the State. Additionally, the City's Storm Drain Management Plan has been designated to accommodate the 100-year flood event in accordance with City design standards. With implementation of Mitigation Measure HYDRL 4.9-4 in the THSP SEIR, potential impacts associated with placing structures within the 100-year floodplain were found to be less than significant.

While Figure 4.9-3A and Figure 4.9-3B of the THSP SEIR mapped portions of the THSP as being partially within the 100-year and 500-year floodplain areas, the Annexation Area is not within any mapped floodplains. As such, no impact associated with placing structures within a 100-year flood hazard area would occur. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

As identified in the THSP SEIR, the THSP is not located within the dam inundation risk areas. As a result, no impacts would occur as a result of the failure of a levee or dam. Since the proposed 35-acre annexation area is surrounded by the THSP development footprint, and would be subject to the same conditions as the THSP Area, no impact would occur and no further analysis is required.

Threshold (j) Would the project result in inundation by seiche, tsunami or mudflow?

As identified in the THSP SEIR, the THSP is located inland across several mountain ranges from the Pacific Ocean and is not downstream of any significant body of water. Therefore, there is no risk of exposure to inundation by seiche or tsunami and no impact would occur. Since the proposed Project is currently surrounded by the THSP development footprint it would be subject to the same conditions as the THSP Area, and the proposed Project would not result in inundation by seiche, tsunami or mudflow. Similar to the THSP, there would be no impact and no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new hydrological impact to occur, nor an increase in the severity of a hydrological impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XI. LAND USE AND PLANNING

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
Would the project:					
a. Physically divide an established community?	☐	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project physically divide an established community?

As identified in the THSP SEIR, implementation of the THSP Area would not have the potential to divide an established community. While new development, improvements, and intensification of the THSP Area would occur under the THSP, implementation of the THSP would not physically divide an established community and impacts would be less than significant.

The proposed Project would convert undeveloped land to urbanized development. The Annexation Area is currently vacant and does not have any established communities on site; therefore, Project implementation would not physically divide an established community. Further, the Project would allow development to occur within the Annexation Area, focusing development in a contiguous area and providing for better community cohesion with buildout of the Project and THSP. Thus, impacts would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

As identified in the previously certified EIR for the THSP, implementation of the THSP Area would not conflict with land use plans, policies, or regulations. Implementation of the previously approved THSP required a General Plan Amendment to amend the General Plan Land Use Map to reflect the proposed

land use changes identified in Figure 3-3 of the THSP SEIR. As determined in the THSP SEIR, impacts related to the consistency with General Plan policies relating to environmental issues were found to be less than significant. As determined in the THSP SEIR, zoning districts identified in the THSP Area were determined to be consistent with the City's zoning. As a result, impacts associated with zoning policies relating to environmental issues would be less than significant. As discussed in Section VIII, Hazards and Hazardous Materials of the THSP SEIR, a portion of the northeast corner of the THSP Area is located within the Tracy Municipal Airport, Traffic Pattern Zone 7 in the 2009 San Joaquin ALUCP as shown in Figure 4.10-2 of the THSP SEIR. With implementation of Mitigation Measure LU-4.10-1, potential impacts regarding compatibility with the existing land use plans and policies would be reduced to a less- than- significant level by ensuring that tentative and final maps comply with 2009 ALUCP.

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

> ***Mitigation Measure LU 4.10-1:*** *All tentative and final maps within the THSP shall conform to the provisions of the 2009 ALUCP (or the ALUCP in effect at the time of Project applicant submissions), including but not limited to:*
>
> - *Land use restrictions of the ALUCP;*
> - *All proposed school sites within a 2-mile radius of the airport runway must obtain approval by the State Department of Transportation Division of Aeronautics. [This is Mitigation Measure 4.10-1 in the THSP SEIR]*

The previously approved THSP is consistent with the Tracy General Plan designation of THSP Area such that the mix of proposed land uses are consistent with the statistical profile evaluated in the General Plan. Overall, the proposed Project is consistent with the underlying land use and zoning designations that have been included in local and regional planning efforts. As shown in Table 1: Land Use Plan Buildout (2035), the proposed Project would have no change in developable acres compared to what was previously analyzed in the THSP SEIR. The proposed Project would exchange the 35.7 acre Annexation Area with an equivalent 35.7 acre Conservation Easement to allow for more focused development within the southeastern portion of the THSP. The proposed Project would maintain the same acreages for both uses and further create a buffer between the THSP footprint and conservation easements. The proposed Project would not increase development intensity or conflict with any policies outlined in the San Joaquin ALUCP. With implementation of the above mitigation measure, the proposed Project's impact on land use plans, policies, or regulations would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

As discussed in Section IV Biological Resources, the Annexation Area is located within Area C of the THSP which falls within the Sphere of Influence of the SJMSCP. Pursuant to THSP SEIR Mitigation Measure 4.4-1h, projects being implemented within Area C shall voluntarily secure Section 7 and/or Section 10 permits

in consultation with the appropriate wildlife agencies. The Project applicant is in consultation with USFWS and CDFW to obtain approval of a HCP for Area C, consistent with the THSP SEIR Mitigation Measure 4.4-1h. As previously noted, the biological setting in the Annexation Area is similar to the previously analyzed THSP Area, and would have the same potential affects as the THSP. As such, with implementation of Mitigation Measure BIO 4.4-1h, 4.4-1j, 4.4-1m, and 4.4-4, no impact relative to inconsistency with habitat conservation plans would occur.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Refer to Mitigation Measure BIO 4.4-1h, 4.4-1j, 4.4-1m, and 4.4-4a in Section IV, Biological Resources.***

With implementation of the above mitigation measures, the proposed Project's impact concerning applicable conservation plans would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new land use impact to occur, nor an increase in the severity of a land use impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XII. MINERAL RESOURCES

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The main mineral resources found in San Joaquin County, and Tracy are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. The City of Tracy has an adopted Aggregate Mining Overlay zone, which has been approved by the State Division of Mines and Geology (Resolution 2000-12 of State Division of Mines and Geology). In order to protect aggregate land and mitigate conflicts between mining activities and urban uses, the 2011 Tracy General Plan designates lands with production quality mineral reserves as Aggregate in the southern portion of Tracy. Of the area classified by the State Division of Mines and Geology as having potentially significant mineral deposits, the City has designated the bulk of this area as Aggregate in the 2011 General Plan. Some additional areas identified as having potentially significant aggregate deposits are designated as Industrial in the General Plan. The City and State have agreed to protect identified areas south of Linne Road for aggregate uses and allow for urban development north of Linne Road (much of which has already occurred).

There is a small aggregate area south of the California Aqueduct, along Corral Hollow Road that is within the THSP Area. Impacts to mineral resources within the THSP Area was determined to be less than significant in the 2011 General Plan EIR.

The proposed Project is surrounded by the development footprint previously analyzed in the THSP SEIR and would similarly be located inside of the small aggregate area identified in the THSP SEIR. Therefore, the proposed Project would not have the potential for new impacts to mineral resources and impacts in regards to the loss of availability of a known mineral resource would be considered less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The THSP Area, inclusive of the Annexation Area, has not been used for mineral resource recovery and is not delineated as a mineral resource recovery site on any land use plans. As the Annexation Area is not currently used (or planned for use) as a mineral resource recovery site, no impacts to mineral resources would occur. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result and no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new mineral impact to occur, nor an increase in the severity of a mineral impact previously disclosed in the THSP SEIR. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XIII. NOISE

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

A noise impact analysis was performed for the previously certified THSP SEIR to evaluate the potential for noise and vibration impacts resulting from Specific Plan implementation. The results and findings as they apply to the proposed Project are summarized herein.

Noise sources in the THSP Area consist of vehicular traffic on nearby roadways, including I-580, Lammers Road, Corral Hollow Road, Linne Road, Tracy Boulevard, and Eleventh Street. According to the THSP SEIR, on-site noise levels were measured on March 30, 2013 to document noise levels at the existing land uses. Noise levels were based on readings at two Long-Term Locations and four Short Term Locations, which included four locations on roadways near the Phase 1a area. The noise environment of the proposed Annexation Area is dominated by traffic along Interstate 580 and Corral Hollow Road.

The land uses included in the proposed Project are consistent with those analyzed in the THSP SEIR. Therefore, noise sources generated by the proposed Project would also be similar and include sources such as, vehicle traffic, emergency generators, trash compactors, and rooftop mechanical equipment.

Threshold (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

According to the THSP SEIR, future mobile traffic noise levels generated along heavily-traveled roadways may result in potentially significant impacts for existing sensitive receptors and future buildings in the THSP Area; [15] refer to Section XII (c) below. THSP SEIR Mitigation Measures NOI 4.11-1; 4.11-3a; 4.11-3b; 4.11-3c; 4.11-3d; and 4.11-3e and adherence to Municipal Code requirements would lessen stationary noise impacts to less than significant.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure NOI 4.11-1:*** *Prior to the issuance of demolition permits or ground disturbing activities (whichever occurs first), the Contractor shall demonstrate to the satisfaction of the City of Tracy Engineering and Building Divisions that the Project complies with the following:*
>
> - *Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.*
>
> - *Property occupants located adjacent to the Project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the Project. A sign, legible at a distance of 50 feet shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City of Tracy Planning Division prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.*
>
> - *The Contractor shall provide evidence that a construction staff member would be designated as a Noise Disturbance Coordinator and would be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Planning Division. All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.*
>
> - *During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.*

[15] THSP Draft EIR, page 4.11-22.

- *Construction activities shall occur between the hours of 7:00 AM and 10:00 PM daily pursuant to Section 9.12.030 and Section 4.12.820 of the Tracy Municipal Code. [This is Mitigation Measure 4.11-1 in the THSP SEIR]*

Mitigation Measure NOI 4.11-3a*: Prior to issuance of any Building Permit, the Project applicant shall demonstrate, to the satisfaction of the City of Tracy, compliance with the following:*

- *To the extent possible, all mechanical equipment shall be oriented away from the nearest noise sensitive receptors; and*

- *All mechanical equipment shall be screened and enclosed to minimize noise or the equipment shall be factory rated at a noise level that would comply with the noise limits set forth in the City's Municipal Code. [This is Mitigation Measure 4.11-3a in the THSP SEIR]*

Mitigation Measure NOI 4.11-3b: *Where a commercial zone abuts a residential zone or residential use, all deliveries of goods and supplies; trash pick-up (including the use of parking lot trash sweepers); and the operation of machinery or mechanical equipment which emits noise levels in excess of 65 dBA, as measured from the closest property line to the equipment, shall only be allowed between the hours of 7:00 AM and 10:00 PM, unless otherwise specified in an approved conditional use permit or other discretionary approval. [This is Mitigation Measure 4.11-3b in the THSP SEIR]*

Mitigation Measure NOI 4.11-3c: *All feasible sound attenuation shall be incorporated into the parking areas (i.e., landscaping and brushed driving surfaces), such that noise from parking area has been minimized to the greatest extent practicable such that parking lot noise would not exceed the standards indicated in Tracy Municipal Code Section 4.12.750 (General Sound Level Limits). [This is Mitigation Measure 4.11-3c in the THSP SEIR]*

Mitigation Measure NOI 4.11-3d: *Prior to the issuance of Building Permits, any residential development within 2,040 feet of the I-580 centerline shall be designed in compliance with the California Building Code (CBC) and an Acoustical Noise Analysis shall be prepared to ensure that the City of Tracy's exterior and interior noise level standards defined in General Plan Figure 9-3, Land Use Compatibility for Community Noise Environment, are met at all residential, commercial, and recreational land uses. The analysis shall verify that residences are adequately shielded and/or located at an adequate distance from mobile noise sources. Residential buildings or structures shall be designed to ensure interior noise levels do not exceed 45 dBA. In addition, individual developments shall, to the extent feasible, implement site-planning techniques such as the following:*

- *Increasing the distance between the noise source and the receiver;*

- *Using non-noise sensitive structures such as garages to shield noise-sensitive areas;*

- *Orienting buildings to shield outdoor spaces from a noise source;*

- *Incorporating architectural design strategies, which reduce the exposure of noise-sensitive spaces to stationary noise sources (i.e., placing bedrooms or balconies on the side of the house facing away from noise sources). These design strategies shall be implemented as required by the City to comply with City noise standards;*

- *Incorporating noise barriers, walls, or other sound attenuation techniques, as required by the City to comply with City noise standards; and*

- *Modifying elements of building construction (i.e., walls, roof, ceiling, windows, and other penetrations), as necessary to provide sound attenuation. This may include sealing windows, installing thicker or double-glazed windows, locating doors on the opposite side of a building from the noise source, or installing solid-core doors equipped with appropriate acoustical gaskets. [This is Mitigation Measure 4.11-3d in the THSP SEIR]*

Mitigation Measure NOI 4.11-3e: *Prior to the issuance of Grading Permits, any residential development associated with the THSP Buildout (i.e., development other than Phase 1a) located within 260 feet of the Union Pacific Railroad corridor shall have an Acoustical Analysis prepared to fully analyze acoustical impacts and develop measures, if required, to ensure that the City's exterior standards of 70 dBA would be achieved for the proposed land uses that are subject to noise from train pass-bys. The analysis shall conduct detailed train noise modeling to verify that residences are adequately shielded and/or located at an adequate distance from the rail corridor to comply with the City's exterior standards. The analysis shall also ensure that interior noise levels do not exceed 45 dBA. [This is Mitigation Measure 4.11-3e in the THSP SEIR]*

The proposed Project area consists of the an approximately 35-acre portion of Conservation Easement 3 that is surrounded by the previously analyzed boundary of the THSP Area. The nearest sensitive receptors, existing single-family residential uses, are located approximately 1.25 miles northeast of the Annexation Area. At this distance, construction and operational noise levels would remain low. Given that the Project has land uses consistent with the development density previously analyzed in the THSP SEIR, stationary noise impacts would be consistent with stationary noise impacts analyzed in the THSP SEIR. With implementation of the above mitigation measures, impacts to noise levels would not be altered any greater than what was previously analyzed and remain less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

According to the THSP SEIR, neither the City of Tracy nor the County of San Joaquin establishes thresholds for excessive vibration. Therefore, the United States Department of Transportation (Federal Transit Administration [FTA]) criteria of 2.0 inch-per-second PPV for the evaluation of potential human annoyance and potential for structural damage to result from vibration is used.

Construction of the proposed buildings has the potential to produce short-term construction vibration effects and operational vibration as a result of the proposed Project's traffic and mechanical equipment operations. Construction of the proposed Project would generate short-term construction vibration during site preparation and construction of the buildings, paving and related activities. Vibration from construction activities rarely reaches the levels that can damage structures, but groundborne vibration and noise can reach perceptible and audible levels in buildings that are very close to the construction site. Even with vibration reduction measures, such as use of vibration attenuating construction equipment (static rollers) and discretionary scheduling of the noisiest construction activities, groundborne vibration from construction within the THSP Area when in close proximity to sensitive receptors would be a potentially significant impact relative to perception and annoyance.

With respect to the proposed Project, short-term construction vibration impacts could result at adjacent sensitive receptors (residential uses) in the THSP Area. Vibration effects would be reduced by a combination of appropriate equipment and process selection, as well as implementation of proper administrative controls (refer to Mitigation Measure NOI 4.11-1 above). Even with these vibration reduction approaches, it is still possible that individual, site-specific developments could exceed either the annoyance threshold and/or the architectural damage threshold. This potential situation would be exacerbated with the use of standard pile driving techniques. As such, groundborne vibration from construction could result in a potentially significant impact with respect to perception or architectural damage. The proposed Project would also implement best practices for construction activities (as specified in Mitigation Measure NOI 4.11-1), which would reduce groundborne noise and vibration from construction.

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

See Mitigation Measure NOI 4.11-1 above.

With implementation of the above mitigation measure, construction vibration levels as a result of construction for the proposed Project construction would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

As discussed in the previously certified THSP SEIR, Specific Plan implementation would cause a substantial noise increase to most nearby roadways within and in close proximity to the Specific Plan limits during Long Range Plus THSP Buildout Conditions.[16] The Specific Plan impact was identified as significant and unavoidable. According to the THSP SEIR, impacts would occur on off-site roadways where it is infeasible to implement mitigation measures. Therefore, impacts to off-site uses from traffic noise remain significant

[16] THSP Draft EIR, page 4.11-22.

and unavoidable. The proposed Project would include land uses that are equivalent to those analyzed in the THSP SEIR. The Project does not propose an increase in development density within the THSP Area. Similar to the THSP, mitigation measures would not be feasible to apply on off-site roadways and the proposed Project would also result in a significant and unavoidable impact related to future mobile traffic noise. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

The previously approved THSP SEIR evaluated stationary source noise impacts such as mechanical equipment, slow moving delivery/supply trucks, activities at the loading docks, parking lots, landscape maintenance, and outdoor pools. As the THSP is primarily vacant, the previously approved EIR found new noise sources would be introduced as a result of the proposed Project and THSP buildout. However, THSP SEIR mitigation measures 4.11-3a; 4.11-3b; 4.11-3c; 4.11-3d; 4.11-3e and adherence to Municipal Code requirements would lessen impacts to less than significant. Given that off-site effects cannot be mitigated, this impact would remain significant and unavoidable overall. This would not be a new specific impact, nor would it increase the severity of the impact previously identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Noise emissions from construction of the proposed Project would be localized and occur intermittently for varying periods of time. The highest construction noise levels associated with construction would be generated during grading, excavation, and foundation work, with lower noise levels occurring during building construction and finishing. According to the THSP SEIR, potentially significant impacts from construction noise could occur with THSP implementation. Construction of the proposed Project would include similar construction equipment and schedule as was previously analyzed in the THSP SEIR. Therefore, notable temporary sound level increases would not be greater than previously evaluated.

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

See Mitigation Measure NOI 4.11-1 above.

With implementation of the above mitigation measure, the proposed Project would reduce the potential for a substantial temporary or periodic increase in ambient noise levels to occur by demonstrating compliance with construction-related policies to the satisfaction of the City of Tracy Engineering and Building Division. With mitigation, the impact is less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

According to the THSP SEIR, the THSP Area is located approximately 0.22 miles west of the Tracy Municipal Airport. The Annexation Area is located approximately 2.0 miles southwest of the Tracy Municipal Airport. According to the San Joaquin County Airport Land Use Compatibility Plan Update (ALUCP) the airport has approximately 59,701 operations, primarily performed by single engine piston aircrafts involved in flight training. The Annexation Area is not located within any CNEL Airport Noise Contours. Therefore, the proposed Project would not expose persons residing or working in the proposed Project area to excessive airport related noise levels and no impact would occur. No further analysis is required.

Threshold (f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

According to the THSP SEIR, the THSP Area is not located within two miles of a private airstrip. Therefore, the proposed Project is not located within a distance of two miles from a private airstrip. Due to the distance separation, the proposed Project would not expose persons to excessive airport-related noise levels. Similar to the THSP, there would be no impact and no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new noise impact to occur, nor an increase in the severity of a noise impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XIV. POPULATION AND HOUSING

WOULD THE PROJECT:

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

As identified in the previously certified EIR prepared for the THSP, the THSP would include construction of new residential areas. The THSP SEIR found that buildout of the THSP would not exceed the maximum dwelling units or non-residential square footage already anticipated in the certified 2011 General Plan EIR for the THSP Area. The General Plan EIR did not find any significant impacts related to population, employment or housing, thus implementation of the THSP would not induce population growth which has not already been anticipated in the 2011 General Plan EIR. The THSP SEIR determined that displacement of the five existing houses in the THSP Area would not substantiate the need for construction of replacement housing. As a result, the THSP SEIR found impacts related to population and housing would be less-than-significant.

The Project would not result in any changes to the total amount of housing or jobs within the THSP. As such, the Project is consistent with the impact conclusion of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Threshold (c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

As determined in the previously certified EIR for the THSP, five single-family homes would likely be demolished and replaced with new single family and multi-family homes. Since the THSP includes the

construction of new residential areas, the displacement of the five existing houses would not substantiate the need for construction of replacement housing. Therefore, impacts related to population and housing were determined to be less than significant in the THSP SEIR.

Development of the proposed Project would occur on currently undeveloped land. Thus, impacts related to displacement of people and housing would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new population and housing impact to occur, nor an increase in the severity of a population and housing impact previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

XV. PUBLIC SERVICES, RECREATION, AND UTILITIES

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i. Fire protection?	☐	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☐	☒
b. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐	☒
c. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☐	☒
d. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☐	☒
e. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
f. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☒
g. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☐	☒

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
h. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☐	☒
i. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☐	☒
j. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

The THSP SEIR identified that development of the THSP would include two fire stations within the THSP Area, which would be adequately equipped to provide fire services for the buildout of the THSP once implemented.[17] As determined in the THSP SEIR, buildout of the THSP would not exceed the City's planned growth level, additional service population was already accounted for in the Citywide Public Safety Master Plan and would not require additional fire protection facilities beyond what has been planned. Additionally, all project applicants of individual projects within the THSP Area would be required to pay a fair and equitable amount to the City's Public Buildings impact fee to offset the capital costs for fire protection and emergency service facilities. As a result, development within the THSP Project Area would not exceed the maximum dwelling units or non-residential square footage approved in 2016, or the maximum dwelling units square footage contemplated by the City's General Plan. Fire protection needs would not be altered by implementation of the THSP with implementation of Mitigation Measures PSR 4.12-1 and 4.12-3. Implementation of Mitigation Measures PSR 4.12-1 and 4.12-3 would reduce potential impacts on fire protection to a less than significant level.

[17] Subsequently, the City of Tracy Fire Department determined, Standards of Response Coverage report, that only one fire station would be needed to serve the THSP Area. Personal communication with Fire Chief Randy Bradley on January 28, 2020.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure PSR 4.12-1:*** *As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fees. [This is Mitigation Measure 4.12-1 in the THSP SEIR]*
>
> ***Mitigation Measure PSR 4.12-3:*** *As determined by the Fire Chief and in accordance with adopted standards of coverage, a fire station and all related equipment shall be constructed and operational in Phase 1A to serve Tracy Hills in accordance with the Citywide Public Safety Master Plan. [This is Mitigation Measure 4.12-3 in the THSP SEIR]*

Upon annexation, based on current LAFCo policy, the Annexation Area would be within the jurisdictional area of the South San Joaquin County Fire Authority for fire protection. Project implementation would not increase population growth in the THSP Area. Therefore, growth associated with the Project would not exceed the growth planned for the THSP Area in the 2011 General Plan. The proposed Project, with implementation of the mitigation measures identified above, would not result in the need to construct additional fire stations, beyond those identified in the THSP SEIR. Given that no additional fire stations beyond those identified in the THSP would be required to serve the proposed Project, Project implementation would not create substantial adverse physical impacts associated with construction of a new fire station. As such, this impact would be less than significant. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

ii. Police Protection

As identified in the THSP SEIR, development of the THSP would include construction of a new police substation located closer to the THSP than the current primary station. As determined in the THSP SEIR, buildout of the THSP would not exceed the City's planned growth level, additional service population was already accounted for in the Citywide Public Safety Master Plan, and would not require additional law enforcement facilities beyond what has been planned. Additionally, individual development projects under the THSP would be required to pay the applicable impact fees, which ensure payment of a proportionate share towards the planned facilities. As a result, development within the THSP Area would not exceed the maximum dwelling units or non-residential square footage previously approved in 2016, or the maximum dwelling units square footage contemplated by the City's General Plan. Law enforcement needs would not be altered by implementation of the THSP with implementation of Mitigation Measures PSR 4.12-4a and 4.12-5b. Implementation of Mitigation Measures PSR 4.12-4a and 4.12-5b would reduce potential impacts on fire protection to a less than significant level.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure PSR 4.12-4a:*** *The Project applicant of individual projects within the THSP Project Area shall consult with the Police Department during preliminary stages of site design to*

review safety features, determine their adequacy, and suggest design and/or physical improvements to the proposed site plan. This is achieved through the City's development review process, which currently is coordinated with various City Departments' review of new development proposals. [This is Mitigation Measure 4.12-4a in the THSP SEIR]

***Mitigation Measure PSR 4.12-5b:** As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fees. [This is Mitigation Measure 4.12-5b in the THSP SEIR]*

The THSP SEIR noted that the Citywide Public Safety Master Plan proposes the construction of a new police substation located closer to the THSP Area than the current primary police station; however the new substation would not be associated with the THSP. The proposed Project would not result in an increase in population growth nor increase the demand for additional police services. Therefore, growth associated with the Project would not exceed the growth planned for the THSP Area in the 2011 General Plan. The proposed Project, with implementation of the mitigation measures identified above, would not result in the need to construct additional police stations, beyond those identified in the THSP SEIR. Given that no additional police stations would be required to serve the proposed Project, beyond those identified in the THSP, the proposed Project would not create substantial adverse physical impacts associated with construction of a new police station. As such, this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

iii. Schools

As identified in the THSP SEIR, implementation of the THSP could substantially increase the population of school children in the City of Tracy, requiring construction of new facilities or modification of existing facilities to accommodate the growth of the student body. Development of the THSP Area was estimated to generate 3,520 new students in grades K–8. As discussed in the THSP SEIR, three elementary schools (K-8) were proposed throughout the THSP Area. Although the final number and locations of the schools will be determined in accordance with the Jefferson School District Facilities Master Plan as the THSP is built out. Implementation of the approved THSP would generate a maximum of 5,499 dwelling units. The Jefferson School District uses an elementary student generation factor of 0.44 grade K-5 students per dwelling unit, 0.2 grade 6-8 students per dwelling unit, and 0.3 grade 9-12 students per dwelling unit to estimate projected student population.[18]

The proposed Project would not result in population changes and therefore demand for additional school facilities would be the same as previously identified in the THSP SEIR. Each individual development application would be subject to the requirement to pay applicable impact fees in accordance with SB 50 or pay applicable fees subject to school mitigation agreements with the Tracy Unified School District and Jefferson School District. Under Section 65996 of the California Government Code, the payment of such

[18] THSP Draft EIR, page 4.12-38

fees is deemed to fully mitigate the impacts of new development on school facilities. Therefore, THSP impacts in this regard were determined to be less than significant.

No new schools would need to be constructed, beyond those identified in the THSP SEIR, and as such no physical impacts associated with constructing additional schools would occur. Therefore, this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

iv-v. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks and other recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Threshold (b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Threshold (c) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As identified in the THSP SEIR, development of the THSP would include up to three acres of neighborhood park land or one acre of community park land per 1,000 population. Neighborhood and community parks would be distributed throughout the residential areas. Active play and sports parks proposed by the THSP may feature play fields, ball fields, children play areas, picnic areas, tennis courts, and open lawns. Park features may be interconnected by nature walks and bikeways within the greenways and parkways. The THSP SEIR determined that new residents in the THSP would use the new parks within the THSP more than the City's existing facilities given proximity to their neighborhoods, condition of the new facilities and the ability to walk or bicycle to many of the parks. Therefore, implementation of the THSP would result in a less than significant impact with regard to the substantial physical deterioration of existing facilities.

Project implementation would not increase population growth and therefore no additional demand for recreational facilities would be needed. The THSP stated that, "each tentative subdivision map shall either include adequate neighborhood park land to bring the total neighborhood park land within the tentative map approved portion of the Specific Plan to three acres per 1,000 population, or the developer shall demonstrate how future tentative map areas of the Specific Plan will include park land to achieve the minimum three acres per 1,000 population requirement, and otherwise comply with the Parks Master Plan." [19] The proposed Project would maintain 35-acres of land designated as Conservation Corridors, which would not permit development. As such, this impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact

[19] THSP, page 2-19

previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (d) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The City of Tracy provides wastewater services throughout the City and the THSP Area. Impacts to wastewater treatment requirements were analyzed in the previously certified THSP SEIR for buildout of the THSP Area. As described in the previously certified THSP SEIR, the City's Waste Water Treatment Plant releases effluent into the Old River, therefore the City is subject to NPDES permitting requirements, as implemented by the RWQCB. To accommodate future planned growth, including the buildout of the THSP Area, the City plans to implement a wastewater treatment system upgrade in accordance with the Wastewater Master Plan (WWMP) and as evaluated in the related environmental documentation.

The proposed Project would not be expected to result in an exceedance of any wastewater treatment requirements of the applicable RWQCB any greater than previously analyzed in the THSP SEIR because the Project would change the amount of development allowed the THSP Area. Therefore, impacts would be considered less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (e) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The City of Tracy provides water and wastewater services throughout the City and the THSP Area. Impacts to existing water and wastewater treatment facilities were analyzed in the previously certified THSP SEIR for buildout of the THSP Area. Although buildout of the THSP Area would require new water facilities and would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, the environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Water System Master Plan (WSMP) and the Wastewater Master Plan (WWMP). According to the THSP SEIR, because implementation of the THSP would require the construction of yet-to-be-built WSMP facilities, and may require the construction of certain interim improvements pending completion of WSMP improvements, the THSP would have potentially significant impacts. With implementation of Mitigation Measures PSR 4.12-6, 4.12-7a and 4.12-8b, impacts would be reduced to a less than significant impact.

The following mitigation measures incorporated herein from the previously certified THSP SEIR are applicable to the proposed Project:

> ***Mitigation Measure PSR 4.12-6:*** *Developers of subsequent phases of the Project (beyond Phase 1a) will be required to prepare SB 221 analysis for each subsequent phase of development. [This is Mitigation Measure 4.12-6 in the THSP SEIR]*

> ***Mitigation Measure PSR 4.12-7a:*** *As part of the development process for each individual site-specific development under the Specific Plan, the City shall review flow monitoring, at the applicant's cost, to determine available capacity. If the City determines, based on technical and legal constraints and other relevant data, that existing capacity is available to serve the development at issue, then no further mitigation is required. However, if the City determines, based on technical and legal constraints and other relevant data, that existing capacity is not available to serve the development at issue, then the improvements as identified in the Master Plan must be constructed that are necessary to create the additional capacity required, subject to any applicable credit and/or reimbursement provisions, as determined by the City. [This is Mitigation Measure 4.12-7a in the THSP SEIR]*
>
> ***Mitigation Measure PSR 4.12-8b:*** *As part of the development process for each individual site-specific development under the Specific Plan, the applicant shall pay its applicable development impact fees for wastewater facilities prior to issuance of first certificate of occupancy. [This is Mitigation Measure 4.12-8b in the THSP SEIR]*

The City plans to implement a wastewater treatment system upgrade as outlined in the WWMP. Since the proposed Project is immediately surrounded by the existing THSP footprint, these future developments would also be serviced by the wastewater treatment system upgrades. With implementation of the above mitigation measures, the proposed Project's impact on new water or wastewater facilities would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (f) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

As discussed in Section IX (Hydrology and Water Quality) and the THSP SEIR, the construction of new stormwater drainage facilities or expansion of existing facilities would be required for buildout of the THSP Area as well as individual development projects. The storm drainage infrastructure within the THSP Area would incorporate terminal retention basins as the means of managing runoff from new development via storage and percolation. These basins are depicted in Figure 4.9-4 of the THSP SEIR. As discussed in the THSP SEIR, storm water runoff generated by buildout of the THSP would be self-contained and would not utilize any existing downstream City storm drainage facilities. The drainage improvements discussed in the THSP SEIR would accommodate projected runoff from the THSP Area. Thus, implementation of the THSP would not exceed the capacity of the proposed stormwater drainage system.

The proposed Project would annex and exchange 35-acres of a conservation easement with 35-acres of THSP land zoned for Residential Estate. The swapped land would locate the future development of residential estates closer to the THSP development footprint, near the footprint as what was previously analyzed in the THSP SEIR. As a result, storm water runoff generated by implementation of the proposed

Project would be self-contained and would not utilize any existing downstream City storm drainage facilities any greater than previously analyzed in the THSP SEIR. The proposed Project would allow for future development in an area that would already be served by drainage facilities as part of the THSP. Implementation of the proposed Project would not require new stormwater drainage facilities, the construction of which would cause significant environmental effects. This would not be a new specific impact or an increase in the severity of an impact that was identified in the THSP SEIR and would therefore be consistent with the effects of implementation of the THSP.

Threshold (g) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

As described in the Water Supply Assessment (WSA) conducted for the previously certified THSP SEIR, the THSP Area would be served by the City from its existing and future portfolio of water supplies. The WSA conducted for the THSP Area concluded that the City's existing and planned water supplies would be sufficient to meet the water demand for any hydrologic conditions to the year 2035. No water supply shortages are anticipated for any hydrologic conditions based on Year 2035 water demands. As determined in the THSP SEIR, for all hydrologic conditions, the City's existing and additional water supplies are sufficient to meet the City's Year 2035 water demands. Thus, implementation of the THSP would result in less than significant impacts regarding water supply.

The City is currently under contract with the United States Bureau of Reclamation (USBR) for the delivery of water to the City from the Central Valley Project (CVP). The City's current contract, an Interim Renewal Contract, is effective January 1, 2014 through February 29, 2016 and includes up to 20,000 af/yr of water supplies. This contract amount includes the initial 10,000 af/yr from the City's initial contract with the USBR (entered into in 1974), 7,500 af/yr from approved assignments from Banta Carbona Irrigation District (BCID) and West Side Irrigation District (WSID), and 2,500 af/yr from an additional assignment from WSID which was exercised in December 2013.

Regarding groundwater, according to the THSP SEIR, a 2,300 af/yr increase of the average annual operational groundwater yield above the groundwater yield recommended in the 1990 Kennedy/Jenks/Chilton study (6,700 af/yr) could be provided within the estimated sustainable yield of the Tracy Sub-basin in the City, without adverse impact to groundwater resources or quality in the City over a 50-year timeframe. This expansion of groundwater usage to 9,000 af/yr would be within the City's estimated share of the aquifer's sustainable yield of 22,000 af/yr of the 28,000 acre feet/year total (which includes groundwater usage within West Side Irrigation District (WSID), Naglee-Burk Irrigation District, Plain View Water District (now part of the Byron Bethany Irrigation District), and BCID. Groundwater Management Policy was adopted by the City in 2001 to establish a maximum annual groundwater extraction rate of 9,000 af/yr.

The proposed Project would not increase population growth previously analyzed in the THSP SEIR. No additional water supplies would be required. Therefore, the City would have sufficient water supplies to serve the proposed Project. This impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously

identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (h) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As explained in Threshold (e), the City of Tracy would provide wastewater services to the THSP Area. Buildout of the THSP Area would eventually require the construction of additional wastewater conveyance and wastewater treatment facilities, but not as a result of implementation of the THSP Area solely. Environmental impacts that may result from the construction of these facilities were evaluated and mitigated through the environmental review process for the adoption of the City's Wastewater Master Plan (WWMP).[20]

To avoid impacts associated with wastewater treatment, the THSP SEIR required that the THSP pay appropriate development impact fees. Payment of these development impact fees was determined to reduce this potentially significant impact to a less than significant level. The proposed Project would not increase population growth previously analyzed in the THSP SEIR. No additional wastewater treatment capacities would be required. Future development that may occur under the proposed Project would be surrounded by the original development footprint in the THSP Area. As discussed in the THSP SEIR, the City plans to implement a wastewater treatment system upgrade as outlined in the WWMP. Because future development that may occur under the proposed Project would be located adjacent to the footprint of the THSP, these future developments would also be serviced by the wastewater treatment system upgrades.

The proposed Project would pay the appropriate development impact fees and coordinate with the City to ensure that the City's future wastewater treatment capacity is adequate to service the proposed Project. Regardless of any additional demand on the City's wastewater treatment caused by the proposed Project, payment of development impact fees would ensure this impact is less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (i) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The THSP Area would be served by the Foothill Sanitary Landfill, which has sufficient capacity to serve the City of Tracy through the year 2082. As determined in the THSP SEIR, the buildout of the THSP Area is considered a small addition to the overall tons per day the City of Tracy currently generates.[21] For these

[20] THSP Draft EIR, page 4.12-44
[21] THSP Draft EIR, page 4.12-47

reasons, solid waste disposal needs from implementation of the THSP can be met and existing landfill and associated impacts are less than significant.

The proposed Project would be surrounded by the original THSP development footprint area and therefore solid waste generated by these future developments would be sent to the same Foothill Sanitary Landfill. No population growth would occur and therefore no additional solid waste would be generated compared to what was previously analyzed in the THSP SEIR. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Threshold (j) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

The City of Tracy has implemented 43 waste diversion programs and is currently exceeding its State residential disposal rate target by over 50 percent.[22] The THSP SEIR determined that the waste diversion programs, together with adherence to the CALGreen Code, are sufficient to ensure that implementation of the THSP would comply with applicable statutes and regulations and the impact was found to be less than significant.

Similar to the THSP, the proposed Project would comply with applicable statutes and regulations, including the City's waste diversion programs and the CALGreen Code, and the impact would be less than significant. This is consistent with the impact conclusions of the THSP SEIR. No new specific impact would result, nor would the impact previously identified be any more severe as a result of the proposed Project. Therefore, the proposed Project would be consistent with the effects of implementation of the THSP.

Cumulative Impacts

As discussed above, the proposed Project would not cause a new public services, recreation, or utilities impact to occur, nor an increase in the severity of any public services, recreation, or utilities impacts previously disclosed in the THSP SEIR, with implementation of the mitigation measures discussed in this section. Therefore, the proposed Project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

[22] THSP Draft EIR, page 4.15-45

XVI. TRANSPORTATION/TRAFFIC

WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Reviewed Under Previous Document*
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☐	☒
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☐	☒
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

Threshold (a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The traffic impact analysis prepared for THSP SEIR identified that buildout of the Project would require significant improvements to Corral Hollow Road and require the construction of Lammers Road as defined in the City's Traffic Management Plan (TMP) to accommodate the full development of the THSP. This is due to the unique location of the THSP Area, magnitude of the THSP, and access to I-580 at the Corral Hollow Road interchange and the proposed Lammers Road interchange. Both these interchanges are

included in the TMP and the City is currently collecting Transportation Impact Fees (TIFs) and seeking grant funding to implement the planned improvements. The THSP SEIR previously concluded that if, at the time interchange improvements are required to provide adequate capacity to mitigate the project impacts, the City does not have sufficient funds for implementation, the Project applicant may be required to fund the improvements upfront and enter into a reimbursement agreement with the City or receive a TIF credit.

A trigger analysis was performed to determine to what extent the THSP can be developed with TMP identified improvements at the Corral Hollow interchange for 2035 conditions. The analysis indicated that the THSP could generate up to 2,588 AM peak hour trips or build an approximately equivalent number of 2,536 single family dwelling units before the operational degradation along Corral Hollow Road would merit the construction of Lammers Road and the I-580 interchange, or result in major improvements to the Corral Hollow Road interchange. Table 4.13-21 of the THSP SEIR identified buildout of the THSP would result in increased V/C ratios to greater than 0.89 at some locations. Impacts were found to be significant and unavoidable. As identified in the THSP SEIR, implementation of Mitigation Measure 4.13-7b would reduce impacts related to overcapacity traffic conditions, but would still remain significant and unavoidable because the City cannot control the timing of the improvements as they fall outside of their immediate control.

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

> ***Mitigation Measure TRANS 4.13-7b****: The Applicant shall pay the applicable City TIF, County TIF, SJCOG RTF, the JPA TIF, and any other applicable transportation fees that may be in place when individual projects are processed under the THSP in accordance with applicable laws and regulations. [This is Mitigation Measure 4.13-7b in the THSP SEIR]*

The proposed Project would not change any land use densities or acreages and therefore would not alter the trip generations previously assumed in the THSP SEIR. The annexation would maintain a conservation easement where development is restricted and allow for low density residential per the zoning designation of Residential Estate – TH. Thus, the impacts to the circulation system would be the same as what was previously analyzed in the THSP SEIR. None of the identified intersection improvements in Table 4.13-68 of the THSP SEIR are anticipated to change nor are any new mitigation measures required as an implementation of the proposed Project. Under cumulative conditions, implementation of the proposed Project would generate the same amount of trips in both the a.m. and p.m. peak hours compared to the previously approved THSP. The Project applicant would still be required to pay the applicable transportation fees as identified in Mitigation Measure TRANS 4.13-7b. In addition, the Project applicant would be required to provide access to the Annexation Area consistent with city standards and the City of Tracy TMP in effect at the time of Project approval. With implementation of Mitigation Measure TRANS 4.13-7b, impacts would not be any greater than previously analyzed in the THSP SEIR. Thus, the proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

As identified in the previously certified THSP SEIR, the THSP complies with the San Joaquin Congestion Management Program (CMP) and the CMP LOS standard of D or better is maintained on all the CMP routes as identified in Tables 4.13-48 and 4.13-49 in the THSP SEIR. The THSP includes a range of travel demand management (TDM) strategies that are consistent with those identified in the City's station area plans of the General Plan and the San Joaquin Council of Governments (SJCOG) TDM goals. As such, the THSP SEIR concluded that no impacts would result from implementation of the THSP.

Implementation of the proposed Project would not result in a conflict with an applicable CMP or travel demand measure as the proposed Project would generate the same amount of trips in both AM and PM peak hours compared to the previously approved THSP. Thus, the proposed changes would not result in conflict with an applicable CMP or TDM strategies any greater than previously analyzed in the THSP SEIR.

Threshold (c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed Project does not include any aviation components or structures where height would be an aviation concern. Additionally, no substantial new air traffic would be generated at the local airports in San Joaquin County as a result of the proposed Project. No associated traffic impacts would occur.

Threshold (d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

As discussed in the previously certified THSP SEIR, the City reviews each development project, and would require conformance with City standards in terms of driveway design and location, traffic controls, and other traffic engineering requirements. Since roadway and intersection designs would be required to meet the City of Tracy roadway design criteria requirements, hazard impacts are considered less than significant. The proposed Project roadway system, including facilities for vehicles (autos, trucks and buses), bicyclists and pedestrians, would also be required to be designed in conformance with the City of Tracy Transportation Master Plan, including all design guidelines contained therein, as well as in conformance with the City's standard plans. With conformance with the City standards in terms of driveway design and location, traffic controls, and other traffic engineering requirements, the proposed Project's impact on design features would be less-than-significant. This determination of less than significant impact is supported by the previously certified SEIR prepared for the THSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (e) Result in inadequate emergency access?

The previously certified SEIR prepared for the THSP indicated that emergency access during buildout conditions would be significant and unavoidable as a result of future traffic congestion resulting from THSP implementation. Mitigation measures 4.12-1, 4.12-2a and 4.12-2b requires payment of applicable

impact fees, which would go toward development of planned facilities such as adequate emergency routes. The proposed Project would not require new mitigation and emergency access impacts are considered less than significant. This determination of less than significant impact is supported by the previously certified SEIR prepared for the THSP. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

As discussed in the THSP, Project applicants are required to work cooperatively with the City to modify and expand transit routes and pedestrian facilities as necessary and when feasible to efficiently accommodate demand. Projected transit route extensions were identified at the time of THSP adoption and future bus stop locations would be determined at the time of Tentative Subdivision Map approval.

The THSP includes design guidelines and elements to promote pedestrian circulation by creating pathways, linkages, and visual connections between buildings; and by including multiple connections to public sidewalks and pathways between buildings and areas throughout the THSP Area to foster connectivity. As discussed in the THSP SEIR, implementation of the THSP Project would result in potentially significant impacts to bicycle and pedestrian modes when developed. The THSP Area would include pedestrian and bicycle facilities internal to the THSP Area and that connect to the existing pedestrian system via street frontage improvements that include sidewalks and bicycle paths. Impacts were found to be less-than-significant. As identified in the THSP SEIR, implementation of Mitigation Measure 4.13-2 would require compliance with Policy P4 and P6 under General Plan Policy CIR-3 so that the bicycle and pedestrian improvement connections would connect from the THSP to the Citywide Network. However, impacts were still found to be significant and unavoidable.

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

> ***Mitigation Measure TRANS 4.13-2:*** To achieve compliance with CIR-3 Policy P4 and P6, the bicycle and pedestrian improvement connections from the THSP to the Citywide Network shall be implemented when the roadway infrastructure is required as determined at approval of each final map or issuance of building permits by the City Engineer. The pedestrian and bicycle facilities are included in the City of Tracy's typical cross sections and in the City TIF. Bicycle and pedestrian facilities within the THSP Area shall be implemented with each building permit application/final map approval. Widening Corral Hollow Road and constructing and widening Lammers Road shall be in place when the project generates 2,588 AM peak hour trips. *[This is Mitigation Measure 4.13-2 in the THSP SEIR]*

Under cumulative conditions, the buildout of the proposed Project would generate the same amount of trips compared to the previously approved THSP. The proposed Project would not increase the development acreages compared to the previous THSP. The proposed Project would still be required to achieve compliance with CIR-3 Policy P4 and P6 to improve bicycle and pedestrian improvement

connections from the THSP to the Citywide Network when the road infrastructure is required as determined at approval of each final map or issuance of building permits by the City Engineer. Thus, the proposed Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities any greater than already analyzed in the THSP SEIR. Further, the Project would not exceed the 2,588 AM peak hour trips identified in Mitigation Measure TRANS 4.13-2, so the widening of Corral Hollow Road and Lammers Road would not be triggered by the Project. The proposed Project would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

Under Cumulative Conditions the City of Tracy Transportation Master Plan (TMP) Roadway improvements are assumed to be in place. Project applicants would also pay the City of Tracy Traffic Impact Fees to fund the Cumulative Improvements identified in the City Transportation Master Plan to offset potential cumulative impacts.

Project applicants would also be required to implement the Mitigation Measures identified above from the certified THSP SEIR. Cumulative Project impacts would be considered Significant and Unavoidable since the proposed Project would contribute to the cumulative significant and unavoidable impacts previously identified in the THSP SEIR. Additional environmental review is not required since this impact was addressed and would not exacerbate the previously identified impacts in the THSP SEIR.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Reviewed Under Previous Document
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☐	☒
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☐	☒
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐	☒

RESPONSES TO CHECKLIST QUESTIONS

a – c. As described throughout the analysis above, the proposed Project would not result in any significant impacts to the environment that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and/or standards that were not already anticipated in the THSP SEIR. The proposed Project is required to implement a range of standard and uniformly applied development policies and standards, as well as any previously identified mitigation measures, all of which are identified in the previously certified THSP SEIR, which would reduce the majority of potentially significant impacts to a less than significant level. The cumulative impacts associated with development of the proposed Project were considered and found not to be cumulatively considerable. Further, cumulative impacts of the proposed Project would be consistent with those analyzed and disclosed in the previously certified THSP SEIR. The proposed Project would not result in any cumulative impacts that were not contemplated in the previously certified THSP SEIR. The proposed Project would not result in any peculiar site-specific impacts, impacts to biological resources or impacts to cultural and/or historical resources that were not contemplated in the previously certified THSP SEIR. The proposed Project would not result in any of the conditions or circumstances described in Section 15162(a) of the CEQA Guidelines.

DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

Section 15162 – Subsequent EIRs and Negative Declarations

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

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

The City of Tracy proposes to implement the Amendment within the context of the THSP, as described in this Addendum. As discussed herein, the proposed Project would result in changes to the project evaluated in the THSP SEIR and include an additional 35-acres of land not previously analyzed in the THSP SEIR. However, as discussed in this Addendum, no new or substantially more severe significant environmental effects beyond what was evaluated in the THSP SEIR would occur and Project implementation would not trigger any of the criteria identified in Section 15162(a) of the CEQA Guideline. No major revisions to the Tracy Hills Specific Plan SEIR are required.

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

As documented herein, no circumstances associated with the location, type, setting, or operations of the proposed Amendment have substantively changed beyond what was evaluated in the THSP SEIR; and none of the proposed Amendment elements would result in new or substantially more severe significant environmental effects than previously identified. No major revisions to the Tracy Hills Specific Plan SEIR are required.

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

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

No new significant environmental effects beyond those addressed in the Tracy Hills Specific Plan SEIR were identified. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects.

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

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

No mitigation measures or alternatives were found infeasible in the certified THSP SEIR. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects.

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

No other mitigation measures or feasible alternatives have been identified that would substantially reduce significant impacts. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation, no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

None of the conditions listed in subsection (a) would occur as a result of the proposed Amendment. No subsequent EIR is required.

Section 15164 – Addendum to an EIR or Negative Declaration

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

As described above, none of the conditions described in the State CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration would occur as a result of the proposed Amendment. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects. Therefore, an Addendum to the certified Final SEIR is the appropriate CEQA document for the proposed Amendment.

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

This Addendum will be attached to the Final SEIR and maintained in the administrative record files at the City of Tracy.

(d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

The City of Tracy will consider this Addendum with the Final SEIR prior to making a decision on the proposed Amendment.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This document provides substantial evidence for City of Tracy records to support the preparation of this Addendum for the proposed Amendment.

CONCLUSION

This Addendum has been prepared in accordance with the provisions of the State CEQA Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, exist in connection with the proposed Amendment. No major revisions would be required to the Tracy Hills Specific Plan SEIR prepared for the City of Tracy as a result of the proposed Specific Plan Amendment. No new significant environmental impacts have been identified. Since the certification of the Final EIR, there has been no new information showing that mitigation measures or alternatives once considered infeasible are now feasible or showing that there are feasible new mitigation measures or alternatives substantially different from those analyzed in the EIR that the City declined to adopt. Project implementation would not create significant environmental effects or create a substantial increase in the severity of previously identified significant effects. Therefore, preparation of a subsequent EIR is not required and the appropriate CEQA document for the proposed Amendment is this Addendum to the City of Tracy THSP SEIR. No additional environmental analysis or review is required for the proposed Specific Plan Amendment. This document will be maintained in the administrative record files at City of Tracy City Hall.

Attachment A

Biological Technical Report

TRACY HILLS
ANNEXATION PROJECT

July 2020

Biological Technical Report

Prepared By



16361 Scientific Way, Irvine, CA 92618
(949) 467-9100

DRAFT

TABLE OF CONTENTS

Section **Page**

1.0 INTRODUCTION AND SUMMARY 1-2

2.0 PROJECT LOCATION 2-1

3.0 METHODS 3-1

4.0 RESULTS 4-3

5.0 CONCLUSION 5-1

6.0 REFERENCES 6-1

FIGURES

Figure 1 Regional Location 2-2

Figure 2 Site Vicinity 2-3

Figure 3 Vegetation Communities and Land Cover Types 4-5

Figure 4 Literature Review 4-6

Figure 5 Critical Habitat 4-7

Figure 6 National Wetland Inventory 4-8

APPENDICES

Appendix A 2020 Special-Status Species Potential for Occurrence within the Study Area

Appendix B 2020 Photograph Log

Appendix C 2020 Plant Species Observed within the Study Area

Appendix D 2020 Wildlife Species Observed within the Study Area

Appendix E 2015 Tracy Hills Project Burrowing Owl Survey

Appendix F 2015 Tracy Hills Project California Red-legged Frog Assessment

Appendix G 2015 Tracy Hills Project California Tiger Salamander Assessment

Appendix H 2015 Tracy Hills Project San Joaquin Kit Fox Survey

Appendix I 2015 Tracy Hills Project Swainson's Hawk Survey

Appendix J 2015 Tracy Hills Project Rare Plant Survey

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1.0 INTRODUCTION AND SUMMARY

NOREAS Inc. (NOREAS) is pleased to provide this Biological Technical Report for the Tracy Hills Annexation Project (hereafter referred to as the "Project", Figure 1). The aforementioned Project includes roughly 35-acres which are currently held in an existing conservation easement. The aforementioned acreage is a narrow peninsula of unimproved land that is bounded on three sides by developable land. This report summarizes the findings of baseline biological resources[1] surveys that have been prepared for the Project. The intended use of this document is to provide historic and current data that discloses and evaluates land cover types and determines the potential for occurrence of common and special-status species[2], and their habitats[3] within study area limits.

For the purposes of this report, the "study area" includes the Project's approximately 35-acre footprint and a buffer (Figure 2). The study area has very low species richness and diversity, and lacks high quality breeding and refuge habitats for special status species. This is likely a result of the significant cattle grazing that has occurred within it over the past quarter of a century. The aforementioned disturbance within the study area has substantially decreased its value as a migration or overland dispersal corridor, and as habitat for wildlife, as it lacks appropriate vegetative cover for native and migratory species movement and refuge, thereby exposing species to a high risk of desiccation and predation. Generally, the study area has porous soils as well which quickly absorb rainfall. As a result, any flows within it are predominately ephemeral - fast and short lived; ultimately reducing water availability for plants and wildlife within Project boundaries. Accordingly, the study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a diversity of native flora and fauna.

The study area and surrounding lands have been subjected to an incredibly extensive amount of biological analyses over the last 30 years. To these ends, NOREAS compiled, reviewed, and analyzed historical and current biological resource data relating to the study area to ascertain the presence or absence of special status flora and fauna. The literature reviews, field investigations by credentialed professionals, and 2020 pedestrian survey results indicate that the species within the study area have not changed significantly from those documented in past studies. No State or Federally-listed species have ever been detected within the study area. The study area predominately includes existing livestock grazing, and other activities which have greatly reduced the lands ability to support special status species. The data collected and analyzed herein also suggests that there is extremely low potential for special status species to recruit into the study area.

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[1] "Biological resources" refers to the plants, wildlife, and habitats that occur, or have the potential to occur, within the study area.

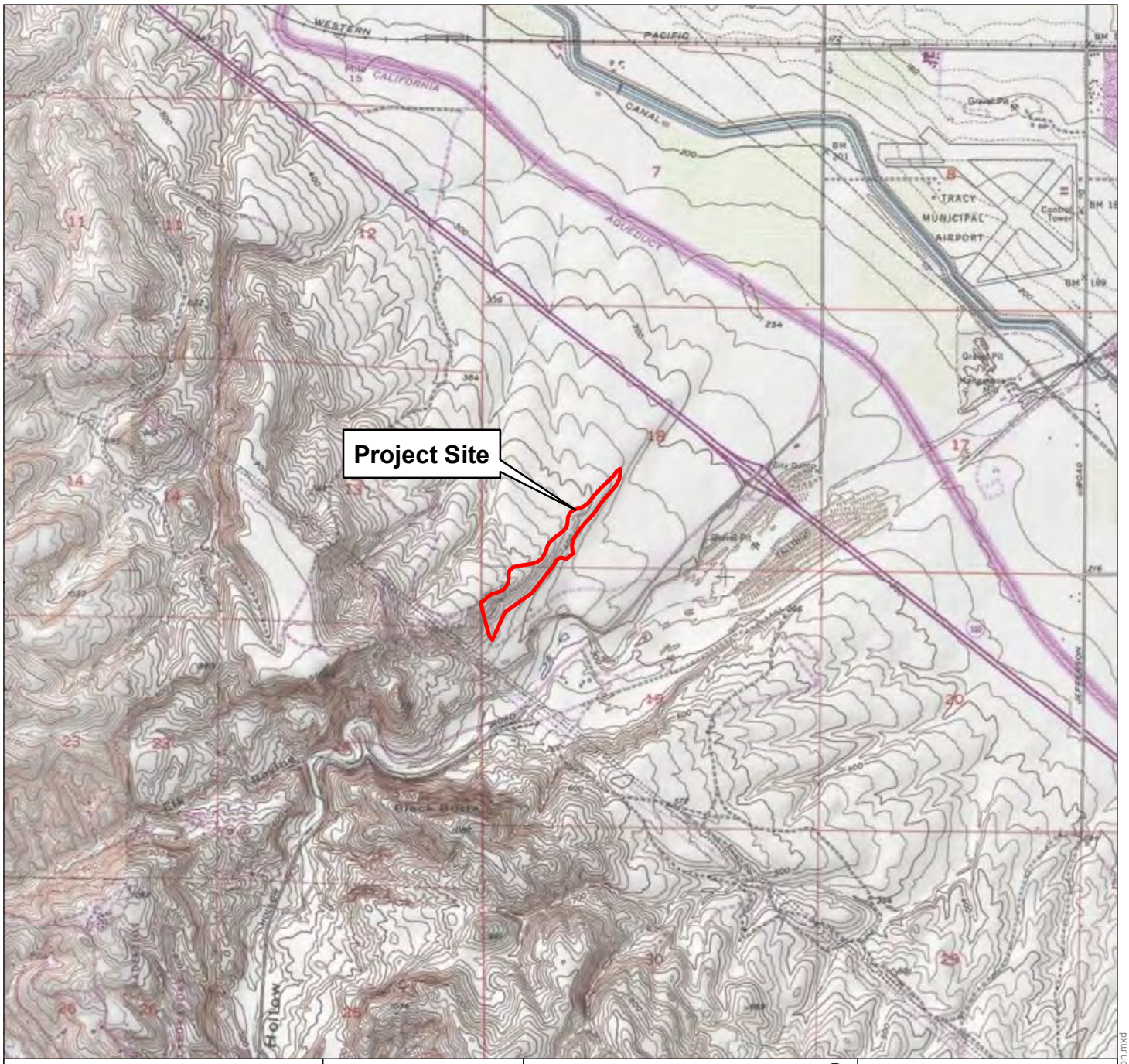
[2] For the purposes of this analysis, "special-status species" refers to any species that has been afforded special protection by federal, state, or local resource agencies (e.g., U.S. Fish and Wildlife Service, California Department of Fish and Wildlife) or resource conservation organizations (e.g., California Native Plant Society). The term "special-status species" excludes those avian species solely identified under Section 10 of the Migratory Bird Treaty Act (MBTA) for federal protection. Nonetheless, MBTA Section 10 protected species are afforded avoidance and minimization measures per state and federal requirements.

[3] A "habitat" is defined as the place or type of locale where a plant or animal naturally or normally lives and grows.

2.0 PROJECT LOCATION

The Project location is depicted within Figure 1. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint and a buffer (Figure 2). The Project occurs in the City of Tracy, San Joaquin County, CA. The Project can be found within the Tracy U.S. Geological Survey 7.5-minute Quadrangle Map (USGS 1986) - Sections 18 and 19, of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian [MDB&M).

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Project Site

Freeway (inset)

Forest or Park (inset)

Water Body (inset)

The site is located in San Joaquin County on the Tracy USGS 7.5-minute quadrangle map, Mount Diablo Base and Meridian,Township 3 South, Range 5 East, in Sections 18 and 19 of the quadrangle.PPPPPP

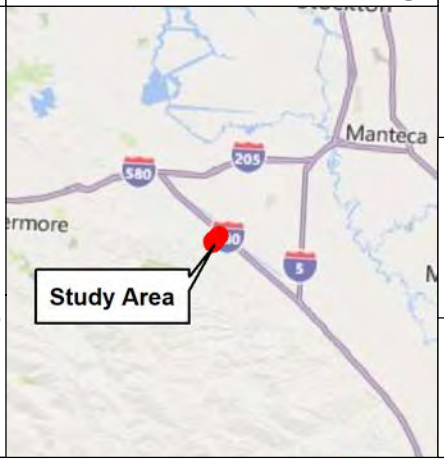
Center coordinates are:
Latitude 37.668, Longitude -121.472

Statewide Location



Regional Location

5 Miles



0 1,500 3,000 Feet

1 inch = 3,000 feet

Data Sources:
- Bing accessed Jun 2020
- Bureau of Land Management Cadastral GIS 2019
- ESRI US Topo Maps accessed June 2020

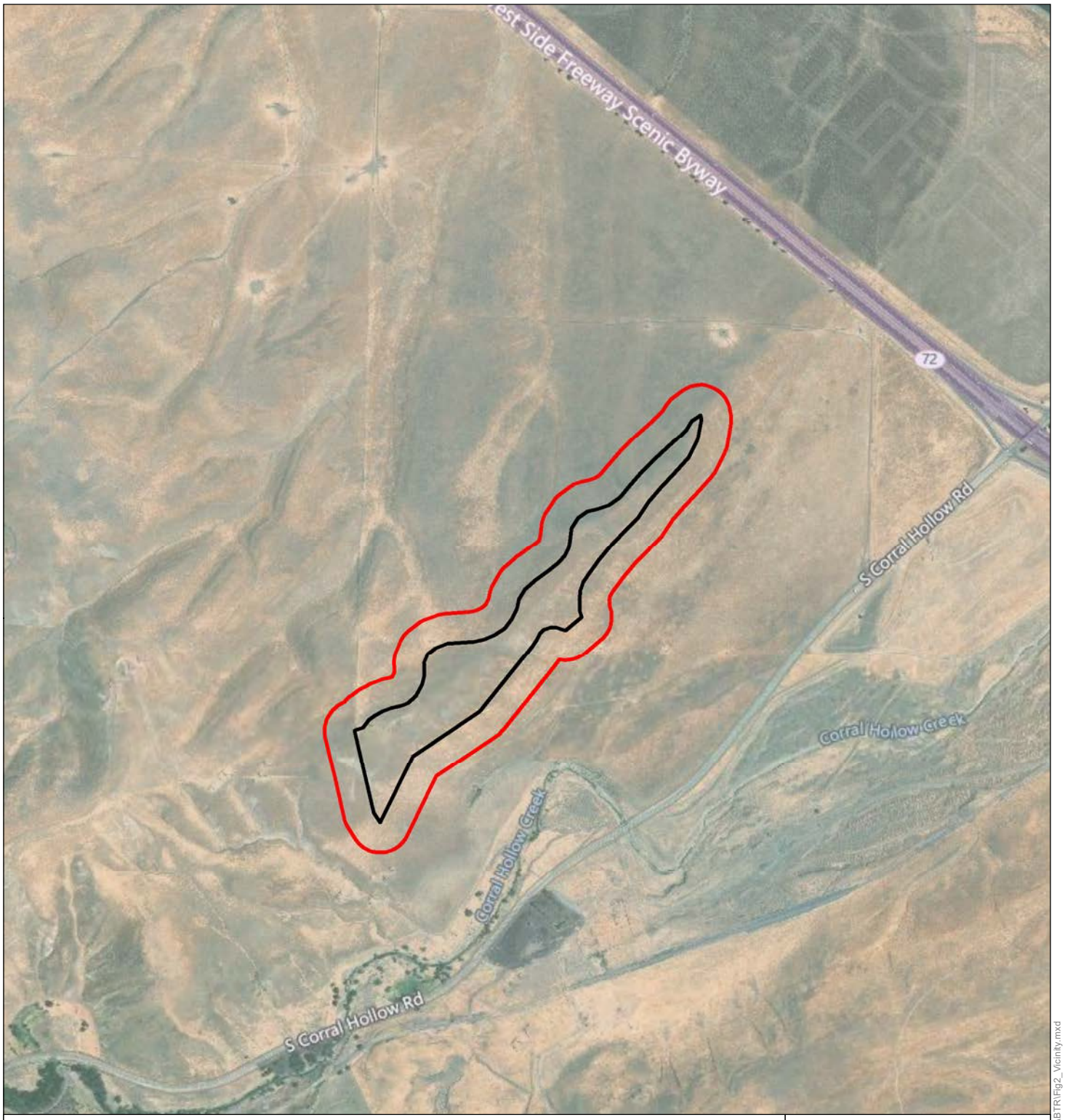
Map Prepared: 6-30-20

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 1. Regional Location



Study Area (92.8 acres)

Project Site (35 acres)

0 600 1,200 Feet

1 inch = 1,166.7 feet

Data Sources:
- Bing Maps Hybrid accessed June 2020

Map Prepared: 6-30-20

Prepared by:
NOREAS
Environmental Engineering and Science

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Figure 2. Site Vicinity

3.0 METHODS

Prior to beginning field surveys, resource specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of biological resources[4] that have the potential to exist within - and adjacent to the study area. Resources were evaluated within several miles of the Project (Figures 4, 5 and 6). The primary materials reviewed included – but were not limited to commercially available databases, and technical studies associated with the presence or absence of common and special status species (flora and fauna) within the study area from 1989 through 2020.

The materials reviewed included the following:

- ✓ Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, CA (LSA 1989);
- ✓ Biological Study, Tracy Hills Community, San Joaquin County California (LSA 1991);
- ✓ Evaluation of a Proposed Corridor for the San Joaquin Kit Fox in the Tracy Hills Development (Jones & Stokes Associates, Inc. 1993);
- ✓ Multi-Species Habitat Management Plan (LSA 1996);
- ✓ Delineation of Waters of the United States – Grupe Property, Tracy, Hills, San Joaquin County California (LSA 1998);
- ✓ Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999b);
- ✓ Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- ✓ Environmental Assessment for the Tracy Hills HCP (Tracy Hills LLC 2004);
- ✓ Tracy Hills San Joaquin Kit Fox Analysis (Berryman Ecological LLC 2006);
- ✓ Tracy Triangle San Joaquin Kit Fox Surveys, Project #2689-01 (H.T. Harvey & Associates 2006);
- ✓ Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010a);
- ✓ Burrowing Owl Surveys for Tracy 580 Business Park (Berryman Ecological LLC 2010b);
- ✓ Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- ✓ Tracy Hills Project- U.S. Army Corps of Engineers Jurisdiction Assessment (Olberding Environmental, Inc. 2013);
- ✓ Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Consistency Analysis (RBF Consulting 2014);
- ✓ Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California (Working Dogs for Conservation Foundation 2010, 2012, 2013 and 2014);
- ✓ U.S Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2020a);
- ✓ USFWS Sacramento Office Species List for San Joaquin County (USFWS 2020b);
- ✓ California Natural Diversity Database (CDFW 2020);
- ✓ San Joaquin Kit Fox (*Vulpes macrotis mutica*) 5-Year Review, Summary and Evaluation (USFWS 2010);
- ✓ Aerial Photographs (Microsoft Corporation 2020);
- ✓ Stanley, R. 2015. California Department of Fish and Wildlife, Napa, California. Personal communications with NOREAS Inc.;
- ✓ Tracy Hills Project General Biological Resources Assessment. (NOREAS, September 2015a);
- ✓ Tracy Hills Project Rare Plant Survey Report. (NOREAS, September 2015b);
- ✓ Tracy Hills Project Burrowing Owl Survey. (NOREAS, September 2015c);
- ✓ Tracy Hills Project California Red-legged Frog Assessment. (NOREAS, September 2015d);
- ✓ Tracy Hills Project California Tiger Salamander Assessment. (NOREAS, September 2015e);
- ✓ Tracy Hills Project California San Joaquin Kit Fox Survey. (NOREAS, September 2015f); and

[4] For the purposes of this analysis, "biological resources" refers to the plants, wildlife, and habitats that occur, or have the potential to occur, within the study area.

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- ✓ Tracy Hills Project Swainson's Hawk Survey. (NOREAS, September 2015g).

To support this analysis, pedestrian-based field surveys were also performed in 2020 to assess general and dominant vegetation community types, community sizes, habitat types, and species present within communities[5]. These field based surveys were conducted pursuant to professional industry standards and published guidelines. Community type descriptions were based on observed dominant vegetation composition, and derived from the criteria and definitions of widely accepted vegetation classification systems (Holland 1986; Sawyer et al. 2009).

Plants were identified to the lowest taxonomic level sufficient to determine whether the species observed were non-native, native, or special-status. Plants of uncertain identity were subsequently identified from taxonomic keys (Baldwin et al. 2012). Scientific and common names of plants were recorded according to Baldwin et al. (2012). The presence of a wildlife species was based on direct observation and/or wildlife sign (e.g., tracks, burrows, nests, scat, or vocalization). Field data compiled for wildlife species included scientific name, and common name. Wildlife of uncertain identity was documented and subsequently identified from specialized field guides and related literature (Burt and Grossenheider 1980; Halfpenny 2000; Sibley 2000 and Stebbins 2003).

All plant communities and land cover types were assessed to determine presence or absence of any special-status species that could be identified within the context of the survey. For species that could not be identified during the survey, the plant communities and land cover types were evaluated for their potential to support targeted special status species of fauna and flora. This evaluation was based on comparisons of observed habitat characteristics with reported occupied habitats and species distributions.

The following definitions were utilized within Appendix A:

- **Absent [A]** – Species distribution is restricted by substantive habitat requirements which do not occur or are negligible within the study area; no further survey or study is necessary to determine likely presence or absence of this species.
- **Habitat Present [HP]** – Species distribution is restricted by substantive habitat requirements which occur within the study area; further study may be necessary to determine likely presence or absence of species.
- **Present [P]** – Species or species sign were observed within the study area or historically have been documented within study area limits.
- **Critical Habitat [CH]** – The study area is located within a USFWS-designated critical habitat unit.

[5] Where 100% pedestrian coverage of the study area was not possible due to limited access (e.g., private property or physical barriers [vegetative cover, health and safety concerns, etc.]), field observations were made from the nearest appropriate vantage points via public right-of-ways with the aid of binoculars and spotting scopes.

4.0 RESULTS

Weather conditions during the June 2020 surveys included clear to partly cloudy skies, temperatures ranging from 72–87 °F, and winds fluctuating from 0 to 10 miles per hour (mph). Representative photos of the study area are provided in Appendix B.

The Project climate is typical of the foothills of the eastern side of the San Francisco Bay Area and the northwestern San Joaquin Valley - with temperatures rarely dropping below freezing for any duration during the winter months, and summer temperatures frequently eclipsing 100° F. This Mediterranean climate (i.e., cool, wet winters and hot dry summers) supports predominantly annual grassland plant communities with small ephemeral drainages. The study area has extremely low species richness and diversity and does not support habitat for any State or Federal-listed species.

Vegetation Communities and Land Cover Type

Annual grassland was the only vegetation communities/land cover type observed within the study area (Figure 3). The annual grassland vegetation community is characterized by a dominance of nonnative grasses and forbs that are being annually grazed. Extensive cattle grazing have occurred for numerous years within this portion of the study area, which has restricted the colonization of native shrubs and trees. Dominant plant species found in this community include wild barley (*Hordeum ssp*.), soft chess (*Bromus hordeaceus*), ripgut (*Bromus diandrus*), and wild oats (*Avena ssp*.). This community also contains small areas of anthropogenic structures that are generally associated with active cattle ranches (i.e., fences, gates, dirt and gravel roads). All plant species observed during the 2020 surveys are listed in Appendix C.

Wildlife

Wildlife species observed within the study area consisted of commonly-occurring species - including, but not limited to, Turkey Vulture (*Cathartes aura*), Common Raven (*Corvus corax*), Western meadowlark (*Sturnella neglecta*), Say's Phoebe (*Sayornis saya*), and Side-blotched Lizard *(Uta stansburiana*). Wildlife detected during the surveys are identified in Appendix D.

Special-Status Plants

No State- or Federally-listed plant species have been detected during any of pedestrian based biological surveys which were performed within discrete portions of the study area from 1989 to 2020. No State- or Federally-listed plant species have been documented within several miles of the Project (Figure 4). The study area includes no USFWS-critical habitat for plants (Figure 5). The data collected and analyzed suggests that there is extremely low potential for special-status plant species to recruit into the study area as well. The habitat within the study area includes existing livestock grazing which has greatly reduced the habitat's ability to support special status species. The study area lacks vernal pools, alkali and clay soils, and serpentine soils. The study area is dominated by non-native vegetation. The absence of the aforementioned unique habitats suggests that special status plants are not likely present within the study area. Special-status plants known to occur within 10 miles of the Project and their potential for occurrence are detailed within Appendix A.

Special-Status Wildlife

No Federal or State listed wildlife species were observed within the study area during the 2020 field survey events. Nonetheless, several have been documented within 10 miles of the Project (Figure 4). It should be noted that a discrete subset of land within the study area is collocated within designated critical habitat for California red-legged Frog (USFWS 2020, Figure 5). Also targeted surveys that were conducted for numerous special status species in 2015 (i.e., Burrowing Owl, California Red-Legged Frog, California Tiger Salamander, San Joaquin Kit Fox And Swainson's Hawk) overlap with significant portions

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of the study area (Appendices E, F, G, H , I and J). Based on the low quality habitat present (i.e., limited prey base, lack of aquatic breeding habitat, lack of native plants and vegetative cover, and the presence of predators), the likelihood of a significant population of special status species being supported within the study area is negligible. Under the appropriate suite of environmental conditions, the study area could possibly support Prairie Falcon (*Falco mexicanus*), California Horned Lark (*Eremophila alpestris actia*), Burrowing Owl (*Athene cunicularia*), Loggerhead Shrike (*Lanius ludovicianus*) and Coast Horned Lizard (*Phrynosoma blainvillii)*. But none of these species are State or Federally-listed. Given the extent of anthropogenic disturbance (i.e., lack of appropriate cover to forage, breed and elude predators, coupled with disked fields, and livestock grazing) and low quality habitat present, the likelihood of any of special status species utilizing locales as functional habitat is slight. That said, special-status wildlife species known to occur within 10 miles of the Project and their potential for occurrence are detailed within Appendix A.

Wetlands and Waterways

The National Wetland Inventory includes no records of aquatic resources within the study area (Figure 6). No riparian habitats were observed within the study area either, however several obvious indicators of ephemeral - fast and short lived water conveyance features (i.e., bed, bank and channel) that would be assumed to provide unique functions to wildlife were detected in 2020.

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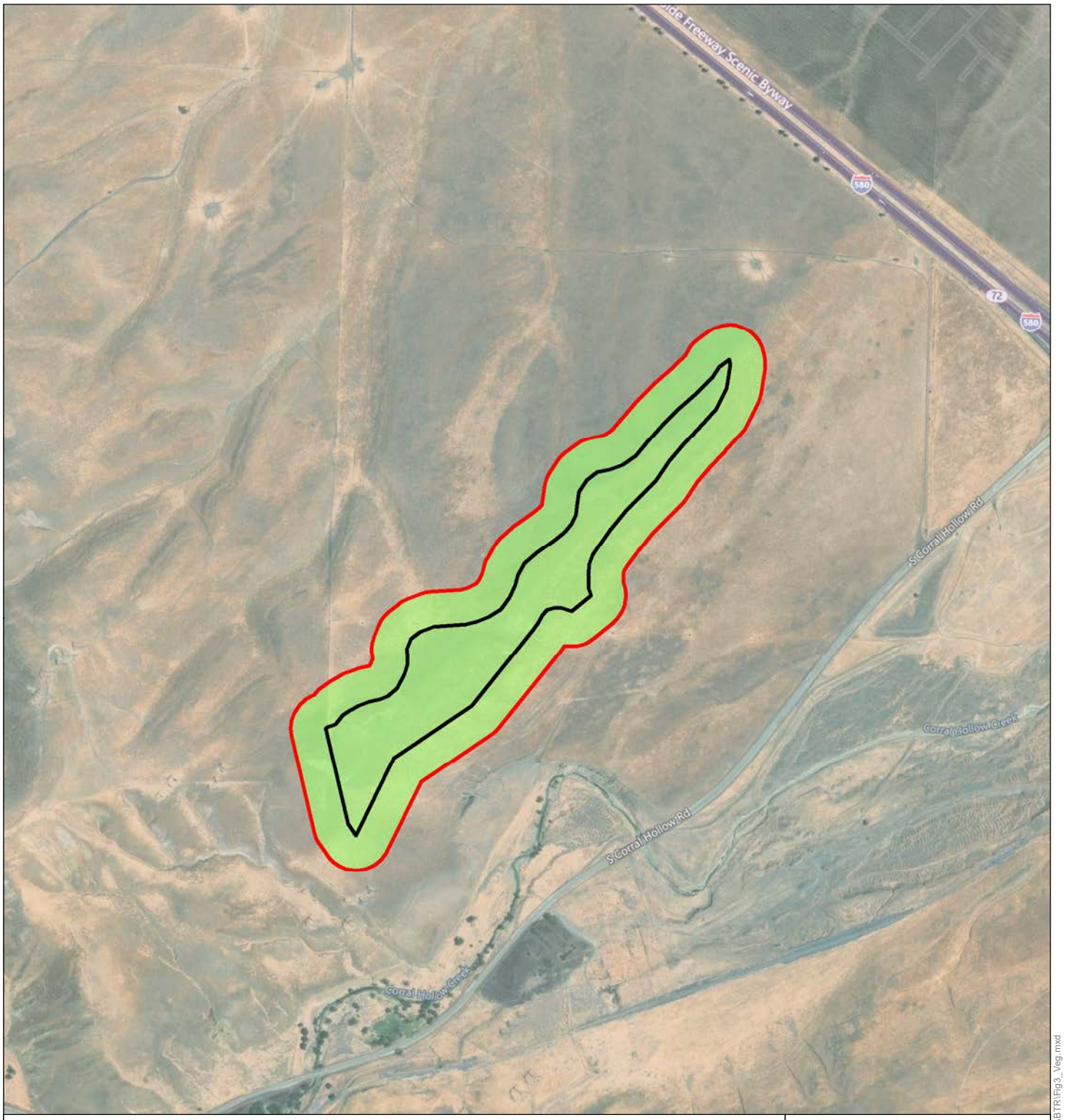


Figure 3. Vegetation Communities and Land Cover Types

Special-Status Species Occurrences

Map Code	Common Name (Scientific Name)
Plants	
P1	Big Tarplant *(Blepharizonia plumosa)*
P2	Brewer's Western Flax *(Hesperolinon breweri)*
P3	Caper-fruited Tropidocarpum *(Tropidocarpum capparideum)*
P4	Chaparral Harebell *(Campanula exigua)*
P5	Chaparral Ragwort *(Senecio aphanactis)*
P6	Diablo Helianthella *(Helianthella castanea)*
P7	Diamond-petaled California Poppy *(Eschscholzia rhombipetala)*
P8	Dwarf Soaproot *(Chlorogalum pomeridianum var. minus)*
P9	Great Valley Valley Oak Riparian Forest
P10	Hospital Canyon Larkspur *(Delphinium californicum ssp. Interius)*
P11	Large-flowered Fiddleneck *(Amsinckia grandiflora)*
P12	Lemmon's Jewelflower *(Caulanthus lemmonii)*
P13	Loma Prieta Hoita *(Hoita strobilina)*
P14	Long-styled Sand-spurrey *(Spergularia macrotheca var. longistyla)*
P15	Mason's Lilaeopsis *(Lilaeopsis masonii)*
P16	Mt. Hamilton Thistle *(Cirsium fontinale var. campylon)*
P17	Northern Claypan Vernal Pool
P18	San Joaquin Spearscale *(Extriplex joaquinana)*
P19	Santa Clara Red Ribbons *(Clarkia concinna ssp. Automixa)*
P20	Sharsmith's Onion *(Allium sharsmithiae)*
P21	Shining Navarretia *(Navarretia nigelliformis ssp. Radians)*
P22	Showy Golden Madia *(Madia radiata)*
P23	Talus Fritillary *(Fritillaria falcata)*
P24	Valley Sink Scrub
Invertebrates	
I1	California Linderiella *(Linderiella occidentalis)*
I2	Crotch Bumble Bee (*Bombus crotchii*)
I3	Curved-foot Hygrotus Diving Beetle *(Hygrotus curvipes)*
I4	Longhorn Fairy Shrimp *(Branchinecta longiantenna)*
I5	Sacramento Anthicid Beetle *(Anthicus sacramento)*
I6	Valley Elderberry Longhorn Beetle *(Desmocerus californicus dimorphus)*
I7	Western Bumble Bee *(Bombus occidentalis)*
Reptiles	
R1	Alameda whipsnake *(Masticophis lateralis euryxanthus)*
R2	California Glossy Snake (*Arizona elegans occidentalis*)
R3	Coast Horned Lizard (*Phrynosoma blainvillii*)
R4	Northern California Legless Lizard *(Anniella pulchra)*
R5	San Joaquin Coachwhip *(Masticophis flagellum ruddocki)*
R6	Western Pond Turtle (*Emys marmorata*)
Birds	
B1	Burrowing Owl *(Athene cunicularia)*
B2	California Horned Lark (*Eremophila alpestris actia*)
B3	Ferruginous Hawk *(Buteo regalis)*
B4	Golden Eagle *(Aquila chrysaetos)*
B5	Grasshopper Sparrow *(Ammodramus savannarum)*
B6	Least Bell's Vireo *(Vireo bellii pusillus)*
B7	Loggerhead Shrike *(Lanius ludovicianus)*
B8	Northern Harrier *(Circus hudsonius)*
B9	Prairie Falcon *(Falco mexicanus)*
B10	Short-eared Owl *(Asio flammeus)*
B11	Song Sparrow ("Modesto" population) *(Melospiza melodia)*
B12	Swainson's Hawk *(Buteo swainsoni)*
B13	Tricolored Blackbird *(Agelaius tricolor)*
B14	White-tailed Kite *(Elanus leucurus)*
Mammals	
M1	American Badger *(Taxidea taxus)*
M2	Pallid Bat *(Antrozous pallidus)*
M3	Riparian Brush Rabbit *(Sylvilagus bachmani riparius)*
M4	San Joaquin Kit Fox *(Vulpes macrotis mutica)*
M5	San Joaquin Pocket Mouse *(Perognathus inornatus)*
M6	Townsend's Big-eared Bat (Corynorhinus townsendii)
M7	Western Mastiff Bat *(Eumops perotis californicus)*
Fish	
F1	Steelhead - Southern California DPS *(Oncorhynchus mykiss irideus pop. 11)*
Amphibians	
A1	California Red-legged Frog *(Rana draytonii)*
A2	California Tiger Salamander *(Ambystoma californiense)*
A3	Foothill Yellow-legged Frog *(Rana boylii)*
A4	Western Spadefoot *(Spea hammondii)*

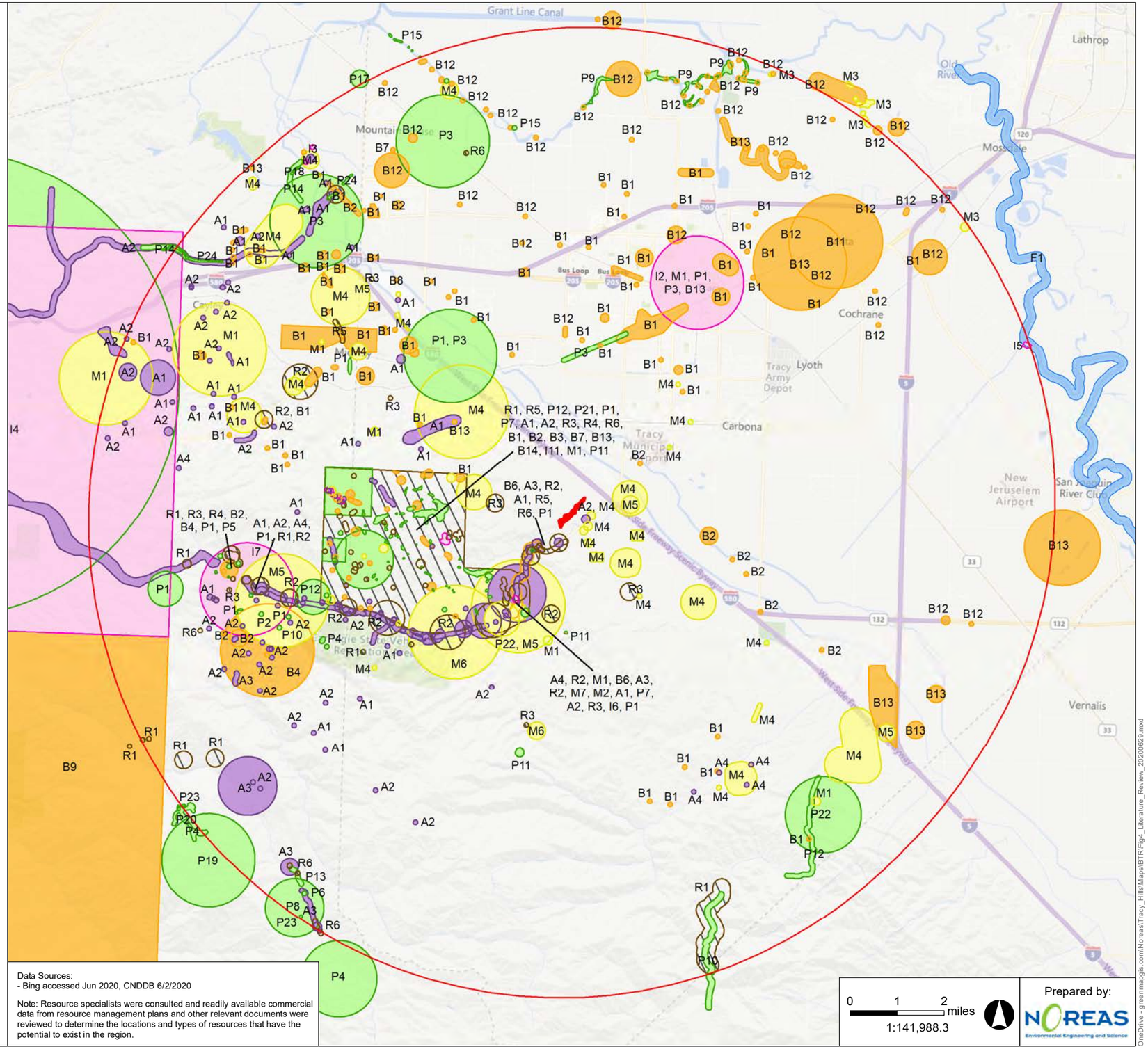
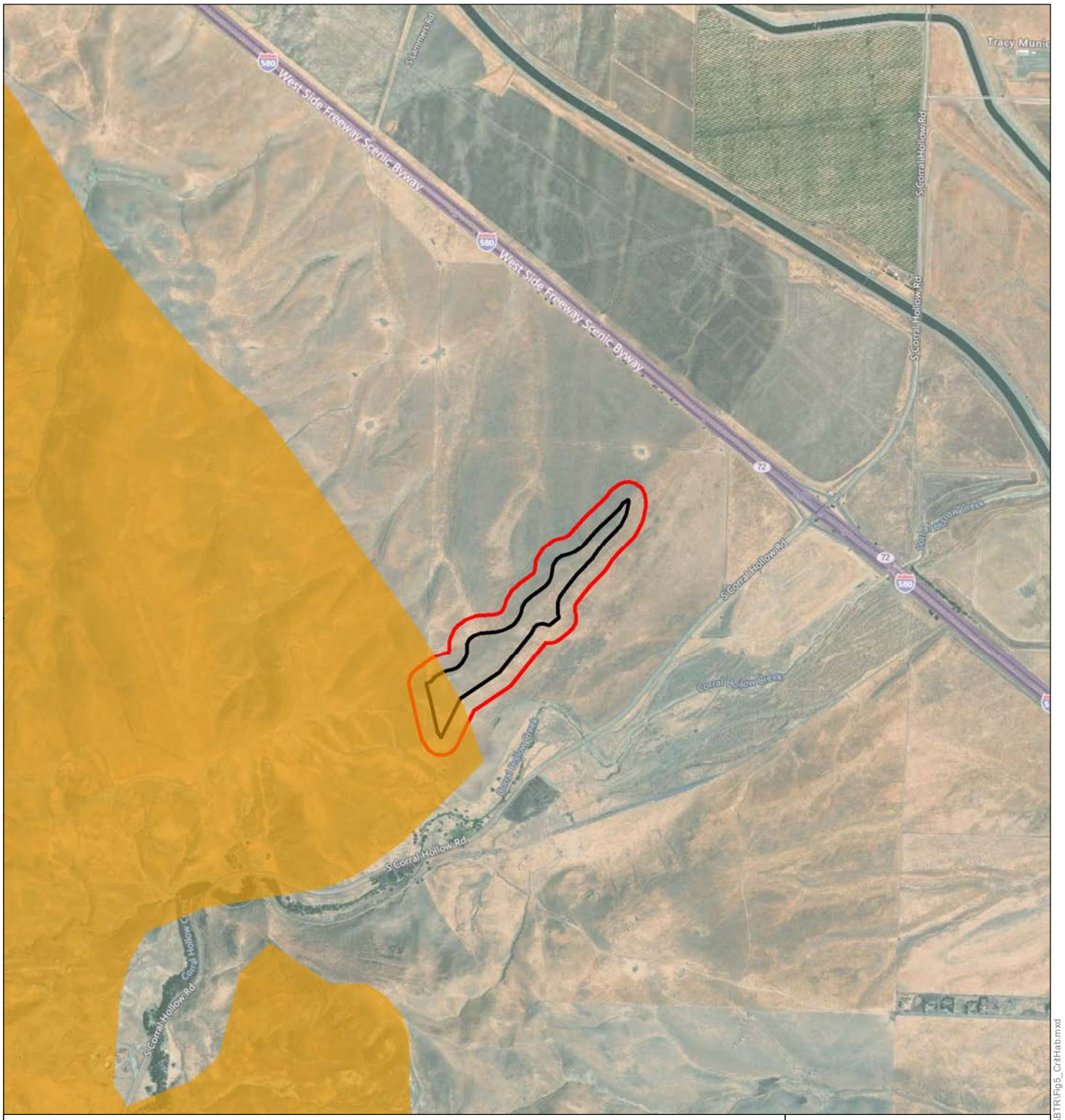


Figure 4. Literature Review



Study Area

Project Site

Critical Habitat -
California Red-legged Frog

0 1,000 2,000 Feet

1 inch = 2,000 feet

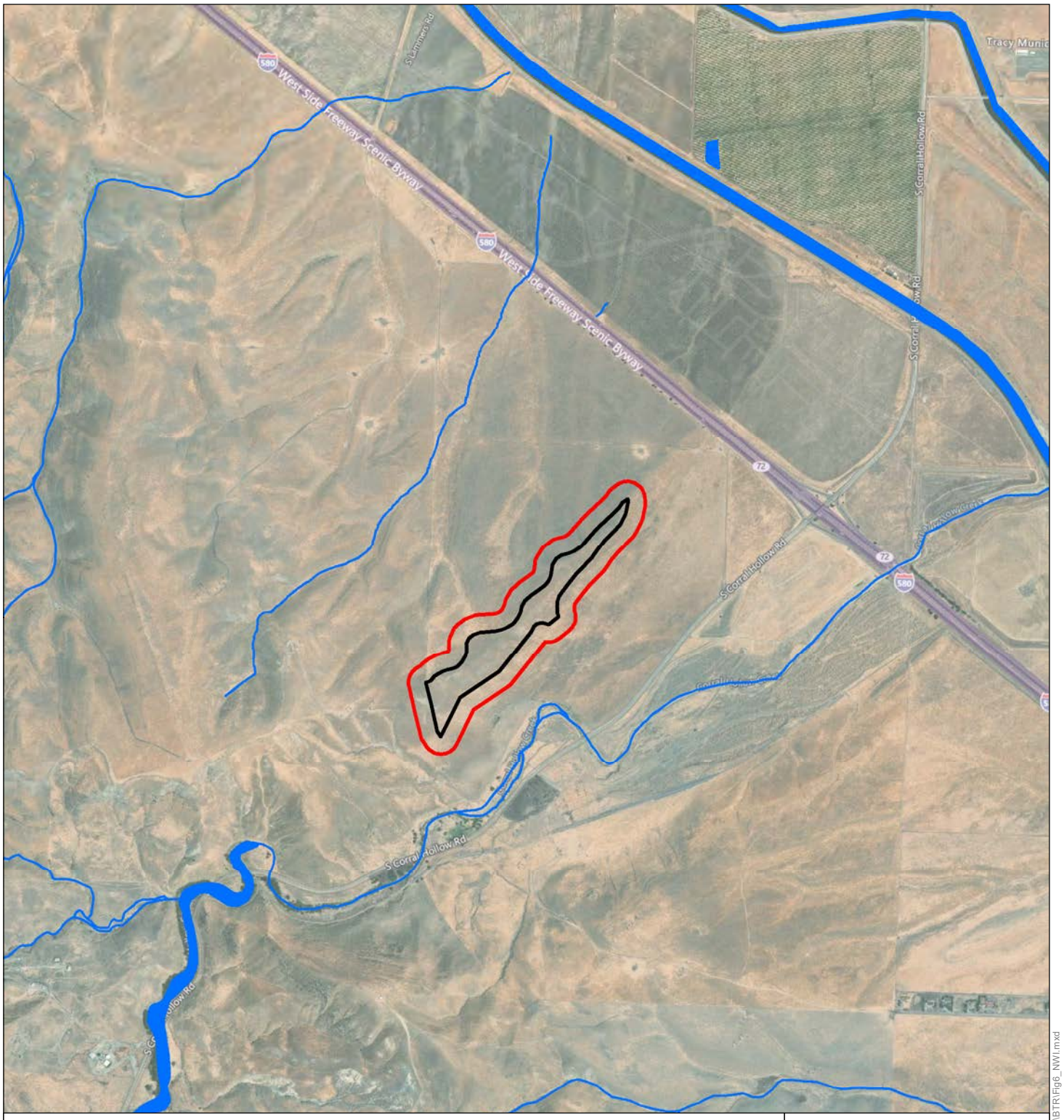
Data Sources:
- Bing Maps Hybrid accessed June 2020
- USFWS Critical Habitat (2016)

Map Prepared: 6-30-20

Prepared by:
NOREAS
Environmental Engineering and Science

OneDrive - greenmapgis.com\Noreas\Tracy_Hills\Maps\BTR\Fig5_CritHab.mxd

Figure 5. Critical Habitat



Study Area

Project Site

National Wetlands Inventory

0 1,000 2,000 Feet

1 inch = 2,000 feet

Data Sources:
- Bing Maps Hybrid accessed June 2020
- USFWS NWI accessed June 2020

Map Prepared: 6-30-20

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 6. National Wetlands Inventory

5.0 CONCLUSION

The study area predominately consists of non-native annual grassland vegetation and it is therefore assumed that any species currently using these locales are acclimated to the disturbance regime present. Given the extent of anthropogenic influence and low quality habitat present, the likelihood of any special status species utilizing the study area as functional habitat is minor. This is a result of the amount of similar and higher-quality native habitats available within the region. No State or Federally-listed, proposed, or candidate plant or animal species were detected within the study area or on adjacent lands during field surveys from 1989 to 2020.

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APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list [c]	Records within 10 miles
A	California Glossy Snake (*Arizona elegans occidentalis*)	None	None	--	12
A	California Tiger Salamander *(Ambystoma californiense)*	Threatened	Threatened	--	40
CH	California Red-legged Frog *(Rana draytonii)*	Threatened	None	--	58
A	San Joaquin Kit Fox *(Vulpes macrotis mutica)*	Endangered	Threatened	--	24
A	San Joaquin Coachwhip *(Masticophis flagellum ruddocki)*	None	None	--	3
A	American Badger *(Taxidea taxus)*	None	None	--	17
A	Foothill Yellow-legged Frog *(Rana boylii)*	None	Endangered	--	7
A	Least Bell's Vireo *(Vireo bellii pusillus)*	Endangered	Endangered	--	1
A	Western Pond Turtle (*Emys marmorata*)	None	None	--	9
A	Big Tarplant *(Blepharizonia plumosa)*	None	None	1B.1	18
A	San Joaquin Pocket Mouse *(Perognathus inornatus)*	None	None	--	5
A	Showy Golden Madia *(Madia radiata)*	None	None	1B.1	2
A	Western Spadefoot *(Spea hammondii)*	None	None	--	12
HP	Coast Horned Lizard (*Phrynosoma blainvillii*)	None	None	--	14
HP	California Horned Lark (*Eremophila alpestris actia*)	None	None	--	13
A	Valley Elderberry Longhorn Beetle *(Desmocerus californicus dimorphus)*	Threatened	None	--	2
A	Pallid Bat *(Antrozous pallidus)*	None	None	--	2
A	Western Mastiff Bat *(Eumops perotis californicus)*	None	None	--	1
A	Diamond-petaled California Poppy *(Eschscholzia rhombipetala)*	None	None	1B.1	3
A	Townsend's Big-eared Bat *(Corynorhinus townsendii)*	None	None	--	2
HP	Burrowing Owl *(Athene cunicularia)*	None	None	--	72
A	Large-flowered Fiddleneck *(Amsinckia grandiflora)*	Endangered	Endangered	1B.1	5
A	Tricolored Blackbird *(Agelaius tricolor)*	None	Threatened	--	10
HP	Loggerhead Shrike *(Lanius ludovicianus)*	None	None	--	7
A	Caper-fruited Tropidocarpum *(Tropidocarpum capparideum)*	None	None	1B.1	6

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APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list [c]	Records within 10 miles
A	Golden Eagle *(Aquila chrysaetos)*	None	None	--	3
A	Ferruginous Hawk *(Buteo regalis)*	None	None	--	2
A	Swainson's Hawk *(Buteo swainsoni)*	None	Threatened	--	55
A	Lemmon's Jewelflower *(Caulanthus lemmonii)*	None	None	1B.2	3
A	Alameda whipsnake *(Masticophis lateralis euryxanthus)*	Threatened	Threatened		11
A	Shining Navarretia *(Navarretia nigelliformis ssp. Radians)*	None	None	1B.2	1
A	Crotch Bumble Bee (*Bombus crotchii*)	None	Candidate Endangered	--	1
A	Northern California Legless Lizard *(Anniella pulchra)*	None	None	--	3
A	California Linderiella *(Linderiella occidentalis)*	None	None	--	1
A	White-tailed Kite *(Elanus leucurus)*	None	None	--	2
A	Short-eared Owl *(Asio flammeus)*	None	None	--	1
A	Chaparral Harebell *(Campanula exigua)*	None	None	1B.2	3
A	Western Bumble Bee *(Bombus occidentalis)*	None	Candidate Endangered	--	1
A	Northern Harrier *(Circus hudsonius)*	None	None	--	1
A	Hospital Canyon Larkspur *(Delphinium californicum ssp. Interius)*	None	None	1B.2	2
A	Brewer's Western Flax *(Hesperolinon breweri)*	None	None	1B.2	1
A	Song Sparrow ("Modesto" population) *(Melospiza melodia)*	None	None	--	1
A	Grasshopper Sparrow *(Ammodramus savannarum)*	None	None	--	1
A	Chaparral Ragwort *(Senecio aphanactis)*	None	None	2B.2	1
A	Mason's Lilaeopsis *(Lilaeopsis masonii)*	None	Rare	1B.1	3
A	Longhorn Fairy Shrimp *(Branchinecta longiantenna)*	Endangered	None	--	1
A	Great Valley Valley Oak Riparian Forest	None	None	--	2
HP	Prairie Falcon *(Falco mexicanus)*	None	None	--	1
A	Long-styled Sand-spurrey *(Spergularia macrotheca var. longistyla)*	None	None	1B.2	2

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APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list [c]	Records within 10 miles
A	Loma Prieta Hoita *(Hoita strobilina)*	None	None	1B.1	1
A	Curved-foot Hygrotus Diving Beetle *(Hygrotus curvipes)*	None	None	--	2
A	Dwarf Soaproot *(Chlorogalum pomeridianum var. minus)*	None	None	1B.2	1
A	Talus Fritillary *(Fritillaria falcata)*	None	None	1B.2	2
A	San Joaquin Spearscale *(Extriplex joaquinana)*	None	None	1B.2	1
A	Santa Clara Red Ribbons *(Clarkia concinna ssp. Automixa)*	None	None	4.3	1
A	Diablo Helianthella *(Helianthella castanea)*	None	None	1B.2	1
A	Sharsmith's Onion *(Allium sharsmithiae)*	None	None	1B.3	1
A	Riparian Brush Rabbit *(Sylvilagus bachmani riparius)*	Endangered	Endangered	--	3
A	Sacramento Anthicid Beetle *(Anthicus sacramento)*	None	None	--	1
A	Steelhead - Southern California DPS (*Oncorhynchus mykiss irideus pop. 11*)	Threatened	None	--	1
A	Mt. Hamilton Thistle *(Cirsium fontinale var. campylon)*	None	None	1B.2	2
A	Northern Claypan Vernal Pool	None	None	--	1

List 1A: Plants presumed extinct in California
List 1B.1: Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California
List 1B.2: Plants rare, threatened, or endangered in California and elsewhere, fairly threatened in California
List 1B.3: Plants rare, threatened, or endangered in California and elsewhere, not very threatened in California
List 2.1: Plants rare, threatened, or endangered in California, but more common elsewhere; seriously threatened in California
List 2.2: Plants rare, threatened, or endangered in California, but more common elsewhere; fairly threatened in California
-- Data not available

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APPENDIX A

2015 SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE STUDY AREA

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APPENDIX B

2020 PHOTOGRAPHIC LOG

	**Photograph 1. Facing east.**
	**Photograph 2. Facing west.**

APPENDIX B

2020 PHOTOGRAPHIC LOG

	**Photograph 3. Facing east.**
	**Photograph 4. Facing west.**

APPENDIX C

2020 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
Achyrachaena mollis	Blow wives
*Avena fatua**	Wild oat
*Brassica nigra**	Black mustard
*Bromus diandrus**	Ripgut Brome
*Bromus hordeaceus**	Soft chess
*Carduus pycnocephalus**	Italian thistle
*Cerastium arvense**	Cerastium arvense
*Chenopodium sp.**	Pig weed
*Convolvulus arvensis**	Bindweed
*Croton setigerus**	Dove weed
*Erodium botrys**	Long-beaked stork's bill
*Heterotheca grandiflora**	Telegraph weed
*Hirschfeldia incana**	Mustard
Hordeum marinum ssp. gussoneanum	Mediterranean barley
*Hordeum murinum ssp. Leporinum**	Farmer's Foxtail
*Hypochaeris radicata**	Catsear
*Lactuca serrola**	Wild lettuce
*Lepidium latifolium**	Pepper weed
*Malva parviflora**	Cheeseweed
*Sonchus oleraceus**	Sow thistle
*Stellaria media**	Chickweed
*Trichostema lanceolatum**	Vinegar weed
*Vicia sativa**	Vetch
Achyrachaena mollis	Blow wives
*Avena fatua**	Wild oat
*Brassica nigra**	Black mustard
*Bromus diandrus**	Ripgut Brome
*Bromus hordeaceus**	Soft chess
*Carduus pycnocephalus**	Italian thistle
*Cerastium arvense**	Cerastium arvense
*Chenopodium sp.**	Pig weed
*Convolvulus arvensis**	Bindweed
*Croton setigerus**	Dove weed
*Erodium botrys**	Long-beaked stork's bill
*Heterotheca grandiflora**	Telegraph weed
*Hirschfeldia incana**	Mustard
Hordeum marinum ssp. gussoneanum	Mediterranean barley
*Hordeum murinum ssp. Leporinum**	Farmer's Foxtail
*Hypochaeris radicata**	Catsear
*Lactuca serrola**	Wild lettuce
*Lepidium latifolium**	Pepper weed
*Malva parviflora**	Cheeseweed

DRAFT

APPENDIX C

2020 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
*Sonchus oleraceus**	Sow thistle
*Stellaria media**	Chickweed
*Trichostema lanceolatum**	Vinegar weed
*Vicia sativa**	Vetch

"*" non-native plant species.

DRAFT

APPENDIX D

2020 WILDLIFE SPECIES OBSERVED WITHIN THE STUDY AREA

DRAFT

Scientific name	Common name
Reptiles	
Uta stansburiana	Common Side-blotched Lizard
Birds	
Buteo jamaicensis	Red-Tailed Hawk
Carpodacus mexicanus	House Finch
Cathartes aura	Turkey Vulture
Corvus corax	Common Raven
Euphagus cyanocephalus	Brewer's Blackbird
Hirundo rustica	Barn Swallow
Icterus bullockii	Bullock's Oriole
Mimus polyglottos	Northern Mockingbird
Myiarchus cinerascens	Ash-throated Flycatcher
Passer domesticus	House Sparrow
Passerculus sandwichensis	Savannah Sparrow
Salpinctes obsoletus	Rock Wren
Sayornis saya	Say's Phoebe
Streptopelia decaocto	Eurasian Collared Dove
Sturnus vulgaris	European Starling
Sturnella neglecta	Western Meadowlark
Tyrannus verticalis	Western Kingbird
Zenaida macroura	Mourning Dove
Zonotrichia leucophrys	White-crowned Sparrow
Mammals	
Otospermophilus beecheyi	California ground squirrel

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APPENDIX E

2015 Burrowing Owl Survey

DRAFT

TRACY HILLS PROJECT

September 2015

Burrowing Owl Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By


16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section **Page**

1.0 EXECUTIVE SUMMARY 1-1

2.0 INTRODUCTION AND PROJECT LOCATION 2-1

3.0 BURROWING OWL BACKGROUND 3-1

4.0 METHODS 4-1

5.0 SURVEY RESULTS 5-1

6.0 RECOMMENDATIONS 6-1

7.0 REFERENCES 7-1

FIGURES

Figure 1 Regional Location 1-1

Figure 2 Site Vicinity 1-2

Figure 3 Survey Results 5-3

APPENDICES

Appendix A Photograph Log

Appendix B Avian Compendium

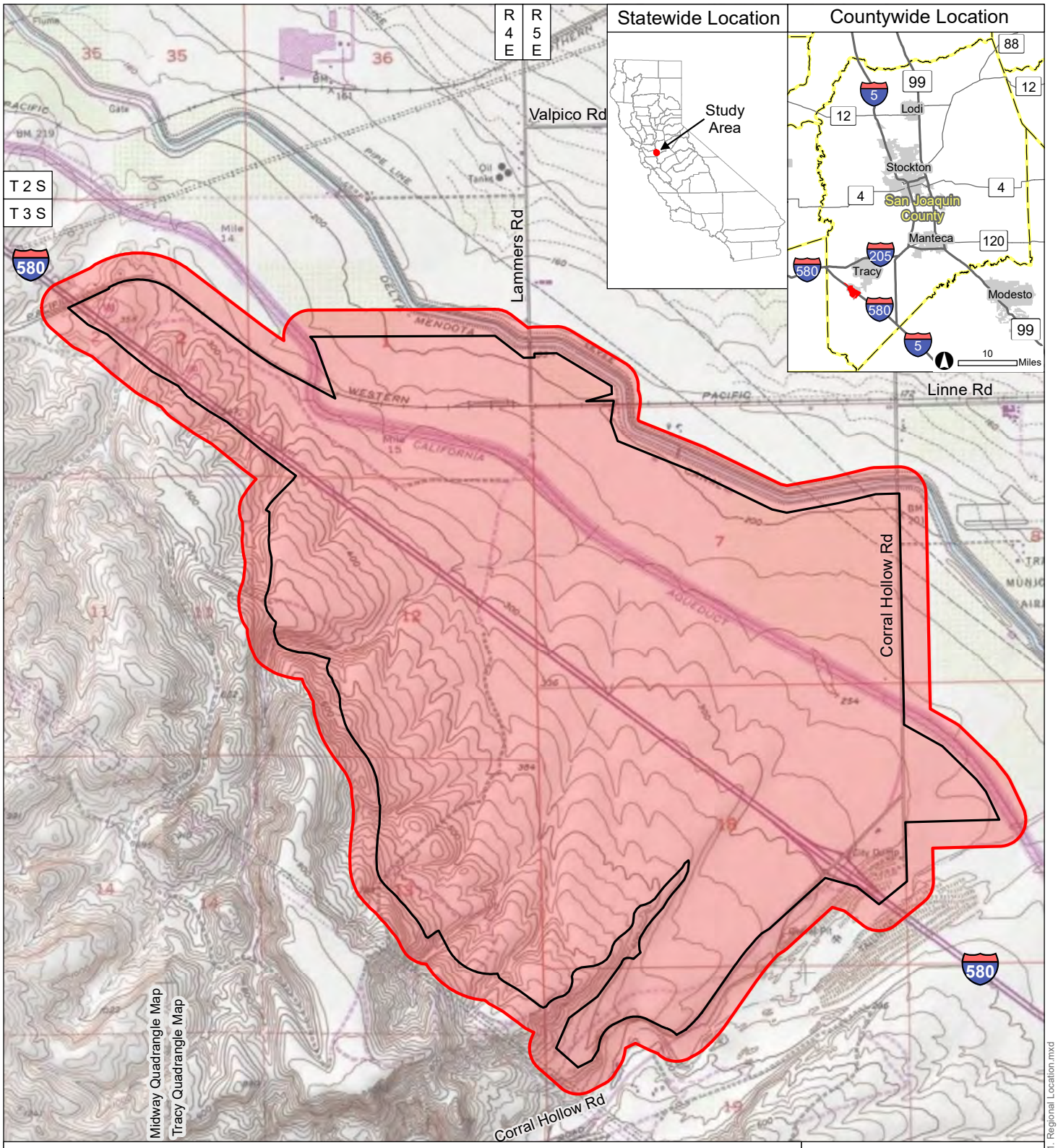
1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions and results of focused surveys for Burrowing Owl (*Athene cunicularia*) conducted within Project limits. Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site) and a 500-foot buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats.

Pedestrian-based field surveys for Burrowing Owl within discrete portions of the study area have been conducted from 2010 through the summer of 2015 to ascertain the presence or absence of the species. The results indicate that the biological resources detected within the study area have not changed significantly over the last half decade with deference to Burrowing Owls. Although the study area is large in total size – it has very low species richness and diversity, and is comparatively low quality habitat for Burrowing Owl; as much higher-quality habitats are available within the region. This is a result of the depauperate landscape and the numerous resident Burrowing Owl predators that were routinely detected within the Project Site in 2015 (e.g., American Badger, coyote, Red-Tailed Hawk, and other raptors).

The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial population of owls. One pair of Burrowing Owls – which include several juvenile birds, were detected foraging, dispersing and utilizing discrete burrow complexes during the 2015 surveys. It should also be noted that the fossorial mammals which are Burrowing Owl predators that were detected within the study area are capable of digging one or more burrows per day – which would be expected to modify the quantity, distribution and willingness of owls to inhabit burrow complexes within the Project Site over time. Given the low quality habitat present (i.e., limited prey base, absence of irrigated agricultural lands, presence of owl predators), the likelihood of a healthy population of Burrowing Owls being supported by the Project Site is negligible.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.



Study Area

Project Site

County Boundary (inset)

Urban Area (inset)

Interstate or State Highway (inset)

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- Bing accessed Jul 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Jul 2015

Map Prepared: 7-15-15

Prepared by:

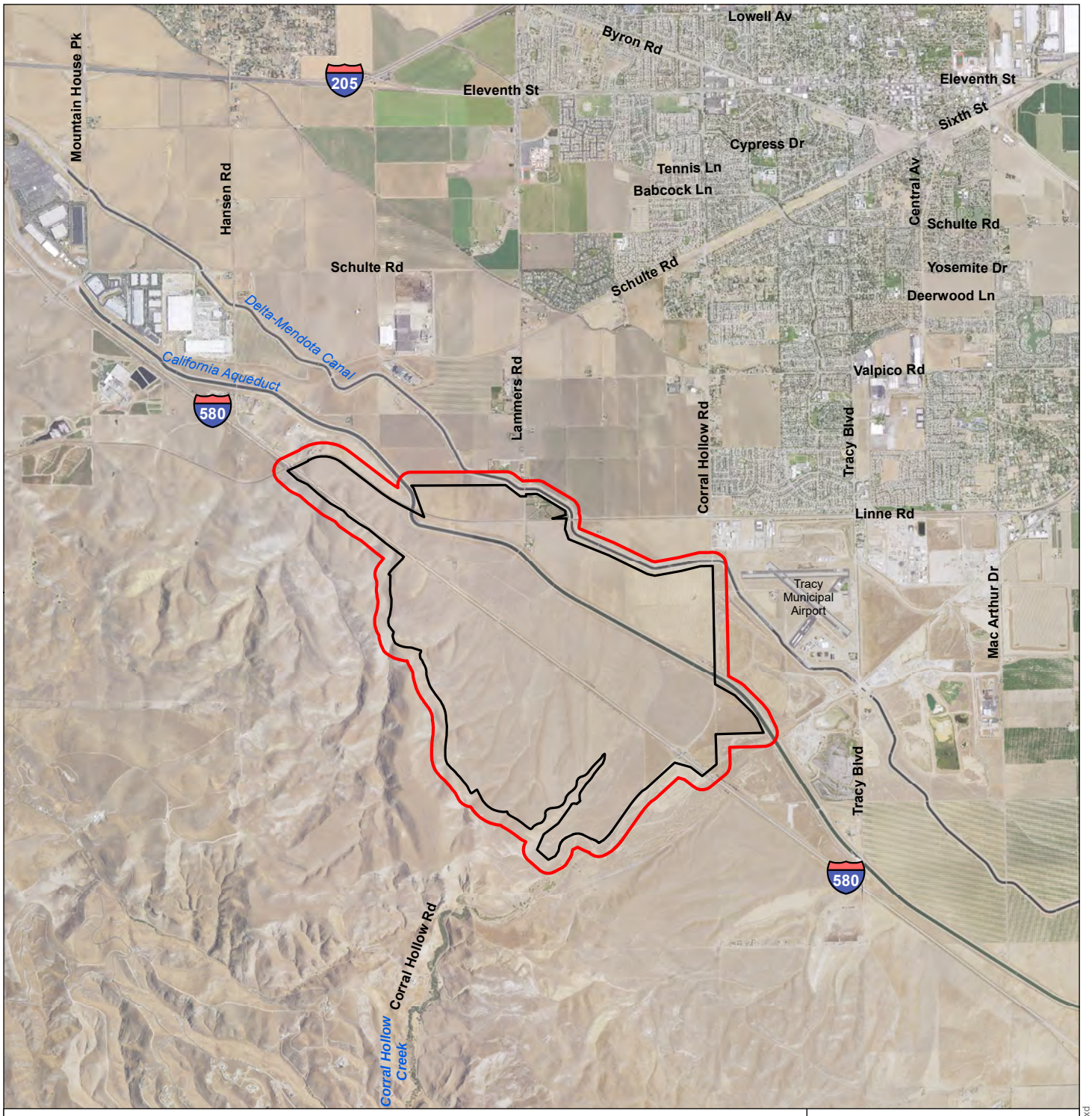
NOREAS
Environmental Engineering and Science

The Study Area is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 11, 12, 13 and 24; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Study Area are: 37.680702, -121.476315.

C:\SRM\Noreas\Tracy Hills\ArcMap\BUOW\Fig1. Regional Location.mxd

Figure 1. Regional Location



Study Area (3,430 which includes a 500-foot buffer and the Project Site)

Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-30-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\BUOW\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic Burrowing Owl census data and conduct a focused 2015 Burrowing Owl survey for the proposed Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 11, 12, 13 and 24 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and 2015 field surveys was to determine the presence – or to confirm the presumed absence of, Burrowing Owl within study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a 500-foot buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and are not merely the immediate lands involved in the action itself (Figure 2).

3.0 BURROWING OWL BACKGROUND

The Burrowing Owl has been designated by the California Department of Fish and Wildlife as a species of special concern. "State Species of Special Concern" status applies to animals not listed for protection under the federal Endangered Species Act or the California Endangered Species Act. The designation denotes that a species is declining at a rate that could result in State listing or that a species has historically occurred in low numbers and known threats to their persistence currently exist. The designation is intended to result in "special consideration" for these animals during the environmental review and discretionary permitting processes. In addition, the designation is intended to focus research and management attention on poorly-known, potentially at-risk species by stimulating the collection of additional information on their biology, distribution, and status.

Burrowing Owls prefer open, dry annual or perennial grasslands, agricultural and rangelands, deserts, and scrublands characterized by low-growing vegetation. Burrowing Owls also prefer areas inhabited by small mammals as they predominately depend on mammal burrows (particularly ground squirrels) for subterranean nesting. Owls can be found at elevations ranging from 200 feet below sea level to 9,000 feet. above (CDFG 1995). Burrowing Owls commonly perch on fence posts or on mounds outside their burrows. Northern populations of Burrowing Owls are usually migratory, while more southern populations may move short distances or not at all (Haug et al. 1993, Botelho 1996). Little is known about the winter ranges of migratory populations, although migratory Burrowing Owls are believed to mix with resident populations in California during the winter months (Coulombe 1971, Haug et al. 1993).

Burrowing Owls tend to be resident where food sources are stable and available year-round (Rosenberg et al. 1998). Typically, they disperse or migrate south in areas when food becomes seasonally scarce. Burrowing Owls tend to be opportunistic feeders. Large arthropods, mainly beetles and grasshoppers, comprise a substantial portion of their diet (Rosenberg et al. 1998). Small mammals, especially mice, rats, gophers, and ground squirrels, are also important food items. Other prey animals include reptiles and amphibians, scorpions, young cottontail rabbits, bats, and birds such as sparrows and Horned Larks. Consumption of insects increases during the breeding season. Burrowing Owls hover while hunting; after catching their prey they return to perches on fence posts or the ground. Burrowing Owls are primarily active at dusk and dawn, but if necessary will hunt at any time of day (CBOC 1993, CDFG 1995, Rosenberg et al. 1998).

The breeding season for Burrowing Owls is March to late August; the season tends to last later in the northern part of the range (CBOC 1993, CDFG 1995, Klute et al. 2003). Clutch size (number of birds hatched at the same time) ranges from 1 to 12 and averages about 7 (Ehrlich 1988). The incubation period is 28–30 days (Ehrlich 1988). The female performs all the incubation and brooding (sitting on eggs to hatch them by the warmth of the body) and is believed to remain continually in the burrow while the male does all the hunting (Rosenberg et al. 1998). The young fledge (take their first flight out of the nest) at 44 days but remain near the burrow and join the adults in foraging flights at dusk (Ehrlich 1988). The maximum life span recorded for a banded bird in the wild is approximately 8.5 years (Rosenberg et al. 1998).

In resident populations, nest site fidelity is common, with many adults nesting each year in their previous year's burrow; young from the previous year often establish nest sites near (<900 feet) their natal sites (Trulio 1997, Rosenberg et al. 1998). Burrowing Owls in migratory populations also often nest in the same burrow, particularly if the previous year's breeding was successful (Belthoff and King 1997). Other birds in the same population may move to burrows near their previous year's burrow. The species

is threatened primarily by loss, degradation, and fragmentation of habitat, although they do readily inhabit anthropogenic landscapes such as agricultural fields, golf courses, and airport grasslands (Korfanta et al. 2005).

4.0 METHODS

Prior to beginning pedestrian based field surveys in 2015, the following raptor specialists were consulted: Lenny Malo MS, Eric Dugan PhD, Ken Hashagen BS, Wayne Woodroof MS, Richard White MS, Brian Latta BS, and John Sterling BS. Available information from resource management plans and relevant documents were also reviewed to determine the locations and types of avian resources that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, Burrowing Owl field census and analysis activities have occurred within representative portions of the study area for more than 5 years. Accordingly, the primary materials reviewed included, but were not limited to, the following:

- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010a);
- Burrowing Owl Surveys for Tracy 580 Business Park Property (Berryman Ecological LLC 2010b);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

Survey methods were derived from generally accepted professional standards including the 1993 California Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CBOC 1993), 1995 and 2012 California Department of Fish and Game Staff Reports on Burrowing Owl Mitigation (CDFG 1995 and 2012). A methodical pedestrian-survey for owls, burrows and their characteristic sign was conducted by walking through areas of suitable habitat within the study (i.e., including evaluations of man-made structures, debris piles, small fossorial mammal burrows, etc.). Survey transects were spaced at approximately 50-foot intervals to allow for complete visual coverage of the study area. Where necessary, transect spacing was reduced or expanded to account for differences in terrain, vegetation density, and visibility.

The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. Avian scientific nomenclature and common names follows Sibley (2000). Field surveys were conducted when weather conditions were conducive to observing birds. Surveys were not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Where access was limited, observations were made from the nearest appropriate vantage points with the use of binoculars and spotting scopes.

5.0 SURVEY RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 64–98 degrees Fahrenheit, and winds fluctuating from 0 to 20 miles per hour. Burrowing Owl surveys dates and personnel are detailed in Table 1 below.

Table 1. Burrowing Owl Survey Dates

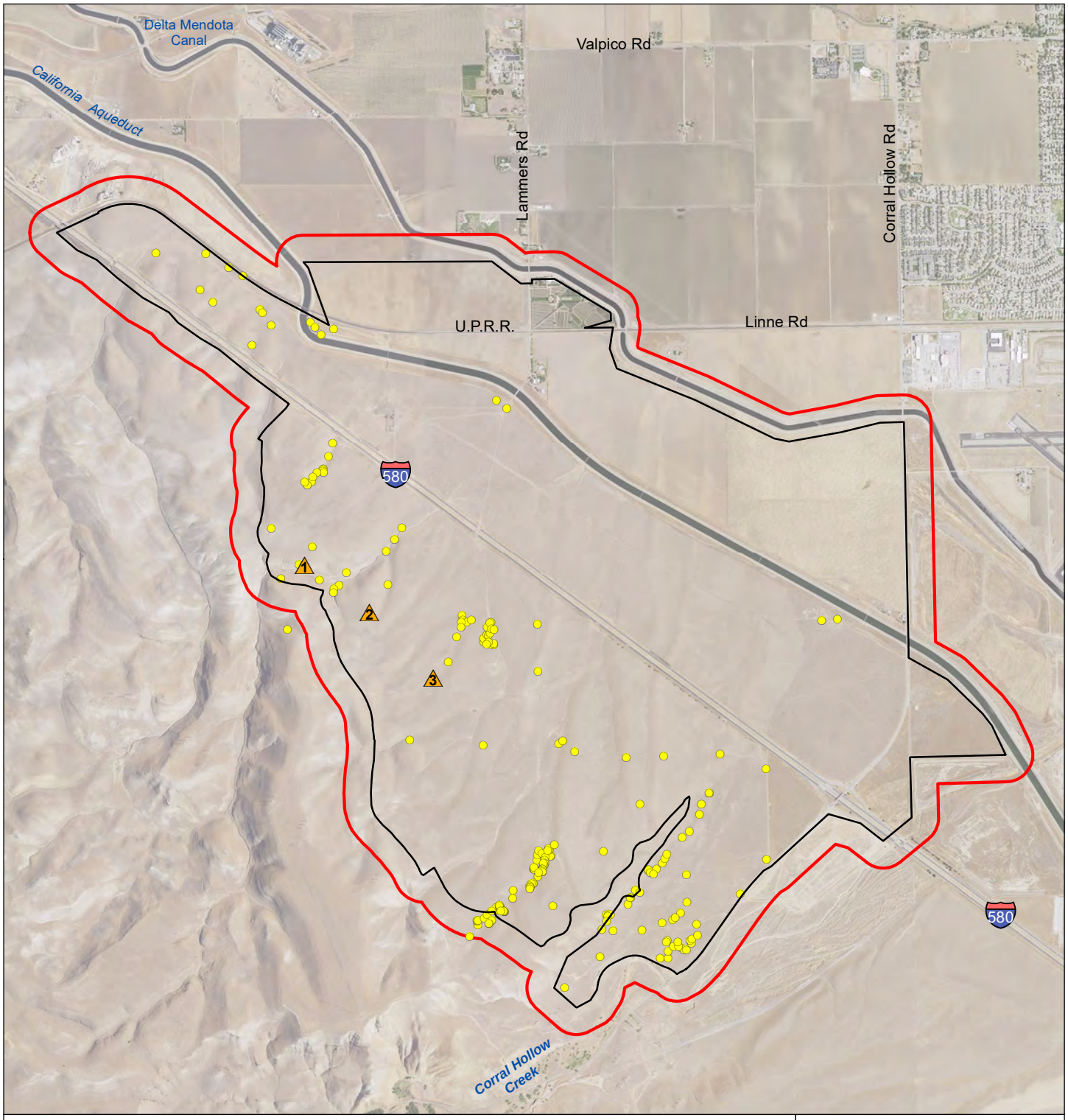
Event #	2015 Survey Dates	Personnel
1	16, 17, 21, 22 January Habitat Assessment	Brent Helm PhD, Lincoln Hulse BS, and Mark Noyes MS
2	14, 15, 16, 17, 18, 19, 24, 25, and 26 March Breeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, John Sterling BS, and Mark Noyes MS
3	23, 24, 25, 26, 27 April 5, 6, 7, 8, 9, 10, 11 and 12 May Breeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, John Sterling BS, and Theresa Hyde MS
4	5, 6, 7, 8, 9, 10, 11, 12, and 13 JuneBreeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, and Theresa Hyde MS
5	5, 6, 7, 8, 9, 10, 11 and 12 July Breeding Season Surveys	Richard White MS, Brent Helm PhD, Brian Latta BS, and Theresa Hyde MS

A habitat assessment of the study area was performed in January 2015 followed by breeding season surveys for Burrowing Owls. Where access to the entire study area was not possible due to private property or physical barriers (i.e., vegetative cover, health and safety concerns, etc.) field observations were made from the nearest appropriate vantage points via public right-of-ways with the aid of binoculars and spotting scopes. The study area predominately consists of non-native vegetation, grasslands, developed and disturbed land cover types. It is therefore assumed that any species currently using these locales are acclimated to the disturbance regime present (i.e., existing livestock grazing activities). Although the study area is large in total size – it has very low species richness and diversity, and is comparatively low quality habitat for Burrowing Owl; as much higher-quality habitats are available within the region.

This is a result of the depauperate landscape and the numerous resident Burrowing Owl predators (e.g., American Badger [*Taxadea taxus*], coyote [*Canis latrans*], Red-Tailed Hawk [*Buteo jamaicensis*], and other raptors) that were routinely detected within the Project Site. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a robust population of owls. One pair of Burrowing Owls – which include several juvenile birds, were detected foraging, dispersing and utilizing discrete burrow complexes during the 2015 surveys (Figure 3). However, given the low quality habitat present (i.e., limited prey base, absence of irrigated agricultural lands, and presence of predators), the likelihood of a significant population of Burrowing Owls being supported by the Project Site is negligible. It should also be noted that the fossorial mammals which are Burrowing Owl predators that were detected within the study area are capable of digging one or more burrows per day – which would be expected to modify the quantity, distribution and willingness of owls to inhabit burrow complexes within the Project Site over time.

As a consequence of poor quality habitat, presence of resident Burrowing Owl predators and existing protections to species in the area, it has been determined that the Project is not likely to adversely affect Burrowing Owls. With the implementation of the measures detailed within Section 6.0 of this report, there is no presumption that the Project would result in the take[2] of Burrowing Owl, loss of high quality functional owl habitat, nor that it would adversely affect local or regional populations of them. Appendix A includes representative photographs of the study area, and Appendix B includes a list of all avian species detected in 2015.

[2] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.



Study Area

Project Site

Active Burrow Complex

Inactive Burrow Complex

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- San Joaquin County GIS accessed Sep 2015, data date: Jan 2015
- USDA-NRCS-AFPO NAIP accessed Sep 2015, image date: Jun 2014

Map Prepared: 9-9-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\BUOW\Fig3. Survey Results.mxd

Figure 3. Survey Results

6.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to nesting passerines and raptors that have the potential to occur within the study area:

- In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code, any vegetation clearing within the study area shall take place outside of the typical avian nesting season (e.g., February 1st until September 1st) – to the maximum extent practical.
- If work needs to take place between February 1st and September 1st, a pre-construction survey for nesting birds should be completed prior to the onset of Project activities. If a lapse in Project activity occurs for 7 days or more during the bird nesting season than initial avian clearance surveys shall be repeated. A buffer zone from occupied nests should be maintained during physical ground disturbing activities. Once nesting has ended, the buffer may be removed.
- Burrowing owl survey shall be conducted prior to grading. Pre-construction surveys for burrowing owl shall begin no later than 14 - 30 days prior to construction and ending no earlier than 24 hours prior to the commencement of disturbance.
- The Project shall provide artificial replacement burrows within the conservation easement area, as permitted and in accordance with any applicable Preserve Management Plan, in the event that owls are detected, either as wintering or breeding within Project boundaries. Wintering individuals may be evicted with the use of exclusion devices followed by a period of seven days to ensure that animals have left their burrows. When it can be assured that owls are no longer using the burrows, the burrows can be hand excavated and collapsed under the supervision of the avian biologist.
- Construction activities associated with project features that occur within portions of the project site containing occupied habitat for the burrowing owl and raptor nests shall be restricted to periods outside the breeding season for this species. The breeding season for burring owl runs from February 15 through August 31.

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APPENDIX A

PHOTOGRAPH LOG

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. Burrowing owl burrow.
	Photograph: 2. Burrowing owl feather.

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 3. Burrowing owl burrow.
	Photograph: 4. Facing north.

APPENDIX B

AVIAN COMPENDIUM

APPENDIX B

AVIAN COMPENDIUM

Scientific name	Common name
Birds	
Athene cunicularia	Burrowing Owl
Buteo jamaicensis	Red-Tailed Hawk
Carpodacus mexicanus	House Finch
Cathartes aura	Turkey Vulture
Corvus brachyrhynchos	American crow
Corvus corax	Common Raven
Circus cyaneus	Northern harrier
Eremophila alpestris	Horned Lark
Euphagus cyanocephalus	Brewer's blackbird
Falco sparverius	American Kestrel
Lanius ludovicianus	Loggerhead shrike
Mimus polyglottos	Northern mockingbird
Passer domesticus	House sparrow
Passerculus sandwichensis	Savannah sparrow
Salpinctes obsoletus	Rock wren
Sayornis saya	Say's phoebe
Sturnus vulgaris	European starling
Sturnella neglecta	Western Meadowlark
Zenaida macroura	Mourning Dove
Zonotrichia leucophrys	White-crowned sparrow

APPENDIX F
2015 Tracy Hills Project California Red-legged Frog Assessment

DRAFT

TRACY HILLS PROJECT

September 2015

California Red-legged Frog Assessment

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By


16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section		Page
1.0	EXECUTIVE SUMMARY	1-1
2.0	INTRODUCTION AND PROJECT LOCATION	2-1
3.0	CALIFORNIA RED-LEGGED FROG BACKGROUND	3-1
4.0	METHODS	4-1
5.0	RESULTS	5-1
6.0	CONCLUSIONS	6-1
7.0	RECOMMENDATIONS	7-1
8.0	REFERENCES	8-1

FIGURES

Figure 1	Regional Location	1-3
Figure 2	Site Vicinity	1-4
Figure 3	Habitat Assessment	5-2
Figure 4	CRLF Occurrences within 5 Miles of the Project Site	5-3
Figure 5	Critical Habitat	5-4

APPENDICES

Appendix A	Photograph Log

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools, and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions, and results of a U.S. Fish and Wildlife Service (USFWS) protocol-level California Red-legged Frog (*Rana draytonii* [CRLF]) habitat assessment for the Project. Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site) and a 1-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project and not just the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water (i.e., California Aqueduct and Delta Mendota Canal), orchard, non-native grasses, and developed habitats.

As required by the *Revised Guidance on Assessments and Field Surveys for the California Red-legged Frog* (USFWS 2005), the data collected and analyzed herein addresses the following three elements relevant to the potential occurrence of CRLF within the Project Site. These parameters include:

1. The Project's position within the current and historic range of the CRLF;

2. Known records of CRLF within the study area; and

3. The existing habitats that occur in the Project Site and within 1-mile of its boundaries.

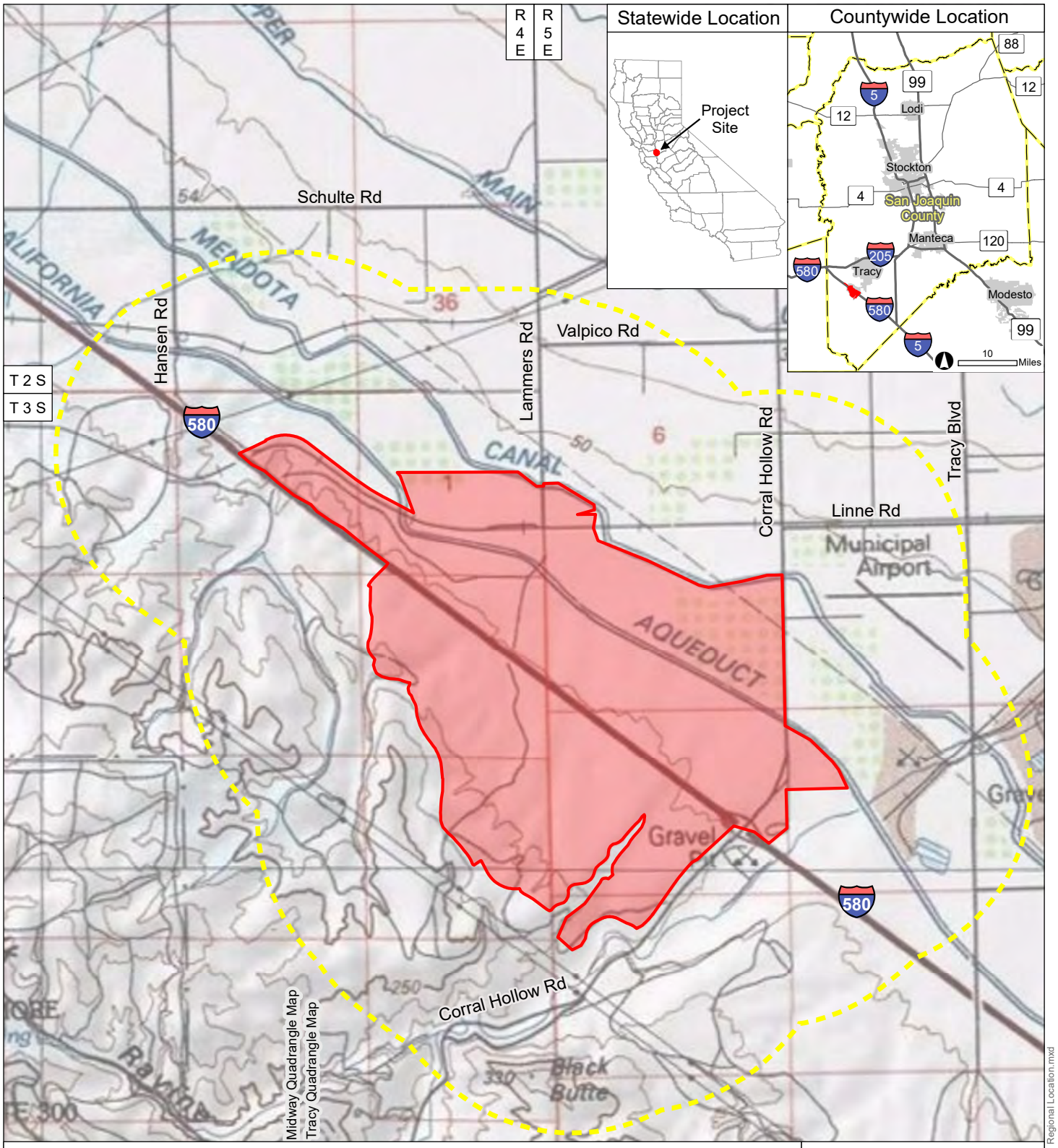
Targeted CRLF field evaluations and analysis have occurred within representative portions of the study area for approximately 16 years. This has been done to account for variations in local weather patterns and to safeguard that field investigations were adequate to maximize the potential for detecting CRLF. The literature reviews, comprehensive field investigations by credentialed biologists, and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies (LSA 1999, Foothill Associates 2004, Berryman Ecological LLC 2010, and ICF International 2011). Given the size of the Project Site, there are relatively few aquatic habitats within it.

To that end, no CRLF aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site. Nonetheless, a series of ephemeral drainages running south to north - through the southwestern portion off the study area could function as dispersal habitat – albeit extremely low quality (i.e., presumed to be fast–flowing, ephemeral features that only convey water during, and immediately following, storm events), under the appropriate suite of environmental factors. These features value as adult CRLF dispersal habitat is inconsequential because there are no known aquatic breeding habitats within the vicinity of these drainages and they are severely movement constrained (i.e., topography, freeways, aqueducts, lack of appropriate cover to elude predators or exposure to desiccation, disked fields, and livestock grazing) within the study area.

The more factors that constrain CRLF breeding habitats and movement corridors, the less likely individual frogs are to occur or continue to occur within a specific locale. The nearest historic CRLF

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.

record in the surrounding area of the Project is from 2013; it is roughly 0.2 miles from the Project's southwestern limits. It should also be noted that a discrete subset of land within the Project is collocated with designated critical habitat for CRLF (USFWS 2015). The aforementioned CRLF record is within the study area, but outside the Project's proposed ground disturbance limits. Given the lack of breeding habitat and movement constrained dispersal habitat within the Project Site, the likelihood of CRLF successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CRLF are not uncommon south and west of the Project and within the approximately 3,500-acre open space conservation easement which abuts the study area. The habitat within the study area includes existing livestock grazing agricultural and other anthropogenic undertakings which have greatly reduced the lands ability to support breeding and dispersing CRLF. The data analyzed also suggests that there is extremely low potential for CRLF to recruit into the Project Site.



Project Site

1 Mile Radius Around the Project Site

County Boundary (inset)

Urban Area (inset)

Interstate or State Highway (inset)

0 2,000 4,000 Feet

1 inch = 4,000 feet

Data Sources:
- Bing accessed Aug 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Aug 2015

Map Prepared: 8-4-15

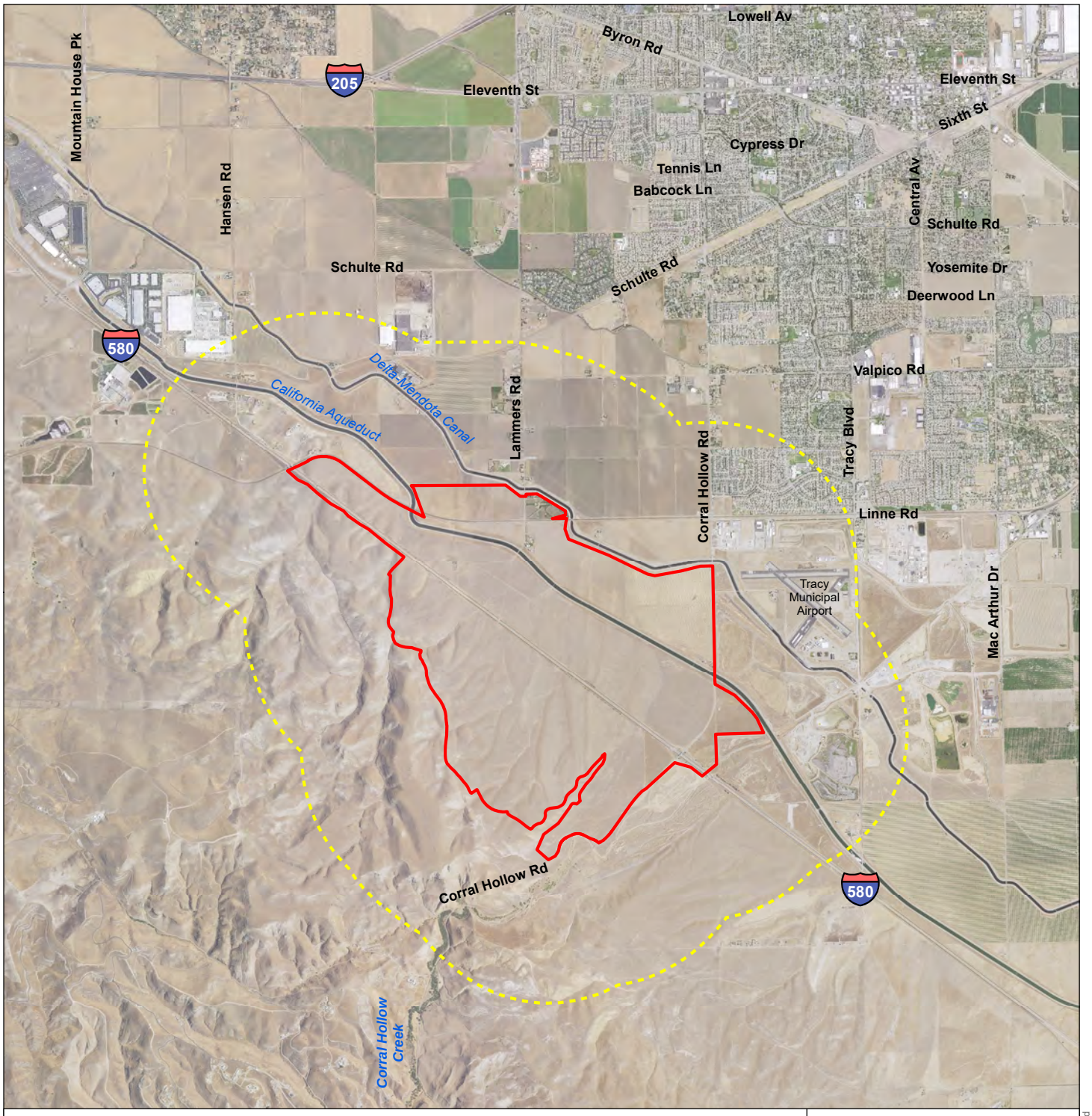
Prepared by:
NOREAS
Environmental Engineering and Science

The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

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Figure 1. Regional Location



Project Site (2,729 acres)

1-mile Radius Around the Project Site (11,150 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

Map Prepared: 8-4-15

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic California red-legged frog (*Rana draytonii* [CRLF]) census data and perform a U.S. Fish and Wildlife Service (USFWS) protocol-level assessment for the Project. The Project occurs in Sections 6, 7, 8, 17, 18, and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 11, 12, 13, and 24 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and 2015 field assessment was to determine the presence or to confirm the presumed absence of, CRLF within the study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a 1-mile buffer (Figure 2).

3.0 CALIFORNIA RED-LEGGED FROG BACKGROUND

On 24 June 1996, the U.S. Fish and Wildlife Service (USFWS) determined the CRLF to be a threatened species, based primarily on range-wide population declines and extirpation from approximately 70% of the historic range in California (USFWS 2002). The CRLF is also listed as a Species of Special Concern by the California Department of Fish and Wildlife (Jennings and Hayes 1994).

The CRLF is a large, brown to reddish-brown frog with prominent dorsolateral folds, moderate-sized dark brown to black dorsal spots, and red-orange coloration on the belly and undersurfaces of the thighs, legs, and feet (Stebbins 2003). CRLF occupy still or slow-moving water features associated with dense riparian vegetation, where permanent streams or ponds provide essential breeding habitat. CRLF requires permanent or nearly permanent ponded-water habitat (including stock ponds or pools within streams) with emergent and submergent vegetation (Storer 1925, Stebbins 1972), but CRLF may disperse far from water following breeding periods (Stebbins 1985, Zeiner et al. 1988). Adult CRLFs are highly aquatic when active, but they are less dependent upon permanent water bodies than other frog species (Brode and Bury 1984). During dry periods, adults may aestivate in rodent holes or cracks in the soil. CRLF occur most frequently in intermittent waters that lack bullfrogs and introduced fish species (Hayes and Jennings 1988). The egg clusters are deposited around aquatic vegetation and require approximately 3-5 months to complete metamorphosis (Storer 1925). CRLF breed from November to April, with males arriving at breeding sites up to a month before females. Females locate the calling males at breeding sites, where they mate and deposit 2,000–6,000 eggs on emergent vegetation. Embryos hatch in approximately 2 weeks. Sexual maturity is reached in 2-3 years, with females attaining a larger adult body size than males. CRLF are known to utilize both aquatic and terrestrial habitats, shifting habitat use between spring and fall seasons, respectively.

The CRLF occurs along Pacific slope drainages from Shasta County, CA, inland to the vicinity of Marin County, CA, southward along the coastal slopes to the vicinity of the Santo Domingo River drainage in northern Baja, Mexico (Linsdale 1932). Historically, CRLF occurred in numerous desert slope drainages in southern California and northern Baja, Mexico; however these populations are thought to be extirpated.

4.0 METHODS

Prior to beginning field surveys, resource specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of herpetofauna that have the potential to exist within and adjacent to the study area; resources were evaluated within several miles of the Project. The primary materials reviewed included, but were not limited to, the following:

- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999)
- Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010)
- USFWS, Revised Guidance on Site Assessments and Field Surveys for the CRLF (USFWS 2005);
- USFWS, Recovery Plan for the California Red-legged Frog (USFWS 2002);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- A Guide To The Amphibians And Reptiles Of California (California Herps 2013);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

Survey methods were derived from generally accepted professional standards for performing visual encounter herpetofauna surveys (Aguirre-Bravo et al. 2006) and followed the *Revised Guidance on Assessments and Field Surveys for the California Red-legged Frog* (USFWS 2005). An assessment for CRLF was performed within 1 mile of the Project Site to characterize the habitats and land cover types to the maximum extent practical with regard upland and aquatic features.

Upland and aquatic types within the study area were mapped and characterized as either not suitable, breeding[2], or dispersal[3] habitat by vegetation communities, land use, and any potential barriers to CRLF and herpetofaunal movements. In order to determine if an aquatic feature within the Project and/or study area could provide suitable CRLF habitat (i.e., breeding and dispersal), sufficient hydrologic periods needed to be observable through time-lapse images over multiple years. Perennial or semi-perennial water features that retained water through most of the year and had associated riparian

[2] CRLF egg clusters are deposited around aquatic vegetation and require approximately 3-5 months to complete metamorphosis (Storer 1925). Therefore - for the purposes of this analysis, breeding habitat for CRLF is defined as any water body that on average ponds or slowly conveys water greater than 1 foot deep for a minimum of 3 consecutive months, and supports a minimum of 10% surface area of aquatic vegetation (emergent plants).

[3] CRLF dispersal habitats are typically lotic (flowing) bodies of water (i.e., creeks and drainages) that contain a sufficient volume of water and a suitable velocity to enable the movement of adult CRLF individuals into new areas. In this instance, ephemeral drainages and intermittent water conveyance features needed to contain sufficient amounts of emergent and/or riparian vegetation to serve as a visual proxy of an adequate hydrologic period and water velocity to serve as potential habitat.

vegetation cover were considered suitable to support CRLF larval development (breeding habitat). Upland habitats were further analyzed for potential movement constraints as described below.

- High constraints to movement are barriers in which the CRLF cannot pass over, though, or under (e.g., sound walls) or that CRLF would most likely perish while trying pass over them (e.g., freeways). The high constraints to CRLF movement include urban residential and commercial development, swift-flowing aqueducts, and freeways.

- Moderate constraints to CRLF movement are those that would greatly increase the likelihood of mortality from exposure to predators or exposure to desiccation by increasing the length of movement or dispersal time. Moderate constraints on site consist of disked fields with no vegetation cover, hay fields, rural development, railroad berms and tracks, and rural paved roads.

- Low constraints are those that slightly increase the likelihood of mortality such as agricultural fields planted with row crops and orchards.

- No constraints are those that do not have permanent or significant barriers to movement, such as routinely grazed annual grasslands.

The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. The assessment was not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Where access was limited, observations were made from the nearest appropriate vantage points by means of public rights-of-way with the use of binoculars and spotting scopes. The following NOREAS biologists either performed the field work and/or contributed to data analysis: Brent Helm PhD, Mark Noyes MS, Eric Dugan PhD, Richard White MS, Jeff Alvarez BS, Lenny Malo MS, Lincoln Hulse BS, Erin Serra BS, and Ken Hashagen BS.

5.0 RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 48–74 degrees Fahrenheit, and winds fluctuating from 0 to 15 miles per hour. CRLF assessments were performed on the following dates: 17 and 18 December 2014, 25 and 26 March, 16 April, 14, 15, and 16 May, 5, 6, 7, and 8 June, 2015.

The Project Site predominately consists of upland non-native vegetation, grasslands, and developed and disturbed land cover types (Figure 3). Targeted CRLF field evaluations and analysis have occurred within representative portions of the study area since 1999. This has been done to account for variations in local weather patterns, and to safeguard that field investigations were adequate to maximize the potential for detecting CRLF. The literature reviews, comprehensive field investigations by credentialed biologists, and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies. Given the size of the Project Site, there are relatively few aquatic habitats within it.

No CRLF aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site. Nonetheless, a series of ephemeral drainages running south to north - through the southwestern portion of the study area could function as dispersal habitat – albeit extremely low quality (i.e., presumed to be fast flowing ephemeral features that only convey water during, and immediately following storm events), under the appropriate suite of environmental factors. These features value as adult CRLF dispersal habitat is inconsequential because there are no known aquatic breeding habitats within the vicinity of these drainages; and they are movement constrained (i.e., topography, freeways, aqueducts, lack of appropriate cover to elude predators or exposure to desiccation, disked and tilled fields, and livestock grazing) within the study area.

The more factors that constrain CRLF breeding habitats and movement corridors, the less likely individual frogs are to occur, or continue to occur within a specific locale. The nearest historic CRLF record in the surrounding area of the Project is from 2013; and it is roughly 0.2 miles outside of the Project Site - within Corral Hollow Creek. The Project completely avoids direct impacts to Corral Hollow Creek. It should also be noted that a discrete subset of land within the Project is collocated with designated critical habitat for CRLF (USFWS 2015). With deference to Corral Hollow Creek, it is bordered to the west by an extremely steep slope that transitions into a vertical cliff. This leaves limited area along Corral Hollow Road accessible to potential migrating or dispersing individuals moving away from aquatic habitats within the creek.

Given the lack of breeding habitat and movement constrained dispersal habitat within the Project Site, the likelihood of CRLF successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CRLF are not uncommon south and west of the Project, and within the approximately 3,500-acre open-space conservation easement which abuts the study area. The habitat within the study area includes existing livestock grazing, agricultural tilling, and other anthropogenic undertakings which have greatly reduced the lands ability to support breeding and dispersing CRLF. The data analyzed also suggests that there is extremely low potential for CRLF to recruit into the Project Site. Appendix A includes a Photograph Log, and Appendix B consists of the Project's California Red-legged Frog Assessment Data Sheets.

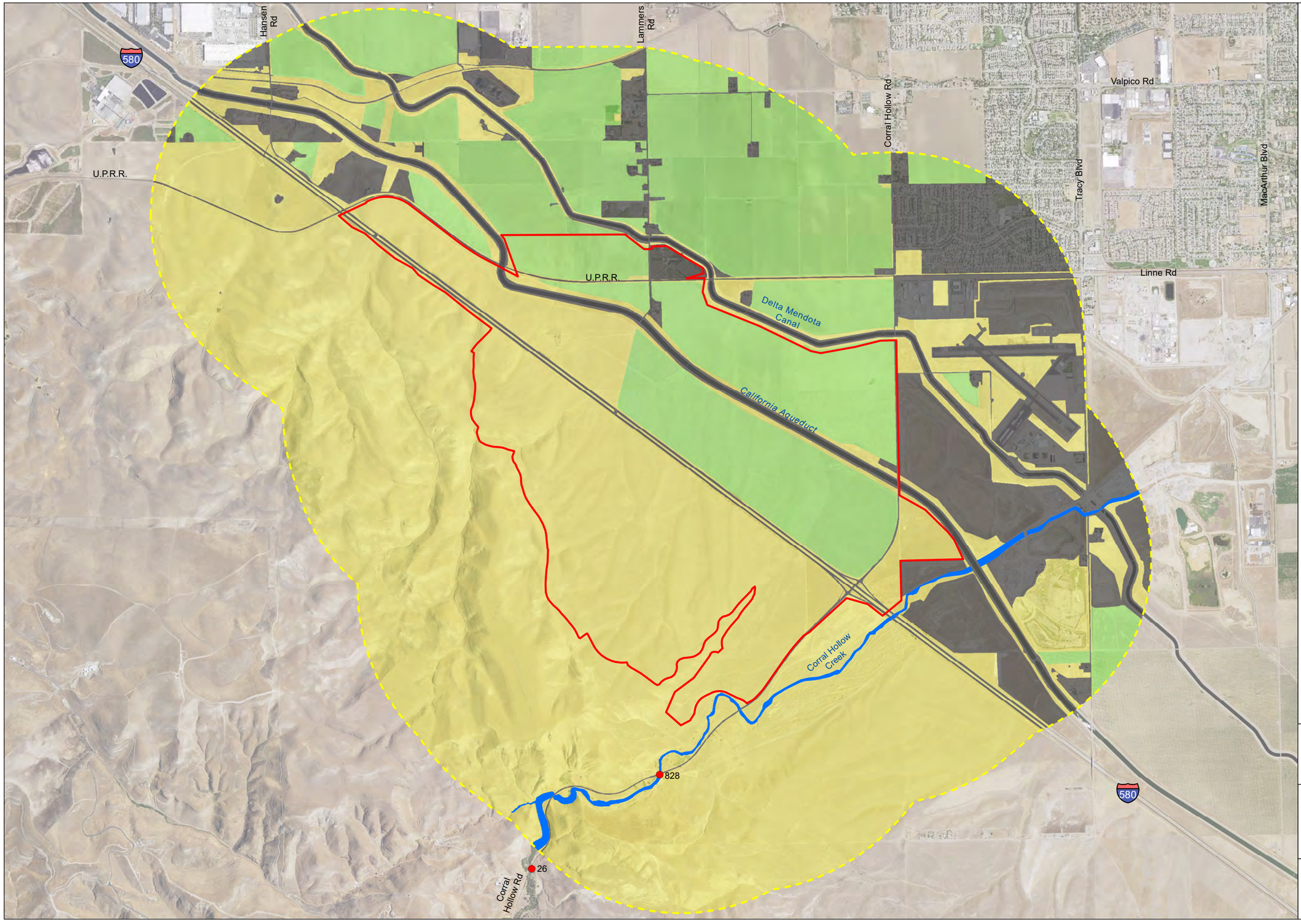
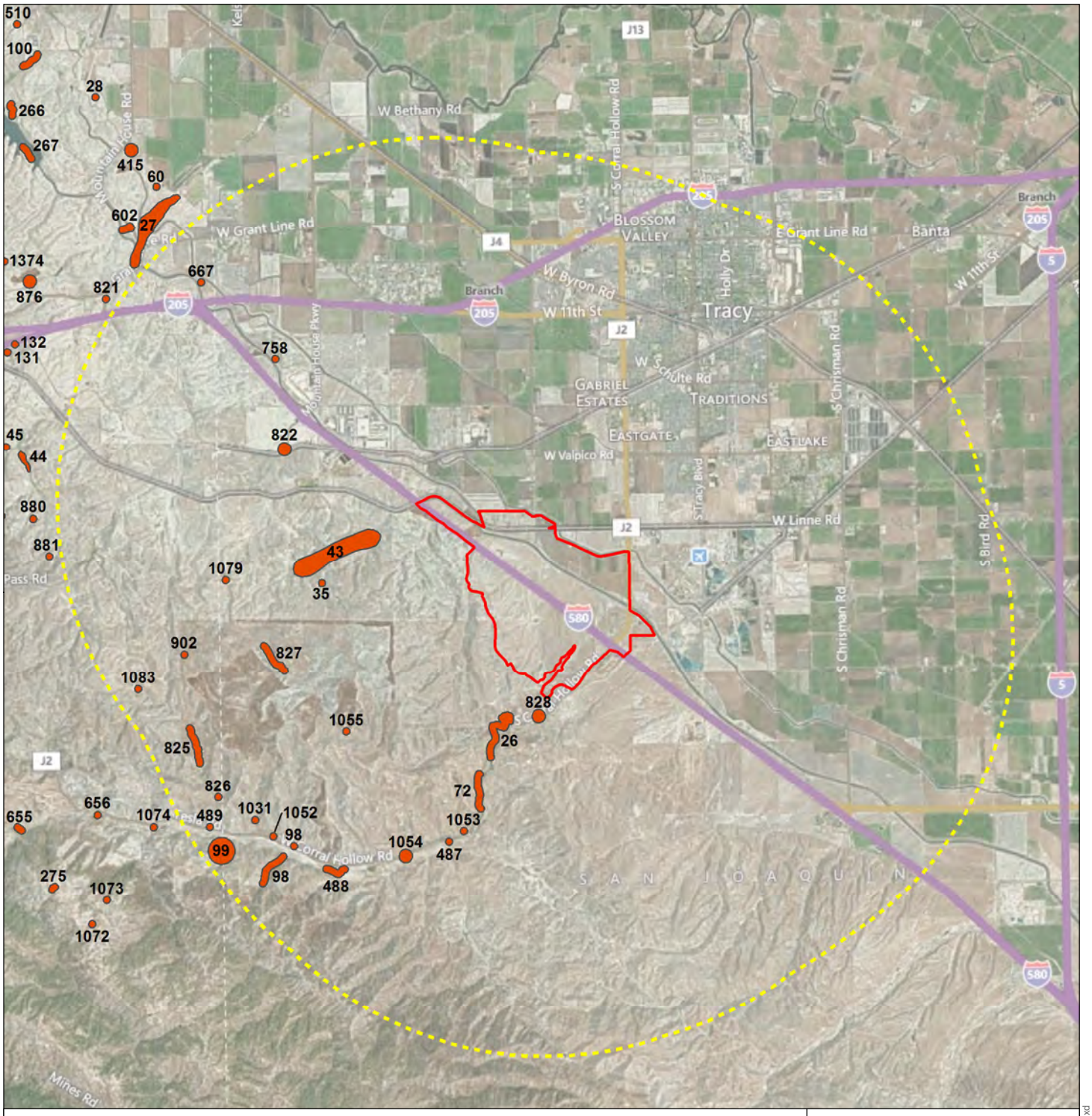


Figure 3. Habitat Assessment



Project Site

5-mile Radius Around the Project Site

California Red-Legged Frog Occurrence (with Occurrence Number)

0 1 2 Miles

1 inch = 2 miles

Data Sources:
- Bing accessed Aug 2015, imagery date range: May - Nov 2010
- California Department of Fish and Wildlife, California Natural Diversity Database (CNDDB), Jul 2015 data release

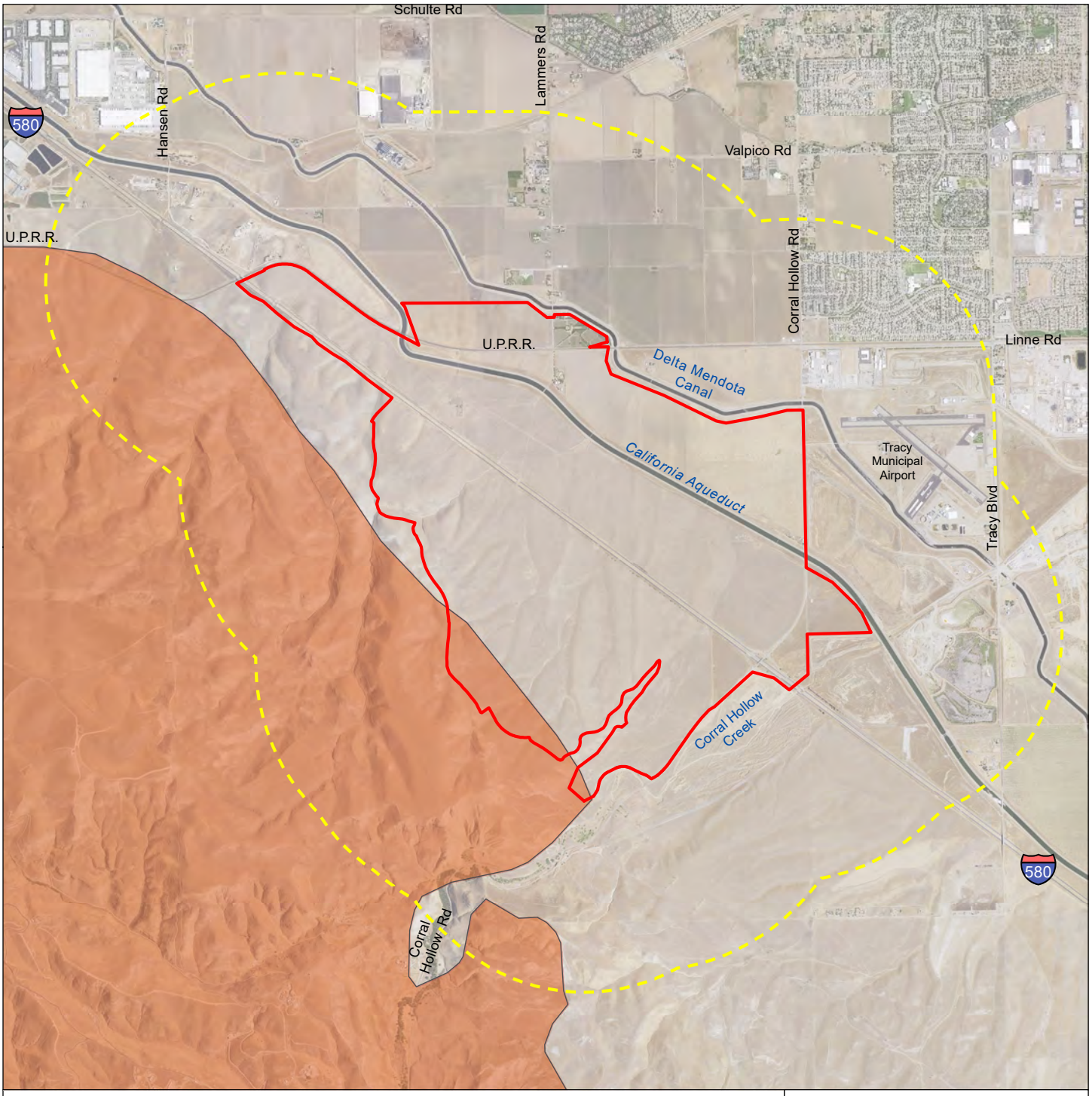
Map Prepared: 8-4-15

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 4. CRLF Occurrences within 5 Miles of the Project Site



Project Site

1-mile Radius Around the Project Site

Critical Habitat for California Red-Legged Frog

0 2,000 4,000 Feet

1 inch = 4,000 feet

Data Sources:
- San Joaquin County GIS accessed Aug 2015, data date: Jan 2015
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: Jun 2014
- US Fish and Wildlife Service critical habitat accessed Aug 2015, data date: Aug 2015

Map Prepared: 8-13-15

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 5. Critical Habitat

6.0 CONCLUSIONS

The habitat within the study area include existing livestock grazing, agricultural tilling and other anthropogenic undertakings which have greatly reduced the lands ability to support breeding and dispersing CRLF. No CRLF aquatic breeding habitat has ever been detected within the Project Site; and the low quality CRLF dispersal habitat present is severely constrained (i.e., freeways, urban residential/commercial development, swift-flowing aqueducts, lack of appropriate cover to elude predators or exposure to desiccation, disked fields, and livestock grazing).

Given that these findings are consistent with other assessments for CRLF within the Project Site, the Project would not be expected to result in the loss of individual CRLF, or adversely affect local or regional populations of them. Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, as impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity are maintained within the region with deference to CRLF. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to CRLF as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. With the implementation of the measures detailed within Section 7.0 of this report, there is no presumption that the Project would result in the take[4] of CRLF or the loss of valuable breeding habitat.

[4] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

7.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to CRLF that have the potential to occur within the study area:

- Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support CRLF, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence.

- Survey will occur during the wet season (generally October 15 to April 15), no more than 48 hours before any new ground disturbance.

- A worker training program that includes the CRLF will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.

- If a CRLF is found, the construction supervisor shall halt work immediately within an appropriate buffer area of any discovered CRLF. The construction supervisor will also contact the project biologist and will suspend all construction activities in the immediate construction zone until the animal leaves the site voluntarily.

- To prevent entrapment of CRLF during construction, any trenches, holes, or other excavations into which CRLF could fall and become trapped will be covered. The opening will be completely covered at the end of each workday.

8.0 REFERENCES

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APPENDIX A

PHOTOGRAPH LOG

	Photograph 1 California Aqueduct is an anthropogenic feature that functions as a high movement constraint for CRLF based on the steep sided walls and swift flowing water (facing west).
	Photograph 2 Despite a long hydro period sufficient for CRLF larval development, this feature is not considered suitable for CRLF due to a lack of emergent and/or riparian vegetation within/around the feature (facing north).

	Photograph 3 Agricultural tilling removes potential underground burrows and creates uneven terrain that is difficult for adult CRLF to traverse. Because of this disturbance type, the area cannot provide upland habitat to CRLF (facing east).
	Photograph 4 Due to a lack of vegetation and shallow depths, this feature does not provide breeding habitat to CRLF (facing southwest).

	Photograph 5 Illustration of the large cliff/steep-sloped area southeast of the Project near Corral Hollow Creek. Due to the steep sides of this topographic feature, dispersing CRLF would not be able to reach the Project Site (facing north).

APPENDIX G
2015 Tracy Hills Project California Tiger Salamander Assessment

DRAFT

TRACY HILLS PROJECT

September 2015

California Tiger Salamander Assessment

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By


16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section		Page
1.0	EXECUTIVE SUMMARY	1-1
2.0	INTRODUCTION AND PROJECT LOCATION	2-1
3.0	CALIFORNIA TIGER SALAMANDER BACKGROUND	3-1
4.0	METHODS	4-1
5.0	RESULTS	5-1
6.0	CONCLUSIONS	6-1
7.0	RECOMMENDATIONS	7-1
8.0	REFERENCES	8-1

FIGURES

Figure 1	Regional Location	1-3
Figure 2	Site Vicinity	1-4
Figure 3	Habitat Assessment	5-2
Figure 4	CTS Occurrences within 5 Miles of the Project Site	5-3
Figure 5	Critical Habitat	5-4

APPENDICES

Appendix A	Photograph Log

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions and results of a U.S. Fish and Wildlife Service (USFWS) protocol-level California Tiger Salamander *(Ambystoma californiense* [CTS]) habitat assessment for the Project. Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site) and a 1.24-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water (i.e., California Aqueduct and Delta Mendota Canal), orchard, non-native grasses, and developed habitats.

As required by the *Interim Guidance on Conducting Site Assessments and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (CDFG October 2003)* the data collected and analyzed herein addresses the following 3 elements relevant to the potential occurrence of CTS within the Project Site. These parameters include:

1. The Project's position within the current and historic range of the CTS;

2. Known localities of CTS within the study area; and

3. Existing habitats within the Project Site and within 1.24 miles its boundaries.

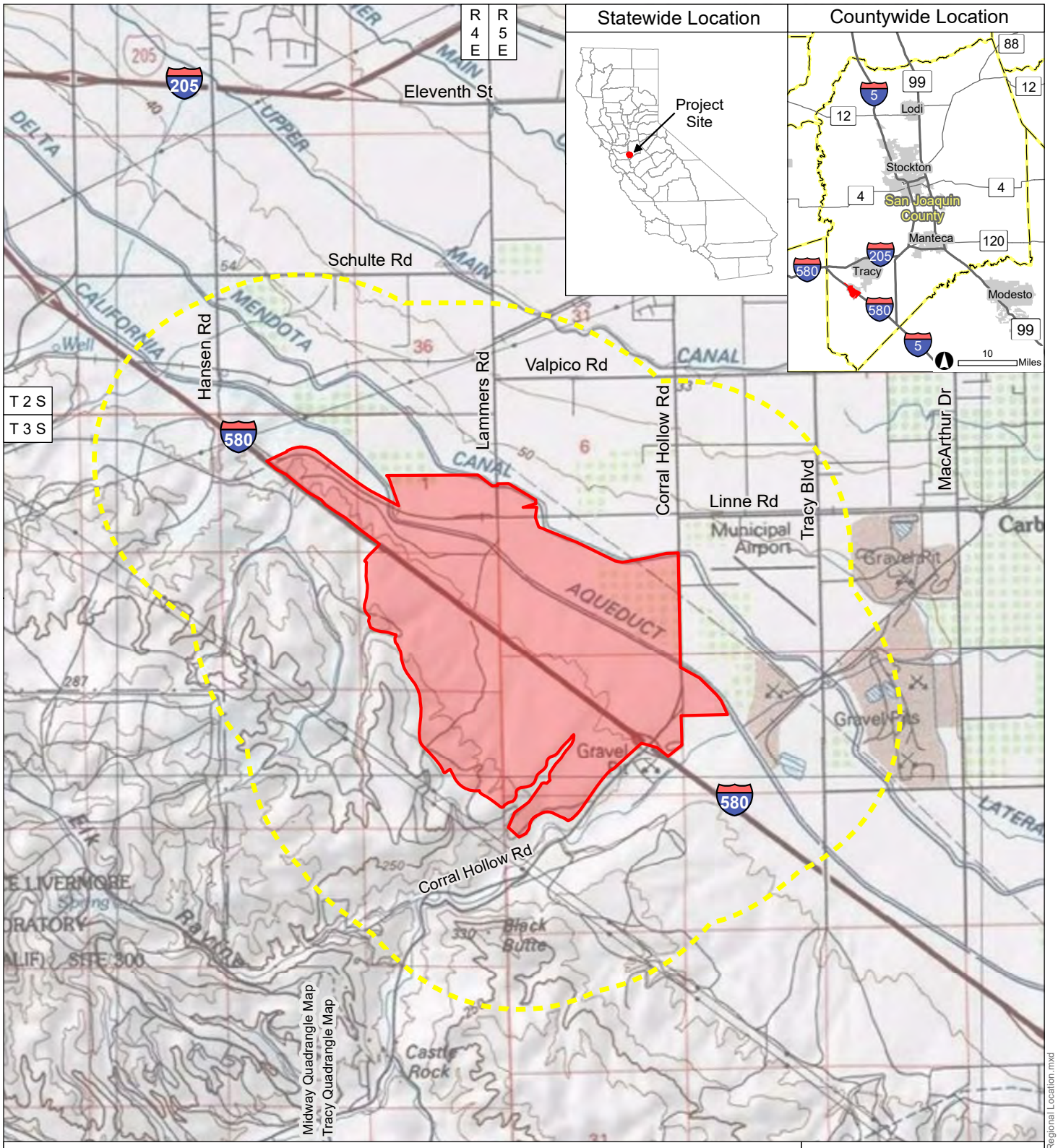
Targeted CTS field evaluations and analysis have occurred within representative portions of the study area for roughly 15 years. This has been done to account for variations in local weather patterns, and to safeguard that field investigations were adequate to maximize the potential for detecting CTS. The literature reviews; comprehensive field investigations by credentialed biologists; and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies (LSA 1999, Foothill Associates 2004, Berryman Ecological LLC 2010, and ICF International 2011). No CTS aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site.

This is likely a result of the significant ground disturbance (i.e., grading, disking, and deep ripping) associated with crop cultivation and numerous other anthropogenic undertakings that have occurred within the study area (e.g., freeways, paved roads, aqueducts, urban development and other infrastructure related appurtenances). Additionally, soils within the Project Site are generally very well drained, which contributes to the short hydro periods of the few isolated, small, shallow, seasonal depressions that support ponding water for a few weeks out of the frost free growing season – as opposed to the 10 weeks required for successful CTS larval development. Ephemeral features within the Project site are presumed to convey fast flowing water during and immediately following storm events; but they lack drop pools or other lands that could pond water for sufficient durations of time to support CTS larval development. Even concrete-lined stock ponds within the Project Site have high-walls around them that would preclude CTS from utilizing it as breeding habitat. Nonetheless, there are lands within

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.

the southwestern portion of the Project Site that could be used by adult CTS as potential refuge or as low quality overland dispersal habitats. But these areas value as adult CTS refuge or dispersal habitat is inconsequential because they are isolated from known aquatic breeding habitats within the vicinity; and are severely movement constrained (i.e., topography, freeways, paved roads, aqueducts, lack of appropriate cover or exposure to desiccation, disked fields) within the study area.

The more factors that constrain CTS breeding habitats and movement corridors, the less likely individuals are to occur, or continue to occur within a specific locale. The nearest historic CTS record in the surrounding area is from 1992; and it consists of 1 adult male along the edge of Corral Hollow Road - near the extreme southwestern limits of the Project Site. It should also be noted that these lands are not proposed for development to minimize adverse effects to special status species and their habitats. Given the lack of breeding habitat and movement constrained overland dispersal habitat within the Project Site, the likelihood of CTS successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CTS are not uncommon south of the Project, and within the approximately 3,500-acre open space conservation easement which abuts the study area. The data analyzed also suggests that there is extremely low potential for CTS to recruit into the Project Site.



Project Site

2 Kilometer Radius Around the Project Site

County Boundary (inset)

Urban Area (inset)

Interstate or State Highway (inset)

0 0.5 1 Mile

1 inch = 1 mile

Data Sources:
- Bing accessed Aug 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Aug 2015

Map Prepared: 8-11-15

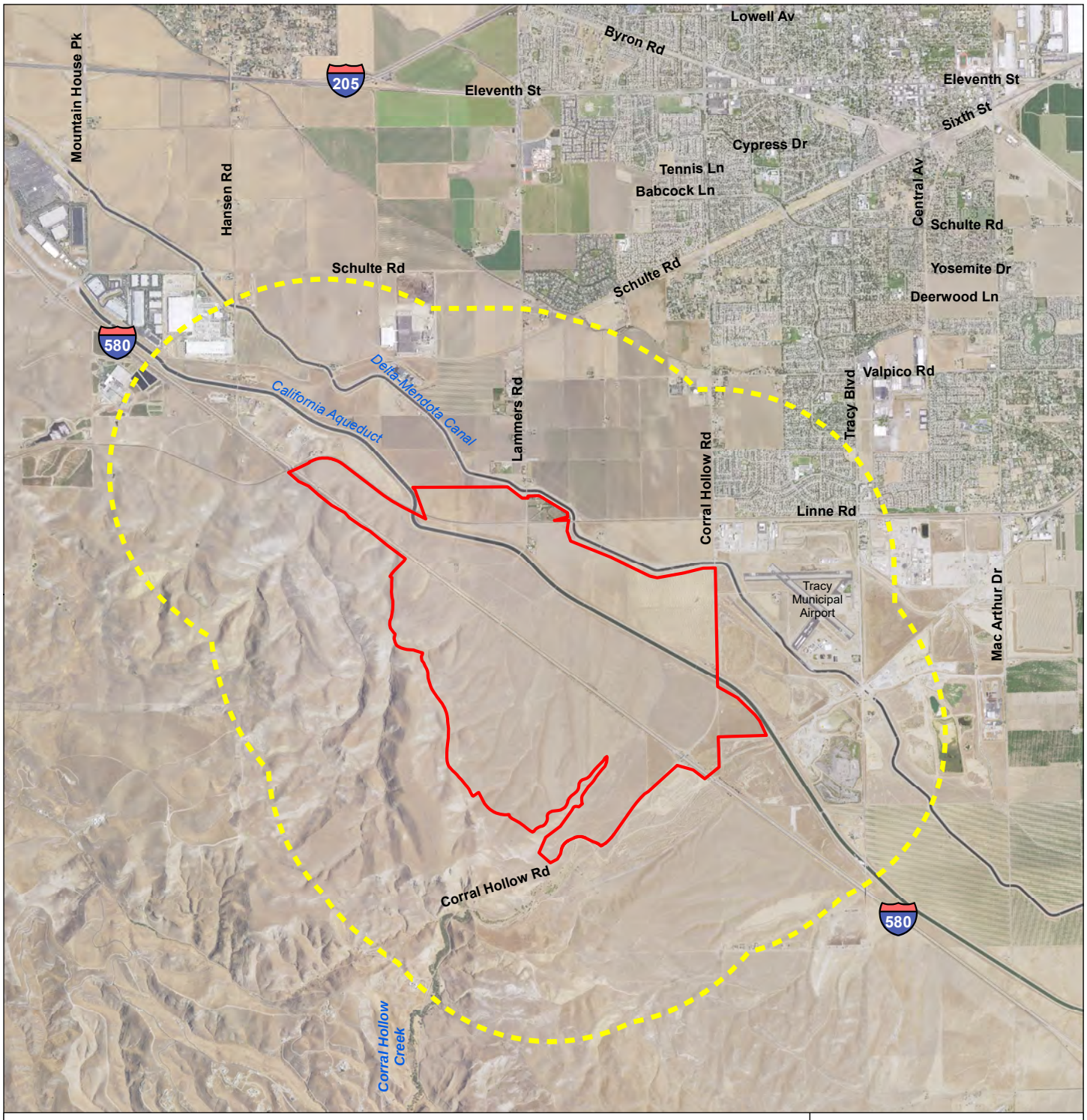
Prepared by:
NOREAS
Environmental Engineering and Science

The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

C:\SRM\Noreas\Tracy Hills\ArcMap\CTS\Fig1. Regional Location.mxd

Figure 1. Regional Location



Project Site (2,729 acres)

2-kilometer Radius Around the Project Site (13,736 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

Map Prepared: 8-11-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\CTS\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic California Tiger Salamander *(Ambystoma californiense* [CTS]) census data and perform a U.S. Fish and Wildlife Service (USFWS) protocol-level assessment for the Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 11, 12, 13 and 24 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and 2015 field assessment was to determine the presence or to confirm the presumed absence of, CTS within the study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a 1.2 mile (2 kilometer) buffer (Figure 2).

3.0 CALIFORNIA TIGER SALAMANDER BACKGROUND

CTS is an endemic species to the lowlands of central California and is listed as threatened under the federal and State Endangered Species Acts. The primary cause of CTS population decline is loss of habitat from development (USFWS 2004). CTS require both terrestrial and aquatic habitats in order to complete its life cycle. Adult salamanders will breed within seasonal ponds and wetlands. During the dry season CTS will move into the surrounding uplands, living underground in fossorial mammalian burrows (Loredo and Van Vuren 1996, Loredo at al. 1996). The CTS larvae develop within aquatic breeding habitat and then move into the adjacent upland habitat as metamorphosed juveniles. Characteristic upland habitat consists of annual grasslands, which are typically grazed by livestock. Upland habitat must also contain mammal burrows or shrink-swell cracks that provide refugia, which is used for the majority of their lifecycle (USFWS 2004).

The breeding period for CTS is generally December through February. Females lay eggs in the water of seasonal to semi-perennial wetlands attached to vegetation, twigs, debris, or in some cases, rocks (Stebbins and McGinnis 2012). The eggs of CTS hatch in approximately 10 to 14 days. Although the larvae of CTS can overwinter in appropriate habitats, the larval stage typically lasts between 3 and 6 months, and is largely dependent on the inundation period of the wetland. CTS movements have been recorded at distances of up to 1.24 miles between upland habitat and breeding ponds (USFWS 2004). However, overland movements are significantly often constrained by urban development and freeways (CDFG 2003).

4.0 METHODS

Prior to beginning field surveys, resource specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of herpetofauna that have the potential to exist within and adjacent to the study area; resources were evaluated within several miles of the Project. The primary materials reviewed included, but were not limited to, the following:

- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999)
- Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010)
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- A Guide To The Amphibians And Reptiles Of California (California Herps 2013);
- Interim Guidance on Conducting Site Assessments and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (CDFG October 2003);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

Survey methods were derived from generally accepted professional standards for performing visual encounter herpetofauna surveys (Aguirre-Bravo et al. 2006) and followed the *Interim Guidance on Conducting Site Assessments and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (CDFG October 2003).* An assessment for CTS was performed within 1.24 mile of the Project Site to characterize the habitats and land cover types to the maximum extent practical with regard upland and aquatic features.

Upland and aquatic types within the study area were mapped and characterized as either not suitable, breeding[2], or dispersal habitat by vegetation communities, land use, and any potential barriers to CTS movements. In order to determine if an aquatic feature within the Project and/or study area could provide suitable CTS habitat (i.e., breeding and dispersal), sufficient hydrologic periods needed to be observable through time-lapse images over multiple years. Perennial or semi-perennial water features that retained water through most of the year and had associated riparian vegetation cover were considered suitable to support CTS larval development (breeding habitat). Upland habitats were further analyzed for potential movement constraints as described below.

[2] Non-CTS breeding habitats are aquatic habitats that during average precipitation years, do not have sufficient hydrology for CTS larvae to complete metamorphosis. Therefore, for the purposes of this report, CTS breeding aquatic habitat is defined as any body of water deeper than 12 inches that ponds, on average, for longer than 10 weeks.

- High constraints to movement are barriers in which CTS cannot pass over, though, or under (e.g., sound walls) or that CTS would most likely perish while trying pass over them (e.g., freeways). The high constraints to CTS movement include urban residential and commercial development, swift-flowing aqueducts, and freeways.

- Moderate constraints to CTS movement are those that would greatly increase the likelihood of mortality from exposure to predators or exposure to desiccation by increasing the length of movement or dispersal time. Moderate constraints consist of disked fields with no vegetation cover, hay fields, rural development, railroad berms and tracks, and rural paved roads.

- Low constraints are those that slightly increase the likelihood of mortality such as agricultural fields planted with row crops and orchards. No constraints are those that do not have permanent or significant barriers to movement such as routinely grazed annual grasslands. Livestock grazing in annual grassland habitat reduces vegetation heights, encourages fossorial mammal occupation, and can facilitate CTS overland dispersal (Barry and Shaffer 1994).

The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. The assessment was not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Where access was limited, observations were made from the nearest appropriate vantage points by means of public rights-of-way with the use of binoculars and spotting scopes. The following NOREAS biologists either performed the field work and/or contributed to data analysis: Brent Helm PhD, Mark Noyes MS, Eric Dugan PhD, Richard White MS, Jeff Alvarez BS, Lenny Malo MS, Lincoln Hulse BS, Erin Serra BS, and Ken Hashagen BS.

5.0 RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 50–75 degrees Fahrenheit, and winds fluctuating from 0 to 15 miles per hour. CTS assessments were performed on the following dates: 17 and 18 December 2014, 25 and 26 March, 16 and 17 April, 16 May, 7 and 8 June, 2015.

The Project Site predominately consists of upland non-native vegetation, grasslands, and developed and disturbed land cover types (Figure 3). Targeted CTS field evaluations and analysis have occurred within representative portions of the study area since 1999. This has been done to account for variations in local weather patterns, and to safeguard that field investigations were adequate to maximize the potential for detecting CTS. The literature reviews; comprehensive field investigations; and 2015 assessment results indicate that the herpetofauna within the study area has not changed significantly from those documented in past studies. Given the size of the Project Site, there are relatively few aquatic habitats within it (Figure 4).

No CTS aquatic breeding habitat that could support larval development of the species has ever been detected within the Project Site. This is likely a result of the substantial ground disturbance (i.e., grading, disking, and deep ripping) associated with crop cultivation and numerous other anthropogenic undertakings that have occurred within the study area (e.g., freeways, paved roads, aqueducts and other infrastructure related appurtenances). Additionally, soils within the Project Site are generally very well drained, which contributes to the short hydro periods of the few isolated, small, shallow, seasonal depressions that support ponding water for a few weeks out of the frost free growing season – as opposed to the 10 weeks required for successful CTS larval development. This is evidenced by a lack of hydrologic indicators (e.g., rack lines, biotic crusts, and salt deposits) and a general lack of hydrophytic vegetation within the Project Site with the exceptions; hydrophytes indicative of short hydroperiods (e.g., including Italian ryegrass [*Festuca perennis*] and Mediterranean barley [*Hordeum marinum ssp. gussoneanum*]) were detected. Ephemeral features within the Project site are presumed to convey fast flowing water during and immediately following storm events; but they lack of drop pools or other lands that could pond water for sufficient durations of time to support CTS larval development. Even concrete-lined stock ponds within the Project Site that are supplemented by pumped-well water have high-walls (>2 feet tall) around them, that would preclude CTS from utilizing it as breeding habitat.

The nearest historic CTS record in the surrounding area is from 1992; and it consists of 1 adult male along the edge of Corral Hollow Road - near the extreme southwestern limits of the Project Site. It should also be noted that these lands are not proposed for development to minimize adverse effects to special status species and their habitats. Nonetheless, there are lands within the southwestern portion of the Project Site that could be used by CTS as potential refuge or as low quality overland dispersal habitats for adults. These areas value as adult CTS refuge or dispersal habitat is inconsequential because they are isolated from known aquatic breeding habitats within the vicinity; and are severely movement constrained (i.e., topography, freeways, paved roads, aqueducts, lack of appropriate cover or exposure to desiccation, disked fields) within the study area. With deference to Corral Hollow Creek, it's bordered to the west by an extremely steep slope that transitions into a vertical cliff. This leaves limited area along Corral Hollow Road accessible to potential migrating or dispersing individuals moving away from aquatic habitats within the creek. The Project Site does not include designated critical habitat for CTS either (USFWS 2015, Figure 5). Appendix A includes a Photograph Log.

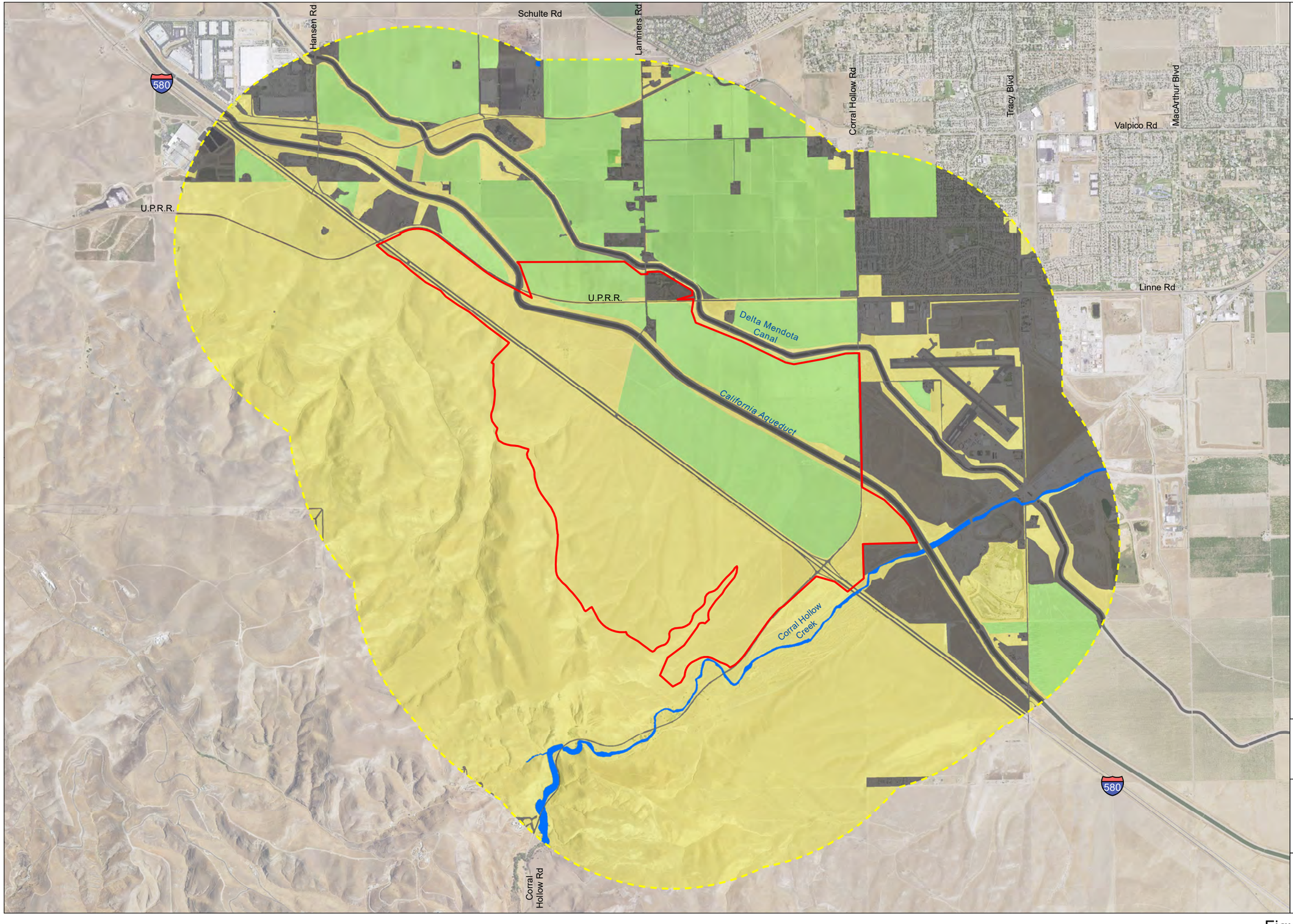
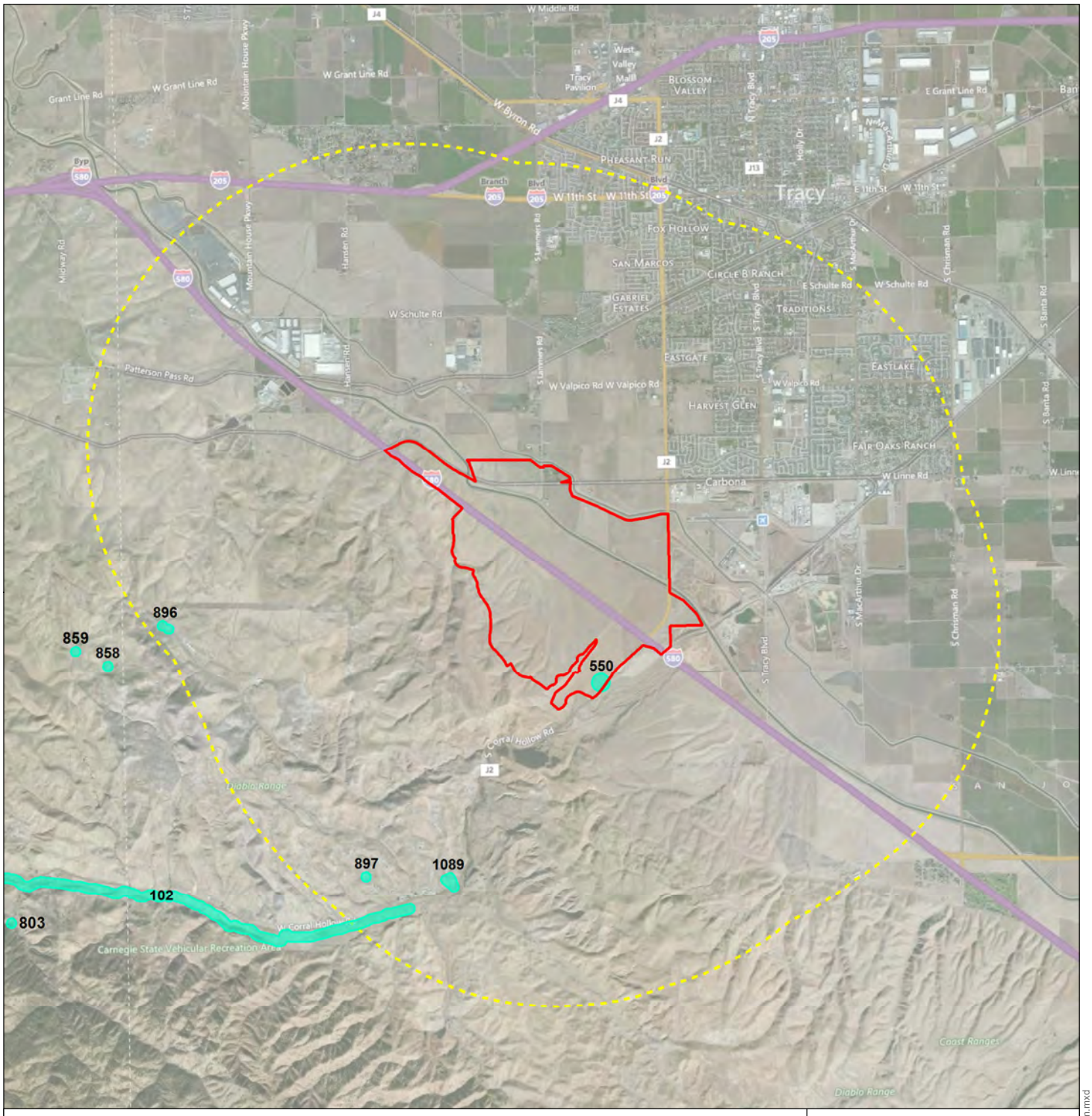


Figure 3. Habitat Assessment



Project Site

5-kilometer Radius Around the Project Site

California Tiger Salamander Occurrence (with Occurrence Number)

0 0.5 1 1.5 Miles

1 inch = 1.5 miles

Data Sources:
- Bing accessed Aug 2015, imagery date range: May - Nov 2010
- California Department of Fish and Wildlife, California Natural Diversity Database (CNDDB), Jul 2015 data release

Map Prepared: 8-11-15

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 4. CTS Occurrences within 5 Kilometers of the Project Site

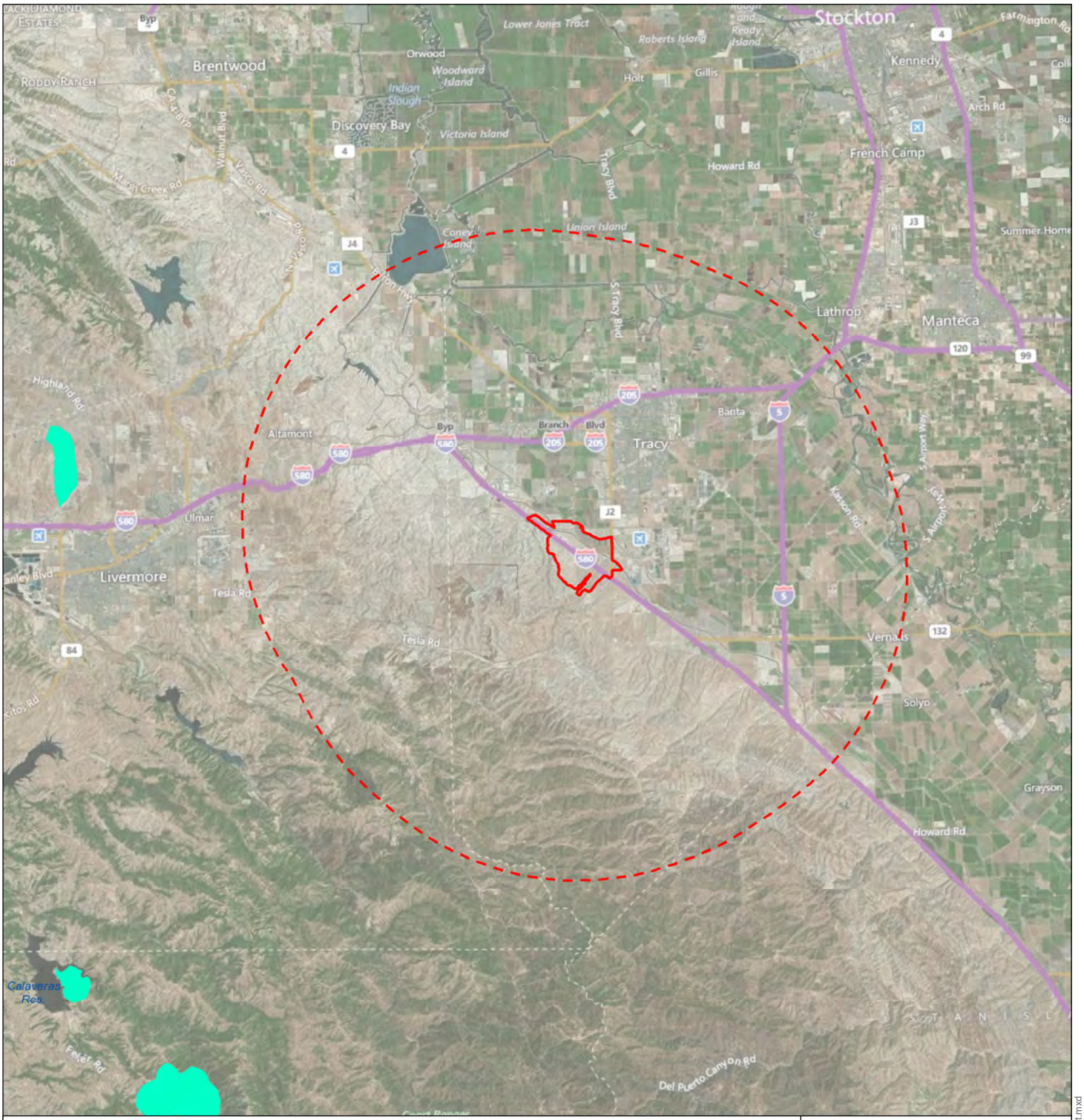


Figure 5. Critical Habitat

6.0 CONCLUSIONS

The Project Site has been exposed to substantial ground disturbance (i.e., grading, disking, tilling and deep ripping) associated with agricultural activities, crop cultivation and numerous other anthropogenic undertakings that have occurred within the study area (e.g., freeways, paved roads, aqueducts and other infrastructure related appurtenances) that have greatly reduced the lands ability to support breeding and dispersing CTS. No CTS aquatic breeding habitat has ever been detected within the Project Site; and only low quality severely constrained CTS dispersal habitat is present. The more factors that constrain CTS breeding habitats and movement corridors, the less likely individuals are to occur, or continue to occur within a specific locale. Given the lack of breeding habitat and movement constrained overland dispersal habitat within the Project Site, the likelihood of CTS successfully reproducing within it or even utilizing it for dispersal is negligible because much higher quality habitats are available within the region. Observations of CTS are not uncommon south of the Project, and within the approximately 3,500-acre open space conservation easement which abuts the study area.

Given that these findings are consistent with other assessments for CTS within the study area, the Project would not be expected to result in the loss of individual CTS, or adversely affect local or regional populations of them. Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, as impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity are maintained within the region with deference to CTS. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to CTS as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. With the implementation of the measures detailed within Section 7.0 of this report, there is no presumption that the Project would result in the take[3] of CTS, or the loss of valuable breeding habitat.

[3] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

7.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to CTS that have the potential to occur within the study area:

- Prior to commencement of ground disturbing activities in all areas of potentially suitable habitat to support CTS, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If CTS is detected within portions of the study area proposed for development, then avoidance and minimization measures specific to CTS will be incorporated into the Project as necessary to reduce impacts to CTS to less-than significant.

- Temporary construction disturbances to California tiger salamander habitat will be minimized to the extent practicable. All Project-related vehicle traffic will be restricted to established roads, and construction areas.

- A qualified biologist will be on site during all activities that may result in the take of CTS. The biologist will be given the authority to stop any work that may result in the take of this listed species.

- The biologist will be responsible for ensuring that the exclusion fence installed around occupied CTS habitat inspected before the start of each day and remains intact until project construction is complete.

- Plastic monofilament netting (erosion control matting) or similar material will not be used for erosion control or other purposes around occupied CTS habitat because they may become entangled or trapped in it. Acceptable substitutes include coconut coir matting or tackified hydroseeding.

- The project proponent or its contractor will implement BMPs to prevent sediment from entering suitable California tiger salamander habitat through the use of silt fencing and sterile hay bales.

- A worker training program that includes the California tiger salamander will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.

- A speed limit of 20 miles per hour (mph) will be observed within construction areas, particularly on rainy nights when California tiger salamanders are most likely to be moving between their breeding ponds and upland habitat. To the extent possible, nighttime construction will be minimized. Off-road traffic outside designated construction areas will be prohibited.

- To prevent entrapment of California tiger salamanders during construction, any trenches, holes, or other excavations into which California tiger salamander could fall and become trapped will be covered. The opening will be completely covered at the end of each workday.

8.0 REFERENCES

Berryman Ecological LLC. 2010. Biological Resources on the Tracy 580 Business Park Property.

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_____. 1986. 7.5-Minute Quadrangle Midway, California.

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APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. California Aqueduct is a anthropogenic feature that functions as a high movement constraint for CTS based on the steep sided walls and swift flowing water (facing west).
	Photograph: 2. Due to a lack of vegetation and shallow depths, this feature does not provide breeding habitat to CTS (facing southwest).

	Photograph: 3. Agricultural tilling removes potential underground burrows and creates uneven terrain that is difficult for adult CTS to traverse (facing east).
	Photograph: 4. Illustration of the large cliff/steep-sloped area southeast of the Project near Corral Hollow Creek. Due to the steep sides of this topographic feature, dispersing CTS would not be able to reach the Project Site (facing north).

APPENDIX H
2015 Tracy Hills Project San Joaquin Kit Fox Survey

DRAFT

TRACY HILLS PROJECT

September 2015

San Joaquin Kit Fox Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By



16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section		Page
1.0	EXECUTIVE SUMMARY	1-1
2.0	INTRODUCTION AND PROJECT LOCATION	2-1
3.0	BACKGROUND INFORMATION ON SAN JOAQUIN KIT FOX	3-1
4.0	METHODS	4-1
5.0	SURVEY RESULTS	5-1
6.0	IMPACTS AND RECOMMENDATIONS	6-1
7.0	REFERENCES	7-1

FIGURES

Figure 1	Regional Location	1-3
Figure 2	Site Vicinity	1-4
Figure 3	Station Locations	4-1
Figure 4	Spotlight Results	5-2

APPENDICES

Appendix A	2015 Track Station Data
Appendix B	2015 Digital Imaging Station Data
Appendix C	Photograph Log
Appendix D	California Natural Diversity Database Form

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report documents the findings of protocol level San Joaquin Kit Fox (*Vulpes macrotis mutica*) surveys for the Project. For the purposes of this report, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) (Figure 2). Six land cover types were observed within the study area in 2015: agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats.

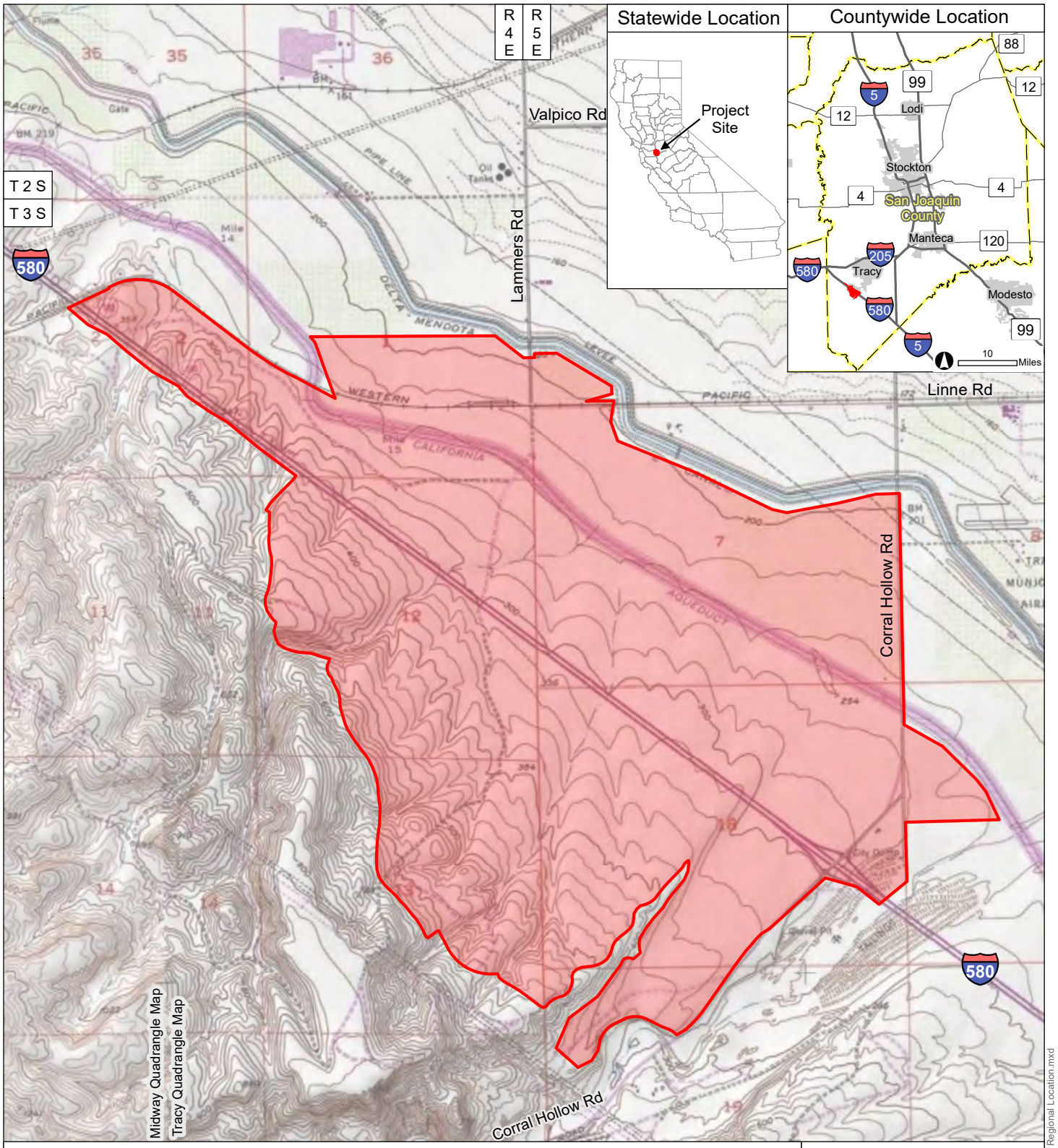
Targeted field surveys and analysis have occurred within representative portions of the study area for more than 25 years. This has been done to account for variations in local weather patterns, and to safeguard that field surveys were adequate to maximize the potential for detecting San Joaquin Kit Fox. The literature reviews; comprehensive field investigations by credentialed and experienced mammalogists; 4 consecutive years of concentrated canine San Joaquin Kit Fox scat detection census activities; and 2015 pedestrian survey results indicate that the small mammal population within the study area has not changed significantly from those documented in past studies over a quarter of a century. The study area is in the northern portion of the range of San Joaquin Kit Fox. As the range extends northward, reported observations of kit fox become fewer and fewer.

No San Joaquin Kit Fox breeding, non-natal or natal den complexes have ever been detected within the study area. No atypical, natal, or known San Joaquin Kit Fox dens have ever been located during surveys of the Project Site either. Although the study area is large in total size – it has very low species richness and diversity, and lacks high quality habitats for San Joaquin Kit Fox. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial rodent population. More specifically, no San Joaquin Kit Fox camera stations or track stations have ever documented the species within the study area.

Nonetheless, during 2015 spotlighting surveys a single San Joaquin Kit Fox was observed. The animal was foraging within the fenced right-of-way of the California Aqueduct; not within the Project Site. This observation lasted approximately 20 seconds, as the fox ultimately moved along the California Aqueduct's gravel security road in a southern direction until it was out of site. No other San Joaquin Kit Fox has ever been detected within the study area. Given the low quality habitat present (i.e., limited rodent population, depauperate landscape, competition and territorialism among other mammals within the study area [i.e., coyote]), the likelihood of San Joaquin Kit Fox successfully establishing a natal den our utilizing the Project Site as valuable foraging habitat is negligible. Although little can be concluded from a single observation of one animal, it is conceivable – albeit unlikely, that the California Aqueduct is functioning as a movement corridor for a small number of San Joaquin Kit Fox. Observations of the species are not uncommon south of Corral Hollow Road and within the approximately 3,500-acre open space conservation easement which abuts the study area.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis

The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support San Joaquin Kit Fox. The data collected and analyzed herein also suggests that there is extremely low potential for San Joaquin Kit Fox to recruit into the Project Site. Given that targeted surveys for San Joaquin Kit Fox have been negative within the Project Site for roughly a quarter century, the Project would not be expected to result in the loss of individual San Joaquin Kit Fox, or adversely affect local or regional populations of them. Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, and impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity are maintained within the region with deference to San Joaquin Kit Fox. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to San Joaquin Kit Fox as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. Furthermore, the Project does not alter the ultimate land use in any way that would adversely affect the cohesiveness and quality of the surrounding lands ability to sustain their stated ecological and conservation purposes.



Project Site

Urban Area (inset)

County Boundary (inset)

Interstate or State Highway (inset)

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- Bing accessed Aug 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Aug 2015

Map Prepared: 8-11-15

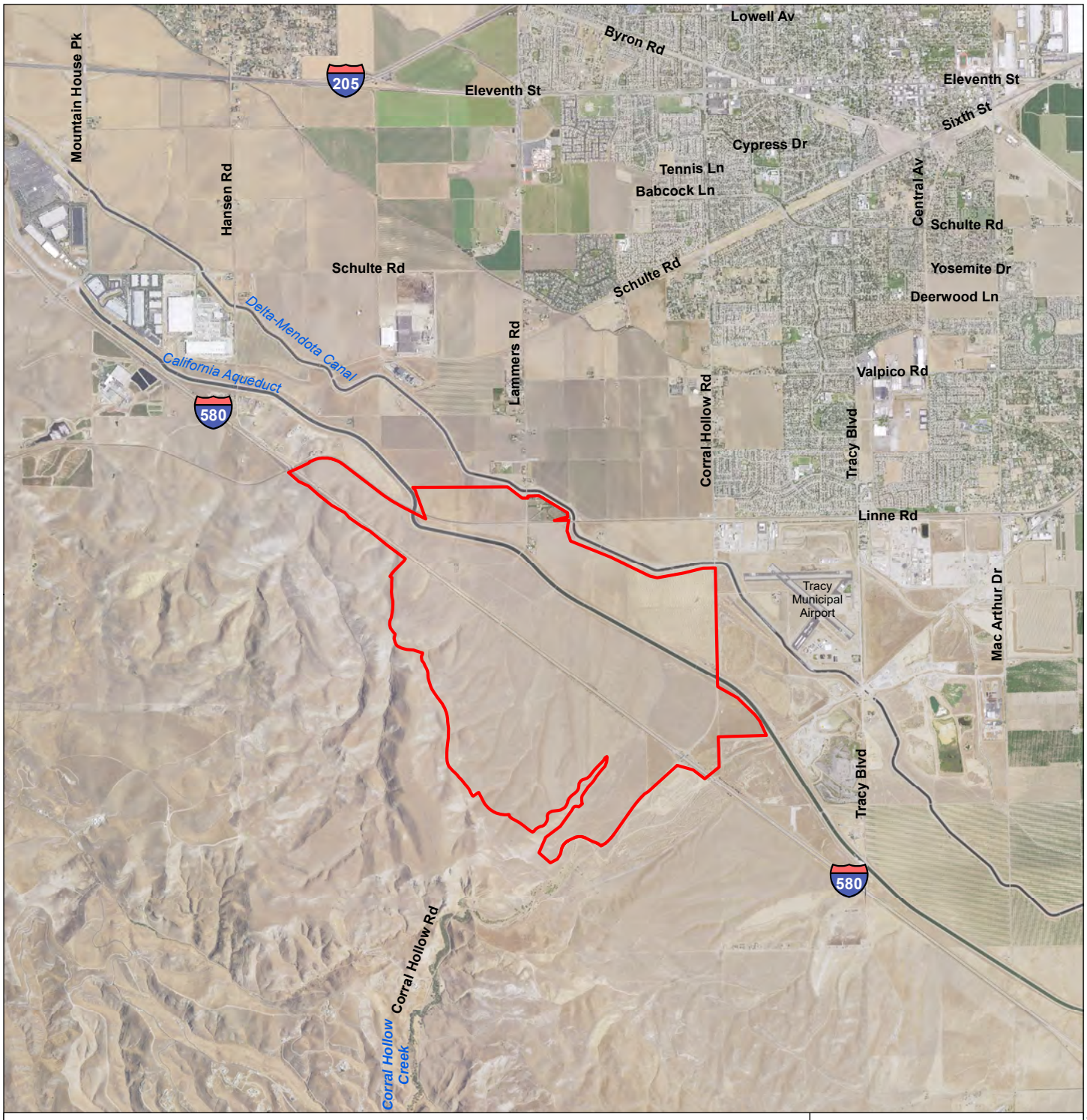
Prepared by:
NOREAS
Environmental Engineering and Science

The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

C:\SRM\Noreas\Tracy Hills\ArcMap\SJKFFig1. Regional Location.mxd

Figure 1. Regional Location



Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

Map Prepared: 8-11-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SJKFVFig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS, Inc. was retained to review historic small mammal census data and conduct protocol level San Joaquin Kit Fox surveys for the Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-minute quadrangle map; and Sections 1, 2, 12 and 13 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy U.S. Geological Survey 7.5 minute quadrangle map (USGS 1980).

The primary objective of the literature review and field surveys was to determine the presence – or to confirm the presumed absence of, San Joaquin Kit Fox and their den complexes within Project boundaries. For the purposes of this document, the "study area" includes the entirety of the Project's possible proposed ground disturbance footprint (Figure 2). Therefore, the study area includes all lands likely to be affected directly by the Project, and is limited to those locales associated with proposed ground disturbances – with few exceptions (e.g., locales within the road right-of-way of the 580 Interstate Highway and the fenced right-of-way and access roads of the California Aqueduct).

3.0 BACKGROUND INFORMATION ON SAN JOAQUIN KIT FOX

The San Joaquin Kit Fox is one of the eight recognized subspecies of kit fox. It resembles a small lanky dog in appearance, is cat-size, and has disproportionately large ears. Total length is about 32 inches, including a 12-inch black-tipped tail. Coloration ranges from light buff to grayish along the back and tail; gray, rust, or yellowish along the sides with white along the belly.

Kit fox dens are typically excavated in loose soil and individual animals may utilize from multiple separate dens. The number of den entrances vary, and they may extend into several individual tunnels and chambers reaching depths of 10 feet. Man-made structures such as culverts and pipes may also be used as dens. The den entrance is characteristically higher than wide, and is sufficiently small to prevent access by large carnivores such as coyotes and dogs. The den entrance holes are generally about 6 to 10 inches in height and less than 8 inches in width, but may be as small as 4 inches in width.

Burrows of other animals particularly California Ground Squirrel, may also be enlarged and utilized as den sites. Although occupied dens commonly show freshly excavated soil, scats, and prey remains, such obvious sign may be inconspicuous or absent. Kit fox forage and live in an area of 1 to 2 square miles. San Joaquin Kit Fox typically hunt for rodents, rabbits, and other prey by night. Typical prey include California Ground Squirrel, Audubon's Cottontail, Black-tailed Hare, kangaroo rats, pocket mice, other small mammals, insects, and ground-nesting birds. Mating occurs in December to January. Pups are born in February to March, and begin to disperse at around five months of age. Survival rates of pups are low, about 75 percent of them die before the age of eight months.

The kit fox is distributed over a large portion of central California, extending roughly from southeastern Contra Costa County south along the eastern edge of the Interior Coast Range to the southern San Joaquin Valley - including major portions of western Kern County and Tulare County. Kit fox are also distributed through adjacent valleys, foothills, and plains, including portions of San Luis Obispo County, Monterey County, and the Santa Clara Valley on the western side of the Interior Coast Range. Mortality to kit fox has been documented from attacks by coyotes, road kills, shooting, drowning, entombment, pneumonia, and starvation. Additionally, widespread use of rodenticides may result in mortality, since kit fox are extremely vulnerable to secondary poisoning through consumption of poisoned ground squirrels or other scavenged rodents.

4.0 METHODS

Prior to beginning pedestrian based field surveys in 2015, mammalogists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of wildlife that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, field census and analysis activities have occurred within representative portions of the study area for more than 25 years. The primary materials reviewed included, but were not limited to, the following:

- Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, California (LSA 1989);
- Evaluation of a Proposed Corridor for the San Joaquin Kit Fox in the Tracy Hills Development (Jones & Stokes Associates, Inc. 1993);
- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999);
- Habitat Management Plan – Tracy Hills Project (Foothill Associates 2004);
- Environmental Assessment for the Tracy Hills Habitat Conservation Plan (Tracy Hills LLC 2004);
- Tracy Hills San Joaquin Kit Fox Analysis (Berryman Ecological LLC 2006);
- Tracy Triangle San Joaquin Kit Fox Surveys, Project #2689-01 (H.T. Harvey & Associates 2006);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California (Working Dogs for Conservation Foundation 2011, 2012, 2013 and 2014);
- United States Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

To support the analysis, pedestrian-based field surveys were performed. San Joaquin Kit Fox survey methods were derived from the most current versions of resource agency's recommended survey guidelines for the species[2]; and those special terms and conditions outlined within Jeff A. Alvarez's Federal 10(a)1(A) Recovery Permit and State Scientific Collecting Permit. As such, the study area was slowly and methodically inspected for drainages, wildlife trails, water sources, potential wildlife corridors, waterway crossings, and other micro-habitats that could encourage *Canidae* visitation. The

[2] California Department of Fish and Game 1990 Survey Methodologies for San Joaquin Kit Fox, and the U.S. Fish and Wildlife Service 1999 San Joaquin Kit Fox Survey Protocol For The Northern Range Prepared By The Sacramento Fish And Wildlife Office

aforementioned locales and a series of objectively selected sites, were then chosen for installation of either 1 of 25 digital infrared imaging stations (camera stations), or 1 of 25 wildlife track stations. Digital imaging and track stations were placed separately in areas that included gates, bends in fences (i.e., corners), concentrations of rodent burrow complexes, and were combined with natural and artificial corridors where mammals would be presumed to forage, rest, disperse, breed or otherwise visit (Figure 3). Track and digital imaging stations were baited with canned cat food and refreshed on a daily basis.

Track stations consisted of a 1-square yard area covered in bentonite clay powder, and were visited by biologists on a daily basis. Sign detected was read, recorded and cleared daily. This form of track station is preferable to metal plates, because they don't heat up to more than 150 degrees Fahrenheit during the day. Digital imaging stations included a stake-mounted motion detection infrared camera, and were also visited frequently to refresh bait, download data, check and change batteries. Track and digital imaging stations were maintained for 11 consecutive days in May of 2015, and an additional 6 days following spotlighting surveys.

Spotlighting activities occurred along passable roads within the study area for 10 consecutive nights in May of 2015 as well. Spotlighting was performed beside paved and unpaved roads that were open and accessible within 2-miles of the Project Site to the greatest extent practical (i.e., private property, high-speed roadways and freeways curtailed the amount of lands that could be spotlighted outside of the study area). Due to the limited area outside of the Project Site that could be spotlighted, some portions of the proposed Project were spotlighted twice each night. In order to decrease the potential disturbance to foraging wildlife from the survey effort, the roads that were spotlighted a second time in the same night were alternated with other roads on successive days; such that two passes over a single road in one night did not occur on two consecutive evenings. Spotlighting was conducted by senior-level biologists who have observed San Joaquin Kit Fox - while spotlighting, in the Carrizo Plain within the last 18 months. Surveyors used separate 750,000 candlelight illumination which was directed out either side of a moving vehicle. When animals were encountered, both biologists made independent identifications of the individual, using 8x40 power binoculars or a spotting scope, data was recorded and mapped. Burrow and den complex census activities were performed on foot. Burrows were detected, recorded and mapped. Location of high densities rodent colonies were a focal point for image and tract stations.

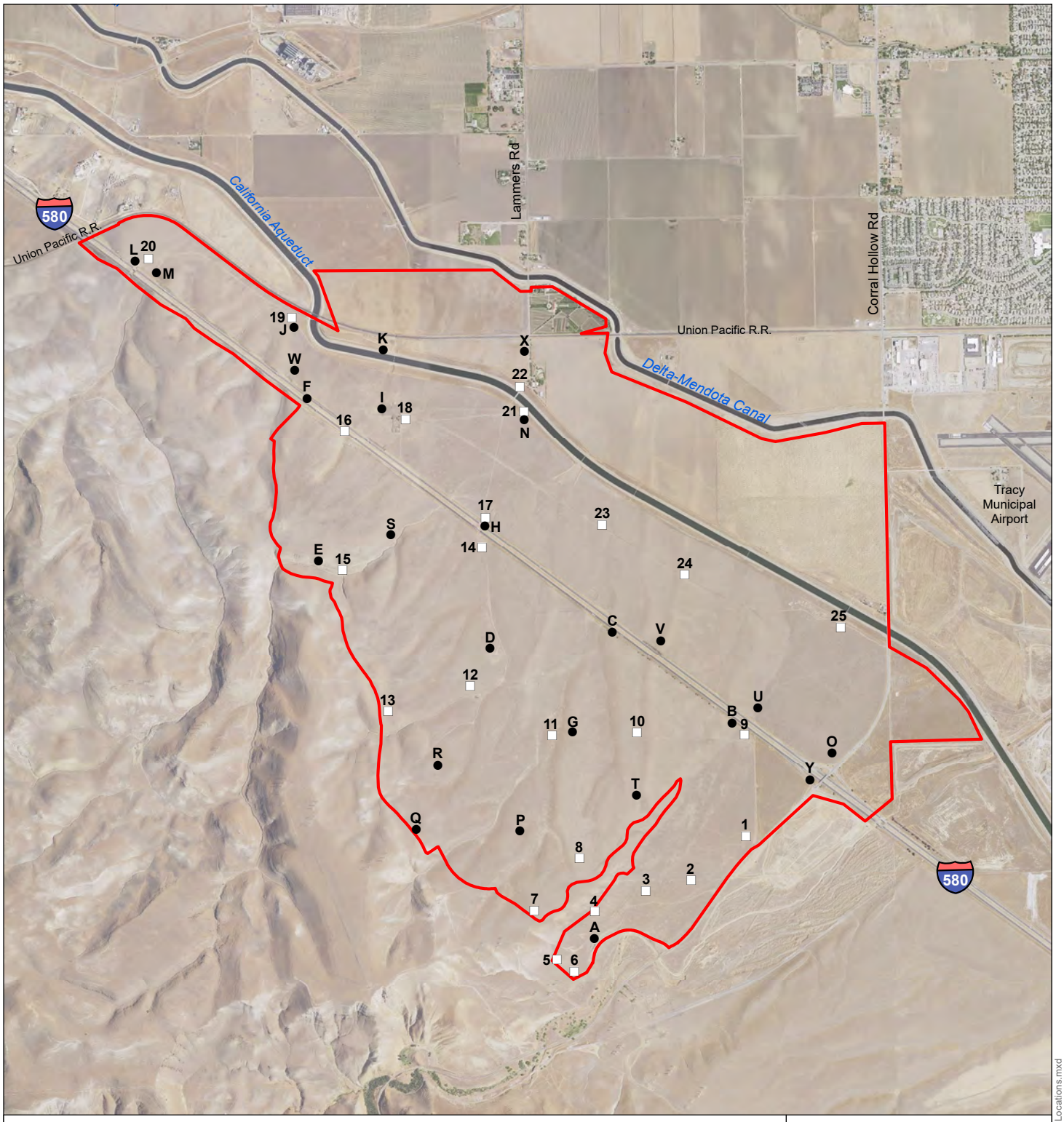


Figure 3. Station Locations

5.0 SURVEY RESULTS

Weather conditions during the 2015 May surveys included cloudy to clear skies, temperatures ranging from 52–94 degrees Fahrenheit, and winds fluctuating from 0 to 20 miles per hour. Surveys were performed on the following dates in 2015: 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 May and 01, 02 and 03 June.

Four hundred and twenty five digital imaging station nights and 425 track station nights of census were performed within the study area in 2015. Track stations detected 12 distinct wildlife species, which included only a single member of the *Canidae* family (i.e., coyote [*Canis latrans*]) (Appendix A). All track stations contained sign during almost every daily visit – with the vast majority of tracks being left by coyote and various rodents. Digital imaging stations produced identifiable photographs of 4 unique species, with a single canid species ass well (i.e., coyote) (Appendix B). Nineteen of the 25 camera stations produced 0 photographs, despite being fully charged, operational and functional.

The study area is in the northern portion of the range of San Joaquin Kit Fox. As the range extends northward, reported observations of kit fox become fewer and fewer. No San Joaquin Kit Fox breeding, non-natal or natal (pups are present) den complexes have ever been detected within the study area. No atypical, natal, or known San Joaquin Kit Fox dens have ever been located during surveys of the Project Site either. Although the study area is large in total size – it has very low species richness and diversity, and lacks high quality habitats for San Joaquin Kit Fox. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial rodent population. More specifically, no San Joaquin Kit Fox camera stations or track stations have ever documented the species within the study area.

Spotlighting surveys produced 10 observations of coyote. Additionally, 4 unknown canids were observed along the California Aqueduct. It is presumed that these 4 individuals were the non-native Red Fox (*Vulpes vulpes*), but observations were extremely brief and not confirmed by both surveyors - which resulted in a classification of "unknown canid." A single San Joaquin Kit Fox was observed by two distinct biologists in May of 2015 with binoculars during spotlighting surveys[3] (Figure 4). The animal was foraging within the fenced right-of-way of the California Aqueduct; not within the Project Site. This observation lasted approximately 20 seconds, as the fox ultimately moved along the California Aqueduct's gravel security road in a southern direction until it was out of site. No other San Joaquin Kit Fox has ever been detected within the study area.

Given the low quality habitat present (i.e., limited rodent population, depauperate landscape, competition and territorialism among other mammals within the study area [i.e., coyote]), the likelihood of San Joaquin Kit Fox successfully establishing a natal den or utilizing the Project Site as valuable foraging habitat is negligible. Although little can be concluded from a single observation of one animal, it is conceivable – albeit unlikely, that the California Aqueduct is functioning as a movement corridor for a small number of San Joaquin Kit Fox. Observations of the species are not uncommon south of Corral Hollow Road and within the approximately 3,500-acre open space conservation easement which abuts the study area. Appendix C includes representative photographs of the study area. A California Natural Diversity Database Form associated with the San Joaquin Kit Fox is provided within Appendix D.

[3] Howard O. Clark, JR in 2007 authored "*Analysis of San Joaquin Kit Fox Element Data with The California Diversity Database: A Case For Data Reliability*" which is a publication that evaluated a subset of existing spotlighting census efforts detailed within the Diversity Database and determined that spotlighting may be less reliable compared to other forms of surveys because it relies on observations made under poor lighting conditions.

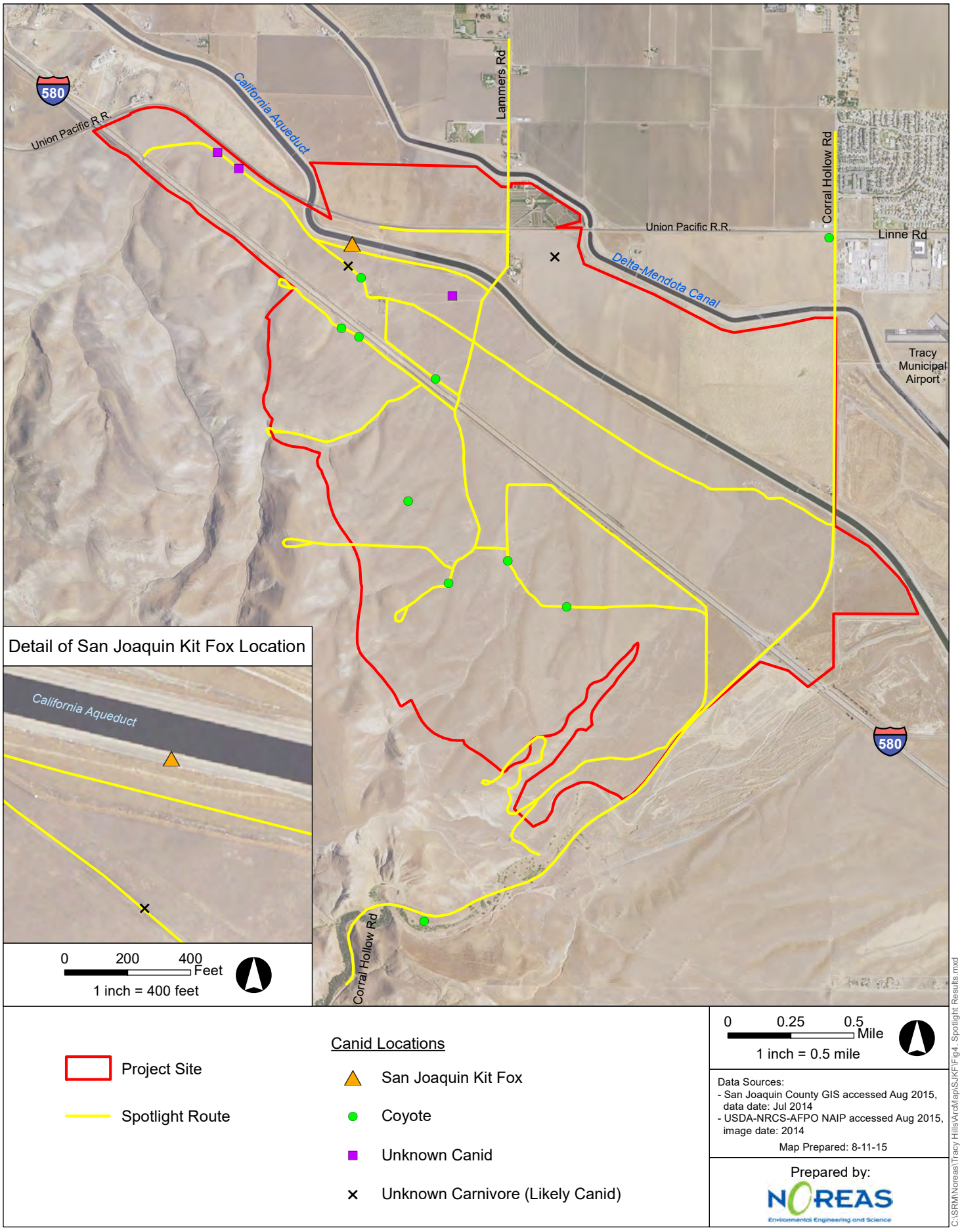


Figure 4. Spotlight Results

6.0 IMPACTS AND RECOMMENDATIONS

The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support San Joaquin Kit Fox. The data collected and analyzed herein also suggests that there is extremely low potential for San Joaquin Kit Fox to recruit into the Project Site. Given that targeted surveys for San Joaquin Kit Fox have been negative within the Project Site for roughly a quarter century, the Project would not be expected to result in the loss of individual San Joaquin Kit Fox, or adversely affect local or regional populations of them.

Furthermore, the Project would not be expected to degrade the long-term preservation value or ecological processes within the Project vicinity, and impacts have been minimized to safeguard the needed habitat, wildlife linkages, and functional connectivity that are maintained within the region with deference to San Joaquin Kit Fox. Accordingly, the habitat loss associated with the Project would be considered an insignificant effect to San Joaquin Kit Fox as a result of the amount of similar, and higher value vegetation communities and land cover types within the region that are already held in conservation. Furthermore, the Project does not alter the ultimate land use in any way that would adversely affect the cohesiveness and quality of the surrounding lands ability to sustain their stated ecological and conservation purposes. No atypical, natal, or known dens were located during surveys of the study area. It should be noted however that several burrows appeared to be constructed by an American Badger (*Taxadea taxus*), which was also detected through track stations within the study area. Badgers are known to dig one or more burrows in a day, which will change the quantity, quality, distribution and willingness of San Joaquin Kit Fox to utilize locales within the study area over time.

To that end, the following measures are recommended as a means of further avoiding, minimizing, and reducing adverse effects to San Joaquin Kit Fox within the study area and on adjacent lands to a less-than-significant level.

- Construction operations will be overseen by an appropriately-credentialed biologist (biological monitor), and the Project will implement a worker environmental awareness training program to reduce the Project's potential adverse effects to special status species.
- Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support San Joaquin Kit Fox, pre-activity clearance surveys shall be initialed by a qualified biologist to reinforce positive or negative findings with substantial evidence. If San Joaquin Kit Fox are detected within portions of the study area proposed for development, then avoidance and minimization measures specific to San Joaquin kit fox will be incorporated into the Project as described in the USFWS "Standard Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbing Activities (1999)" and the USFWS "San Joaquin Kit Fox Habitat Evaluation Forms (2001)" to reduce impacts to this species to less-than-significant. This measure is specific Area B and C.
- Project-related construction vehicles will observe a daytime speed limit of 20-miles per hour, except on County roads and State and Federal highways.
- Night-time construction will be minimized to the greatest extent feasible. However if it does occur, then the speed limit will be reduced to 10-miles per hour.
- Off-road traffic outside of designated Project areas undergoing construction will be prohibited.
- To prevent inadvertent entrapment of small mammals during construction, excavated, steep-walled holes or trenches more than 2-feet deep will be covered at the close of each

working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks will be installed. Before such holes or trenches are filled, they will be thoroughly inspected for trapped wildlife. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW will be contacted.

- Construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored within Project limits for one or more overnight periods will be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS and CDFW has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
- Use of rodenticides and herbicides within Project limits will be restricted. Uses of such compounds will observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide or an equivalent material will be used because of a lower adverse health risk to kit fox.

7.0 REFERENCES

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_____. 2013. Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California.

_____. 2014. Scat Detection Dog Surveys for the Endangered San Joaquin Kit Fox (*Vulpes macrotis mutica*) at the Tracy Hills Project Site, San Joaquin County, California.

APPENDIX A

2015 TRACK STATION DATA

APPENDIX A

2015 TRACK STATION DATA

Track Station	Coyote (*Canis latrans*)	San Joaquin Kit Fox (*Vulpes macrotis mutica*)	Feral Cat	Striped Skunk (*Mephitis mephitis*)	American Badger (*Taxidea taxus*)	Black-Tailed Hare (*Lepus californicus*)	Desert Cottontail (*Sylvilagus audubonii*)	Heerman's Kangaroo Rat (*Dipodomys heermanni*)	California Ground Squirrel (*Otospermophilus beecheyi*)	Other Rodent	American Crow (*Corvus brachyrhynchos*)	Unknown	Cattle
1	X		X		X					X			
2	X												
3								X		X	X		
4	X			X		X							
5	X												
6	X			X	X	X	X						
7	X												
8											X		
9										X	X		
10										X	X		
11	X												
12											X		
13	X												
14	X												
15	X											X	
16			X		X				X	X	X		
17	X					X	X			X	X	X	
18								X		X	X		X
19						X	X			X			
20						X		X					
21	X									X			
22										X			
23	X					X						X	
24	X									X			
25	X					X							

APPENDIX B

2015 DIGITAL IMAGING STATION DATA

APPENDIX B

2015 DIGITAL IMAGING STATION DATA

Image Station	No Data	Coyote (*Canis latrans*)	Red Fox (Vulpes vulpes)	San Joaquin Kit Fox (*Vulpes macrotis mutica*)	Striped Skunk (*Mephitis mephitis*)	American Badger (*Taxidea taxus*)	Black-Tailed Hare (*Lepus californicus*)	Desert Cottontail (*Sylvilagus audubonii*)	Heerman's Kangaroo Rat (*Dipodomys heermanni*)	California Ground Squirrel (*Otospermophilus beecheyi*)	American Crow (*Corvus brachyrhynchos*)	Cattle
A	X											
B	X											
C											X	
D	X											
E	X											
F		X										
G		X								X		
H	X											
I												X
J	X											
K		X										
L	X											
M												X
N												X
O	X											
P	X											
Q	X											
R	X											
S	X											
T	X											
U	X											
V	X											
W	X											
X	X											
Y	X											

APPENDIX C

PHOTOGRAPH LOG

APPENDIX C

PHOTOGRAPH LOG

	Photograph: 1. Camera station.
	Photograph: 2. Track Station

APPENDIX C

PHOTOGRAPH LOG

	Photograph: 3. Coyote and cottontail tracks.
	Photograph: 4. Coyote tracks.

APPENDIX D

CALIFORNIA NATURAL DIVERSITY DATABASE FORM

Mail to:
California Natural Diversity Database
California Dept. of Fish & Wildlife
1416 9th Street, Suite 1266
Sacramento, CA 95814
Fax: (916) 324-0475 email: CNDDB@wildlife.ca.gov

Date of Field Work (mm/dd/yyyy): 05/26/2015

For Office Use Only
Source Code: _____ Quad Code: _____
Elm Code: _____ Occ No.: _____
EO Index: _____ Map Index: _____

Clear Form

California Native Species Field Survey Form

Print Form

Scientific Name: *Vulpes macrotis mutica*

Common Name: San Joaquin kit fox

Species Found? (●) Yes ( ) No _____ If not found, why?

Total No. Individuals: 1 Subsequent Visit? ( ) Yes (●) No

Is this an existing NDDB occurrence? _____ Yes, Occ. # [X] No [ ] Unk.

Collection? If yes: _____ Number _____ Museum / Herbarium

Reporter: NOREAS Inc.
Address: 16361 Scientific Way
Irvine, California 92618
E-mail Address: lincoln.hulse@noreasinc.com
Phone: 949-467-9116

Plant Information

Phenology:

_____ % vegetative _____ % flowering _____ % fruiting

Animal Information

1 # adults _____ # juveniles _____ # larvae _____ # egg masses _____ # unknown

[ ] wintering [ ] breeding [ ] nesting [ ] rookery [ ] burrow site [ ] lek [X] other

Location Description (please attach map AND/OR fill out your choice of coordinates, below)

County: San Joaquin Landowner / Mgr: Unknown

Quad Name: Tracy Elevation: 260

T 3 S R 4 E Sec 1 , SW 1/4 of ___ 1/4, Meridian: H ( ) M (●) S ( ) Source of Coordinates (GPS, topo. map & type): GPS

T ___ R ___ Sec ___ , ___ 1/4 of ___ 1/4, Meridian: H ( ) M ( ) S ( ) GPS Make & Model: Garmin

DATUM: **NAD27** ( ) **NAD83** (●) **WGS84** ( ) Horizontal Accuracy: 3 meters meters/feet

Coordinate System: UTM Zone 10 (●) UTM Zone 11 ( ) ***OR*** Geographic (Latitude & Longitude) ( )

Coordinates: Northing 4173077, Easting 633323

Habitat Description (plants & animals) *plant communities, dominants, associates, substrates/soils, aspects/slope:*
Animal Behavior *(Describe observed behavior, such as territoriality, foraging, singing, calling, copulating, perching, roosting, etc., especially for avifauna):*

During 2015 spotlighting surveys a single San Joaquin Kit Fox was observed. The animal was foraging within the fenced right-of-way of the California Aqueduct. This observation lasted approximately 20 seconds, as the fox ultimately moved along the California Aqueduct's gravel security road in a southern direction until it was out of site.

Please fill out separate form for other rare taxa seen at this site.

Site Information

Overall site/occurrence quality/viability (site + population): ( ) Excellent ( ) Good ( ) Fair (●) Poor

Immediate AND surrounding land use: California Aqueduct right-of-way.

Visible disturbances: _____

Threats: _____

Comments:

Determination: *(check one or more, and fill in blanks)*

[X] Keyed (cite reference): Jameson and Peeters 2004
[ ] Compared with specimen housed at: _____
[ ] Compared with photo / drawing in: _____
[X] By another person (name): Jeff Alvarez
[X] Other: Mathew Kline

Photographs: *(check one or more)*

	Slide	Print	Digital
Plant / animal	[ ]	[ ]	[ ]
Habitat	[ ]	[ ]	[X]
Diagnostic feature	[ ]	[ ]	[ ]

May we obtain duplicates at our expense? (●) yes ( ) no

APPENDIX I

2015 Tracy Hills Project Swainson's Hawk Survey

DRAFT

TRACY HILLS PROJECT

September 2015

Swainson's Hawk Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By


16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section		Page
1.0	EXECUTIVE SUMMARY	1-1
2.0	INTRODUCTION AND PROJECT LOCATION	2-1
3.0	SWAINSON'S HAWK BACKGROUND	3-1
4.0	METHODS	4-1
5.0	SURVEY RESULTS	5-1
6.0	RECOMMENDATIONS	6-1
7.0	REFERENCES	7-1

FIGURES

Figure 1	Regional Location	1-1
Figure 2	Site Vicinity	1-2
Figure 3	Occurrences within 5 Miles of the Study Area	5-2
Figure 4	Survey Results	5-3

APPENDICES

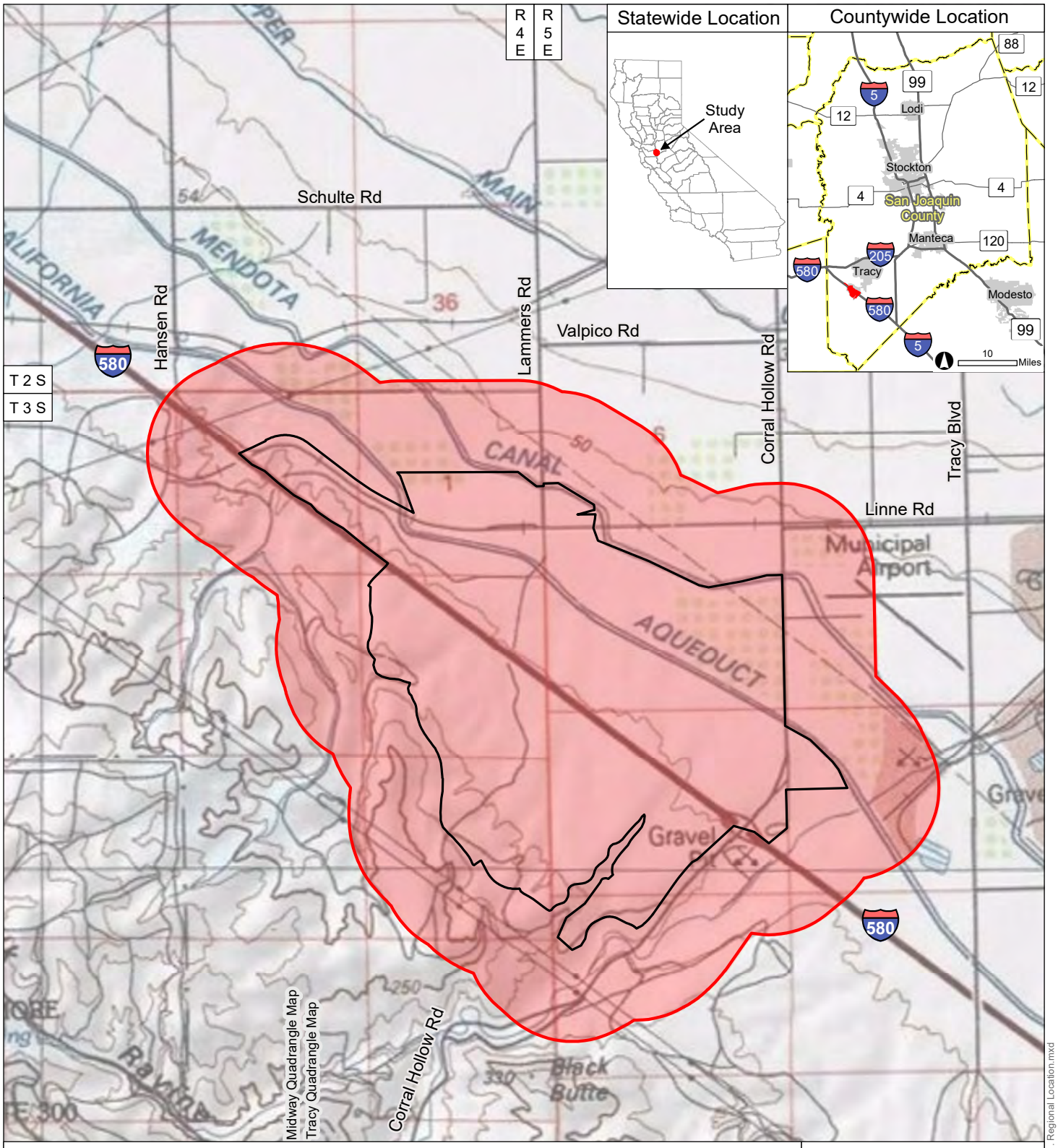
Appendix A	Photograph Log
Appendix B	Avian Compendium
Appendix C	California Natural Diversity Database Form

1.0 EXECUTIVE SUMMARY

The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools, and open spaces) within existing low quality livestock grazing and agricultural lands. This report provides the methods, assumptions, and results of protocol surveys for Swainson's Hawk (*Buteo swainsoni*). Within this document, the study area includes the Project's proposed ground disturbance footprint (Project Site), and a ½-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the action itself (Figure 2). Six land cover types were observed within the study area in 2015 (NOREAS 2015): agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats.

Pedestrian-based field surveys for raptors have been conducted from 2010 through the summer of 2015 within discrete portions of the study area to ascertain the presence or absence of special-status species. The results indicate that the biological resources detected within the study area have not changed significantly over the last half decade. The nearest Swainson's Hawk nest location in the vicinity of the Project is from 2012; and the nest is roughly 1.9 miles from the study area (Figure 3). Although the study area is large in total size, it has very low species richness and diversity, and lacks high quality nesting and foraging habitats for Swainson's Hawk. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a high enough density of biomass to support a substantial prey population for raptors. More specifically, one unpaired Swainson's Hawk was detected soaring and sitting on a remnant/abandoned nest within the study area in 2015. The abandoned nest was positioned in a Eucalyptus tree, situated within the road right-of-way of Interstate Highway 580, outside of Project Site boundaries (Figure 4). This individual hawk was never observed actively nesting and no mate was detected during any of the 2015 survey events. Given the low quality habitat present (i.e., limited prey base, depauperate landscape, competition, and territorialism among other nesting raptors), the likelihood of Swainson's Hawk successfully nesting or utilizing the Project Site as valuable foraging habitat is negligible as much higher quality habitats are available within the region.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis.



Study Area

Project Site

County Boundary (inset)

Urban Area (inset)

Interstate or State Highway (inset)

0 2,000 4,000 Feet

1 inch = 4,000 feet

Data Sources:
- Bing accessed Jul 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Jul 2015

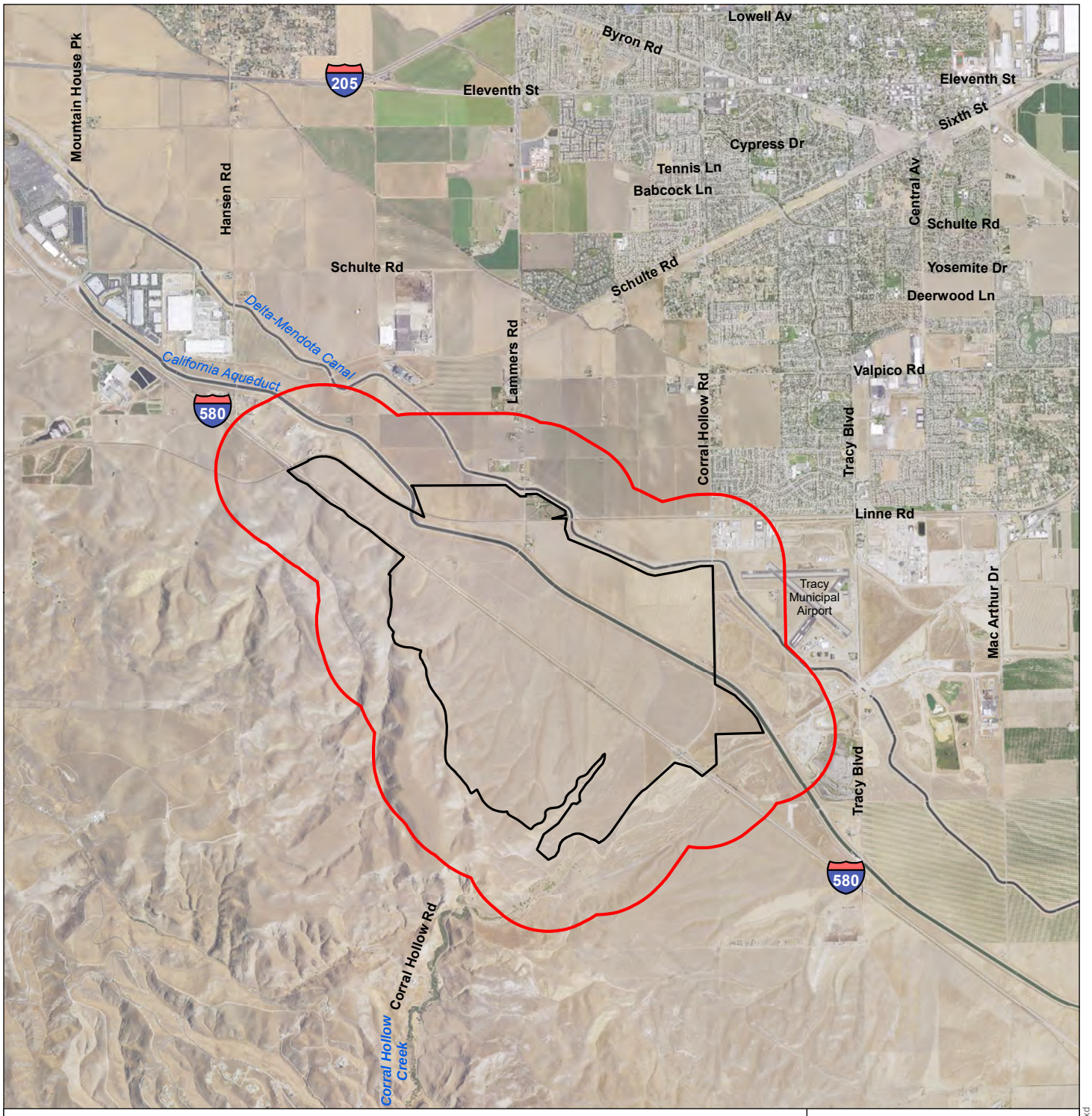
Map Prepared: 7-15-15

Prepared by:
NOREAS
Environmental Engineering and Science

The Study Area is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 2 South, Range 4 East, Sections 35 and 36;
Township 3 South, Range 4 East, Sections 1-3, 11-14 and 24; and
Township 3 South, Range 5 East, Sections 5-8, and 17-20.
Center coordinates for the Study Area are: 37.680702, -121.476315.

C:\SRM\Noreas\Tracy Hills\ArcMap\SWHA\Fig1. Regional Location.mxd

Figure 1. Regional Location



Study Area (6,525 acres which includes a 0.5-mile buffer and the Project Site)

Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-30-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SWHA\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS Inc. was retained to review historic raptor census data and conduct a protocol level Swainson's Hawk survey for the proposed Project in 2015. The Project occurs in Sections 5, 6, 7, 8, 17, 18, 19, and 20 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-Minute Quadrangle Map; and Sections 1, 2, 3, 11, 12, 13,14 and 24 of Township 3 South, and Range 4 East and Sections 35 and 36 Township 2 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy USGS 7.5-Minute Quadrangle Map (USGS 1980).

The primary objective of the literature review and the 2015 field surveys was to determine the presence – or to confirm the presumed absence of - Swainson's Hawk within the study area. For the purposes of this document, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a ½-mile buffer. The study area therefore includes all lands to be affected directly or indirectly by the Project, and is not merely the immediate lands involved in the proposed project itself (Figure 2).

3.0 SWAINSON'S HAWK BACKGROUND

The Swainson's Hawk breeds in open habitats in western North America from Alaska south to Mexico. In California, it is found mainly in the Central Valley, Klamath Basin, Northeastern Plateau, and Mojave Desert. It winters primarily in southern South America, and Mexico, but a few winter in California, the southwestern U.S., and Florida. It is absent from most of its former range in California, where its population has declined by more than 90 percent (CDFG 1994). In California, Swainson's Hawk usually arrives in March and leave in September or October.

This species forages in grassland or areas of sparse trees or shrubs, and often forages in agricultural areas in the Central Valley. It nests in scattered trees within these habitats, particularly those along waterways. During the breeding season, it feeds primarily on small mammals and reptiles. During other seasons, large insects (e.g., dragonflies) are the bulk of its diet. The following vegetation types are considered small mammal and insect foraging habitat for Swainson's Hawk: alfalfa; fallow fields; beet, tomato, and other crops, dry-land and irrigated pasture, rice land (when not flooded), and cereal grain crops (including corn after harvest) (CDFG 1994).

Irrigated agricultural lands (e.g., alfalfa and hay) are widely recognized as an essential element of viable Swainson's Hawk foraging habitat, and hawks are highly dependent upon it to support their prey populations. Irrigated agricultural lands support the abundant small mammal (i.e., pocket gophers and voles) and the invertebrate prey base that Swainson's Hawks need to subsist. Alfalfa production – and other similar low-growing row or field crops contribute substantial amounts of nitrogen to the soil; high nitrogen content promotes invertebrate growth and increases their protein content. Alfalfa production also supports high densities of voles and pocket gophers. Swainson's Hawks subsequently exploit the prey base typical of irrigated agricultural lands with limited effort; the regular harvesting and irrigating makes prey items available for capture with decreased energy expenditure.

4.0 METHODS

Prior to beginning pedestrian-based field surveys in 2015, raptor specialists were consulted and available information from resource management plans and relevant documents were reviewed to determine the locations and types of avian resources that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, raptor field census and analysis activities have occurred within representative portions of the study area for more than 5 years. Accordingly, the primary materials reviewed included, but were not limited to, the following:

- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010a);
- Preserve Management Plan for the Tracy 580 Business Park Preserve (ICF International 2011);
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015);
- Aerial Photographs (Microsoft Corporation 2015);
- Home Range and Habitat Use of Breeding Swainson's Hawks in California. Journal of Raptor Research 29:193–197 (Babcock 1995);
- Effect of Vegetative Cover on Foraging Site Selection by Swainson's Hawk. Condor 84:153–159 (Bechard 1982);
- Biology, movements, and habitat relationships of the Swainson's Hawk in California (Estep 1989); and
- Foraging by Swainson's Hawks on the landscape (Swolgaard et al. 2008).

Survey methods were derived from generally accepted professional standards including the 2000 Recommended Timing and Method for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). Surveys were conducted in a manner that maximized the potential to observe adult Swainson's Hawks, as well as their nests and chicks. Field surveys were conducted when weather conditions were conducive to observing birds. Surveys were not performed during rain, extreme temperatures, high winds (> 25 miles per hour), or dense fog. Census activities were conducted within a ½ mile of the Project Site. All avian species detected were noted. When a raptor was detected, either binoculars or a spotting scope was employed to identify the species. Behavior was also noted. The presence of a species was based on direct observations of individual(s), sign, and/or vocalization. Avian scientific nomenclature and common names follows Sibley (2000). Where access was limited, observations were made from the nearest appropriate vantage points within public rights-of-way. The following NOREAS biologists either performed the field work and/or contributed to data analysis: John Sterling BS, Brian Latta BS, Richard White MS, Lenny Malo MS, Lincoln Hulse BS, Erin Serra BS, Ken Hashagen BS, Eric Dugan PhD, Brent Helm PhD, and Wayne Woodroof MS.

5.0 SURVEY RESULTS

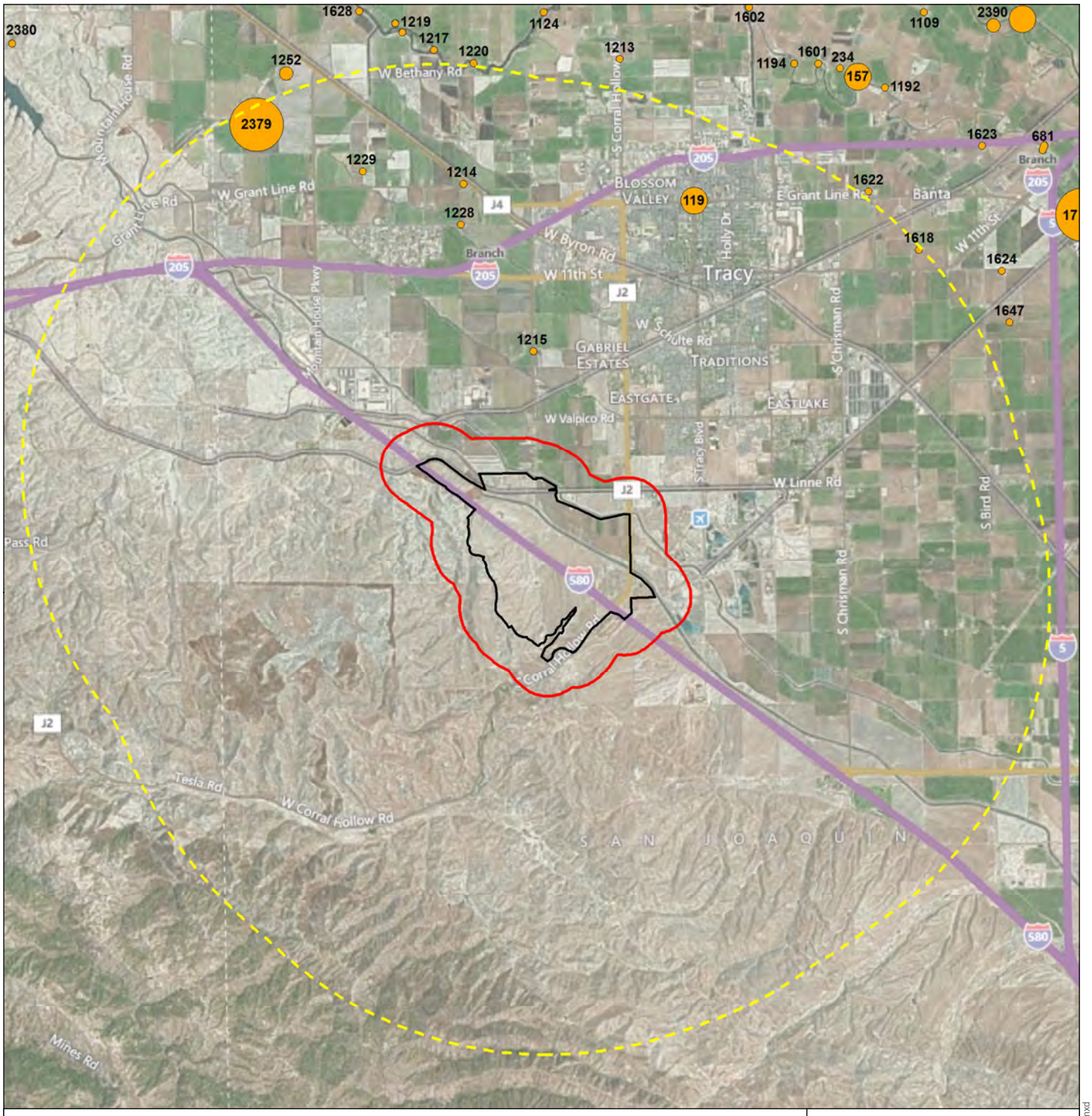
Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 65–90 degrees Fahrenheit, and winds fluctuating from 0 to 15 miles per hour. Swainson's Hawk surveys were performed on the following dates: 14, 15, 16, 17, 18, 19, 24, 25, and 26 March, 17, 18, 23, 24, 25, 26, 27, and 30 April, 5, 6, 7, 8, 9, 10, 11, 12, and 15 May, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, and 30 June, 5, 6, 7, 8, 9, 10, 11, and 12 July 2015.

The study area predominately consists of non-native vegetation, grasslands, developed and disturbed land cover types. It is assumed that any species currently using these locales are acclimated to the disturbance regime present (i.e., existing livestock and grazing activities). The nearest Swainson's Hawk nest record location in the vicinity of the Project is from 2012 and is roughly 1.9 miles from the study area (Figure 3). Although the study area is large in total size, it has very low species richness and diversity and lacks high quality nesting and foraging habitats for Swainson's Hawk. The study area is lacking in numbers and variety of species – likely attributable to its inability to produce a sufficient density of biomass to support a substantial prey population for raptors. Great-Horned Owls (*Bubo virginianus*) and other species of raptors were detected nesting within the study area. Due to competition and territorialism, Swainson's Hawk will typically not nest immediately adjacent to another raptor.

To that end, one unpaired Swainson's Hawk was detected soaring and sitting on a remnant/abandoned nest within the study area in 2015 (Figure 4). The abandoned nest was positioned in a Eucalyptus tree – situated within the road right-of-way of Interstate Highway 580, outside of the Project Site boundaries. This individual hawk was never observed actively nesting and no mate was detected during any of the 2015 survey events. Given the low quality habitat present (i.e., limited prey base, depauperate landscape, competition, and territorialism among nesting raptors), the likelihood of Swainson's Hawk successfully nesting or utilizing the Project Site as valuable foraging habitat is negligible; much higher quality habitats are available within the region.

As a consequence of poor-quality habitat and existing protections to Swainson's Hawk in the area, it has been determined that the Project is not likely to adversely affect the species. With the implementation of the measures detailed within Section 6.0 of this report, there is no presumption that the Project would result in the take[2] of Swainson's Hawk, loss of valuable functional habitat within the area, nor that it would adversely affect local or regional populations of them. Appendix A includes representative photographs of the study area, and Appendix B includes a list of avian species detected in 2015. A California Natural Diversity Database Form associated with the Swainson's Hawk abandoned nest is provided within Appendix C.

[2] "Take" is defined within California Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.



Study Area

Project Site

5-Mile Radius Around the Study Area

Swainson's Hawk Nest with Occurrence Number

0 1 2 Miles

1 inch = 2 miles

Data Sources:
- Bing accessed Aug 2015
- California Department of Fish and Wildlife, California Natural Diversity Database, Jul 2015 data release
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: 2014

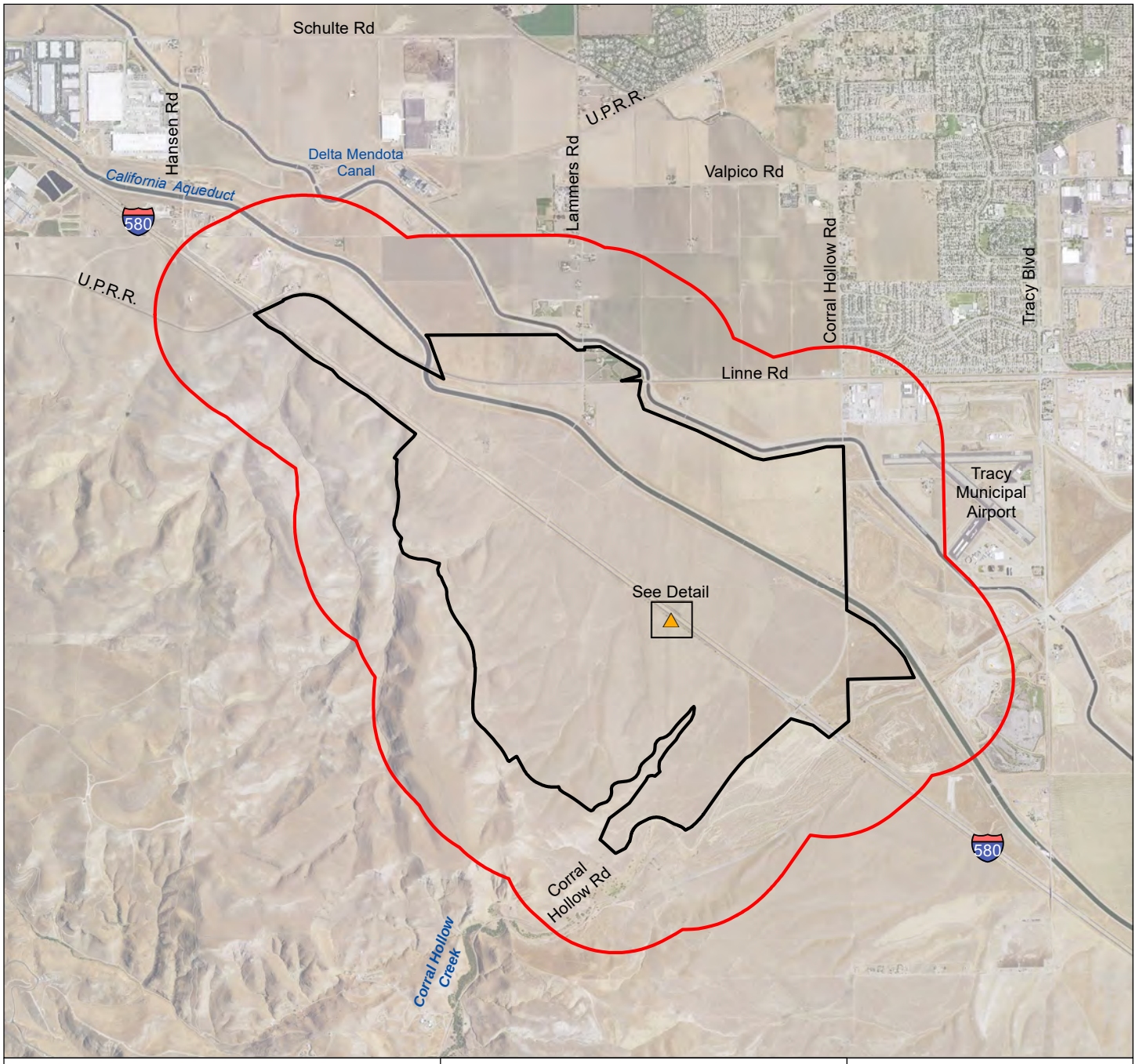
Map Prepared: 8-12-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SWHA\Fig3. Occurrences.mxd

Figure 3. Occurrences within 5 Miles of the Study Area



Study Area

Project Site

Abandoned Swainson's Hawk Nest

Detail



0 200 Feet

1 inch = 400 feet

0 2,000 4,000 Feet

1 inch = 4,000 feet

Data Sources:
- San Joaquin County GIS accessed Aug 2015, data date: Jan 2015
- USDA-NRCS-AFPO NAIP accessed Aug 2015, image date: Jun 2014

Map Prepared: 8-12-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\SWHA\Fig4. Survey Results.mxd

Figure 4. Survey Results

6.0 RECOMMENDATIONS

The following measures are recommended as a means of avoiding and minimizing adverse impacts to nesting raptors that have the potential to occur within the study area:

- Prior to commencement of ground disturbing activities in areas of potentially suitable habitat to support Swainson's Hawk, pre-activity clearance surveys shall be initiated by a qualified biologist to reinforce positive or negative findings with substantial evidence. If Swainson's Hawk is detected within portions of the Project Site proposed for development, then avoidance and minimization measures specific to Swainson's Hawk will be incorporated into the Project as described in the 2012 California Department of Fish and Wildlife (CDFW) Staff Report on Mitigation for Impacts to Swainson's Hawk to reduce impacts to Swainson's Hawk to less-than significant.

- If an active nest site is found within the Project Site, the Project will allow sufficient foraging and fledging area to maintain the nest.

- The Project will not remove historic or known Swainson's Hawk nest trees unless avoidance measures are determined to be infeasible. Removal of such trees should occur only during the timeframe of October 1 and the last day in February.

7.0 REFERENCES

Babcock. 1995. Home Range and Habitat Use of Breeding Swainson's Hawks in California. Journal of Raptor Research 29:193–197

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Swolgaard, Reeves, and Bell. 2008. Foraging by Swainson's Hawks on the landscape

United States Geological Service (USGS). 1980. 7.5-Minute Quadrangle Tracy, California.

_____. 1986. 7.5-Minute Quadrangle Midway, California.

United States Fish and Wildlife Service (USFWS). 2015a. Critical Habitat Portal.

_____. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List for San Joaquin County.

APPENDIX A

PHOTOGRAPH LOG

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. Location of abandoned Swainson's Hawk nest in a Eucalyptus tree – situated within the road right-of-way of Interstate Highway 580, outside of Project Site boundaries.
	Photograph: 2. Swainson's hawk was observed perched on left tree and abandoned nest was identified within the tree on the right.

APPENDIX B

AVIAN COMPENDIUM

APPENDIX B

Scientific name	Common name
Avian Compendium	
Athene cunicularia	Burrowing Owl
Buteo jamaicensis	Red-Tailed Hawk
Buteo swainsoni	Swainson's Hawk
Carpodacus mexicanus	House Finch
Cathartes aura	Turkey Vulture
Corvus brachyrhynchos	American Crow
Corvus corax	Common Raven
Circus cyaneus	Northern Harrier
Eremophila alpestris	Horned Lark
Euphagus cyanocephalus	Brewer's Blackbird
Falco mexicanus	Prairie Falcon
Falco sparverius	American Kestrel
Hirundo rustica	Barn Swallow
Icterus bullockii	Bullock's Oriole
Lanius ludovicianus	Loggerhead Shrike
Mimus polyglottos	Northern Mockingbird
Myiarchus cinerascens	Ash-throated Flycatcher
Passer domesticus	House Sparrow
Passerculus sandwichensis	Savannah Sparrow
Salpinctes obsoletus	Rock Wren
Sayornis saya	Say's Phoebe
Streptopelia decaocto	Eurasian Collared Dove
Sturnus vulgaris	European Starling
Sturnella neglecta	Western Meadowlark
Tyrannus verticalis	Western Kingbird
Zenaida macroura	Mourning Dove
Zonotrichia leucophrys	White-crowned Sparrow

APPENDIX C

CALIFORNIA NATURAL DIVERSITY DATABASE FORM

Mail to:
California Natural Diversity Database
California Dept. of Fish & Wildlife
1416 9th Street, Suite 1266
Sacramento, CA 95814
Fax: (916) 324-0475 email: CNDDB@wildlife.ca.gov

Date of Field Work (mm/dd/yyyy): 04/23/2015

For Office Use Only
Source Code: _____ Quad Code: _____
Elm Code: _____ Occ No.: _____
EO Index: _____ Map Index: _____

Clear Form

California Native Species Field Survey Form

Print Form

Scientific Name: *Buteo swainsoni*

Common Name: Swainson's Hawk

Species Found? (●) Yes ( ) No _____ If not found, why?

Total No. Individuals: 1 Subsequent Visit? ( ) Yes (●) No

Is this an existing NDDB occurrence? _____ Yes, Occ. # [X] No [ ] Unk.

Collection? If yes: _____ Number _____ Museum / Herbarium

Reporter: NOREAS Inc.
Address: 16361 Scientific Way
Irvine, California 92618
E-mail Address: lincoln.hulse@noreasinc.com
Phone: 949-467-9116

Plant Information

Phenology:

_____ % vegetative _____ % flowering _____ % fruiting

Animal Information

1 # adults _____ # juveniles _____ # larvae _____ # egg masses _____ # unknown

[ ] wintering [ ] breeding [ ] nesting [ ] rookery [ ] burrow site [ ] lek [X] other

Location Description (please attach map AND/OR fill out your choice of coordinates, below)

County: San Joaquin Landowner / Mgr: Unknown

Quad Name: Tracy Elevation: 320

T 3N R 5E Sec 18, NW 1/4 of ___ 1/4, Meridian: H ( ) M (●) S ( ) Source of Coordinates (GPS, topo. map & type): GPS

T ___ R ___ Sec ___, ___ 1/4 of ___ 1/4, Meridian: H ( ) M ( ) S ( ) GPS Make & Model: Garmin

DATUM: **NAD27** ( ) **NAD83** (●) **WGS84** ( ) Horizontal Accuracy: 3 meters meters/feet

Coordinate System: UTM Zone 10 (●) UTM Zone 11 ( ) ***OR*** Geographic (Latitude & Longitude) ( )

Coordinates: Northing 635026, Easting 4171280

Habitat Description (plants & animals) *plant communities, dominants, associates, substrates/soils, aspects/slope:*
Animal Behavior *(Describe observed behavior, such as territoriality, foraging, singing, calling, copulating, perching, roosting, etc., especially for avifauna):*

One unpaired Swainson's Hawk was detected soaring and sitting on a remnant/abandoned nest within a Eucalyptus tree, situated within the road right-of-way of Interstate Highway 580. This individual hawk was never observed actively nesting and no mate was detected during any of the 2015 survey events.

Please fill out separate form for other rare taxa seen at this site.

Site Information

Overall site/occurrence quality/viability (site + population): ( ) Excellent ( ) Good ( ) Fair (●) Poor

Immediate AND surrounding land use: Eucalyptus tree, situated within the road right-of-way of Interstate Highway 580.

Visible disturbances: _____

Threats: _____

Comments:

Determination: *(check one or more, and fill in blanks)*

- [ ] Keyed (cite reference): _____
- [ ] Compared with specimen housed at: _____
- [ ] Compared with photo / drawing in: _____
- [X] By another person (name): John Sterling
- [X] Other: Richard White

Photographs: *(check one or more)*

	Slide	Print	Digital
Plant / animal	[ ]	[ ]	[ ]
Habitat	[ ]	[ ]	[X]
Diagnostic feature	[ ]	[ ]	[ ]

May we obtain duplicates at our expense? (●) yes ( ) no

APPENDIX J

2015 Tracy Hills Project Rare Plant Survey

DRAFT

TRACY HILLS PROJECT

September 2015

Rare Plant Survey Report

Owner
The Tracy Hills Project Owner, LLC
888 San Clemente
Suite 100
Newport Beach, CA 92660

Prepared By


16361 Scientific Way
Irvine, CA 92618
(949) 467-9100

TABLE OF CONTENTS

Section **Page**

1.0 EXECUTIVE SUMMARY 1-1

2.0 INTRODUCTION AND PROJECT LOCATION 2-1

3.0 METHODS 3-1

4.0 BOTANICAL SURVEY RESULTS 4-1
- 4.1 Vegetation Communities and Land Cover Types 4-1
- 4.2 Special-Status Plants 4-2

5.0 IMPACTS AND RECOMMENDATIONS 5-1

6.0 REFERENCES 6-1

FIGURES

Figure 1 Regional Location 1-2

Figure 2 Site Vicinity 1-3

Figure 3 Reference Population Map 3-1

Figure 4 Vegetation Communities/Land Cover Types 4-3

Figure 5 Literature Review 4-4

Figure 6 Critical Habitat 4-5

Figure 7 Results 4-6

APPENDICES

Appendix A Photograph Log

Appendix B 2015 Plant Species Observed within the Study Area

1.0 EXECUTIVE SUMMARY

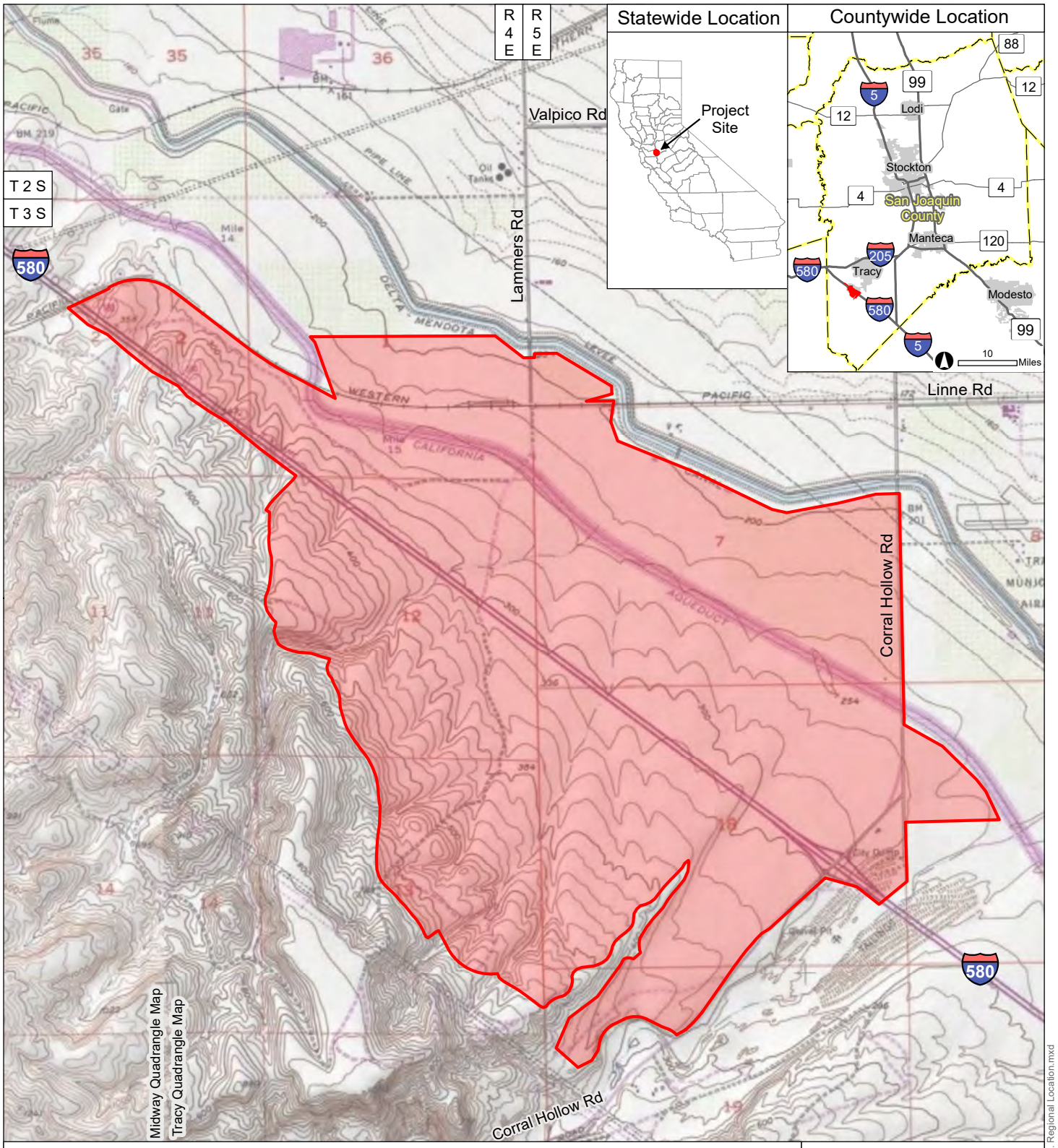
The Tracy Hills Project Owner LLC (Tracy Hills) is proposing to develop the Tracy Hills Project in Tracy, California (hereafter "Project", Figure 1). The Project includes a revised and updated Specific Plan[1] that authorizes approximately 2,732 acres for development of residential neighborhoods and non-residential uses (e.g., office, commercial, light industrial, parks, schools and open spaces) within existing low quality livestock grazing and agricultural lands. This report documents the findings of rare[2] plant surveys for the Project. For the purposes of this report, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) (Figure 2). Six land cover types were observed within the study area in 2015: agricultural, annual grassland, open water, orchard, non-native grasses, and developed habitats. It should also be noted that the study area is not collocated with any U.S. Fish and Wildlife Service (USFWS)-designated critical habitat for plants.

In-depth botanical field census and analysis activities have occurred within representative portions of the study area for more than 25 years to account for variations in local precipitation patterns; and to safeguard that field surveys were conducted during a year when winter/spring rainfall was adequate, to maximize the potential for detecting rare flora. The literature review and 2015 pedestrian survey results indicate that the flora detected within the study area have not changed significantly from those documented in past studies over roughly quarter of a century. Accordingly, roughly 80% of the 58 plant species detected within the study area during 2015 surveys were non-native plants. Although the Project footprint is large in total size, the study area has very low species richness and diversity; and those lands proposed for development do not support habitat for any State- or Federal-listed plant species. To that end, no state- or federally-listed plant species have been detected during any pedestrian-based biological surveys from 1989 through the current 2015 rare plant surveys. Additionally, no state- or federally-listed plant species have been documented within 1 mile of the Project.

Botanical surveys have been conducted to assess overall baseline conditions and evaluate the study area's ability to support special-status plant species. The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support special status species. The surveys performed have been floristic in nature. No state- or federally-listed plant species have ever been detected during surveys within any portion of the study area. The data collected and analyzed herein also suggests that there is extremely low potential for rare plants to recruit into the Project Site. Given that targeted surveys for rare plants are negative within the study area, the Project would not be expected to result in the loss of individual special status plants or that it would adversely affect local or regional populations of them.

[1] RBF Consulting 2014. Tracy Hills Specific Plan: Habitat Assessment & San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Consistency Analysis

[2] For the purposes of this analysis, "rare plants" are defined as any species that have been afforded special protection by federal, state, or local resource agencies (e.g., USFWS, California Department of Fish and Wildlife) or resource conservation organizations (e.g., California Native Plant Society).



The Project Site is located on the Midway and Tracy USGS 7.5-minute quadrangle maps; Mt. Diablo Base and Meridian,
Township 3 South, Range 4 East, Sections 1, 2, 12 and 13; and
Township 3 South, Range 5 East, Sections 6, 7, 8, 17, 18 and 19.

Center coordinates for the Project Site are: 37.680702, -121.476315.

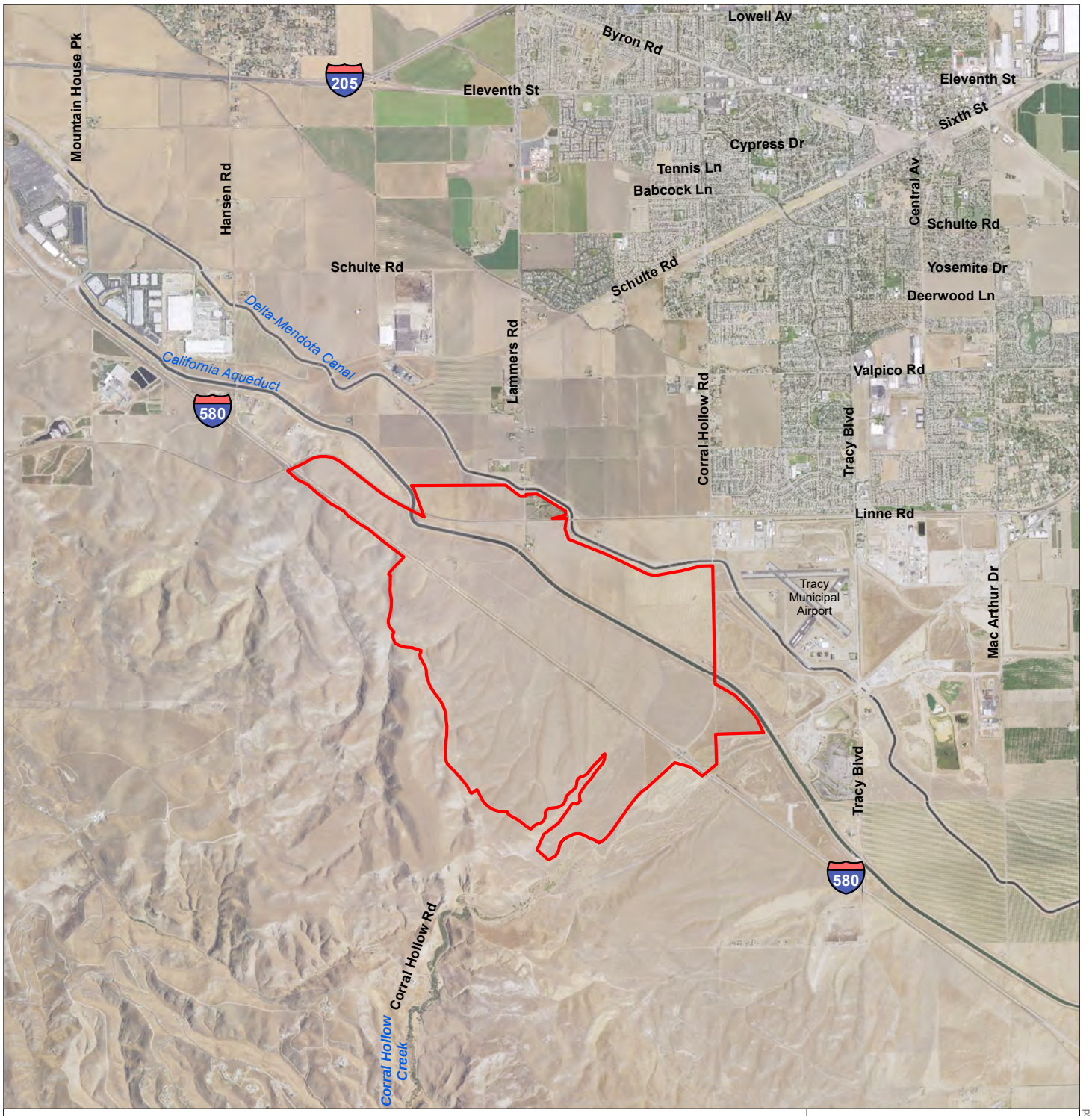
Data Sources:
- Bing accessed Jul 2015
- ESRI StreetMap North America 2010
- ESRI US Topo Maps accessed Jul 2015

Map Prepared: 7-15-15

Prepared by:
NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig1. Regional Location.mxd

Figure 1. Regional Location



Project Site (2,729 acres)

0 0.5 1 Mile

1 inch = 1 mile

Data Source:
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-15-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig2. Site Vicinity.mxd

Figure 2. Site Vicinity

2.0 INTRODUCTION AND PROJECT LOCATION

NOREAS, Inc. was retained to review historic floristic census data and conduct rare plant surveys within the development footprint of the proposed Tracy Hills Project. The Project occurs in Sections 6, 7, 8, 17, 18 and 19 of Township 3 South and Range 5 East (Mt. Diablo Base and Meridian) of the Midway U.S. Geological Survey (USGS 1986) 7.5-minute quadrangle map; and Sections 1, 2, 12 and 13 of Township 3 South, and Range 4 East (Mt. Diablo Base and Meridian) of the Tracy U.S. Geological Survey 7.5 minute quadrangle map (USGS 1980).

The primary objective of the literature review and field surveys was to determine the presence – or to confirm the presumed absence of, rare plant species and their habitats within Project boundaries. For the purposes of this document, the "study area" includes the entirety of the Project's possible proposed ground disturbance footprint (Figure 2). Therefore, the study area includes all lands likely to be affected directly by the Project, and is limited to those locales associated with proposed ground disturbances.

3.0 METHODS

Prior to beginning pedestrian based field surveys in 2015, botanical specialists were consulted and available information from resource management plans and relevant documents were also reviewed to determine the locations and types of botanical resources that have the potential to exist within and adjacent to the study area. Resources were evaluated within several miles of the Project. As detailed below, botanical field census and analysis activities have occurred within representative portions of the study area for more than 25 years. The primary materials reviewed included, but were not limited to, the following:

- Biological Assessment Properties East of California Aqueduct Carnegie Business Park San Joaquin County, California (LSA 1989);
- Biological Study, Tracy Hills Community, San Joaquin County California (LSA 1991);
- Multi-Species Habitat Management Plan (LSA 1996);
- Habitat Conservation Plan for Lakeside Tracy Development (LSA 1999);
- Habitat Management Plan - Tracy Hills Project (Foothill Associates 2004);
- Environmental Assessment for the Tracy Hills Habitat Conservation Plan (Tracy Hills LLC 2004);
- Biological Resources on the Tracy 580 Business Park Property (Berryman Ecological LLC 2010);
- USFWS Critical Habitat Mapper and File Data (USFWS 2015a);
- USFWS Sacramento Field Office Species List for San Joaquin County (USFWS 2015b);
- California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW 2015);
- California Native Plant Society Electronic Inventory (CNPS 2015);
- General Biological Resources Assessment for the Tracy Hills Project (NOREAS 2015); and
- Aerial Photographs (Microsoft Corporation 2015).

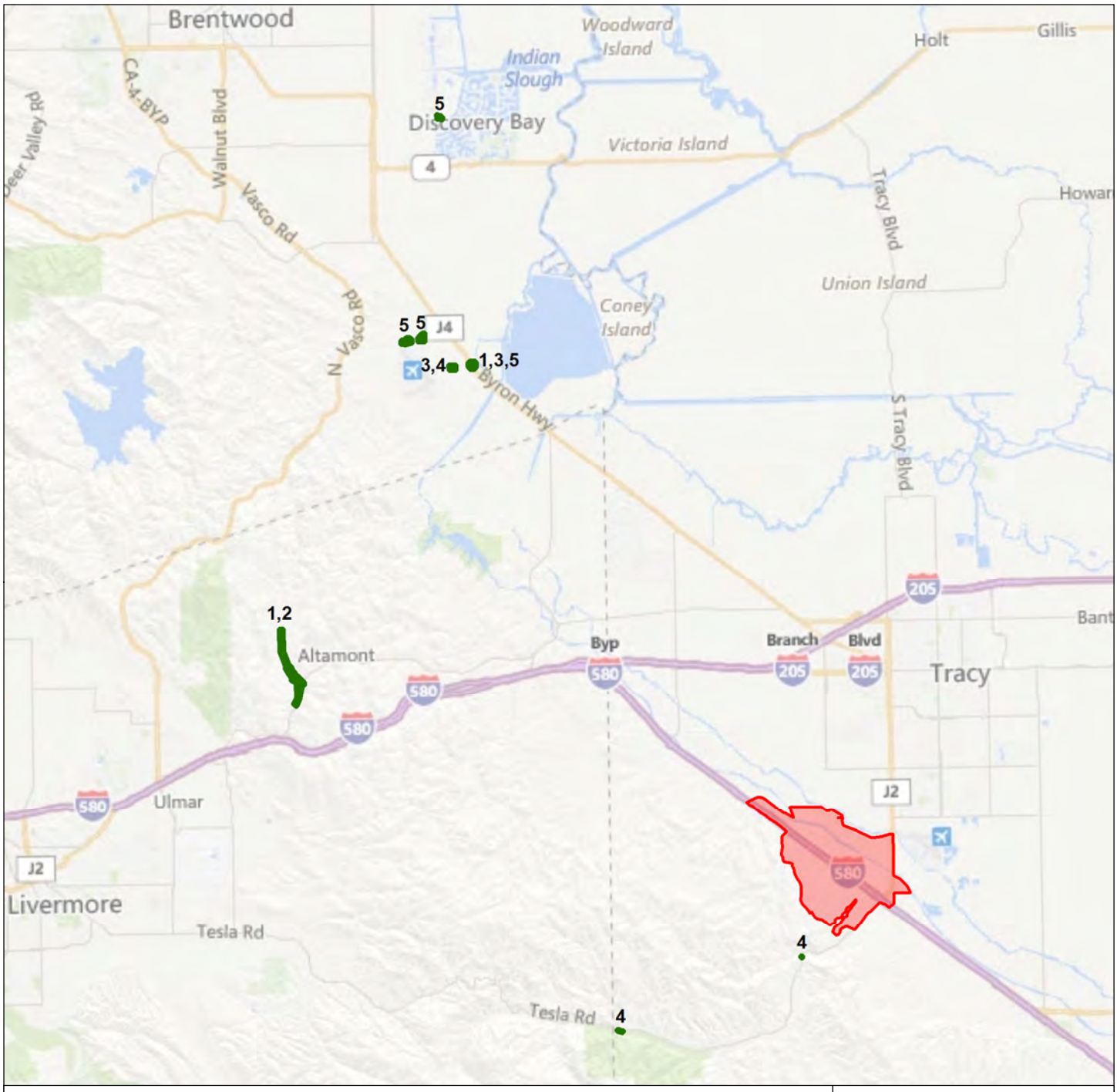
To support the analysis, pedestrian-based field surveys were performed to assess general and dominant vegetation community types, community sizes, habitat types, and plant species present within communities. Community type descriptions are based on observed dominant vegetation composition and derived from the criteria and definitions of widely accepted vegetation classification systems (Holland 1986; Sawyer et al. 2009). Plants were identified to the lowest taxonomic level sufficient to determine whether the species detected were non-native, native, or special-status. Plants of uncertain identity were subsequently identified from taxonomic keys (Baldwin et al. 2012). Scientific and common species names were recorded according to Baldwin et al. (2012).

Focused pedestrian based botanical surveys were conducted within the study area In March, April, May, June and July of 2015. Field survey methods were derived from the standardized guidelines issued by the USFWS (2000), California Department of Fish and Wildlife (CDFW 2009) and the California Native Plant Society (CNPS 2001). The field surveys were conducted to determine the presence/absence of

special-status plant species within the study area, and were conducted during the appropriate blooming period[3] for the majority of annual plant species within the region.

An evaluation of reference populations was also performed prior to initiating surveys in March, April and June 2015 to assess local variations in plant phenology; and to objectively validate survey timing (Figure 3). The field surveys within the study area were completed by walking parallel belt transects spaced approximately 30 feet apart. Where necessary, transect spacing was reduced or expanded to account for differences in terrain, vegetation density and visibility.

[3] Appropriate blooming periods were obtained from the California Native plant Society's Inventory of Rare and Endangered Vascular Plants of California, 1994.



Project Site

Reference Population

Map Code	Common Name (Scientific Name)
1	Lesser Saltscale (*Atriplex miniscula*)
2	Congdon's Tarplant (*Centromadia parryi* ssp. *congdonii*)
3	Recurved Larkspur (*Delphinium recurvatum*)
4	Diamond-Petaled California Poppy (*Eschscholzia rhombipetala*)
5	San Joaquin Spearscale (*Extriplex joaquinana*)

0 1 2 3 Miles

1 inch = 3 miles

Data Source:
- Bing accessed Aug 2015

Map Prepared: 8-4-15

Prepared by:

NOREAS
Environmental Engineering and Science

C:\SRM\Noreas\Tracy Hills\ArcMap\Plants\Fig3. Reference Population Map.mxd

Figure 3. Reference Population Map

4.0 BOTANICAL SURVEY RESULTS

Weather conditions during the 2015 surveys included cloudy to clear skies, temperatures ranging from 48–102 degrees Fahrenheit, and winds fluctuating from 0 to 20 miles per hour. Botanical surveys were performed on the following dates in 2015: 18, 19, 24, 25, 26, 27, 30 and 31 March, 01, 02, 03, 04, 16, 17, 18, 20, 21, 22, 23, 24, 27, 28, 29, and 30 April, 07, 08, 09, 25, 26, 27, 28 May, 01, 02, 03, 04, 08, 09, 10, 11, 12, 22, 23, June, 07, 08, 09, 10, 11, 12, 20, 21, 22, 23 July.

4.1 Vegetation Communities and Land Cover Types

Six vegetation communities/land cover types were observed within the study area: agricultural, annual grassland, open water, orchard, non-native grasses, and developed (Figure 4). Cover types are described in detail below.

Agricultural

The agricultural land cover type is actively utilized crop production and includes areas bound by the Union Pacific Railroad and the California Aqueduct to the south, the Delta-Mendota Canal to the north, and the Corral Hollow Road to the east. This type is used for annual and biannual row crops, and an orchard within the study area.

Annual Grassland

The annual grassland vegetation community is characterized by a dominance of nonnative grasses and forbs that are being annually grazed within the study area. Extensive cattle grazing have occurred for numerous years within this portion of the study area as well; which has restricted the colonization of native shrubs and trees. Dominant plant species found in this community include wild barley (*Hordeum ssp*.), soft chess (*Bromus hordeaceus*), ripgut (*Bromus diandrus*), and wild oats (*Avena ssp*.). This community also contains small areas of anthropogenic structures that are generally associated with active cattle ranches (i.e., fences, gates, water tanks, troughs, wells, cattle guards, corrals, dirt and gravel roads). Some structures also occur within the study area (e.g., cabin, out buildings, remnant ornamental trees, power poles and lines).In addition the southeastern portion of this land cover type has been leveled. Therefore remnant berms are present as well; indicating signs of historically irrigated pasture lands. A few ornamental trees, mostly blue gum (*Eucalyptus globulosus*) also occur in this vegetation community. The annual grassland community occurs south of the California Aqueduct and is bisected by Interstate 580 within the study area.

Open Water

Open water occurring within the study area is characterized by deep water (>4 feet in depth) that is general devoid of vegetation. This habitat occurs within the California Aqueduct and is of human construction. It is a maintained water conveyance system positioned within a concrete lined trapezoidal (in cross-section) channel that flows from the northwest to southeast.

Orchard

The orchard land cover type within the study area includes active orchards with regular applications of herbicides to manage weed populations. These orchards include annual and biannual crops.

Non-Native Grasses

The non-native grasses vegetation community is characterized by nonnative – typically early successional plant species within the study area, which are tall and accumulate as thatch due to their

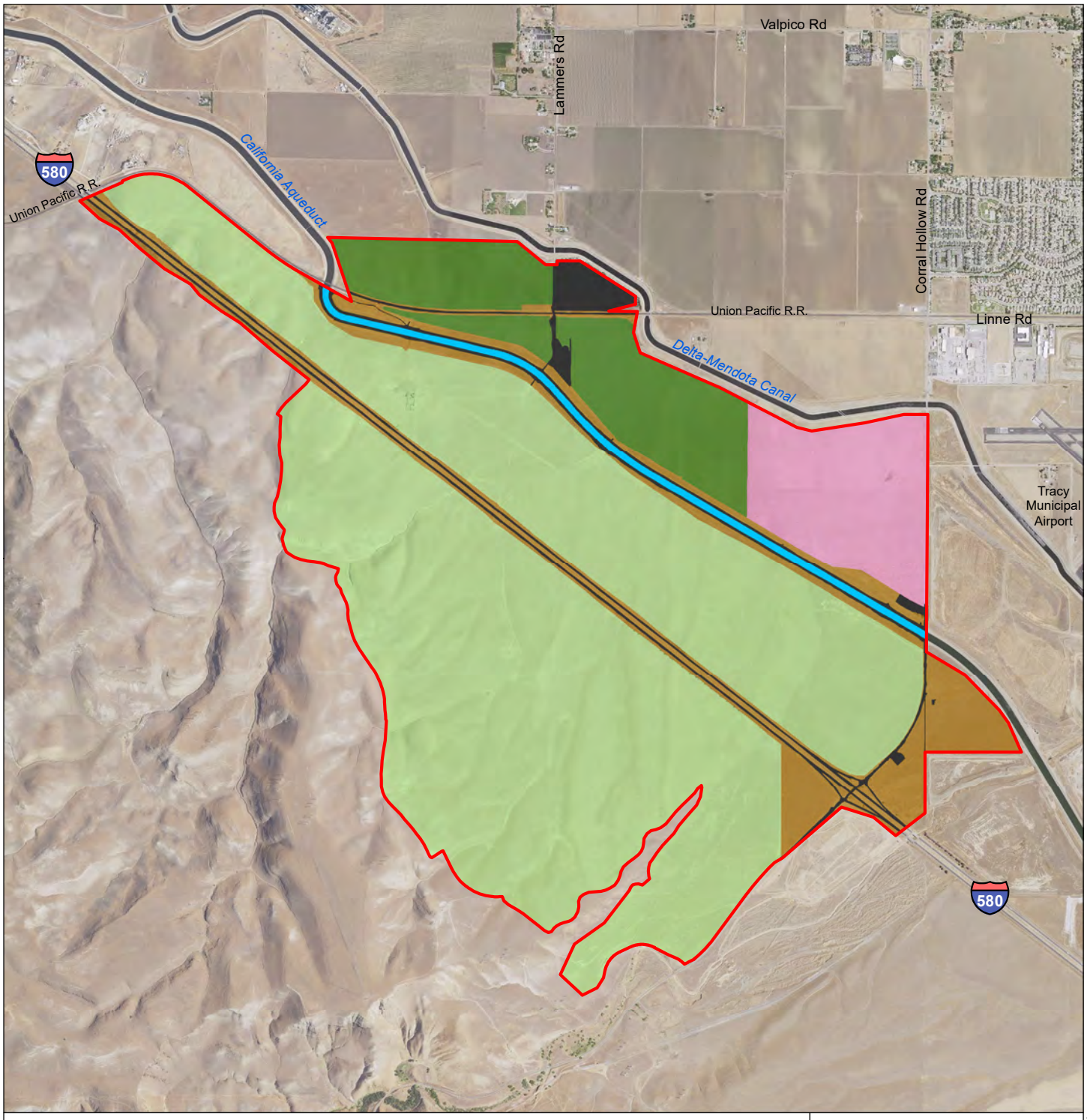
non-grazed condition. This plant community generally occurs on the sides of elevated berms of the California Aqueduct and roads. Dominant plant species observed in this plant community include short-pod mustard (*Hirschfeldia incana*), gumweed (*Grindelia ssp*.) and telegraph weed.

Developed

Developed communities in the study area are characterized by significant anthropogenic structures (i.e., highways, paved surface streets, rail road appurtenances, and residences). This land cover type also includes remnant buildings and foundations not currently associated with a commercial grazing operation.

4.2 Special-Status Plants

No state- or federally-listed plant species have been documented within 1 mile of the Project (Figure 5); and the study area includes no USFWS-critical habitat for plants (Figure 6). Furthermore, no rare plant species were detected during any of the historic, or during the 2015 pedestrian based botanical surveys which were performed within the study area (Figure 7). Representative photographs of the study area are provided in Appendix A. Plant species observed during the surveys are listed in Appendix B. It should also be noted that approximately 80% of the 58 plant species detected within the study area during 2015 surveys are non-native plants.



Project Site

Vegetation Communities/Land Cover Types

- Agricultural (277 acres)
- Annual Grassland (1,821 acres)
- Developed (103 acres)
- Non-Native Grasses (289 acres)
- Open Water (California Aqueduct) [38 acres]
- Orchard (201 acres)

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- San Joaquin County GIS accessed Jul 2015, data date: Jul 2014
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-31-15

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 4. Vegetation Communities/Land Cover Types

Project Site

10-Mile Radius Around the Project Site

Freeway

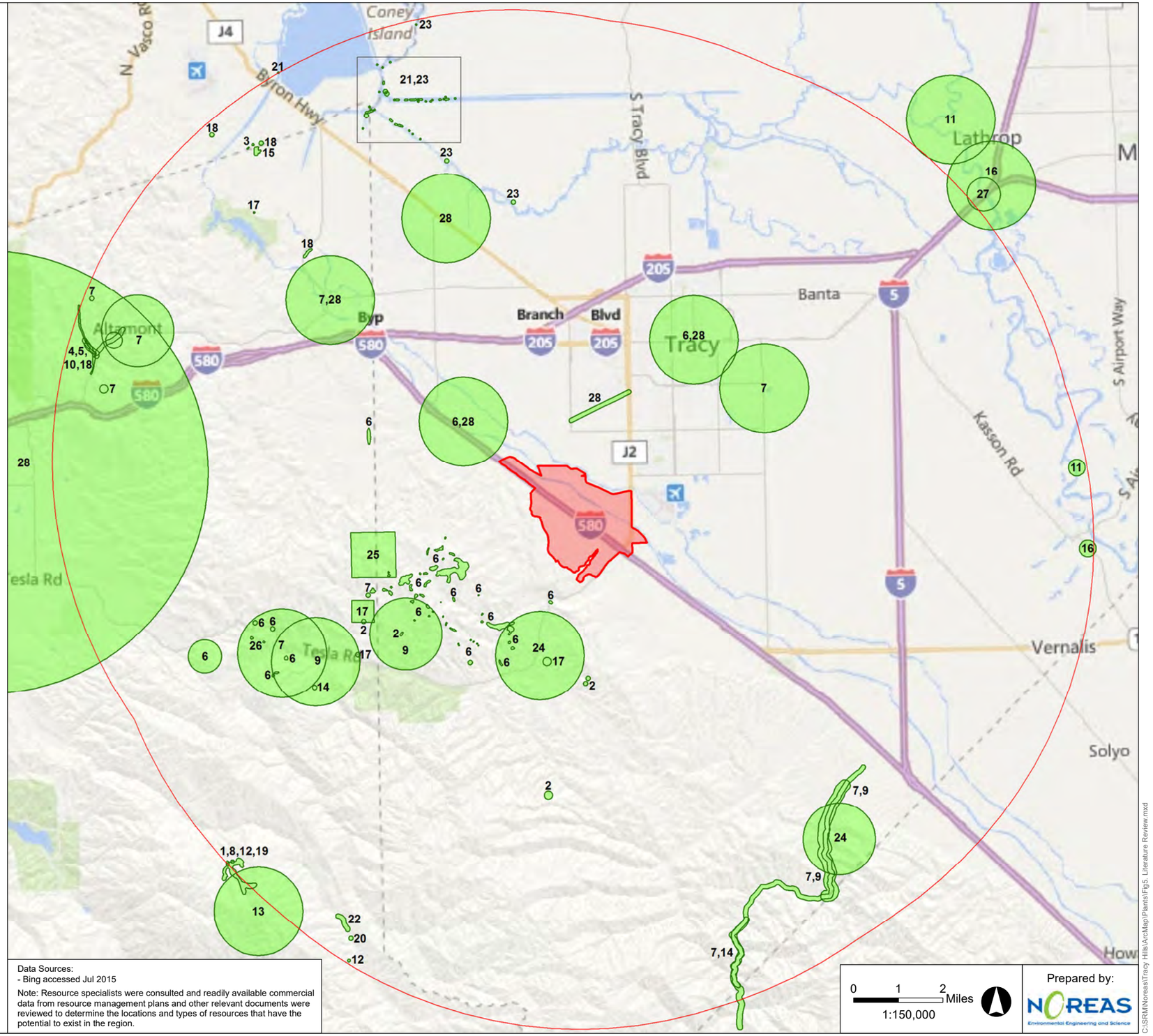
Major Road

Golf Course or Park

Water Body

Special-Status Plant Occurrences

Map Code	Common Name (Scientific Name)
1	Sharsmith's Onion (*Allium sharsmithiae*)
2	Large-Flowered Fiddleneck (*Amsinckia grandiflora*)
3	Heartscale (*Atriplex cordulata* var. *cordulata*)
4	Brittlescale (*Atriplex depressa*)
5	Lesser Saltscale (*Atriplex minuscula*)
6	Big Tarplant (*Blepharizonia plumosa*)
7	Round-Leaved Filaree (*California macrophylla*)
8	Chaparral Harebell (*Campanula exigua*)
9	Lemmon's Jewel-Flower (*Caulanthus lemmonii*)
10	Congdon's Tarplant (*Centromadia parryi* ssp. *congdonii*)
11	Slough Thistle (*Cirsium crassicaule*)
12	Mt. Hamilton Fountain Thistle (*Cirsium fontinale* var. *campylon*)
13	Santa Clara Red Ribbons (*Clarkia concinna* ssp. *automixa*)
14	Hospital Canyon Larkspur (*Delphinium californicum* ssp. *interius*)
15	Recurved Larkspur (*Delphinium recurvatum*)
16	Delta Button-Celery (*Eryngium racemosum*)
17	Diamond-Petaled California Poppy (*Eschscholzia rhombipetala*)
18	San Joaquin Spearscale (*Extriplex joaquinana*)
19	Talus Fritillary (*Fritillaria falcata*)
20	Diablo Helianthella (*Helianthella castanea*)
21	Woolly Rose-Mallow (*Hibiscus lasiocarpos* var. *occidentalis*)
22	Loma Prieta Hoita (*Hoita strobilina*)
23	Mason's Lilaeopsis (*Lilaeopsis masonii*)
24	Showy Golden Madia (*Madia radiata*)
25	Shining Navarretia (*Navarretia nigelliformis* ssp. *radians*)
26	Chaparral Ragwort (*Senecio aphanactis*)
27	Wright's Trichocoronis (*Trichocoronis wrightii* var. *wrightii*)
28	Caper-Fruited Tropidocarpum (*Tropidocarpum capparideum*)



Data Sources:
- Bing accessed Jul 2015

Note: Resource specialists were consulted and readily available commercial data from resource management plans and other relevant documents were reviewed to determine the locations and types of resources that have the potential to exist in the region.

0 1 2 Miles

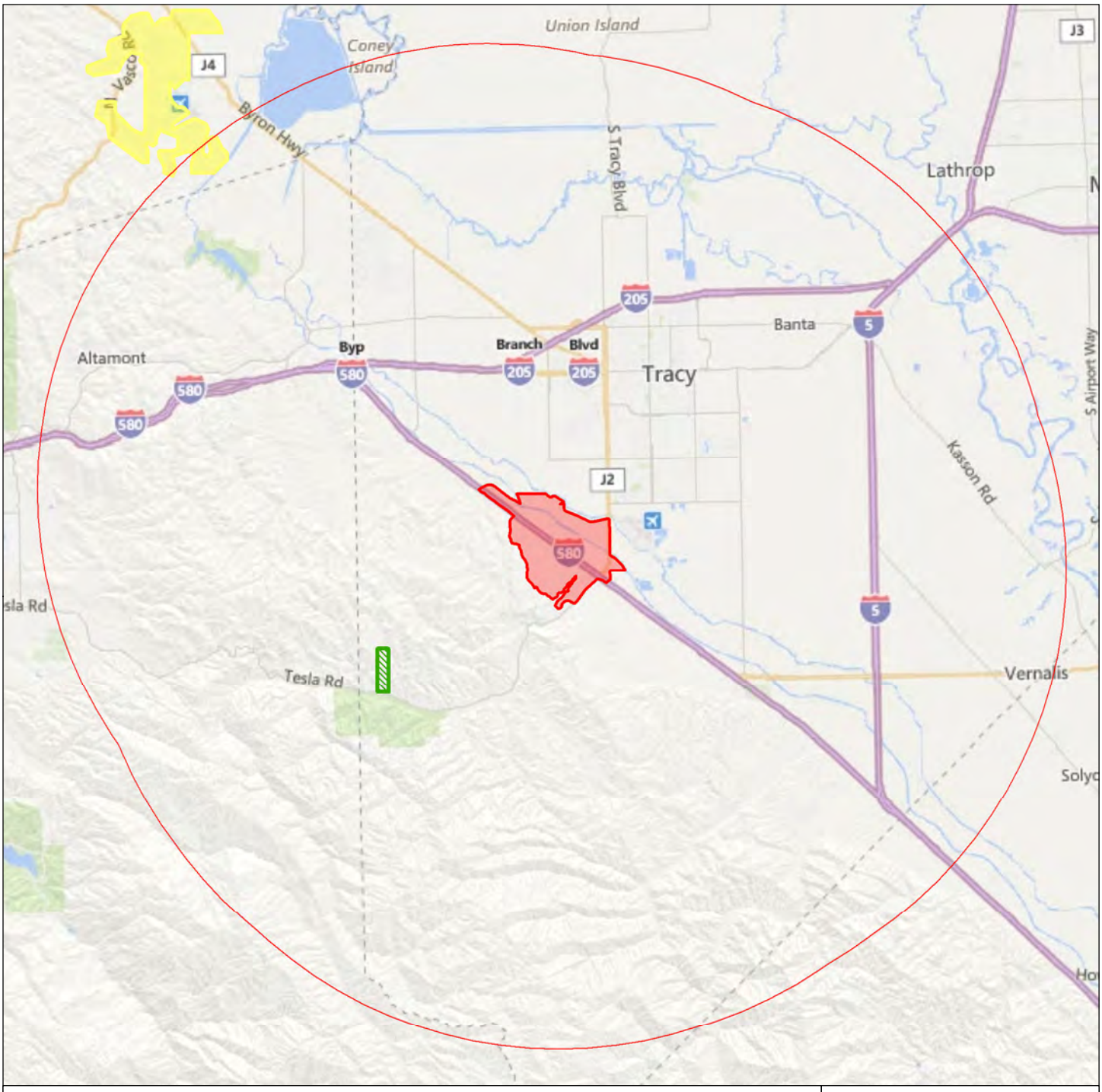
1:150,000

Prepared by:

NOREAS Environmental Engineering and Science

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Figure 5. Literature Review



Project Site

10-Mile Radius Around the Project Site

Freeway

Highway

Water Body

Critical Habitat

Large-Flowered Fiddleneck (*Amsinckia grandiflora*)

Contra Costa Goldfields (*Lasthenia conjugens*)

0 1 2 3 Miles

1:210,000

Data Sources:
- Bing accessed Jul 2015
- US Fish and Wildlife Service critical habitat accessed Jul 2015, data date: Jun 2015

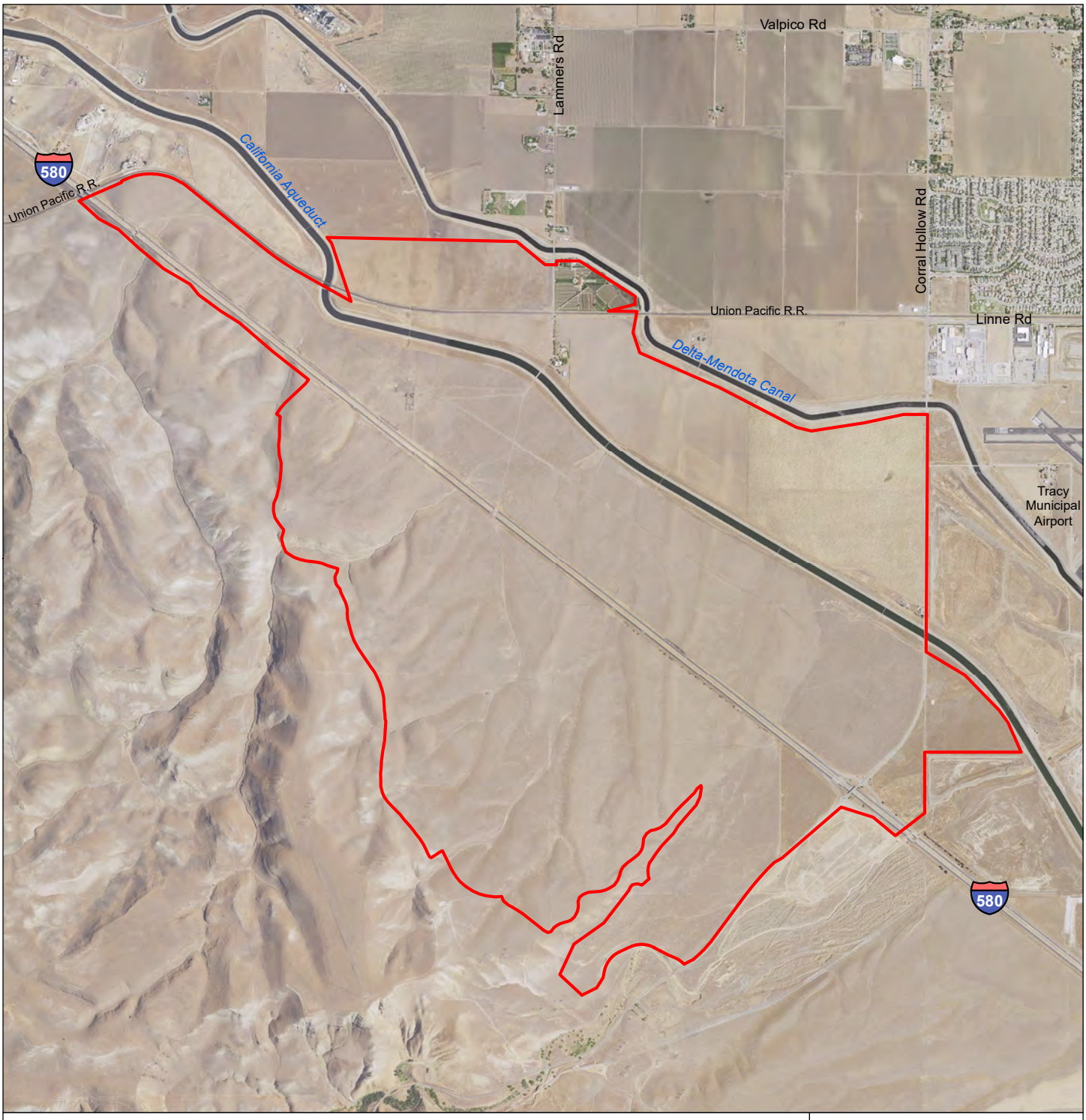
Map Prepared: 7-17-15

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 6. Critical Habitat



Project Site

Note: No rare plants were observed within the Project Site.

0 0.25 0.5 Mile

1 inch = 0.5 mile

Data Sources:
- San Joaquin County GIS accessed Jul 2015, data date: Jul 2014
- USDA-NRCS-AFPO NAIP accessed Jul 2015, image date: 2014

Map Prepared: 7-17-15

Prepared by:

NOREAS
Environmental Engineering and Science

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Figure 7. Results

5.0 IMPACTS AND RECOMMENDATIONS

The study area is not collocated with any USFWS-designated critical habitat for plants. No state- or federally-listed plant species have ever been detected during any pedestrian-based biological surveys from 1989 through the current 2015 rare plant surveys. Additionally, no state- or federally-listed plant species have been documented within 1 mile of the Project. Furthermore, botanical field census and analysis activities have occurred within portions of the study area for more than 25 years to safeguard that field surveys were conducted during a year when winter/spring rainfall was adequate, to maximize the potential for detecting rare flora. The literature review and 2015 pedestrian survey results indicate that the flora detected within the study area have not changed considerably from those documented in past studies. Roughly 80% of the 58 distinct species detected within the study area during 2015 are non-native plants. Although the Project footprint is large in total size, the study area has very low species richness and diversity; and those lands proposed for development do not support habitat for any State or Federal-listed plant species.

The habitat within the study area includes existing livestock grazing and agricultural undertakings which have greatly reduced the lands ability to support special status plants. The surveys performed in 2015 and over the past quarter century have been floristic in nature. The data collected and analyzed implies that there is extremely low potential for rare plants to recruit into the Project Site as well. Given that targeted surveys for rare plants are negative within the study area, the Project would not be expected to result in the loss of individual special status plants or that it would adversely affect local or regional populations of them.

6.0 REFERENCES

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Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. A Manual of California Vegetation. Second Edition. California Native Plant Society, Sacramento, California.

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_____. 2015a. Critical Habitat Portal.

_____.. 2015b. Sacramento Fish and Wildlife Office. Endangered and Threatened Species List.

APPENDIX A

PHOTOGRAPH LOG

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 1. Lesser Saltscale (*Atriplex miniscula*) observed at reference site.
	Photograph: 2. San Joaquin Spearscale (*Extriplex joaquinana*) observed at reference site.

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 3. Congdon's Tarplant (*Centromadia parryi ssp. congdonii*) observed at reference site.
	Photograph: 4. Facing South West from the northern portion of the study area.

APPENDIX A

PHOTOGRAPH LOG

	Photograph: 5. Facing South East from the northern portion of the study area.
	Photograph: 6. Facing North from the central portion of the study area.

APPENDIX B

2015 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

APPENDIX B

2015 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
Achyrachaena mollis	Blow wives
*Amaranthus blitoides**	Matweed
Amsinckia menziesii	Fiddleneck
*Asclepias fascicularis**	Narrow leaf milkweed
Avena fatua	Wild oat
*Brassica nigra**	Black mustard
*Bromus diandrus**	Ripgut
*Bromus hordeaceus**	Soft chess
*Carduus pycnocephalus**	Italian thistle
*Cerastium arvense**	Cerastium arvense
*Chenopodium sp.**	Pig weed
*Cirsium vulgare**	Spear Thistle
*Capsella bursa-pastoris**	Shepherd's-purse
*Convolvulus arvensis**	Bindweed
*Cynodon dactylon**	Bermuda grass
*Croton setigerus**	Dove weed
*Datura wrightii**	Jimson weed
*Eremocarpus setigerus**	Croton
*Erodium botrys**	Long-beaked stork's bill
*Erodium ssp.**	Filaree
Eucalyptus ssp.*	Eucalyptus
*Festuca perennis**	Italian rye grass
*Grindelia camporum**	Gumweed
Hemizonia fitchii	Fitch spikeweed
*Heterotheca grandiflora**	Telegraph weed
*Hirschfeldia incana**	Mustard
Holocarpha obconica	Tarplant
Hordeum marinum ssp. gussoneanum	Mediterranean barley
*Hordeum murinum ssp. Leporinum**	Farmer's Foxtail
*Hordeum ssp.**	Barley
*Hypochaeris radicata**	Catsear
Lactuca serrola	Wild lettuce
*Lepidium latifolium**	Pepper weed
*Lepidium nitidum**	Shiny pepper grass
*Malva parviflora**	Cheeseweed
*Malva neglecta**	Buttonweed
*Matricaria discoidea**	Pineapple weed
*Marrubium vulgare**	Horehound
*Medicago polymorpha**	Burweed
Myriophyllum sp.	Water milfoil
Phacelia sp.	Phacelia
*Poa annua**	Annual meadow grass
*Polygonum aviculare**	Knotweed
*Polypogon monspelensis**	Rabbitfoot grass
Populus fremontii	Cottonwood
Rumex crispus	Curly dock
Salix gooddingii	Black willow

APPENDIX B

2015 PLANT SPECIES OBSERVED WITHIN THE STUDY AREA

SCIENTIFIC NAME	COMMON NAME
*Salsola tragus**	Tumbleweed
*Schinus molle**	Peruvian pepper
*Silybum marinum**	Milk thistle
*Sonchus oleraceus**	Sow thistle
Spergularia sp.	Sand spurry
*Stellaria media**	Chickweed
*Trichostema lanceolatum**	Vinegar weed
*Trifolium hybridum**	Alsike clover
Typha ssp.	Cattail
*Urtica urens**	Dwarf nettle
*Vicia sativa**	Vetch

An "*" non-native plant species.

Attachment B

CHRIS Search Results

CENTRAL CALIFORNIA INFORMATION CENTER
California Historical Resources Information System
Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: 1/18/2021

Records Search File#: 11638L
Project: Tracy Hills 35.7-Acre Annexation Project, Tracy, San Joaquin County, CA #097008115.3.200

Danae Hall, Project Manager
Kimley-Horn
1300 Clay Street, Suite #325
Oakland, CA 94612
408-785-3523 danae.hall@kimley-horn.com

Dear Ms. Hall:

We have conducted a records search as per your **Priority Response** request for the above-referenced project area located on the Tracy USGS 7.5-minute quadrangle map in San Joaquin County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the following:

National Register of Historic Places (NRHP)
California Register of Historical Resources (CRHR)
California Inventory of Historic Resources (1976)
California Historical Landmarks
California Points of Historical Interest listing
Office of Historic Preservation Built Environment Resource Directory (BERD) and the Archaeological Determinations of Eligibility (ADOE)
Survey of Surveys (1989)
Caltrans State and Local Bridges Inventory
General Land Office Plats
Other pertinent historic data available at the CCaIC for each specific county

The following details the results of the records search:

Prehistoric or historic resources within the project area:

- There are no formally recorded prehistoric or historic archaeological resources within the two project areas.

- There is one recorded historic structural feature, the Tesla-Salado-Manteca Transmission

Line (P-39-005337) within the two project areas.

- The General Land Office Survey Plats for T3S R4E (approximately Sections 11, 13, 14, & 24, dated 1862) and T3S R5E (approximately Section 18 and 19, dated 1860 and 1871) do not show any historic features within the project areas. The sections in T3S R5E have been divided into parcels of various acreages as early as 1860.

- Map Number Four in *History of San Joaquin County, California with Illustrations* (1879; 1968 reprint) references Arroyo Buenos Ayres or "Carral Hollow" south of the project area.

- Map of the County of San Joaquin, California (1883) references numerous historic landowners within the project vicinity:

  P. Fabian & L. Levinsky
  Savings and Loan Society
  C. M. Laughlin
  Mrs. Ann Carroll
  Louis Greenaur
  Mary Peterson
  Edward Wacksmuth

- The 1916 edition of the Tracy USGS quadrangle as well as the 1954 edition show several historic roads with the project area.

Prehistoric or historic resources within the immediate vicinity of the project area: There are both recorded prehistoric and historic archaeological resources as well as historic homesteads recorded within the immediate vicinity of the project area.

Resources that are known to have value to local cultural groups: None has been formally reported to the Information Center.

Previous investigations within the project area: There has been one investigation, referenced as follows:

CCaIC Report #SJ-02857

Foster, J., 1996 An Archaeological and Historical Resource Investigations of the Proposed Tracy Hills Project, Tracy, California (6175 acres). Foothill Archaeological Services.

Recommendations/Comments: Based on existing data in our files the project area is considered to be highly sensitivity in reference to the possible discovery of both prehistoric and historic archaeological resources.

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. Since the proposed 35.7 acres has not been subject to project-specific investigations, there may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

If the current project does not include ground disturbance, further study for archaeological resources is not recommended at this time. If ground disturbance is considered a part of the current project, we recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources.

If the proposed project contains buildings or structures that meet the minimum age requirement (45 years in age or older) it is recommended that the resource/s be assessed by a professional familiar with architecture and history of the county. Review of the available historic building/structure data has included only those sources listed above and should not be considered comprehensive.

If at any time you might require the services of a qualified professional the Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at http://chrisinfo.org

If archaeological resources are encountered during project-related activities**,** work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources.

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section 5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the State Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain

information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Please sign and return the attached **Access Agreement Short Form.**

Note: Billing will be transmitted separately via email from the Financial Services office ($225.00), payable within 60 days of receipt of the invoice.

If you wish to include payment by Credit Card, you must wait to receive the official invoice from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:

https://commerce.cashnet.com/ANTHROPOLOGY

Sincerely,

E. A. Greathouse

E. A. Greathouse, Coordinator
Central California Information Center
California Historical Resources Information System

Copy of invoice to Laurie Marroquin, Financial Services (lamarroquin@csustan.edu)

ATTACHMENT D

ORDINANCE 1312

AN ORDINANCE OF THE CITY OF TRACY APPROVING A TRACY HILLS SPECIFIC PLAN AMENDMENT AND PRE-ZONING THE TRACY HILLS 35-ACRE ANNEXATION AREA AS TRACY HILLS SPECIFIC PLAN ZONE FOR APPROXIMATELY 35 ACRES LOCATED SOUTH OF I-580 IN THE VICINITY OF CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 253-030-13 AND 253-040-10, APPLICATION NUMBERS SPA20-0001 AND AP20-0002

WHEREAS, The Tracy Hills Specific Plan consists of approximately 2,732 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580; and

WHEREAS, On April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan; and

WHEREAS, Applications were submitted regarding the Tracy Hills 35-Acre Annexation Project, which includes an amendment to the Tracy Hills Specific Plan and pre-zoning the Tracy Hills 35-Acre Annexation area as Tracy Hills Specific Plan Zone for approximately 35 acres located south of I-580 in the vicinity of Corral Hollow Road, Assessor's Parcel Numbers 253-030-13 and 253-040-10, Application Numbers SPA20-0001 and AP20-0002; and

WHEREAS, The proposed Tracy Hills Specific Plan Amendment would revise the Specific Plan Area boundary to include the approximately 35-acre annexation area and apply the zoning district of Low Density Residential (LDR-TH) to the subject property, and also change the zoning district from Residential Estate (RE-TH) to Tracy Hills Conservation (C-TH) for an equivalent sized 35-acre area located within the Tracy Hills Specific Plan area, adjacent to the southwestern boundary of the Specific Plan; and

WHEREAS, The overall Specific Plan area would increase by approximately 35 acres from 2,731.6 acres to 2,767.3 acres, but the proposed amendment would result in no change to the number of projected dwelling units for the overall Tracy Hills Specific Plan area, as a result of this 35-acre annexation project, because the Residential Estate (RE-TH) zoning district would be reduced from 95.6 acres to 59.9 acres for a reduction of 35.7 acres, the Low Density Residential (LDR-TH) zoning district would be increased from 1,316.2 acres to 1,351.9 acres for an increase of 35.7 acres, the Tracy Hills Conservation (C-TH) zoning district would be increased from 126.5 acres to 162.2 acres for an increase of 35.7 acres, the projected dwelling units for the Residential Estate (RE-TH) zoning district would be reduced from 122 to 76 for a reduction of 46 dwelling units, and the projected dwelling units for the Low Density Residential (LDR-TH) zoning district would be increased from 3,558 to 3,604 for an increase of 46 dwelling units; and

WHEREAS, The proposal includes pre-zoning the Tracy Hills 35-Acre Annexation Area as Tracy Hills Specific Plan Zone, which would be the pre-zoning for the application for annexation request to Local Agency Formation Commission (LAFCo), and upon annexation, the Tracy Hills 35-Acre Annexation area would be zoned Tracy Hills Specific Plan (THSP) Zone; and

WHEREAS, An Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan; and

WHEREAS, An Addendum to the EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15164 of the CEQA Guidelines, exist in connection with the Tracy Hills Specific Plan Amendment regarding the Tracy Hills 35-Acre Annexation Project, and therefore, no further environmental review is required; and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on May 12, 2021 and recommended that the City Council introduce and adopt an ordinance amending the Tracy Hills Specific Plan and pre-zoning the Tracy Hills 35-Acre Annexation Area as Tracy Hills Specific Plan Zone, Application Numbers SPA20-0001 and AP20-0002; and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on June 15, 2021;

The City Council of the City of Tracy does ordain as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2. The City Council hereby approves the Tracy Hills Specific Plan Amendment, Application Number SPA20-0001, as attached to the June 15, 2021 City Council staff report as Attachment “B”.

SECTION 3. The City Council hereby approves pre-zoning the Tracy Hills 35-Acre Annexation area as Tracy Hills Specific Plan Zone, and upon annexation, the zoning of the Tracy Hills 35-Acre Annexation area shall be Tracy Hills Specific Plan Zone, Application Number AP20-0002.

SECTION 4. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 5. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form

and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* *

This Ordinance 1312 was introduced at a regular meeting of the Tracy City Council on the 15th day of June, 2021, and finally adopted on the _____ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 1.D

REQUEST

APPROVE A MASTER PROFESSIONAL SERVICES AGREEMENT FOR A THREE YEAR CONTRACT WITH FCGA ARCHITECTS, LLC TO RETAIN THE CONSULTANT TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR A NOT-TO-EXCEED AMOUNT OF $600,000 PER FISCAL YEAR, AUTHORIZE THE DEVELOPMENT SERVICES DIRECTOR TO EXECUTE NOTICES TO PROCEED RELATED TO THE AGREEMENT, AND AUTHORIZE THE CITY MANAGER TO APPROVE AN ADDITIONAL TWO YEAR AGREEMENT EXTENSION AT THE END OF THE TERM IF THERE IS A WRITTEN DETERMINATION THAT THE CONSULTANT HAS SUCCESSFULLY COMPLETED ALL REQUIREMENTS OF THE AGREEMENT

EXECUTIVE SUMMARY

This agenda item, with City Council approval, would approve a Master Professional Services Agreement (MPSA) with FCGA Architects, LLC for a three year contract to retain the consultant for on-call professional engineering services for Capital Improvement Projects for a not-to-exceed amount of $600,000 per fiscal year, authorize the Development Services Director to execute Notices to Proceed related to the Agreement and authorize the City Manager to approve an additional two year Agreement extension at the end of the term if there is a written determination that the Consultant has successfully completed all requirements of the Agreement.

It is important to note that the not-to-exceed amount is a maximum contract cap and expenses may not reach that level. The MPSA is for Capital Improvement Projects (CIPs) as a way to augment City Engineering staff due to vacancies and expedite various projects such as the Temporary Emergency Housing Project, the Grand Theatre Exterior Improvements, and the Fire Station 92 and 96 Radio Towers Project.

DISCUSSION

Capital Improvement Projects (CIPs) can require specialized professional engineering services that City Design Engineering staff are not licensed to perform. On-call services allow staff to quickly access the specific type of design support (structural, electrical, geotechnical, etc.) needed to move the project towards design completion.

On-call consultants can also provide additional design capacity to supplement the City's Engineering Design team. The on-call consultants have the capacity to complete design work on portions or entire capital improvement projects, perform studies and provide analysis depending on the specific project needs. CIP Design Engineering currently has several unfilled full-time positions due to the City hiring freeze. The on-call services will allow funded CIPs to be completed in a timely manner, even though the CIP Design Engineering group is not fully staffed. All work performed by the consultants is funded through the approved capital improvement project budget.

On November 10, 2020, the City issued a Request for Proposals (RFP) for the Architectural, Structural and Civil Engineering On-Call Design Services for Capital Improvement Projects. On December 10, 2020, the City received a total of twenty (20) proposals in response to the RFP. Staff reviewed and rated the proposals and selected FCGA Architects, LLC, as a firm that best meets the engineering design support needs of the City at this time.

After negotiations between the City and the consultants, the parties reached an agreement for the performance of services and said services are in accordance with the terms set forth in the MPSA, with a not-to-exceed amount of $600,000 per fiscal year. The term of the MPSA is set to begin on July 15, 2021 and expire on June 30, 2024, with an optional two-year extension by the City Manager following a written determination that Consultant has satisfactorily met all the requirements of this Agreement.

STRATEGIC PLAN

This agenda item is a routine operational item and is not related to the Council's Strategic Plans.

FISCAL IMPACT

This agenda item, with City Council approval, would approve a Master Professional Services Agreement (MPSA) for three years with FCGA Architects, LLC to retain the consultant for on-call professional engineering services for Capital Improvement Projects for a not-to-exceed amount of $600,000 per fiscal year, authorize the Director of Development Services to issue Notices to Proceed related to the Agreement, and authorize the City Manager to approve an additional two year Agreement extension at the end of the term if there is a written determination that the Consultant has successfully completed all requirements of the Agreement. It is important to note that the not-to-exceed amount is a maximum contract cap and expenses may not reach that level.

The funding for these consultant services will be through budgeted CIP projects for which such consultant services are required. Consultant services will be used on an as-need or on-call basis as CIP projects are ready to proceed and the staffing assistance is needed. Funding sources for the consultant services will vary and may include, but are not limited to the general fund, program management fees, development impact fees, various grants, annual gas tax, Community Development Block Grant, or other federal and state funds.

RECOMMENDATION

Staff recommends that the City Council approve, by resolution, the three year Master Professional Services Agreement with FCGA Architects, LLC to retain consultant for on-call professional engineering services for capital improvement projects for a not-to-exceed amount of $600,000 per fiscal year, authorize the Development Services Director to execute notices to proceed related to the agreement, and authorize the City Manager to approve an additional two year Agreement extension at the end of the term if

there is a written determination that the Consultant has successfully completed all requirements of the Agreement.

Prepared by: Ilene Macintire, PE, Senior Civil Engineer

Reviewed by: Robert Armijo, PE, City Engineer/Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Master Professional Services Agreement with FCGA Architects, LLC

CITY OF TRACY
MASTER PROFESSIONAL SERVICES AGREEMENT
WITH FCGA ARCHITECTURE, INC., FOR ARCHITECTURAL, STRUCTURAL
AND CIVIL ENGINEERING ON-CALL DESIGN SERVICES
FOR CAPITAL IMPROVEMENT PROJECTS

This Master Professional Services Agreement (**Agreement**) is entered into between the City of Tracy, a municipal corporation (**City**), and **FCGA Architecture, Inc.,** a California corporation (**Consultant**). City and Consultant are referred to individually as "Party" and collectively as "Parties."

Recitals

City desires to retain Consultant to perform on-call architectural, structural and civil engineering design services for Capital Improvement Projects.

A. On November 10, 2020 the City issued a Request for Proposals (RFP) for the Architectural, Structural and Civil Engineering On-Call Design Services for Capital Improvement Projects ("Project"). On December 10, 2020, Consultant submitted its proposal for the Project to the City. City has determined that Consultant possesses the skills, experience and certification required to provide the services.

B. After negotiations between the City and Consultant, the Parties have reached an agreement for the performance of services in accordance with the terms set forth in this Agreement.

C. This Agreement is being executed pursuant to Resolution No. ____ approved by Tracy City Council on _____, 2021.

Now therefore, the Parties mutually agree as follows:

1. Scope of Work. Consultant shall perform the services generally described in Exhibit "A" attached, and incorporated by reference, as directed by written Notice to Proceed by the City's Development Services Director. The services shall be performed by, or under the direct supervision of, Consultant's Authorized Representative: Galen Grant, AIA. Consultant shall not replace its Authorized Representative, nor shall Consultant replace any of the personnel listed in Exhibit "A," nor shall Consultant use or replace any subcontractor or subconsultant, without City's prior written consent. A failure to obtain the City's prior written consent for any change or replacement in personnel or subcontractor/subconsultant may result in the termination of this Agreement.

1.1 Non-Exclusive Agreement. The City reserves the right to contract with other consultants providing the same or similar scope of services described above during the term of this Agreement. The City further reserves the right to, assign work, at its sole discretion, to consultants other than Consultant based on City's budget, experience, and skills of consultants based on the City's specific needs.

2. Time of Performance. Time is of the essence in the performance of services under this Agreement and the timing requirements set forth shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. Consultant shall begin performance, and shall complete all required services no later than the dates set forth in each individual Notice to Proceed. Any services for which times for performance are not specified in each individual Notice to Proceed shall be started and completed by Consultant in a reasonably prompt and timely manner based upon the circumstances and direction communicated by the City to the Consultant. Consultant shall submit all requests for time extensions to the City in writing no later than ten days after the start of the condition which purportedly caused the delay, and not later than the date on which performance is due. City shall grant or deny such requests at its sole discretion.

2.1 Term. The term of this Agreement shall begin on July 15, 2021 and end on June 30, 2024, unless terminated for any reason, including a lack of appropriated funds to compensate services provided under this Agreement, in accordance with Section 6. Any such termination of this Agreement due to failure of the City of Tracy Council to appropriate funds for payment for services under this Agreement shall not be a breach of the Agreement.

2.1.1 Option to Extend. This Agreement may be extended for an additional 2 years by the City Manager following a written determination that Consultant has satisfactorily met all the requirements of this Agreement.

3. Compensation. City shall pay Consultant on a time and expense basis, at the billing rates set forth in Exhibit "B," attached and incorporated by reference for services performed under this Agreement.

3.1 Not to Exceed Amount. Consultant's total compensation under this Agreement shall not exceed $600,000 per fiscal year. Consultant's billing rates shall cover all costs and expenses for Consultant's performance of this Agreement. Effective July 1, 2022, Consultant's billing rates under this Agreement may be annually increased in July of each year by the lesser of 3% or the annual increase in the Cost of Living Index – All Items, for the Sacramento Metropolitan Region. No work shall be performed by Consultant in excess of the total compensation amount provided in this section without the City's prior written approval.

3.2 Invoices. Consultant shall submit monthly invoice(s) to the City that describe the services performed, including times, dates, and names of persons performing the services.

3.2.1 If Consultant is providing services in response to a development application, separate invoice(s) must be issued for each application and each invoice shall contain the City's designated development application number.

3.2.2 Consultant's failure to submit invoice(s) in accordance with these requirements may result in the City rejecting said invoice(s) and thereby delaying payment to Consultant.

3.3 Payment. Within 30 days after the City's receipt of invoice(s), City shall make payment to the Consultant based upon the services described on the invoice(s) and approved by the City.

4. Indemnification. Consultant shall, to the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of Consultant's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City.

In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Consultant" means the Consultant, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to".

(The duty of a "design professional" to indemnify and defend the City is limited to claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the design professional, under Civ. Code § 2782.8.)

The provisions of this section survive completion of the services or the termination of this Agreement, and are not limited by the provisions of Section 5 relating to insurance.

5. Insurance. Consultant shall, throughout the duration of this Agreement, maintain insurance to cover Consultant, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth herein.

5.1 Commercial General Liability (with coverage at least as broad as ISO form CG 00 01 01 96) "per occurrence" coverage shall be maintained in an amount not less than $4,000,000 general

aggregate and $2,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

5.2 Automobile Liability (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") "claims made" coverage shall be maintained in an amount not less than $1,000,000 per accident for bodily injury and property damage.

5.3 Workers' Compensation coverage shall be maintained as required by the State of California.

5.4 Professional Liability "claims made" coverage shall be maintained to cover damages that may be the result of errors, omissions, or negligent acts of Consultant in an amount not less than $1,000,000 per claim.

5.5 Endorsements. Consultant shall obtain endorsements to the automobile and commercial general liability insurance policies with the following provisions:

5.5.1 The City (including its elected officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

5.5.2 For any claims related to this Agreement, Consultant's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

5.6 Notice of Cancellation. Consultant shall notify the City if the policy is canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation. Consultant shall immediately obtain a replacement policy.

5.7 Authorized Insurers. All insurance companies providing coverage to Consultant shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

5.8 Insurance Certificate. Consultant shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance and endorsements, in a form satisfactory to the City, before the City signs this Agreement.

5.9 Substitute Certificates. Consultant shall provide a substitute certificate of insurance no later than 30 days prior to the policy expiration date of any insurance policy required by this Agreement.

5.10 Consultant's Obligation. Maintenance of insurance by the Consultant as specified in this Agreement shall in no way be interpreted as relieving the Consultant of any responsibility whatsoever (including indemnity obligations under this Agreement), and the Consultant may carry, at its own expense, such additional insurance as it deems necessary. Failure to provide or maintain any insurance policies or endorsements required herein may result in the City terminating this Agreement.

6. Termination. The City may terminate this Agreement by giving ten days' written notice to Consultant. Upon termination, Consultant shall give the City all original documents, including preliminary drafts and supporting documents, prepared by Consultant for this Agreement. The City shall pay Consultant for all services satisfactorily performed in accordance with this Agreement, up to the date notice is given. The Consultant may terminate this Agreement for cause by giving ten days' written notice to the City.

7. Dispute Resolution. If any dispute arises between the City and Consultant that cannot be settled after engaging in good faith negotiations, City and Consultant agree to resolve the dispute in accordance with the following:

7.1 Each Party shall designate a senior management or executive level representative to negotiate the dispute;

7.2 The representatives shall attempt, through good faith negotiations, to resolve the dispute by any means within their authority.

7.3 If the issue remains unresolved after fifteen (15) days of good faith negotiations, the Parties shall attempt to resolve the disagreement by negotiations between legal counsel. If the aforementioned process fails, the Parties shall resolve any remaining disputes through mediation to expedite the resolution of the dispute.

7.4 The mediation process shall provide for the selection within fifteen (15) days by both Parties of a disinterested third person as mediator, shall be commenced within thirty (30) days and shall be concluded within fifteen (15) days from the commencement of the mediation.

7.5 The Parties shall equally bear the costs of any third party in any alternative dispute resolution process.

7.6 The dispute resolution process is a material condition to this Agreement and must be exhausted prior to either Party initiating legal action. This dispute resolution process is not intended to nor shall be construed to change the time periods for filing a claim or action specified by Government Code §§ 900 et seq.

8. Ownership of Work. All original documents prepared by Consultant for this Agreement, whether complete or in progress, shall upon payment for the documents become the property of the City, and shall be given to the City at the completion of Consultant's services, or upon demand from the City. No such documents shall be revealed or made available by Consultant to any third party without the City's prior written consent.

9. Independent Contractor Status. Consultant is an independent contractor and is solely responsible for the acts of its employees or agents, including any negligent acts or omissions. Consultant is not City's employee and Consultant shall have no authority, express or implied, to act on behalf of the City as an agent, or to bind the City to any obligation, unless the City provides prior written authorization. Consultant is free to work for other entities while under contract with the City. Consultant, and its agents or employees, are not entitled to City benefits.

10. Conflicts of Interest. Consultant (including its employees, agents, and sub consultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. If Consultant maintains or acquires such a conflicting interest, the City may terminate any contract (including this Agreement) involving Consultant's conflicting interest.

11. Rebates, Kickbacks, or Other Unlawful Consideration. Consultant warrants that this Agreement was not obtained or secured through rebates, kickbacks, or other unlawful consideration either promised or paid to any City official or employee. For breach of this warranty, City shall have the right, in its sole discretion, to terminate this Agreement without liability; to pay only for the value of the work actually performed; or to deduct from the contract price; or otherwise recover the full amount of such rebate, kickback, or other unlawful consideration.

12. Notices. All notices, demands, or other communications which this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the other party to the addresses listed below. Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated below, or (3) three working days after the deposit in the United States Mail of registered or certified mail, sent to the address designated below.

To City:
Development Services Department
Attn: Robert Armijo, P.E
City Engineer
333 Civic Center Plaza
Tracy, CA 95376

To Consultant:
FCGA Architecture, Inc.
Attn: Cedric Craig
CEO
301 Hartz Avenue, Suite 213
Danville, CA 94526

With a copy to:
City Attorney
333 Civic Center Plaza
Tracy, CA 95376

13. Miscellaneous.

13.1 Standard of Care. The standard of care applicable to Consultant's services will be the degree of skill and diligence ordinarily used by reputable professionals performing in the same or similar time and locality, and under the same or similar circumstances.

13.2 Amendments. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both Parties.

13.3 Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

13.4 Assignment and Delegation. Neither party may assign, transfer or delegate this Agreement or any portion of it without the written consent of the other party. Any attempt to do so will be void. The consent to one assignment shall not be deemed to be a consent to any subsequent assignment.

13.5 Jurisdiction and Venue. The interpretation, validity, and enforcement of the Agreement shall be governed by and construed under the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Joaquin.

13.6 Compliance with the Law. Subject to the standard of care for professional services stated in Section 13.1, the Consultant shall comply with all applicable local, state, and federal laws, whether or not those laws are expressly stated in this Agreement.

13.6.1 Prevailing Wage Laws. Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates; employment of apprentices (§ 1777.5), certified payroll records (§1776), hours of labor (§1813 and §1815), debarment of contractors and subcontractors (§1777.1) and the performance of other requirements on "public works" and "maintenance" projects. If the services being performed under this Agreement are part of a "public works" or "maintenance" project, as defined in the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. These prevailing rates are on file with the City and are available online at http://www.dir.ca.gov/DLSR. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents, harmless from any and all claims, costs, penalties, or interests arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

13.6.2 Non-discrimination. Consultant represents and warrants that it is an equal opportunity employer and it shall not discriminate against any subconsultant, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Consultant shall also comply with all applicable anti-discrimination federal and state laws, including but not limited to, the California Fair Employment and Housing Act (Gov. Code 12990 (a-f) et seq.).

13.7 Business Entity Status. Consultant is responsible for filing all required documents and/or forms with the California Secretary of State and meeting all requirements of the Franchise Tax Board, to the extent such requirements apply to Consultant. By entering into this Agreement, Consultant represents that it is not a suspended corporation. If Consultant is a suspended corporation at the time it enters this Agreement, City may take steps to have this Agreement declared voidable.

13.8 Business License. Before the City signs this Agreement, Consultant shall obtain a City of Tracy Business License. Consultant shall maintain an active City of Tracy Business License during the term of this Agreement.

13.9 Successors and Assigns. This Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

13.10 Construction of Agreement. Each Party hereto has had an equivalent opportunity to participate in the drafting of this Agreement and/or to consult with legal counsel. Therefore, the usual construction of an agreement against the drafting Party shall not apply hereto.

13.11 Severability. If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the r**e**mainder of this Agreement shall remain in effect.

13.12 Controlling Provisions. In the case of any conflict between the terms of this Agreement and the Exhibits hereto, and Consultant's proposal (if any), the Agreement shall control. In the case of any conflict between the Exhibits hereto and the Consultant's proposal (if any), the Exhibits shall control.

13.13 Entire Agreement. This Agreement and the attached Exhibits comprise the entire integrated understanding between the Parties concerning the services to be performed. This Agreement supersedes all prior negotiations, representations or agreements. All exhibits attached hereto are incorporated by reference herein.

13.14 Third Parties. Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either City or Consultant. Consultant's Services hereunder are being performed solely for the benefit of City.

14. Signatures. The individuals executing this Agreement on behalf of Consultant represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Agreement on behalf of Consultant.

[SIGNATURES ON FOLLOWING PAGE]

The Parties agree to the full performance of the terms set forth here.

City of Tracy

By: Nancy D. Young
Title: Mayor
Date: _____

Attest:

_____
Adrianne Richardson, City Clerk

Approved as to form:

_____
Leticia M. Ramirez, City Attorney

Consultant
FCGA Architecture, Inc., a
California corporation

_____
By: Cedric Craig
Title: CEO
Date: 5.17.21

Federal Employer Tax ID No. 37-1609240

_____
By: Galen Grant, AIA
Title: President
Date: 5/17/21

Exhibits:

A Scope of Work, including Key Personnel and time of performance (See Agreement sections 1 and 2.)

B Compensation (See Agreement section 3.)

EXHIBIT A - Scope of Work and Key Personnel

The specific scope of work will be determined on a project by project basis. Not all tasks will be required for all projects. The Consultant will provide supplemental support to City staff on City designed projects.

As part of the Engineering Design Services, Consultant may assist the City in the performance of any the following services:

Project management and project coordination
Architectural Design
Civil and Structural Engineering and Design
Design of Mechanical, Electrical, Plumbing, HVAC, Fire Suppression, or other specialties
Geotechnical Investigations
Utility Location and Potholing
Coordination with outside agencies (Utility, Railroad, San Joaquin County, CalTrans, etc.)
General drafting services
Environmental permitting and preparation of CEQA or NEPA documents

Typical Tasks

Task 1 – Project Management. The consultant shall provide professional and technical services during the scoping and design of the project. The proposed design shall be based on alternatives recommended in Task 1 and approved by the City.

- Develop a project team and prepare the project scope of work, activities, schedule, and work plan. Define key issues and goals and coordinate responsibilities of project team members.
- Hold regular project team coordination and status meetings, prepare agenda, prepare meeting minutes and summarize action items. Meetings should be held a minimum of once a month.

Task 2 – Preliminary Engineering (Conceptual Plans): The purpose of this task is to review the design concept and prepare preliminary conceptual plans that will accommodate the desired features, recommend design alternatives and determine a reliable cost estimate. Anticipated tasks include the following:

- Define and analyze the feasibility of proposed improvements, structures and features.
- Prepare draft layout plans for the proposed project alternative.
- Prepare a reliable construction cost estimate and cost saving alternatives.

Task3 – Environmental Analysis. The project team shall determine what Environmental Analysis may be required for the project and coordinate with City staff to prepare documentation.

Task 4 – Geotechnical Evaluation. The project team shall determine what Geotechnical Investigations are required and coordinate with the City to procure geotechnical services or the project teams subconsultant or through existing City Agreements

Task 5 – Permitting. The Consultant will identify the permits that will be required on this project.

- The Consultant shall identify all agencies with permitting authority over any aspects of the project and shall maintain communication and coordination efforts with such agencies throughout all phases of the work. Consultant shall identify permitting requirements and, in conjunction with City staff, establish how these requirements will be implemented. The incorporation of all permitting requirements in preliminary engineering, final engineering and PS&E shall be accomplished during the appropriate phases of the work.
- The consultant shall prepare and assist City in preparing permit applications for and required permits.

- The consultant, in close coordination with the City Project Manager shall serve as the liaison between CITY and other concerned agencies.
- Consultant shall be responsible for the plan check process as needed to procure building permit from the City Building Division.

Task 6 – Reconnaissance and Field Surveys

- Define and analyze the feasibility of proposed project
- Review the existing survey/geotechnical data and determine what additional data is required (Geotechnical and Land Surveying services may be arranged through the City's existing Agreements or provided by the Consultant.)
- Prepare draft layout plans for the proposed project alternatives
- Perform field reconnaissance and prepare a record of site conditions.
- Obtain and review available information relevant to each project from the City
- Perform field surveys to obtain the location of utilities and site improvements, utility poles, fire hydrants, trees and landscaping improvements, as required.
- Prepare plans and base mapping in AutoCAD 2020 format.
- Coordinate with City staff during field surveys and site reconnaissance.
- Perform potholing as needed to verify the exact location and depth of existing utilities as needed

Task 7 – Construction Documents

- Prepare contract construction plans, technical specifications, and cost estimates (PS&E) associated with the project. These documents shall be suitable for public bidding. Prepare all plans using AutoCAD format in a version compatible with the City's and to City CAD standards.
- Final drawings will be delivered to the City on using City border and title block, in both printed and electronic signed copies.
- City staff will prepare the "Boiler Plate" portion of the specifications and incorporate the Consultant's technical specification into the final bid package to be reproduced (along with the project plans) by the City.
- The Consultant shall submit three (3) sets of plans, technical specifications, and cost estimates at mutually agreed completion stages of the project for City review. The Consultant shall incorporate the comments received after the reviews and should plan on a meeting with the City staff at each submittal level to review the City's comments. Final submittal requires signed originals, AutoCAD files, and electronic files of all the PS&E documents.
- At the completion of construction, consultant shall prepare Record (as-constructed) Drawings of the final project and submit those to the City in AutoCAD electronic format (on CD) and printed full size on 4 mil Mylar, 24" x 36", including all signatures and City of Tracy title blocks. These record drawings will be prepared using the AutoCAD construction drawings and the contractor's marked up set of as-constructed drawings and creating a "conform" set of drawings, which is turned off to produce the final as-constructed mylars.
- Plans and specifications for the project shall comply with the latest editions of the City of Tracy Design Standards, Standard Plans, Parks and Streetscape Standard Plans, Standard Specifications, and other reference standards such as the State of California Building Code, and the Standard Specification for Public Works Construction (Greenbook), and any other applicable codes.
- All work for the design services should be performed under the direct supervision of a Registered Architect, Structural Engineer or Civil Engineer registered in the State of California,
- The title sheet of the specifications, reports, and each sheet of the project plans shall bear the professional seal, certificate number, registration classification, and signature of the professional engineer or architect responsible for their preparation.

Task 8 – Bid Period Services:
Consultant shall provide clarification and information about the PS&E package during advertising and construction process. The Consultant shall assist the City in the preparation of any addenda to the PS&E during the advertisement period.

Task 9 – Bid Construction Services:
Consultant shall review the contractor's shop drawings and any other submittals required. Additionally, Consultant shall be responsible for resolving any errors in the design, which are identified during construction at no additional cost to the City and in a timely manner to ensure construction delays, are avoided or minimized.

Assist in the review of contractor change order requests and assist in any redesign efforts leading up to change order preparation for the construction contract.

Answer questions, review submittals, shop drawings, and schedules required to be submitted by the construction documents, for conformance with the design plans and specifications. Review and respond to contractor's request for information (RFI) and clarifications during construction must be done within five calendar days.

- Clarification of documents during advertising and construction including preparation of any addenda
- Provide review comments and acceptance letters/memos for each of the contractor's shop drawings and any other submittals required
- Attend pre-construction meeting and take meeting notes
- Prepare plan revisions as required
- Prepare conform set of construction documents which includes all addendums
- Provide Record Drawings on mylar

The Consultant shall not be responsible for a contractor's construction means, methods, and techniques, or for safety precautions and programs for any project.

The Consultant shall not be responsible for any contractor's failure to perform any work in accordance with the requirements of the Construction Documents. The Consultant shall be responsible for the Consultant's negligent acts or omissions, but shall not have control over or charge of, and shall not be responsible for, acts or omissions of any contractor or of any other persons or entities performing portions of the work or services on a project.

Key Personnel:

ARCHITECT
FCGA architecture, Inc.
Galen Grant, AIA – Design Principal
Peter Sandholdt, AIA – Senior Architect
Pete Austin – Project Manager

COST ESTIMATOR
Leland Saylor Associates
Jeff Saylor - Lead/Senior Estimator

STRUCTURAL
MBA Structural Engineers, Inc.
Matt Bertics, S.E. – President

MEP
ACIES Engineering
Wilson Lee, P.E., LEED AP – Project Lead, Electrical Engineer of Record
Vy Truong – Mechanical Project Manager

CIVIL
BKF Engineers
Alex Heuer, P.E., LEED AP – Associate/Civil Engineer

LANDSCAPE ARCHITECTURE
Gates + Associates
Casey Case – Principal-in-Charge

ENVIRONMENTAL
Terracon Consultants, Inc.
Steffen Steiner, CAC, CDPH Lead I/A - Principal

RESOLUTION 2021-_____

APPROVING MASTER PROFESSIONAL SERVICES AGREEMENT FOR A THREE YEAR CONTRACT WITH FCGA ARCHITECTS, LLC TO RETAIN THE CONSULTANT FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR A NOT-TO-EXCEED AMOUNT OF $600,000 PER FISCAL YEAR, AUTHORIZING THE DEVELOPMENT SERVICES DIRECTOR TO EXECUTE NOTICES TO PROCEED RELATED TO THE AGREEMENT, AND AUTHORIZING THE CITY MANAGER TO APPROVE AN ADDITIONAL TWO YEAR AGREEMENT EXTENSION AT THE END OF THE TERM IF THERE IS A WRITTEN DETERMINATION THAT THE CONSULTANT HAS SUCCESSFULLY COMPLETED ALL REQUIREMENTS OF THE AGREEMENT

WHEREAS, The City requires specialized professional engineering design services for some Capital Improvement Projects (CIPs), and

WHEREAS, The City requires additional engineering design capacity to supplement the City's Engineering Design staff, and

WHEREAS, On November 20, 2020, the City published a Request for Proposals (RFP) from Consultants for Architectural, Structural and Civil Engineering On-Call Design Services for Capital Improvement Projects, and

WHEREAS, On December 10, 2020, staff received a total of twenty (20) proposals in response to the RFP, and staff reviewed and rated the proposals and selected FCGA Architects, LLC as one of the firms that best fit the City engineering design support needs, and

WHEREAS, The term for this agreement will expire on June 30, 2024, and can be extended for an additional two (2) years by the City Manager following a written determination that Consultant has satisfactorily met all the requirements of this Agreement, and

WHEREAS, The funding for these consultant services will be through the budgeted CIP projects for which the consultant services are required;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the Master Professional Services Agreements for a three year contract with FCGA Architects, LLC to retain the consultant for on-call professional engineering services for Capital Improvement Projects for a not-to-exceed amount of $600,000 per fiscal year, authorizes the Development Services Director to execute notices to proceed related to the agreement, and authorizes the City Manager to approve an additional two year Agreement extension at the end of the term if there is a written determination that the Consultant has successfully completed all requirements of the Agreement.

* * * * * * * * * * * * *

The foregoing Resolution 2021-_____ was adopted by the Tracy City Council on the 6th day of July 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 1.E

REQUEST

APPROVE ADDING BUDGET PRINCIPLES SECTION TO CITY COUNCIL STAFF REPORT TEMPLATE

EXECUTIVE SUMMARY

In January 2021, the City Council held a series of Special Meeting workshops, facilitated by Management Partners, to discuss the topics of City Governance, Fiscal Sustainability, and Strategic Priorities. During the second workshop on January 12th, the Council received a report from Management Partners on the City's 10-year financial forecast, and Guiding Budget Principles developed by staff and the Council Ad Hoc Fiscal Sustainability Committee. During the workshop, the Council agreed that the Guiding Budget Principles are an important tool for holding themselves and staff accountable to the City's fiscal goals. As a way of ensuring accountability and fiscal transparency, staff recommends that the Council approve adding a new section to the Council staff report template that details if an item supports or conflicts with the Council's Guiding Budget Principles.

DISCUSSION

In January 2021, the Tracy City Council held a series of Special Meeting workshops to discuss the topics of City Governance, Fiscal Sustainability, and Strategic Priorities. During the second workshop on January 12th, consultants from Management Partners presented a 10-year financial forecast, reflecting the City's current and projected fiscal health and recommended budget principles developed by staff and the Council Ad Hoc Fiscal Sustainability Committee.

The Council Ad Hoc Committee recommended that the City Council establish a set of Guiding Budget Principles to help ensure the long-term fiscal sustainability of the City. The Guiding Budget Principles were adopted by Council on March 9, 2021 and include the following:

1. Ongoing expenditures should be supported by ongoing revenues.

2. Reserves and one-time revenues should not be used for ongoing expenditures on a continuous basis.

3. Any structural gap in a long-term financial forecast should be addressed in such a way that it is eliminated no later than the final year of the forecast (not to exceed 10 years).

4. Consistent with GFOA recommendations, the General Fund catastrophic reserve should be maintained at a minimum of 17% of annual operating revenue/expenditure, in addition to a budget stabilization reserve which should be maintained at a minimum of 13%.

5. When capital projects are considered, all associated costs - including annual operating expenses and any additional future costs - should be identified in order to properly assess future financial impacts.

6. Each enterprise fund should reflect the true cost of operations and be self-reliant upon fees and/or use rates paid by ratepayers.

7. Activities that are supported by user fees should be fully cost recoverable, except for Council-approved subsidized programs and events.

8. Private development should not be subsidized by public funds.

9. In general, it is preferred that discretionary General Fund revenues not be earmarked in order to allow for maximum flexibility when making funding decisions.

10. Budget development should be guided by a long-term financial plan proposed by the City Manager and adopted by the City Council and should include such considerations as the cost of deferred maintenance and unfunded liabilities.

11. Once adopted, annual budgets should be amended only when necessary and should identify a specific funding source for any new priorities.

12. Service level reductions will only be implemented if other strategies are not possible or cannot be achieved in a timely fashion.

Staff is requesting Council's approval to add a new section to the Council staff report template that details if an item supports or conflicts with one or more of the Council's Guiding Budget Principles. If approved, the Budget Principles section would be added underneath the Fiscal Impact section of the staff report. Below is an example of how the Budget Principles Section may be written:

BUDGET PRINCIPLES

This agenda item does/does not support the City Council's Guiding Budget Principles, specifically:

> Principle 1: Ongoing expenditures should be supported by ongoing revenues.
>
> <A brief summary will be included that details how the item supports or conflicts with the above Budget Principle, as well as any potential fiscal implications that may result from the approval of the item.>

If the item does not have any fiscal implications, the messaging may read:

This agenda item does not have any fiscal implications, and therefore does not correspond to the City Council's Guiding Budget Principles.

STRATEGIC PLAN

This agenda item supports the City Council's FY 2021-2023 Governance Strategic Priority, and specifically implements the following goal:

Goal 2: Ensure short and long-term fiscal health.

Objective 2: Adopt Council Budget Principles.

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

That the City Council approve, by resolution, adding a Budget Principles section to the City Council staff report template.

Prepared by: Vanessa Carrera, Assistant to the City Manager

Reviewed by: Karin Schnaider, Finance Director

Approved by: Jenny Haruyama, City Manager

RESOLUTION 2021-_____

APPROVE ADDING BUDGET PRINCIPLES SECTION TO CITY COUNCIL STAFF REPORT TEMPLATE

WHEREAS, On January 12, 2021, the City Council received a report on the 10-year financial forecast, reflecting the City's current and projected fiscal health and recommended budget principles developed by staff and the Council Ad Hoc Fiscal Sustainability Committee, and

WHEREAS, the Council Ad Hoc Committee recommended that the City Council establish a set of Guiding Budget Principles to help ensure the long-term fiscal viability of the City, and

WHEREAS, The Guiding Budget Principles were adopted by Council on March 9, 2021 and include the following:

1. Ongoing expenditures should be supported by ongoing revenues.

2. Reserves and one-time revenues should not be used for ongoing expenditures on a continuous basis.

3. Any structural gap in a long-term financial forecast should be addressed in such a way that it is eliminated no later than the final year of the forecast (not to exceed 10 years).

4. Consistent with GFOA recommendations, the General Fund catastrophic reserve should be maintained at a minimum of 17% of annual operating revenue/expenditure, in addition to a budget stabilization reserve which should be maintained at a minimum of 13%.

5. When capital projects are considered, all associated costs - including annual operating expenses and any additional future costs - should be identified in order to properly assess future financial impacts.

6. Each enterprise fund should reflect the true cost of operations and be self-reliant upon fees and/or use rates paid by ratepayers.

7. Activities that are supported by user fees should be fully cost recoverable, except for Council-approved subsidized programs and events.

8. Private development should not be subsidized by public funds.

9. In general, it is preferred that discretionary General Fund revenues not be earmarked in order to allow for maximum flexibility when making funding decisions.

10. Budget development should be guided by a long-term financial plan proposed by the City Manager and adopted by the City Council and should include such considerations as the cost of deferred maintenance and unfunded liabilities.

11. Once adopted, annual budgets should be amended only when necessary and should identify a specific funding source for any new priorities.

12. Service level reductions will only be implemented if other strategies are not possible or cannot be achieved in a timely fashion.

WHEREAS, As a way of ensuring accountability and fiscal transparency, staff recommends that the Council approve adding a new section to the Council staff report template that details if an item supports or conflicts with the Council's Guiding Budget Principles;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tracy hereby approves adding a Budget Principles section to the City Council staff report template.

* * * * * * * * * * *

The foregoing Resolution 2021-_____ was passed and adopted by the Tracy City Council on the 6th day of July, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 1.F

REQUEST

AWARD CONSTRUCTION CONTRACT TO GSE CONSTRUCTION COMPANY, INC. OF LIVERMORE, CALIFORNIA, IN THE AMOUNT OF $19,282,800 FOR THE WASTEWATER TREATMENT PLANT EXPANSION PHASE 2B CIP 74107, WITH A NOT TO EXCEED BUDGET OF $25,349,000, AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF $2,000,000; AND APPROVE PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL INC., WITH A NOT TO EXCEED AMOUNT OF $1,672,000 TO PROVIDE DESIGN SUPPORT AND START UP SERVICES DURING CONSTRUCTION FOR THE PROJECT

EXECUTIVE SUMMARY

Staff requests that City Council (1) award a construction contract to GSE Construction Company, Inc. in the amount of $19,282,800 and (2) approve a contingency amount of $2,000,000 for construction of the Wastewater Treatment Plant Expansion (WWTP) Phase 2B, CIP 74107 (Project) with a not to exceed budget of $25,349,000. It is also requested that Council approve a Professional Services Agreement (PSA) with CH2M Hill, Inc., with a not to exceed amount of $1,672,000 for design support services during construction. Staff is working towards selection of a consultant to provide construction management services for this project and will bring a separate agenda item for council's consideration at a later date. The CIP is an approved Capital Project that is funded through development impact fees.

DISCUSSION

The City's Wastewater Master Plan provides phased expansion of the WWTP to create additional wastewater treatment capacities to serve new developments in Tracy. The last expansion of the WWTP was completed in 2007, and expanded the treatment plant's capacity up to 10.5 million gallons per day (mgd). The Project mainly involves construction of an additional primary clarifier, digestor, and associated improvements at the WWTP. Completion of this Project will provide additional capacity for wastewater treatment by approximately 3,000 equivalent dwelling units.

1. Construction Contract

The Project plans and specifications were prepared by CH2M Hill, Inc. and were advertised for competitive construction bids on January 27, 2021. The following bids were received and publicly opened on April 8, 2021:

Contractor	City	Bid Amount
GSE Construction Company, Inc.	**Livermore, CA**	**$19,282,800**
W.M. Lyles, Co.	**Fresno, CA**	**$20,780,000**
Mountain Cascade, Inc.	**Livermore, CA**	**$21,128,000**
C. Overaa & Co.	**Richmond, CA**	**$22,838,000**
Thompson Builders Corp.	**Novato, CA**	**$23,890,000**
Garney Pacific, Inc.	**Tracy, CA**	**$23,976,000**

GSE Construction is the lowest responsible bidder. The contractor has good references and has completed similar projects for the City and other public agencies.

Due to the complexity of the Project and to ensure uninterrupted operation of the WWTP during construction, it is recommended that a 10.4% construction contingency amount be approved for this Project to address in a timely manner any unforeseen conditions during construction. This construction contingency amount is estimated to be $2,000,000. Such contingency amounts are typical for old operational plants due to unknown underground services in similar facilities. Tracy Municipal Code Section 2.20.090(b) authorizes the City Manager to approve construction change orders up to the contingency amount approved by the City Council. It is therefore requested that Council approve a contingency amount of $2,000,000.

If City Council awards the construction contract as recommended, the estimated cost to complete the Project is as follows:

Contractor's Bid for Construction	$ 19,282,000
Design Support During Construction	$ 1,395,000
Startup and Preparation of Operation/Maintenance Manual	$ 277,000
Construction Management Services (Estimated)	$ 1,695,000
Material Testing & Special Inspections (Estimated)	$ 250,000
Project Management (Staff)	$ 450,000
Construction Contingency (10.4%)	$ 2,000,000
Total Construction Cost	**$ 25,349,000**

The above cost includes the estimated cost of construction management services and materials testing. Construction for the Project is estimated to be completed in two years.

2. Design Support during Construction
   Due to the complexity and nature of the work and to ensure continuous 24/7 operations of the WWTP without interruptions during construction, design support services are needed to complete the Project. These services include responding to requests for information (RFI) from the contractor, submittal reviews, review of change order requests and providing design and technical support needed to the construction management consultant for field changes during construction. CH2M Hill, Inc., is the design consultant for the Project. Design support services during construction are typically provided by the original design consultant and these services were not part of the original Professional Services Agreement with CH2M Hill, Inc., since timing of the Project construction was uncertain at that time. As a result, a new PSA with CH2M Hill, Inc. is required for design support services forgoing the formal Request for Proposal (RFP) process with Council's authorizations. Staff is therefore requesting City Council authorizes to forgo formal RFP process for design support during construction for this project for the above reasons.

   CH2M Hill, Inc. submitted proposal to provide design support services and staff negotiated the agreement including the startup and preparation of Operations and Maintenance Manual (O&M Manual) for a not to exceed amount of $1,672,000 on a time and materials basis.

   Staff recommends approving a PSA with CH2M Hill, Inc., to provide design services during construction including an O&M Manual for a not to exceed amount of $1,672,000.

Additional construction management, environmental mitigation, monitoring, and materials testing services, including special inspections, are needed during construction of this Project. Staff is working to finalize selection of the consultants for such services and will recommend approval of PSAs with the selected consultants at a later date. The estimated cost for such services are already included in the total Project costs.

STRATEGIC PLAN

This agenda item supports Council's Strategic Priority of Quality of Life by providing necessary infrastructure and also supports City's Economic Development efforts to provide facilities for attracting new developments.

FISCAL IMPACT

The total construction cost of this Project is estimated at $25.4 million. The Project is funded by new developments through impact fees as follows:

F325	-	Utilities - Plan "C"	$ 5,250,000
F337	-	Ellis Area Wastewater	$ 2,900,000
F353	-	I205 Area	$ 3,050,000
F354	-	ISP South	$ 200,000
F357	-	NE Industrial Area #2	$ 4,700,000
F364	-	TIMP Wastewater	$ 8,427,882
F523	-	Wastewater Capital	$ 2,077,510
Project Available Balance			$ 26,605,392

RECOMMENDATION

That City Council, by resolution:

1. Award a construction contract to GSE Construction of Livermore, California in the amount of $19,282,800 for construction of the Wastewater Treatment Plant Expansion Phase 2B Project, CIP 74107, with a not to exceed budget of $25,349,000 and approve a contingency amount of $2,000,000,
2. Approve a PSA with CH2M Hill, Inc., with a not to exceed amount of $1,672,000 for design support and start up services.

Prepared by: Kul Sharma, Director of Utilities

Reviewed by: Karin Schnaider, Finance Director
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment 1 – PSA – CH2M Hill, Inc. – Design support services during construction

CITY OF TRACY
PROFESSIONAL SERVICES AGREEMENT WITH
CH2M HILL FOR DESIGN SUPPORT SERVICES DURING CONSTRUCTION OF CITY OF TRACY WWTP PHASE 2B EXPANSION PROJECT
(CIP 74091)

This Professional Services Agreement (**Agreement**) is entered into between the City of Tracy, a municipal corporation (**City**), and CH2M HILL, a Florida Corporation (**Consultant**). City and Consultant are referred to individually as "Party" and collectively as "Parties."

Recitals

A. Consultant is a registered professional engineer.

B. Consultant was selected through a competitive and qualification-based selection process conducted by the City.

C. The City and Consultant entered into a Master Professional Services Agreement (Agreement) (Resolution No. 2017-269) and completed the design of the Tracy WWTP Phase 2B Expansion Project.

D. Consultant services are needed related to design support during construction for the Project. Therefore, at the request of the City, in April 2021, Consultant submitted a proposal to perform the services described in this Agreement. After negotiations between City and Consultant, the parties have reached an agreement for performance of services in accordance with the terms set forth in this agreement.

E. On July 6, 2021, the City Council authorized the execution of this Agreement, pursuant to Resolution No. 2021-_____.

Now therefore, the Parties mutually agree as follows:

1. **Scope of Work.** Consultant shall perform the services described in Exhibit "A" attached and incorporated by reference. The services shall be performed by, or under the direct supervision of, Consultant's Authorized Representative: Vijay Kumar. Consultant shall not replace its Authorized Representative without City's prior written consent. A failure to obtain the City's prior written consent for any change or replacement in personnel or subcontractor/subConsultant may result in the termination of this Agreement.

2. **Time of Performance.** Time is of the essence in the performance of services under this Agreement and the timing requirements set forth shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. Consultant shall begin performance, and shall complete all required services no later than the dates set forth in Exhibit "A." Any services for which times for performance are not specified in this Agreement shall be started and completed by Consultant in a reasonably prompt and timely manner based upon the circumstances and direction communicated to the Consultant. Consultant shall submit all requests for time extensions to the City in writing no later than ten days after the start of the condition which purportedly caused the delay, and not later than the date on which performance is due. City shall grant or deny such requests at its sole discretion.

2.1 Term. The term of this Agreement shall begin after receipt of Notice to Proceed by Consultant and end based on Time of Performance referenced in Exhibit A, unless terminated in accordance with Section 6.

3. **Compensation.** City shall pay Consultant on a time and expense basis, at the billing rates set forth in Exhibit "B," attached and incorporated by reference for services performed under this Agreement.

3.1 Not to Exceed Amount. Consultant's total compensation for labor and expenses under this Agreement shall not exceed $1,672,000 as shown on Exhibit "B". No work shall be performed by Consultant in excess of the total compensation amount provided in this section without the City's prior written approval.

3.2 Invoices. Consultant shall submit monthly invoices to the City that describe the services performed, including times, dates, and names of persons performing the services.

3.2.1 If Consultant is providing services in response to a development application, separate invoices must be issued for each application and each invoice shall contain the City's designated development application number.

3.2.2 Consultant's failure to submit invoices in accordance with these requirements may result in the City rejecting said invoices and thereby delaying payment to Consultant.

3.3 Payment. Within 30 days after the City's receipt of invoice, City shall make payment to the Consultant based upon the services described on the invoice and approved by the City.

4. **Indemnification.** Consultant shall, to the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of Consultant's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City.

In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Consultant" means the Consultant, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to".

(The duty of a "design professional" to indemnify and defend the City is limited to claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the design professional, under Civ. Code § 2782.8.)

The provisions of this section survive completion of the services or the termination of this Agreement, and are not limited by the provisions of Section 5 relating to insurance.

5. **Insurance.** Consultant shall, throughout the duration of this Agreement, maintain insurance to cover Consultant, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth herein.

5.1 Commercial General Liability (with coverage at least as broad as ISO form CG 00 01 01 96) "per occurrence" coverage shall be maintained in an amount not less than $4,000,000 general aggregate and $2,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

5.2 Automobile Liability (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") "claims made" coverage shall be maintained in an amount not less than $1,000,000 per accident for bodily injury and property damage.

5.3 Workers' Compensation coverage shall be maintained as required by the State of California.

5.4 Professional Liability "claims made" coverage shall be maintained to cover damages that may be the result of errors, omissions, or negligent acts of Consultant in an amount not less than $1,000,000 per claim.

5.5 Endorsements. Consultant shall obtain endorsements to the automobile and commercial general liability insurance policies with the following provisions:

5.5.1 The City (including its elected officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

5.5.2 For any claims related to this Agreement, Consultant's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

5.6 Notice of Cancellation. Consultant shall notify the City if the policy is canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation. Consultant shall immediately obtain a replacement policy.

5.7 Authorized Insurers. All insurance companies providing coverage to Consultant shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

5.8 Insurance Certificate. Consultant shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance and endorsements, in a form satisfactory to the City, before the City signs this Agreement.

5.9 Substitute Certificates. Consultant shall provide a substitute certificate of insurance no later than 30 days prior to the policy expiration date of any insurance policy required by this Agreement.

5.10 Consultant's Obligation. Maintenance of insurance by the Consultant as specified in this Agreement shall in no way be interpreted as relieving the Consultant of any responsibility whatsoever (including indemnity obligations under this Agreement), and the Consultant may carry, at its own expense, such additional insurance as it deems necessary. Failure to provide or maintain any insurance policies or endorsements required herein may result in the City terminating this Agreement.

6. Termination. The City may terminate this Agreement by giving ten days' written notice to Consultant. Upon termination, Consultant shall give the City all original documents, including preliminary drafts and supporting documents, prepared by Consultant for this Agreement. The City shall pay Consultant for all services satisfactorily performed in accordance with this Agreement, up to the date notice is given.

7. Dispute Resolution. If any dispute arises between the City and Consultant that cannot be settled after engaging in good faith negotiations, City and Consultant agree to resolve the dispute in accordance with the following:

7.1 Each Party shall designate a senior management or executive level representative to negotiate the dispute;

7.2 The representatives shall attempt, through good faith negotiations, to resolve the dispute by any means within their authority.

7.3 If the issue remains unresolved after fifteen (15) days of good faith negotiations, the Parties shall attempt to resolve the disagreement by negotiations between legal counsel. If the aforementioned process fails, the Parties shall resolve any remaining disputes through mediation to expedite the resolution of the dispute.

7.4 The mediation process shall provide for the selection within fifteen (15) days by both Parties of a disinterested third person as mediator, shall be commenced within thirty (30) days and shall be concluded within fifteen (15) days from the commencement of the mediation.

7.5 The Parties shall equally bear the costs of any third party in any alternative dispute resolution process.

7.6 The dispute resolution process is a material condition to this Agreement and must be exhausted prior to either Party initiating legal action. This dispute resolution process is not intended to nor shall be construed to change the time periods for filing a claim or action specified by Government Code §§ 900 et seq.

8. Ownership of Work. All original documents prepared by Consultant for this Agreement, whether complete or in progress, are the property of the City, and shall be given to the City at the completion of Consultant's services, or upon demand from the City. No such documents shall be revealed or made available by Consultant to any third party without the City's prior written consent.

9. Independent Contractor Status. Consultant is an independent contractor and is solely responsible for the acts of its employees or agents, including any negligent acts or omissions. Consultant is not City's employee and Consultant shall have no authority, express or implied, to act on behalf of the City as an agent, or to bind the City to any obligation, unless the City provides prior written authorization. Consultant is free to work for other entities while under contract with the City. Consultant, and its agents or employees, are not entitled to City benefits.

10. Conflicts of Interest. Consultant (including its employees, agents, and subConsultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. If Consultant maintains or acquires such a conflicting interest, the City may terminate any contract (including this Agreement) involving Consultant's conflicting interest.

11. Rebates, Kickbacks, or Other Unlawful Consideration. Consultant warrants that this Agreement was not obtained or secured through rebates, kickbacks, or other unlawful consideration either promised or paid to any City official or employee. For breach of this warranty, City shall have the right, in its sole discretion, to terminate this Agreement without liability; to pay only for the value of the work actually performed; or to deduct from the contract price; or otherwise recover the full amount of such rebate, kickback, or other unlawful consideration.

12. Notices. All notices, demands, or other communications which this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the other party to the addresses listed below. Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated below, or (2) three working days after the deposit in the United States Mail of registered or certified mail, sent to the address designated below.

To City:

Mr. Kuldeep Sharma
Utilities Director
3900 Holly Drive
Tracy, CA 95376

With a copy to:
City Attorney
333 Civic Center Plaza
Tracy, CA 95376

To Consultant:

Mr. Vijay Kumar, P.E., PgMP
Vice President
CH2M HILL
2485 Natomas Park Dr, Ste 600
Sacramento, CA 95833

13. Miscellaneous.

13.1 Standard of Care. Unless otherwise specified in this Agreement, the standard of care applicable to Consultant's services will be the degree of skill and diligence ordinarily used by reputable professionals performing in the same or similar time and locality, and under the same or similar circumstances.

13.2 Amendments. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both Parties.

13.3 Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

13.4 Assignment and Delegation. Consultant may not assign, transfer or delegate this Agreement or any portion of it without the City's written consent. Any attempt to do so will be void. City's consent to one assignment shall not be deemed to be a consent to any subsequent assignment.

13.5 Jurisdiction and Venue. The interpretation, validity, and enforcement of the Agreement shall be governed by and construed under the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Joaquin.

13.6 Compliance with the Law. Consultant shall comply with all applicable local, state, and federal laws, whether or not those laws are expressly stated in this Agreement. In particular, Consultant

13.6.1 Prevailing Wage Laws. Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates; employment of apprentices (§ 1777.5), certified payroll records (§1776), hours of labor (§1813 and §1815), debarment of contractors and subcontractors (§1777.1) and the performance of other requirements on "public works" and "maintenance" projects. If the services being performed under this Agreement are part of a "public works" or "maintenance" project, as defined in the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. These prevailing rates are on file with the City and are available online at http://www.dir.ca.gov/DLSR. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents, harmless from any and all claims, costs, penalties, or interests arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

13.6.2 Non-discrimination. Consultant represents and warrants that it is an equal opportunity employer and it shall not discriminate against any subConsultant, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Consultant shall also comply with all applicable anti-discrimination federal and state laws, including but not limited to, the California Fair Employment and Housing Act (Gov. Code 12990 (a-f) et seq.).

13.7 Business Entity Status. Consultant is responsible for filing all required documents and/or forms with the California Secretary of State and meeting all requirements of the Franchise Tax Board, to the extent such requirements apply to Consultant. By entering into this Agreement, Consultant represents that it is not a suspended corporation. If Consultant is a suspended corporation at the time it enters this Agreement, City may take steps to have this Agreement declared voidable.

13.8 Business License. Before the City signs this Agreement, Consultant shall obtain a City of Tracy Business License. Consultant shall maintain an active City of Tracy Business License during the term of this Agreement.

13.9 Successors and Assigns. This Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

13.10 Construction of Agreement. Each Party hereto has had an equivalent opportunity to participate in the drafting of this Agreement and/or to consult with legal counsel. Therefore, the usual construction of an agreement against the drafting Party shall not apply hereto.

13.11 Severability. If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in effect.

13.12 Controlling Provisions. In the case of any conflict between the terms of this Agreement and the Exhibits hereto, and Consultant's proposal (if any), the Agreement shall control. In the case of any conflict between the Exhibits hereto and the Consultant's proposal (if any), the Exhibits shall control.

13.13 Entire Agreement. This Agreement and the attached Exhibits comprise the entire integrated understanding between the Parties concerning the services to be performed. This Agreement supersedes all prior negotiations, representations or agreements. All exhibits attached hereto are incorporated by reference herein.

14. Signatures. The individuals executing this Agreement on behalf of Consultant represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Agreement on behalf of Consultant.

The Parties agree to the full performance of the terms set forth here.

City of Tracy

_____

By: Nancy Young
Title: Mayor
Date: _____

Attest:

_____
Adrianne Richardson, City Clerk

Approved as to form:

_____
Leticia Ramirez, City Attorney

Consultant

_____

By: Vijay Kumar, P.E., PgMP
Title: Vice President
Date: 6/23/2021

City Business License No. 6000257

_____
By: _____
Title: _____
Date: _____

Exhibits:

A Scope of Work, including personnel and time of performance (See Agreement sections 1 and 2.)
B Compensation (See Agreement section 3.)

EXHIBIT A - Scope of Work

DESIGN SUPPORT SERVICES DURING CONSTRUCTION OF CITY OF TRACY WWTP PHASE 2B EXPANSION PROJECT (CIP 74091)

Introduction

This scope of work describes the design services during construction (SDCs) that Consultant shall provide for the City of Tracy's WWTP Phase 2B Expansion Project. This project generally includes but not limited to improvements to the existing bar screen, circular primary clarifier #2, large diameter pipes, digester #3, digester support facility, electrical building, skid-mounted centrifuge, conveyance system, pre-fabricated metal structures, reinforced concrete slab on grade, reinforced concrete slabs, staircases, chemical pumping package system, sumps, electrical, duct bank, instrumentation and controls, underground and above ground piping, pipe supports, sump pumps, storm drain inlet, sidewalks, doors, 12KV electrical system, junction box, transformers, motor control center, switchboards, deep excavations, dewatering, Sheeting, Shoring and Bracing, demolition of existing facilities, bypass pumping, gates, valves, electrical, pneumatic and manual operators, slide gates, flow control valves, flow meters, pipe supports, and other mechanical, electrical, instrumentation, cathodic protection, coating and structural work associated with the expansion project.

These SDC services are based on a thirty **(30)** month construction duration. Any additional time beyond 30 months from the pre- construction meeting expected to start in June 2021 is considered out of scope and amendment to this Agreement is required. The consultant shall provide design support during construction that includes reviewing routine, minor and major submittals, requests for information, field visits and change orders. Consultant shall coordinate with City's Construction management team, and inspection services, to process such requests.

Scope of Work

Task 1. Attend Pre-construction Meeting

Consultant will attend the preconstruction meeting set up by City staff and Contractor. Consultant will discuss project logistics and the contractor's operating plan. This will include procedures for processing submittals, requests for information, field changes.

Assumptions:

- City will provide facilities for the meeting;

Task 2. Respond to Request for Information

During the construction period Consultant will review and evaluate contractor requests for technical clarification based on varying field conditions or contract documents/drawings and provide recommendations and responses to RFIs that resolve the issue fairly, equitably, and expeditiously. All RFIs will be submitted in electronic form based on standard template provided by Consultant. All attachments will be included in the first submittal.

Assumptions:

- A maximum of 200 major requests for information will be processed for this project

(includes engineering and document processing).

Deliverables:

- Responses to RFIs.

Task 3. Provide Shop Drawing and Submittal Review

Consultant will review Contractor submittals, consisting of shop drawings, diagrams, illustrations, pipeline lay plans, catalog data, schedules and samples, the results of tests and inspections, and other data that the Contractor is required to submit for the Project. Submittal review will be for general conformance with the design concept and general compliance with the information in the plans and specifications. Consultant's review will not relieve the Contractor from the responsibility of meeting the requirements of the contract documents. Consultant will also provide a submittal-tracking log, which will be coordinated with City staff and Construction Management Consultant.

Assumptions:

- A maximum of 150 major project submittals will be prepared for this project (includes engineering and document processing).

Deliverables:

- A submittal-tracking log will be prepared.

Task 4. Respond to Change Requests and Substitution Requests

Consultant will review and assist City with contractor-requested design or specification changes and substitution requests.

Assumptions:

- A maximum of 20 major change requests will be processed for this project.

Deliverables:

- Response change and substitution requests.

Task 5. Conduct Periodic Field Site Visits

Consultant will conduct periodic site visits to the Tracy WWTP to review the progress of construction and address any ongoing issues while onsite.

Assumptions:

- A maximum of 50 major site visits will be conducted for this project.

Task 6. Equipment and Instrumentation and Controls Factory Testing

Consultant will review Factory Testing conducted by the various equipment vendors, Systems Integrator or I & C subcontractor. The purpose of this testing is to verify equipment, Instrumentation and Control systems have been designed, fabricated and tested in compliance with the contract documents and approved shop drawings. Typically, this kind of testing is done at the Equipment and I & C manufacturer's testing facility. Consultant will witness factory testing of Equipment including witnessing the components of equipment and dry run of equipment (if applicable) during the visits to manufacturing facilities. Some equipment will be manufactured in different places prior to final assembly. Consultant will also witness factory testing of Equipment

and I & C systems including witnessing results displayed by the I & C system and verify I & C vendor complete test records shown in the contract documents

After installation of I & C equipment and start up, Consultant will review Performance Acceptance Testing (PAT). Consultant will review preliminary test procedures, final test procedures and documentation provided by the vendor.

Task 7. Prepare Record Drawings

After substantial completion of the project, obtain redline drawings from the Construction Manager or Contractor and incorporate changes authorized during the construction of the project. Consultant will update both plans and specifications and label it as Record Drawings for future use.

Task 8. Prepare Electronic O & M Manual

There is a sophisticated Electronic Operations and Maintenance Manual at Tracy WWTP. This system provides an efficient and user-friendly option to access all record drawings, Operation and maintenance manual for all processes and equipment. Consultant will develop Standard Operating Procedures for the proposed Phase 2B facility operation. In addition, a trouble shooting section will be developed to assist the WWTP staff to troubleshoot an issue. Consultant will also integrate the new operations and maintenance manual prepared for the Phase 2B project with the existing Electronic O & M system and add record drawings to the Electronic O & M system.

Task 9. Phase 2B Startup Assistance

Because of complexity associated with various process and equipment installation and start up at various stages of construction, City needs start up assistance to review and start the WWTP process and associated equipment in a logical and methodical order. Existing staff are busy with operating the existing plant; therefore, dedicated resources are needed to perform Startup of Phase 2B project.

The following services will be performed as part of startup work

- Review equipment startup plans prepared by vendors
- Coordinate with plant staff on process shut down or bypass requirements
- Confirm equipment and processes are ready for start up
- Initiate start up sequence
- Monitor and work with plant staff to control processes or initiate system by-pass.
- Plant startup and initial operations assistance
- Witnessing and assisting with process performance testing
- Verify HMI screen configuration, PLC software programming and related support services.
- Confirm HMI/PLC software testing, startup, debugging, and warranty support.

and identify any issues or problems encountered that may impact the project schedule or budget. Monthly reports will include a progress evaluation and comparison of planned budget to actual expenditures.

Deliverables

- Monthly progress reports that include a summary of completed and ongoing work, budget and schedule updates, and major coordination and action items

Assumptions

The project duration is assumed as 30 months. Extensions to the project schedule, caused by circumstances beyond the Consultant's control, may require a scope and fee amendment.

Task 10. SDC Services Project Management, Billing and Invoices

Consultant will prepare monthly project reports, typically attached with the monthly invoice, for submission to the City. The reports will summarize project progress, describe current activities, and identify any issues or problems encountered that may impact the project schedule or budget. Monthly reports will include a progress evaluation and comparison of planned budget to actual expenditures.

Deliverables

- Monthly progress reports that include a summary of completed and ongoing work, and budget and schedule updates, and major coordination and action items

Assumptions

The project duration is assumed as 30 months. Extensions to the project schedule, caused by circumstances beyond the Consultant's control, may require a scope and fee amendment.

Time of Performance:

Start – One week after receipt of Notice to Proceed
End – 30 months after start. Consultant has no control over the project construction schedule that is governed by City and Contractor.

EXHIBIT B – Compensation

City of Tracy - Tracy WWTP Phase 2B Expansion (CIP 74091) Engineering Services During Construction																		
		Classification	Principal Technologist*/Principal Project Manager	Sr. Technologist*/Sr. Project Manager	Engineer Specialist*/Project Manager	Project Engineer*/Associate Project Manager	Engineering/Environmental Tech 5	Associate Engineer*	Staff Engineer 2* or Engineering/Environmental Tech 4	Staff Engineer 1* or Engineering/Environmental Tech 3	Office/Clerical/Accounting	Engineering/Environmental Tech 2	Engineering/Environmental Tech 1	Intern	Total (hrs)	Labor ($)	Expenses ($)	Total Fee ($)
	Billing Rates for Year	2021	$315	$282	$258	$228	$193	$186	$165	$143	$110	$107	$94	$72				
	Billing Rates for Year	2022	$324	$290	$266	$235	$199	$192	$170	$147	$113	$110	$97	$74				
	Billing Rates for Year	2023	$334	$299	$274	$242	$205	$197	$175	$152	$117	$114	$100	$76				
Tas	Description																	
1	Pre-construction Meeting	2021	16		16					0	4	16			52	$ 11,320	$ 906	$ 12,226
2	Review & Respond to RFI's																	
		2021	40	24	8	16	32	40	16	8	16	80	16	80	376	$ 60,070	$ 4,806	$ 64,876
		2022	120	36	16	32	64	16	32	16	32	120	32	80	598	$ 110,630	$ 8,850	$ 119,480
		2023	80	24	12	24	48	12	24	12	24	80	24	80	444	$ 81,610	$ 6,529	$ 88,139
3	Review & Respond to Submittals																	
		2021	40	24	80	40	40	8	16	8	16	80	16	80	448	$ 79,710	$ 6,377	$ 86,087
		2022	48	40	80	80	160	16	32	16	32	40	32	80	656	$ 126,980	$ 10,158	$ 137,138
		2023	36	32	80	80	80	12	24	12	24	80	24	80	564	$ 108,010	$ 8,641	$ 116,651
4	Respond to Change Orders and Design Clarifications																	
		2021	24	8	8	16		8	16		16	80	16		192	$ 31,480	$ 2,518	$ 33,998
		2022	48	16	16	32		16	32		32	120	32		344	$ 60,450	$ 4,836	$ 65,286
		2023	36	12	12	24		12	24		24	80	24		248	$ 45,560	$ 3,645	$ 49,205
5	Field Site Visits																	
		2021	40	40	40	16		8	16		16		16		192	$ 45,240	$ 3,619	$ 48,859
		2022	60	60	19	26		16	32		32		32		277	$ 63,280	$ 5,009	$ 68,289
		2023	40	40	80	24		12	24		24		24		268	$ 64,800	$ 5,184	$ 69,984
6	Equipment and I & C Factory Testing																	
		2022	80		40	32			40		24				216	$ 53,620	$ 4,290	$ 57,910
		2023	80		80	24			60		32				276	$ 68,680	$ 5,494	$ 74,174
7	Record Drawings	2023	36	12	12	24		12	24		24	80	24	40	288	$ 48,620	$ 3,890	$ 52,510
8	Preparation of Electronic O & M Manual	2023	80	36	40	60		40	40		60	160	24	40	580	$ 108,480	$ 8,678	$ 117,158
9	Phase 2B Startup Assistance																	
		2022	40	16	80	35		24	40		24	160			419	$ 78,860	$ 6,309	$ 85,169
		2023	80	32	160	80		48	60		32	320			812	$ 159,490	$ 12,763	$ 172,253
10	SDC Services Project Management																	
		2021	24	8	8		32	8		8	15	80	16		199	$ 32,410	$ 2,593	$ 35,003
		2022	48	16	16		64	16		16	32	120	32		360	$ 62,570	$ 5,006	$ 67,576
		2023	36	12	12		48	12		12	24	80	16		252	$ 46,400	$ 3,629	$ 50,029
	Subtotal		1132	488	916	665	588	336	562	108	559	1776	400	560	8059	$ 1,548,270	$ 123,730	$ 1,672,000

RESOLUTION 2021-_____

AWARD CONSTRUCTION CONTRACT TO GSE CONSTRUCTION COMPANY, INC. OF LIVERMORE, CALIFORNIA, IN THE AMOUNT OF $19,282,800 FOR THE WASTEWATER TREATMENT PLANT EXPANSION PHASE 2B CIP 74107, WITH A NOT TO EXCEED BUDGET OF $25,349,000, AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO THE CONTINGENCY AMOUNT OF $2,000,000; APPROVE PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL INC., WITH A NOT TO EXCEED AMOUNT OF $1,672,000 TO PROVIDE DESIGN SUPPORT AND START UP SERVICES DURING CONSTRUCTION FOR THE PROJECT

WHEREAS, the City's Wastewater Master Plan provides phased expansion of the Wastewater Treatment Plant (WWTP) to create additional wastewater treatment capacities to serve new developments, and

WHEREAS, the last expansion of the WWTP was complete in 2007, and

WHEREAS, the Phase 2B Project, CIP 74107 mainly involves construction of an additional primary clarifier, digestor, and associated improvements at the WWTP. Completion of this project will provide additional capacity of wastewater treatment, and

WHEREAS, GSE Construction Company, Inc. of Livermore, CA is the lowest responsible bidder for construction of this project with the bid amount of $19,282,800, and

WHEREAS, due to unforeseen conditions, the nature and complexity of work involved and to ensure continuous operations of the WWTP 24/7 without interruptions, design support services are needed to complete the Project construction, and

WHEREAS, a construction contingency amount of $2,000,000 is needed during construction of the project to address any unforeseen conditions and design changes, and

WHEREAS, Tracy Municipal Code Section 2.20.090(b) authorizes the City Manager to approve construction change orders up to the contingency amount approved by City Council, and

WHEREAS, design support services during construction are typically provided by the original design consultants of the project and the design consultant for the project is CH2M Hill, Inc., and

WHEREAS, City Council is requested to waive a formal Request for Proposal (RFP) process to acquire such services, and

WHEREAS, A Professional Services Agreement (PSA) is needed with the original design consultant of the Project, CH2M Hill, Inc., to provide design support during construction of this project including start up and preparation of an Operations and Maintenance Manual, and staff negotiated the PSA for a not-to exceed amount of $1,672,000, and

WHEREAS, the Project is funded by new developments through Tracy Infrastructure Master Plan Impact (TIMP) fees, and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tracy hereby approves the award of a construction contract to GSE Construction Company, Inc. of Livermore, California in the amount of $19,282,800 for construction of the Wastewater Treatment Plant Expansion Phase 2B Project, CIP 74107, with a not to exceed budget of $25,349,000 and approve a contingency amount of $2,000,000; and forgo the formal RFP process and approve a PSA with CH2M Hill, Inc., with a not to exceed amount of $1,672,000 for design support and start up services.

* * * * * * * * * * * * * *

The foregoing Resolution 2021-___ was adopted by Tracy City Council on the 6th day of July, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 3.A

REQUEST

PUBLIC HEARING TO CONSIDER (1) APPROVING THE ENGINEER'S ANNUAL LEVY REPORT; AND (2) ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR 2021/2022

EXECUTIVE SUMMARY

On June 15, 2021, Council approved the Tracy Consolidated Landscape Maintenance District (LMD) preliminary Engineer's Report, and declared its intention to levy annual assessments for the maintenance of landscaping and related appurtenances in the LMD. After consideration of public comment, it is recommended that City Council approve the final LMD Engineer's Report, and authorize the levy and collection of assessments for Fiscal Year 2021/2022 in amounts not to exceed the maximum rates previously approved by the zones' property owners.

The assessments pay for the care and management of improvements within the public right-of-way such as median landscaping, neighborhood parks, street trees and streetscape aligned with neighborhoods. The LMD is a critical component to keep Tracy maintained and physically attractive.

Expenditures for Fiscal Year 2021/2022 are estimated to be $3,627,543, including regular maintenance and capital improvement projects. The total revenues are broken down in the following manner: levying of assessments and use of LMD reserves is estimated to be $3,652,277; $20,000 from the Drainage Fund to cover a portion of the costs for channel way/bike path landscape improvements; and $98,404 from the General Fund for improvements and maintenance that are largely of general benefit.

The final LMD Engineers Report has been modified since initially presented to Council on June 15th to include a $487,654 increase to expenditures. During preparation for the final LMD Engineers Report, Public Works staff found an error on the internal budget preparation worksheet that is used for LMD calculations. The increase effected all Zones, in the 5400 series for Internal Service charges, and other corrections were made to Zone 33's total budget.

DISCUSSION

The purpose of this agenda item is to allow the City Council to: (1) hear and consider public comment pertaining to the annual Engineer's Report; (2) approve the final Engineer's Report as presented to, or modified by, Council; and (3) order the levy and collection of assessments within the LMD for Fiscal Year 2021/2022.

ASSESSMENT LEVIES

Maximum assessment rates were previously approved by the LMD property owners. Although maximum rates were approved, the assessments levied for the 41 assessable

zones are based upon whether the needs of each zone warrant the levying of the maximum approved rates or a lesser rate.

The LMD zones are assessed pursuant to the 1972 Act and the provisions of the California Constitution. Each year, the cost per zone is analyzed and a determination is made if an increase in the levy is needed based on the expenses for each zone. The primary expenses include annual routine maintenance, operation and servicing of landscape improvements, and long-term maintenance and rehabilitation programs such as tree maintenance programs, streetscape revitalization and rehabilitation, and park rehabilitation and renovation projects. There is a maximum levy amount per parcel that is calculated when the zone is annexed into the LMD. The annual assessments cannot exceed the maximum assessment rate previously approved by property owners without balloting to increase the assessments for the zone.

It is recognized that the cost of maintaining the improvements increases slightly each year because of inflation. Therefore, in order to offset inflationary increases that affect service costs to the Zones, assessments include a formula for increasing the *maximum* assessment rates for each future fiscal year[1]. These annual increases have not been sufficient to keep up with the cost of services. This has resulted in a reduction in service levels in some zones, and an inability to perform needed renovations or amenity improvements/replacements in various zones. To increase the rate beyond the maximum rate, excluding inflationary increases, requires a vote of the property owners within each zone per Proposition 218.

The annual inflationary rate increase allows the *maximum* rates to be increased by three percent or the percentage increase of the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area Region, whichever is less. The District's assessment formula complies with Government Code Section 54954.6 (a), and was approved by the City Council and the original District property owners. The percentage difference for the CPI applicable for the period of June 2019 to June 2020 was 1.61%. The Engineer's Report states that the maximum assessments may be increased by the lesser of 3% or CPI. Therefore, the *maximum assessment* rates allowed for Fiscal Year 2021/2022 will be adjusted by 1.61% over the prior year's maximum assessment rates. Although inflationary rates may be applied to the *maximum* voter-approved rates, *only the assessment amount* needed for maintenance will be levied.

Based upon the estimated costs and expenditures to maintain the long and short-term landscaping and improvements within the LMD, staff recommends approval of the assigned assessment rates found in Part II ("Estimate of Costs") of the Engineer's Report for Fiscal Year 2021/2022. Of the 41 assessable zones, 26 zones will be assessed the maximum assessment rates allowed for Fiscal Year 2021/2022 due to operational needs including use of reserves for insufficient annual funding to cover basic maintenance costs and/or due to increased capital spending, eight zones will be assessed at a level below their maximum rate due to lower operating costs, and seven zones will not be assessed due to a home owners association providing maintenance, adequate reserves, no planned improvements, or the zone providing a general benefit to the City of Tracy.

[1] This does not necessarily mean that the inflated rate will be levied. The assessments levied will be based upon the estimated costs of maintenance.

The City reviews each Zones funding status annually. “Funded” means that revenues exceed expenses and there are enough reserves to fund minor capital improvement projects; “At Risk” is a Zone where expenses exceed revenues and there is less than three-year’s worth of maintenance costs in reserves; “Underfunded” means that there is no money for capital improvement projects or cyclical maintenance - expenditures out pace revenues. The table represents Zone funding status as the end of FY 19-20.

Funded	1	4	6	12	13	14	16	17	18	19	20	23	24	27	28	30	33	41	42	43
At-Risk	2	3	7	10	21	22	26	34												
Underfunded	8	9	11	15	29	35	40													
No Service	5	25	31	32	37															

STRATEGIC PLAN

This agenda item is a routine operational item and does not relate to the Council’s Strategic Plan.

FISCAL IMPACT

Revenue for operations, maintenance and capital replacement in the LMD is proposed to be from the following sources:

Assessments	$3,580,711
Drainage Fund	$ 20,000
General Fund	$ 98,404
Zone Capital Reserves	$ 71,566
Grand Total	$3,770,681

The total expenditures for the LMD for Fiscal Year 2021/2022 are estimated to be $3,627,543.

RECOMMENDATION

At the close of the Public Hearing, Council approve, by resolution, the final “FY 2021/2022 Engineer’s Report”, order the levy and collection of assessments for Fiscal Year 2021/2022 and amend the budget for Fiscal Year 2021/22 as evidenced by the attached summary in Attachment A.

Prepared by: Robin Kloepfer, Management Analyst II

Reviewed by: Don Scholl, Public Works Director
Karin Schnaider, Finance Director
Midori Lichtwardt, Assistant City Manager

Approved by: Jennifer D. Haruyama, City Manager

ATTACHMENTS

Attachment A – FY 2021/2022 Final Engineer’s Report

Attachment A

CITY OF TRACY CALIFORNIA
Think Inside the Triangle™

CITY OF TRACY

FINAL ENGINEER'S REPORT
FISCAL YEAR 2021-22
CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT

June 2021

Harris & Associates

Prepared by

Harris & Associates
1401 Willow Pass Road, Suite 500
Concord, CA 94520
www.weareharris.com

ENGINEER'S REPORT FOR
FISCAL YEAR 2021-22
CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT
City of Tracy
State of California

APPROVED BY THE CITY COUNCIL FOR THE CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT OF THE CITY OF TRACY, STATE OF CALIFORNIA ON THE _____ DAY OF _____.

_____
ADRIANNE RICHARDSON
CITY CLERK
CITY OF TRACY

TABLE OF CONTENTS

Table of Contents

Introduction 1

Impacts of Proposition 218 2

Statement of Asessment Engineer 3

Part I – Plans and Specifications 5

Part II – Estimate of Costs 10

Part III – Quantification of Benefit 55

Part IV – Method of Assessment 56

Part V – Assessment Diagram 60

Part VI – Assessment Roll 61

Appendices

Appendix A – Improvement Areas by Zone

Appendix B – Consolidated Landscape Maintenance Map

Appendix C – Assessment Roll

INTRODUCTION

The City of Tracy (the "City"), is the second most populated city in San Joaquin County. The City population is approximately 95,000. Tracy is located inside a geographic triangle formed by Interstate 205 on the north side, Interstate 5 to the east, and Interstate 580 to the southwest; this has given rise to Tracy's motto, now recorded on the City's website: "Think Inside the Triangle".

Prior to Fiscal Year 2003-04, the City levied and managed three individual landscape maintenance districts identified as:

- Tracy Landscape and Lighting Assessment District 8501 formed in 1985;
- Tracy Landscape and Lighting Assessment District 8801 formed in 1988; and,
- Tracy Landscape and Lighting Assessment District 9802 formed in 1998.

Each of these original districts was formed with various Zones, and with specific areas of improvement. The parcels receiving benefit from those improvements have been assessed the costs of maintaining those improvements. At that time, the three original districts included thirty (30) different Zones. Each Zone included specific improvements that were installed as a condition of approval and the Zone improvements were maintained for the benefit of those properties.

In Fiscal Year 2003-04 the City consolidated the three existing districts into a single district pursuant to Section 22605 (d) of the 1972 Act and established the Tracy Consolidated Landscape Maintenance District. As part of the consolidation, the improvements associated with various Zones were closely evaluated and it was determined that in some areas, the special benefits to properties could be more refined by expanding the existing thirty (30) Zones to thirty-seven (37) Zones.

Several annexations have taken place over the subsequent years and there are now 41 Zones within the District. Each annexation was made pursuant to the 1972 Act and the substantive and procedural requirements of the Proposition 218.

As required by the Landscaping and Lighting Act of 1972, this Engineer's Report describes the improvements to be constructed, operated, maintained and serviced by the District, provides an estimated budget for the District, and lists the proposed assessments to be levied upon each assessable lot or parcel within the District. Following the approval of the preliminary report, either as submitted or as modified, the City Council will hold a Public Hearing to provide an opportunity for any interested person to be heard. All property owners must be noticed in accordance with Section 22626 of the Streets and Highways Code prior to the Public Hearing. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the levy of assessments as originally proposed or as modified.

Following the adoption of this resolution, the final assessor's roll will be prepared and filed with the County Tax Collector's office to be included on the FY 2021-22 tax roll.

IMPACTS OF PROPOSITION 218

On November 5, 1996 California voters approved Proposition 218 entitled "Right to Vote on Taxes Act" which added Article XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts. Proposition 218 also requires that with certain specified exceptions, which are described below, all existing assessment districts must be ratified by the property owners within the District using the new procedures.

Some of these exceptions include:

1) Any assessment imposed exclusively to finance the capital cost or maintenance and operation expenses for streets.
2) Any assessments levied pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment was initially imposed.

However, even if assessments are initially exempt from Proposition 218, if the assessments are increased in the future, the City will need to comply with the provisions of Proposition 218 for that portion of the increased assessment unless the increase in assessment was anticipated in the assessment formula (e.g., CPI increase).

Proposition 218 does not define this term "streets", however, following the passage of Proposition 218 based on conversations with other public agency officials, attorneys, assessment engineers and Senate Bill 919, we determined that "streets" include all public improvements located within the street right-of-way. This would include median and parkway landscaping, traffic signals, safety lighting and street lighting.

It was also determined that if assessments were imposed as a condition of development and property owners agreed to the imposition of assessments and subsequently signed a development agreement confirming so, then this would suffice for the requirement of signing a petition.

The more difficult question arose in those situations where the levy of assessments was imposed as a condition of approval for land development or subdivision where the property owner did not enter into a development agreement. In those cases, if the landscape, park, or street light facilities and the resulting assessment were a condition of the land development or subdivisions approval and the property owner acquiesces to the levy of assessment, it is reasoned that this was a functional equivalent of giving express consent or signing a petition requesting the imposition of the assessment. Even the Howard Jarvis Taxpayers' Association seems to tacitly support this conclusion in its "Statement of Drafters' Intent". When discussing the exemption for existing assessments imposed pursuant to a petition, the taxpayers' association said:

> "This provision exempts most land secured financing arrangements used by developers."

Clearly acceptance of a condition of approval of a development or subdivision which requires that imposition of assessments is a common form of land secured financing used by developers to fund street lighting or landscape maintenance.

STATEMENT OF ASSESSMENT ENGINEER

Statement of Assessment Engineer

AGENCY: **CITY OF TRACY**

PROJECT: **CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT**

TO: **THE CITY COUNCIL**
CITY OF TRACY
STATE OF CALIFORNIA

ENGINEER'S REPORT FOR FISCAL YEAR 2021-22

The preparation of this Annual Engineer's Report ("Report") is in conformance with the obligation of the City Council for the Consolidated Landscape Maintenance District of the City of Tracy to provide landscape maintenance services upon each lot or parcel of land in the district in proportion to the estimated benefit to be received by each such lot or parcel of land for Fiscal Year 2021-22.

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500) ("Act"), Article XIIID, Section 4(a) of the State of California Constitution, and in accordance with the City of Tracy's Resolution being adopted by the City Council for the Consolidated Landscape Maintenance District on the ____ day of _____, this Report has been ordered for:

CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT

(Hereinafter referred to as the "District"),

I, Alison Bouley, authorized representative of the District, the duly appointed Assessment Engineer submit the following Report which consists of the following six (6) parts and Appendices:

PART I

Plans and Specifications: Plans and specifications for the improvements are as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk and are incorporated herein by reference.

PART II

Estimate of Cost: An estimate of the costs of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk and incorporated herein by reference.

PART III

Quantification of Benefit: The quantification of benefit identifies, separates and quantifies the general and special benefits received by each parcel in the District, for the services received and the improvements provided.

PART IV

Method of Assessment: The method of assessment indicates the proposed levy of the net amount of the costs and expenses of the improvements to be levied upon the parcels of land within the District, in proportion to the estimated benefits to be received by such parcels.

PART V

Assessment Diagram: The diagram of the district and zone boundaries showing the exterior boundaries of the Assessment District and all Zones, and the lines and dimensions of each lot or parcel of land within the Assessment District. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of San Joaquin for the fiscal year to which this Report applies. The Assessor's maps and records are incorporated by reference herein and made part of this Report. Appendix A describes the Improvement Areas of the District by Zone. Appendix B provides the Consolidated Landscape Maintenance District Map.

PART VI

Assessment Roll: An assessment of the estimated cost of the improvements on each benefiting lot or parcel of land within the District. The proposed Assessment Roll using the Fiscal Year 2021-22 assessment rates are included in this Report as Appendix C.

Appendices

Appendix A – Improvement Areas by Zone

Appendix B – Consolidated Landscape Maintenance District Map

Appendix C – Assessment Roll

In conclusion, it is my opinion that the costs and expenses of the District have been assessed to the lots and parcels within the boundaries of the District in proportion to the estimated benefits to be received by each lot or parcel from the services provided.

DATED this 15th day of June, 2021

Harris & Associates



Alison Bouley, P.E., Assessment Engineer
R.C.E. No. C61383
Engineer of Work

PART I – PLANS AND SPECIFICATIONS

The facilities, which have been constructed within the City of Tracy, and those which may be subsequently constructed, will be operated, serviced and maintained as generally described below:

DESCRIPTION OF IMPROVEMENTS
FOR THE CITY OF TRACY
CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT
FISCAL YEAR 2021-22

The District and assessments provide for the continued maintenance, servicing, administration and operation of specific landscaped areas and associated appurtenances for each of the forty-one (41) Zones in the District. It has been determined that the assessed parcels within each Zone receive special benefits from various landscape improvements that may include, but are not limited to: ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems, masonry walls or other fencing, entryway monuments or other ornamental structures, recreational equipment, hardscapes and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, parks or open space areas within each Zone. Services provided include the necessary operations, administration, and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition or are necessary or convenient for the maintenance of the improvements. The continued maintenance of these improvements shall be budgeted and reviewed each fiscal year and fully or partially funded through the annual assessments. A listing of the improvement areas associated with each Zone is shown in Appendix A.

All assessable parcels identified as being within each Zone share in both the cost and the benefits of the improvements. The costs and expenses associated with the improvements in each Zone are equitably spread among all benefitting parcels within that Zone and only parcels that receive special benefit from the improvements are assessed in proportion to benefit received. The funds collected from the assessments are dispersed and used for the services and operations provided within the District. Properties receive the following special benefits from the District landscape improvements:

- Enhanced desirability of properties through association with the improvements and the aesthetic value of green space within the area.
- Improved aesthetic appeal of properties providing a positive representation of the area.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control and reduced noise and air pollution.
- Increased sense of pride in ownership of property resulting from well-maintained improvements associated with the properties.
- Reduced vandalism and criminal activity resulting from well-maintained surroundings and amenities.
- The special enhancements of the properties that results from the above benefits.

The proposed budgets and maintenance costs for various Zones may include the following long-term cyclical maintenance programs:

1. Tree Maintenance Programs (Arterial, Parkway Street and Park Tree Maintenance);
2. Streetscape Revitalization and Rehabilitation Program and;
3. Park Rehabilitation and Renovation Program.

The total amount to provide these programs in each Zone where these services apply is greater than can be conveniently raised from a single annual assessment and the estimated costs of these programs for each Zone shall be raised and collected in installments as part of the annual assessments. The individual Budget pages for each Zone detail the amounts collected and/or expended each year.

The City developed these programs to fund periodic and programmed maintenance, renovation, rehabilitation, replacement and revitalization of District improvements. The City has carefully reviewed each of the associated program costs and the corresponding collection of funds has been proportionately spread to each parcel based on special benefits received from the services to be rendered within their Zone over an extended period.

Tree Maintenance Program

The Tree Maintenance program may include both routine and emergency maintenance for the District trees, whether those trees are along streets or within parks. In the Zones assessed for this program, the following may apply:

1. Parkway street-tree maintenance, targets the trees associated with individual properties within the District installed by the City or developer that are located in the public right- of-way or City easement which the District is responsible for maintaining. This program addresses two specific maintenance issues:
    - Regular trimming and pruning of the street-trees. This program is designed to trim and prune all street-trees within the applicable Zones on a five to seven year rotation or as needed to ensure the health and growth of the trees.
    - Removal and replacement of the street-trees. The program provides for the removal and replacement of damaged or diseased trees as needed, or removal of trees whose growth has, or will potentially cause damage to existing structures such as underground utilities or sidewalks. This program may also include the replacement or repair of surrounding City improvements as needed.
2. Arterial-tree maintenance, targets the trees associated with the parkways and medians on the arterial streets adjacent to or surrounding the Zones. Similar to the parkway street-tree program, this program addresses two specific maintenance issues:
    - Regular trimming and pruning of the arterial-trees, which includes trimming and pruning of the arterial-trees as needed to ensure the health and growth of the trees.
    - Removal and replacement of the arterial-trees, including the removal or replacement of damaged or diseased trees as needed, or removal of trees whose growth has or will potentially cause damage to existing landscape improvements, sidewalks or curbs. This program may include the replacement or repair of surrounding City improvements as needed.

3. Park-tree maintenance, targets the trees within the various Parks of the District/Zones. Similar to the parkway and arterial street-tree program, this program addresses two specific maintenance issues:

    - Regular trimming and pruning of the Park-trees, which includes trimming and pruning of the trees as needed to ensure the health and growth of the trees.

    - Removal and replacement of the Park-trees, including the removal or replacement of damaged or diseased trees, or removal of trees whose growth has or will potentially cause damage to existing landscape improvements, sidewalks or curbs. This program may include the replacement or repair of surrounding City improvements as needed.

Assessments for the tree maintenance program shall be collected from only those parcels and Zones identified as receiving special benefit from each of the specific services provided. Each parcel within the District that benefits from the various tree maintenance services is assessed on an annual installment basis to meet its proportional share of the cost and expenses associated with the tree maintenance, which is planned every five to seven years, depending upon Zone funding availability.

Streetscape Revitalization and Rehabilitation Program

The Streetscape Revitalization and Rehabilitation program includes, but is not limited to the following and may include routine or emergency maintenance.

1. Removal or replacement of existing dead/dying plant materials within the medians and parkway-landscaped areas.
2. Removal of existing plant materials and replacement with new plant material or non-plant materials within the medians and parkway-landscaped areas.
3. Upgrades or renovation to the irrigation or drainage systems, electrical systems or water meters, hardscape improvements associated with the landscaping such as confirmed City sound walls, walking paths, soil and stamped concrete.

Assessments for the streetscape program shall be collected from only those parcels and Zones identified as receiving special benefit from parkway and median landscaped areas. Each parcel within the District that benefits from the streetscape revitalization and rehabilitation services is assessed on an annual installment basis to meet its proportional share of the cost and expenses associated with the program, which is planned every ten years. This program is designed to ensure the long-term maintenance of all streetscape landscaping within the District.

Park Rehabilitation and Renovation Program

There are specific costs associated the annual and regular maintenance of park improvements and facilities which are included in the annual maintenance expenses of those Zones that benefit from the parks associated with that Zone. However, the cost of periodically repairing, replacing, and upgrading the landscaping and facilities within these parks cannot be reasonably collected in a single annual assessment. Therefore, the City has established a long-term park rehabilitation and renovation program that includes the design repair and reconstruction of parks within the District.

The program anticipates revitalization design in the 13th year of a park's life, with the revitalization occurring in the 15th year. Each parcel within the District that benefits from the park rehabilitation and renovation services is assessed on an annual installment basis to meet its proportional share of the cost and expenses associated with the program. However, with current inflation rates, the majority of Zones are unable to keep up with the accelerating maintenance costs.

The costs of providing for the annual and regular maintenance of the landscape improvements as well as the long-term maintenance programs for the District have been identified as a special benefit to properties within the District. Although the location of the improvements may be visible to properties outside the District or to the public at large, the improvements have been installed and are maintained for the benefit of properties within the District. As such, there is no quantifiable general benefit from the improvements to persons or properties outside the District. The portion of the costs associated with the maintenance of the Channel-ways and the landscaped areas on Eleventh Street, generally between Lammers Road and the Railroad Tracks east of Corral Hollow Road, benefit both properties within the adjacent Zones as well as properties that are not within the District and it has been determined that the City will contribute funds to the District for the maintenance of these areas.

The assessments and Method of Assessment described in this Report utilize commonly accepted assessment engineering practices and have been established pursuant to the 1972 Act and the provisions of Proposition 218. The assessment amount for each Zone is based only on the services and improvements associated with that Zone. All assessments are apportioned based upon the special benefit received by the properties within each Zone and are over and above any general benefit conferred on the public at large. Any new or increased assessments will be subject to the substantive and procedural requirements of Proposition 218. Property owner ballot proceedings are not required if the proposed annual assessment rate is less than or equal to the maximum assessment rate previously approved for each of the Zones.

In any given fiscal year, if the assessment revenue will not allow for full maintenance service in a particular Zone, City staff will determine the scope of work to be performed, and any necessary reductions in the scope of work will likely include, but not be limited to, the reduction or elimination of the long-term renovation and rehabilitation programs and some or all of the following:

Turf Areas

- Reduced frequency of mowing and edging turf areas. Full scope includes mowing and edging turf areas regularly.
- No fertilization. Full scope includes fertilization multiple times a year. Limited/elimination of weed control.
- Limited/elimination of aeration.

Ground Cover/Shrub Areas

- Limited/elimination of emergent weed control. No fertilization.
- Limited/elimination of mowing or removal of dead plants and leaves.
- Limited/elimination of vine trimming.

General Landscaping

- Limited/elimination of removal of tree stakes and ties. Limited/elimination of trash pick-up in landscaping areas.
- Limited/elimination of weed and litter control for gutters, curbs, parking lots and walkways and adjacent to contract areas.
- Administration and operations of the landscaping Zones.

The proposed assessments described in this Report are based on the estimated costs associated with the regular annual maintenance, operation and servicing of landscape improvements within each Zone. The total cost of these improvements are proportionately spread to only the properties within each respective Zone based on a method of apportionment that reflects the direct and proportional special benefits to each property. In addition to the regular annual maintenance of the landscape improvements, various Zone budgets include the collection of funds associated with specific long-term maintenance and rehabilitation programs identified as: Tree Maintenance Programs; Streetscape Revitalization and Rehabilitation Program; and Park Rehabilitation and Renovation Program. The funds collected for these programs are proportionally collected from only those Zones for which these programs are provided.

The word "parcel", for the purposes of this Report, refers to an individual property assigned its own Assessment Parcel Number by the San Joaquin County Assessor's Office. The San Joaquin County Auditor/Controller uses Assessment Parcel Numbers and specific Fund Numbers to identify, on the tax roll, properties assessed for special district benefit assessments.

PART II – ESTIMATE OF COSTS

The estimated costs of maintenance and servicing the improvements for the District as described in Part B, Plans and Specifications, for each Zone are summarized in the Zone budget tables on pages 13-53. A summary table of consolidated costs for all 41 Zones in the District is provided on page 54 of this Report.

The following is a description of the budget items including maintenance, replacement, power costs for supplying electrical energy for the illumination of the decorative lights, irrigation systems, City administrative and personnel services for the annual administration, San Joaquin County costs related to placing assessments onto the tax roll, and any Reserve collections.

Description of Budget Items

Personnel – 5100

- *Field & Supervisory Personnel.* The cost associated to City staff for providing non-scheduled repairs, graffiti removal, operations and maintenance of the improvements, etc. within the Zones.

Contracted Services – 5200

- *Contracted Maintenance Contracts.* Includes all regularly scheduled labor, material, e.g. fertilizer, insecticides, etc., and equipment required to properly maintain and ensure the satisfactory condition of all landscaping, irrigation and drainage systems, and appurtenant facilities.
- *Utilities.* The cost of water, sewer, and electrical utilities necessary to maintain improvements within the Zones.
- *County Collection Fee.* The cost to the Consolidated District for the County to collect the assessments on the property tax bills. Cost is the lesser of $3.00 per parcel or 1% of the total amount placed onto the tax roll.
- *LMD Administration.* The costs of contracting with professionals to provide services specific to the levy administration, including preparation of the Engineer's Report, resolutions, and levy submittal to the County. These fees can also include any additional administrative, legal, or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing.

Materials – 5300

- *Supplies.* Includes supplies to maintain or repair irrigation system, playgrounds, plant material, etc

Capital Project – 5600

- *Capital Improvement Projects.* These costs include the long-term replacement costs of improvements that cannot be paid for during a single fiscal year. Funds are collected over several years to pay for replacement costs.

Overhead – 5900

- Business expense not chargeable to a particular part of the District (ex: insurance, etc.)

Internal Service - 5400

Indirect Costs. Incidental costs and expenses of the City associated with the operation and administration of the District and the cost of maintenance, services and incidentals not included above. (ex. vehicle or building maintenance)

Long-Term Cyclical Maintenance. Includes the following and will be reflected in the 5200 or 5300 category for the year the funds will be expensed.

- *Streetscape Revitalization & Rehabilitation.* This represents the zone's annual installment for participation in the Streetscape Revitalization and Rehabilitation program.
- *Arterial Street Tree Maintenance.* This represents the zone's annual installment for participation in the Arterial Street Tree Maintenance program.
- *Street Tree Maintenance.* This represents the zone's annual installment for participation in the Street Tree Maintenance program.
- *Park Tree Maintenance.* This represents the zone's annual installment for participation in the Tree Maintenance program, specific to Parks.
- *Park Rehabilitation & Renovation.* This represents the zone's annual installment for participation in the Park Rehabilitation and Renovation program.

Zone Reserve Adjustments. Each Zone has its own Reserve Fund and monies are used from the Reserve Funds to reduce assessment amounts to individual parcels or to contribute to the Zone Reserve Funds, whether Operating Reserves or Capital Reserves.

County Collection Fee. The cost to the Consolidated District for the County to collect the assessments on the property tax bills. Cost is the lesser of $3.00 per parcel or 1% of the total amount placed onto the tax roll.

Capital Improvement Projects. These costs include the long-term replacement costs of improvements that cannot be paid for during a single fiscal year. Funds are collected over several years to pay for those replacement costs.

Zone Reserve Adjustments. Each Zone has its own Reserve Fund and monies are used from the Reserve Funds to reduce assessment amounts to individual parcels or to contribute to the Zone Reserve Funds, whether Operating Reserves or Capital Reserves.

Special Tax Support. Proceeds allocated to the City per Measure V, Special Transportation Tax, and Gas Tax that can be utilized for maintenance expenses in Zones where the City maintains the arterial, median and right-of-way landscaping.

General Fund Support. Represents the City's contribution to the Zones for any general benefit that the improvements within the Zones may have impact on other properties or the public at large.

Drainage Fund Support. Represents the City's contribution to the Zones for any channel way that the

improvements within the Zones may have impact on other properties or the public at large.

Balance to Levy. This is the total amount to be levied and collected through assessments for the current fiscal year. It represents the sum of Total Expenses and Other Revenues subtracting the General Fund Support and the Drainage Fund Support.

Variance. A variance may be seen between the Levy per EDU and the Maximum Levy per EDU. The variance occurs because the Special Assessments required to meet expenses for the current fiscal year are below the maximum level. The Maximum Levy per EDU is based upon the total expenses for all improvements both existing and those planned for the future.

Total Parcels Levied. The total number of parcels within the Zones that will receive the special benefits during the current fiscal year.

Total EDUs. The total Equivalent Dwelling Units within the Zones applied to the parcels described above.

Proposed Levy per EDU. This amount represents the rate being applied to each parcel's individual EDU. The Levy per EDU is the result of dividing the "Special Assessment to Levy" by the Total EDUs of the Zones for the fiscal year. This rate is rounded to the nearest even pennies.

Maximum Levy per EDU. This is the rate per EDU approved by property owners within the Zone, in accordance with Proposition 218, adjusted for inflation as described in the Method of Apportionment. This rate is rounded to the nearest penny.

Budget Tables

Budget tables for each zone and a summary table for the District are presented on the following pages. The following footnotes apply to all the Budgets:

1. Direct Costs for 2022-23 and 2023-24 are equal to the current year's proposed amount plus 3% escalation to account for inflation. This is shown as an estimate only.
2. Administration Costs for 2022-23 and 2023-24 are equal to the current year's proposed amount plus 3% escalation to account for inflation, except for the County Collection Fee, which is equal to the lesser of $3 per parcel or 1% of the levy amount.
3. Levy Adjustments for 2022-23 and 2023-24 are equal to the current year's proposed amount plus 3% escalation to account for inflation, except for the Zone Reserve Adjustments, which equals the amount necessary to maintain the assessment rate that is at or below the maximum allowable assessment rate for that year.
4. The Maximum Assessment Rate for 2022-23 and 2023-24 are equal to the current year's Maximum Assessment Rate, plus 3% escalation for inflation. The actual escalation rate is based upon the June CPI for the San Francisco-Oakland-Hayward area, and is calculated each year.
5. The Beginning Fund Balances shown on each Budget page includes both the Operating and Cyclical Reserve amounts, and are projections of the April 2021 year-to-date estimates.

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 1

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$11,777	$12,130	$12,494
Contracted Services - 5200	$26,022	$26,802	$27,606
Materials - 5300	$4,218	$4,345	$4,475
Capital Projects - 5600	$769	$792	$816
TOTAL DIRECT	**$42,786**	**$44,070**	**$45,392**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$1,268.64	$1,307	$1,346
Internal Services - 5400	$2,454	$2,528	$2,603
County Collection Fee	$404	$345	$355
TOTAL ADMINISTRATION	**$4,127**	**$4,179**	**$4,305**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$46,913**	**$48,249**	**$49,696**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($5,561)	($5,650)	($5,821)
Special Tax Support	$0	$0	$2
General Fund - 101	($429)	($442)	($455)
Storm Drain Fund - 101	($522)	($537)	($554)
TOTAL ADJUSTMENTS	**($6,512)**	**($6,629)**	**($6,828)**
Balance to Levy	**$40,401**	**$41,620**	**$42,869**
Total Revenue at Maximum Rate	**$40,408**	**$41,620**	**$42,869**
Variance above/(below) Maximum Revenue	($7)	$0	$0
DISTRICT STATISTICS			
Total Parcels	294	294	294
Total Parcels Levied	294	294	294
Total EDUs	617.00	617.00	617.00
Total EDUs Levied	617.00	617.00	617.00
Proposed Levy per EDU	**$65.48**	$67.46	$69.48
Max Levy per EDU [4]	$65.49	$67.46	$69.48
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$102,436	$97,387	$92,224
Reserve Fund Adjustment	($5,561)	($5,650)	($5,821)
Interest (0.5%)	$512	$487	$461
Projected Reserve Fund Balance at End of Year	**$97,387**	**$92,224**	**$86,864**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 2

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$2,780	$2,864	$2,950
Contracted Services - 5200	$6,547	$6,744	$6,946
Materials - 5300	$1,524	$1,569	$1,616
Capital Projects - 5600	$182	$187	$193
TOTAL DIRECT	**$11,033**	**$11,364**	**$11,705**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$272	$280	$289
Internal Services - 5400	$2,853	$2,939	$3,027
County Collection Fee	$122	$124	$128
TOTAL ADMINISTRATION	**$3,247**	**$3,343**	**$3,443**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$14,280**	**$14,706**	**$15,147**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($1,410)	($1,450)	($1,493)
Special Tax Support	$0	$0	$0
General Fund - 101	($652)	($672)	($692)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($2,062)**	**($2,121)**	**($2,185)**
Balance to Levy	**$12,218**	**$12,585**	**$12,963**
Total Revenue at Maximum Rate	**$12,218**	**$12,585**	**$12,963**
Variance above/(below) Maximum Revenue	($1)	$0	$0
DISTRICT STATISTICS			
Total Parcels	125	125	125
Total Parcels Levied	125	125	125
Total EDUs	125.00	125.00	125.00
Total EDUs Levied	125.00	125.00	125.00
Proposed Levy per EDU	**$97.74**	$100.68	$103.70
Max Levy per EDU [4]	$97.75	$100.68	$103.70
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$25,272	$23,988	$22,658
Reserve Fund Adjustment	($1,410)	($1,450)	($1,493)
Interest (0.5%)	$126	$120	$113
Projected Reserve Fund Balance at End of Year	**$23,988**	**$22,658**	**$21,279**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 3

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$132,347	$136,317	$140,407
Contracted Services - 5200	$131,358	$135,298	$139,357
Materials - 5300	$65,104	$67,058	$69,069
Capital Projects - 5600	$8,644	$8,903	$9,170
TOTAL DIRECT	**$337,452**	**$347,576**	**$358,003**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$14,615.79	$15,054	$15,506
Internal Services - 5400	$109,767	$113,060	$116,452
County Collection Fee	$4,181	$4,238	$4,365
TOTAL ADMINISTRATION	**$128,563**	**$132,352**	**$136,322**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$466,016**	**$479,928**	**$494,326**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($28,092)	($28,862)	($29,728)
Special Tax Support	$0	$0	$0
General Fund - 101	($18,409)	($18,961)	($19,530)
Storm Drain Fund - 101	($1,453)	($1,497)	($1,542)
TOTAL ADJUSTMENTS	**($47,955)**	**($49,321)**	**($50,800)**
Balance to Levy	**$418,061**	**$430,607**	**$443,525**
Total Revenue at Maximum Rate	**$418,065**	**$430,607**	**$443,525**
Variance above/(below) Maximum Revenue	($4)	$0	$0
DISTRICT STATISTICS			
Total Parcels	2,301	2,301	2,301
Total Parcels Levied	2,301	2,301	2,301
Total EDUs	2,878.02	2,878.02	2,878.02
Total EDUs Levied	2,878.02	2,878.02	2,878.02
Proposed Levy per EDU	**$145.26**	$149.62	$154.11
Max Levy per EDU [4]	$145.26	$149.62	$154.11
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$661,850	$637,067	$611,390
Reserve Fund Adjustment	(28,092)	(28,862)	(29,728)
Interest (0.5%)	3,309	3,185	3,057
Projected Reserve Fund Balance at End of Year	**$637,067**	**$611,390**	**$584,718**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 4

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$24	$25	$26
Contracted Services - 5200	$8,366	$8,617	$8,875
Materials - 5300	$5	$5	$5
Capital Projects - 5600	$2	$2	$2
TOTAL DIRECT	**$8,396**	**$8,648**	**$8,908**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$3.43	$4	$4
Internal Services - 5400	$493	$508	$523
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$496**	**$511**	**$527**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$8,893**	**$9,159**	**$9,434**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($253)	$0	$0
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($253)**	**$0**	**$0**
Balance to Levy	**$8,640**	**$8,899**	**$8,899**
Total Revenue at Maximum Rate	**$20,918**	**$21,545**	**$22,192**
Variance above/(below) Maximum Revenue	($12,278)	($12,646)	($13,292)
DISTRICT STATISTICS			
Total Parcels	144	144	144
Total Parcels Levied	144	144	144
Total EDUs	144.00	144.00	144.00
Total EDUs Levied	144.00	144.00	144.00
Proposed Levy per EDU	**$60.00**	$61.80	$61.80
Max Levy per EDU [4]	$145.26	$149.62	$154.11
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$9,372	$9,166	$9,212
Reserve Fund Adjustment	($253)	$0	$0
Interest (0.5%)	$47	$46	$46
Projected Reserve Fund Balance at End of Year	**$9,166**	**$9,212**	**$9,258**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 5

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$0	$0	$0
Contracted Services - 5200	$903	$930	$958
Materials - 5300	$0	$0	$0
Capital Projects - 5600	$0	$0	$0
TOTAL DIRECT	**$903**	**$930**	**$958**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$0	$0	$0
Internal Services - 5400	$0	$0	$0
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$0**	**$0**	**$0**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$903**	**$930**	**$958**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($903)	($930)	($958)
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($903)**	**($930)**	**($958)**
Balance to Levy	**$0**	**$0**	**$0**
Total Revenue at Maximum Rate	**$10,023**	**$10,324**	**$10,633**
Variance above/(below) Maximum Revenue	($10,023)	($10,324)	($10,633)
DISTRICT STATISTICS			
Total Parcels	69	69	69
Total Parcels Levied	69	69	69
Total EDUs	69.00	69.00	69.00
Total EDUs Levied	69.00	69.00	69.00
Proposed Levy per EDU	**$0.00**	$0.00	$0.00
Max Levy per EDU [4]	$145.26	$149.62	$154.11
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$22,755	$23,771	$22,960
Reserve Fund Adjustment	$903	($930)	($958)
Interest (0.5%)	$114	$119	$115
Projected Reserve Fund Balance at End of Year	**$23,771**	**$22,960**	**$22,118**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 6

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$0	$0	$0
Contracted Services - 5200	$1,581	$1,628	$1,677
Materials - 5300	$0	$0	$0
Capital Projects - 5600	$0	$0	$0
TOTAL DIRECT	**$1,581**	**$1,628**	**$1,677**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$0	$0	$0
Internal Services - 5400	$318	$328	$337
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$318**	**$328**	**$337**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$1,899**	**$1,956**	**$2,014**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($1,899)	($1,956)	($2,014)
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($1,899)**	**($1,956)**	**($2,014)**
Balance to Levy	**$0**	**$0**	**$0**
Total Revenue at Maximum Rate	**$6,537**	**$6,733**	**$6,935**
Variance above/(below) Maximum Revenue	($6,537)	($6,733)	($6,935)
DISTRICT STATISTICS			
Total Parcels	45	45	45
Total Parcels Levied	45	45	45
Total EDUs	45.00	45.00	45.00
Total EDUs Levied	45.00	45.00	45.00
Proposed Levy per EDU	**$0.00**	$0.00	$0.00
Max Levy per EDU [4]	$145.26	$149.62	$154.11
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$14,581	$12,755	$10,863
Reserve Fund Adjustment	($1,899)	($1,956)	($2,014)
Interest (0.5%)	$73	$64	$54
Projected Reserve Fund Balance at End of Year	**$12,755**	**$10,863**	**$8,903**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 7

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$101,365	$104,405	$107,538
Contracted Services - 5200	$76,839	$79,144	$81,518
Materials - 5300	$50,536	$52,053	$53,614
Capital Projects - 5600	$6,620	$6,819	$7,023
TOTAL DIRECT	**$235,360**	**$242,421**	**$249,693**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$12,090.96	$12,454	$12,827
Internal Services - 5400	$59,391	$61,173	$63,008
County Collection Fee	$2,305	$2,305	$2,305
TOTAL ADMINISTRATION	**$73,787**	**$75,931**	**$78,140**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$309,147**	**$318,352**	**$327,833**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($64,726)	($66,590)	($68,518)
Special Tax Support	$0	$0	$0
General Fund - 101	($12,113)	($12,477)	($12,851)
Storm Drain Fund - 101	($1,807)	($1,861)	($1,917)
TOTAL ADJUSTMENTS	**($78,647)**	**($80,928)**	**($83,286)**
Balance to Levy	**$230,500**	**$237,424**	**$244,547**
Total Revenue at Maximum Rate	**$230,509**	**$237,424**	**$244,547**
Variance above/(below) Maximum Revenue	($9)	($0)	$0
DISTRICT STATISTICS			
Total Parcels	1,172	1,172	1,172
Total Parcels Levied	1,172	1,172	1,172
Total EDUs	1,273.34	1,273.34	1,273.34
Total EDUs Levied	1,273.34	1,273.34	1,273.34
Proposed Levy per EDU	**$181.02**	$186.45	$192.05
Max Levy per EDU [4]	$181.03	$186.46	$192.05
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$438,211	$375,676	$310,964
Reserve Fund Adjustment	($64,726)	($66,590)	($68,518)
Interest (0.5%)	$2,191	$1,878	$1,555
Projected Reserve Fund Balance at End of Year	**$375,676**	**$310,964**	**$244,001**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 8

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$54,919	$56,567	$58,264
Contracted Services - 5200	$23,319	$24,018	$24,739
Materials - 5300	$10,345	$10,655	$10,975
Capital Projects - 5600	$3,587	$3,694	$3,805
TOTAL DIRECT	**$92,170**	**$94,935**	**$97,783**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$7,402.98	$7,625	$7,854
Internal Services - 5400	$6,784	$6,988	$7,197
County Collection Fee	$396	$396	$396
TOTAL ADMINISTRATION	**$14,583**	**$15,009**	**$15,447**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$106,753**	**$109,944**	**$113,230**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($62,409)	($64,267)	($66,183)
Special Tax Support	$0	$0	$0
General Fund - 101	($2,618)	($2,696)	($2,777)
Storm Drain Fund - 101	($2,084)	($2,146)	($2,210)
TOTAL ADJUSTMENTS	**($67,110)**	**($69,110)**	**($71,171)**
Balance to Levy	**$39,643**	**$40,834**	**$42,059**
Total Revenue at Maximum Rate	**$39,645**	**$40,834**	**$42,059**
Variance above/(below) Maximum Revenue	($2)	$0	$0
DISTRICT STATISTICS			
Total Parcels	219	219	219
Total Parcels Levied	219	219	219
Total EDUs	219.00	219.00	219.00
Total EDUs Levied	219.00	219.00	219.00
Proposed Levy per EDU	**$181.02**	$186.45	$192.05
Max Levy per EDU [4]	$181.03	$186.46	$192.05
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	($109,669)	($172,078)	($236,345)
Reserve Fund Adjustment	($62,409)	($64,267)	($66,183)
Interest (0.5%)	$0	$0	$0
Projected Reserve Fund Balance at End of Year	**($172,078)**	**($236,345)**	**($302,528)**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 9

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$173,423	$178,625	$183,984
Contracted Services - 5200	$120,630	$124,248	$127,976
Materials - 5300	$32,667	$33,647	$34,656
Capital Projects - 5600	$11,327	$11,666	$12,016
TOTAL DIRECT	**$338,045**	**$348,187**	**$358,632**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$20,667.05	$21,287	$21,926
Internal Services - 5400	$39,172	$40,347	$41,558
County Collection Fee	$3,963	$3,963	$3,963
TOTAL ADMINISTRATION	**$63,803**	**$65,598**	**$67,447**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$401,848**	**$413,785**	**$426,079**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$15,264	$15,861	$16,456
Special Tax Support	$0	$0	$0
General Fund - 101	($16,945)	($17,453)	($17,976)
Storm Drain Fund - 101	($3,817)	($3,932)	($4,050)
TOTAL ADJUSTMENTS	**($5,498)**	**($5,524)**	**($5,571)**
Balance to Levy	**$396,350**	**$408,261**	**$420,508**
Total Revenue at Maximum Rate	**$396,370**	**$408,261**	**$420,508**
Variance above/(below) Maximum Revenue	($20)	$0	$0
DISTRICT STATISTICS			
Total Parcels	2,368	2,368	2,368
Total Parcels Levied	2,368	2,368	2,368
Total EDUs	2,441.78	2,441.78	2,441.78
Total EDUs Levied	2,441.78	2,441.78	2,441.78
Proposed Levy per EDU	**$162.32**	$167.19	$172.21
Max Levy per EDU [4]	$162.33	$167.20	$172.21
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$4,717	$20,004	$35,965
Reserve Fund Adjustment	$15,264	$15,861	$16,456
Interest (0.5%)	$24	$100	$180
Projected Reserve Fund Balance at End of Year	**$20,004**	**$35,965**	**$52,600**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 10

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$195,443	$201,306	$207,345
Contracted Services - 5200	$67,112	$69,125	$71,199
Materials - 5300	$22,839	$23,524	$24,230
Capital Projects - 5600	$12,765	$13,148	$13,542
TOTAL DIRECT	**$298,158**	**$307,103**	**$316,316**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$26,806.57	$27,611	$28,439
Internal Services - 5400	$61,412	$63,254	$65,152
County Collection Fee	$951	$951	$951
TOTAL ADMINISTRATION	**$89,170**	**$91,816**	**$94,542**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$387,327**	**$398,919**	**$410,858**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($160,706)	($165,505)	($170,441)
Special Tax Support	$0	$0	$0
General Fund - 101	($10,391)	($10,702)	($11,024)
Storm Drain Fund - 101	($7,927)	(8,165)	(8,409)
TOTAL ADJUSTMENTS	**($179,024)**	**($184,372)**	**($189,874)**
Balance to Levy	**$208,304**	**$214,547**	**$220,983**
Total Revenue at Maximum Rate	**$208,298**	**$214,547**	**$220,983**
Variance above/(below) Maximum Revenue	$6	$0	$0
DISTRICT STATISTICS			
Total Parcels	317	317	317
Total Parcels Levied	317	317	317
Total EDUs	2,155.46	2,155.46	2,155.46
Total EDUs Levied	2,155.46	2,155.46	2,155.46
Proposed Levy per EDU	**$96.64**	$99.54	$102.53
Max Levy per EDU [4]	$96.64	$99.54	$102.52
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$249,266	$89,806	($75,250)
Reserve Fund Adjustment	($160,706)	($165,505)	($170,441)
Interest (0.5%)	$1,246	$449	($376)
Projected Reserve Fund Balance at End of Year	**$89,806**	**($75,250)**	**($246,067)**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 11

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$1,843	$1,899	$1,956
Contracted Services - 5200	$831	$856	$881
Materials - 5300	$347	$358	$368
Capital Projects - 5600	$120	$124	$128
TOTAL DIRECT	**$3,142**	**$3,236**	**$3,333**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$262	$270	$278
Internal Services - 5400	$227	$234	$241
County Collection Fee	$3	$3	$3
TOTAL ADMINISTRATION	**$492**	**$506**	**$522**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$3,633**	**$3,742**	**$3,855**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($1,447)	($1,490)	($1,535)
Special Tax Support	$0	$0	$0
General Fund - 101	($432)	($445)	($459)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($1,879)**	**($1,936)**	**($1,994)**
Balance to Levy	**$1,754**	**$1,807**	**$1,861**
Total Revenue at Maximum Rate	**$1,754**	**$1,807**	**$1,861**
Variance above/(below) Maximum Revenue	$0	($0)	($0)
DISTRICT STATISTICS			
Total Parcels	1	1	1
Total Parcels Levied	1	1	1
Total EDUs	18.15	18.15	18.15
Total EDUs Levied	18.15	18.15	18.15
Proposed Levy per EDU	**$96.64**	$99.54	$102.53
Max Levy per EDU [4]	$96.64	$99.54	$102.52
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$991	($456)	($1,949)
Reserve Fund Adjustment	($1,447)	($1,490)	($1,535)
Interest (0.5%)	$0	($2)	$0
Projected Reserve Fund Balance at End of Year	**($456)**	**($1,949)**	**($3,484)**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 12

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$20,197	$20,803	$21,427
Contracted Services - 5200	$24,762	$25,505	$26,270
Materials - 5300	$19,405	$19,988	$20,587
Capital Projects - 5600	$1,319	$1,359	$1,399
TOTAL DIRECT	**$65,683**	**$67,654**	**$69,684**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$2,562.10	$2,639	$2,718
Internal Services - 5400	$25,956	$26,735	$27,537
County Collection Fee	$306	$306	$306
TOTAL ADMINISTRATION	**$28,824**	**$29,680**	**$30,561**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$94,508**	**$97,334**	**$100,244**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($19,748)	($20,331)	($20,932)
Special Tax Support	$0	$0	$0
General Fund - 101	($4,737)	($4,880)	($5,026)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($24,485)**	**($25,210)**	**($25,958)**
Balance to Levy	**$70,022**	**$72,123**	**$74,287**
Total Revenue at Maximum Rate	**$140,211**	**$144,417**	**$148,750**
Variance above/(below) Maximum Revenue	($70,189)	($72,294)	($74,463)
DISTRICT STATISTICS			
Total Parcels	102	102	102
Total Parcels Levied	102	102	102
Total EDUs	1,014.23	1,014.23	1,014.23
Total EDUs Levied	1,014.23	1,014.23	1,014.23
Proposed Levy per EDU	**$69.04**	$71.11	$73.24
Max Levy per EDU [4]	$138.24	$142.39	$146.66
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$268,362	$249,956	$230,875
Reserve Fund Adjustment	($19,748)	($20,331)	($20,932)
Interest (0.5%)	$1,342	$1,250	$1,154
Projected Reserve Fund Balance at End of Year	**$249,956**	**$230,875**	**$211,098**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 13

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$23,559	$24,266	$24,994
Contracted Services - 5200	$29,353	$30,233	$31,140
Materials - 5300	$6,438	$6,631	$6,830
Capital Projects - 5600	$1,539	$1,585	$1,632
TOTAL DIRECT	**$60,888**	**$62,715**	**$64,596**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$2,091.54	$2,154	$2,219
Internal Services - 5400	$23,811	$24,525	$25,261
County Collection Fee	$1,254	$1,254	$1,254
TOTAL ADMINISTRATION	**$27,157**	**$27,934**	**$28,734**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$88,045**	**$90,649**	**$93,330**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$42,554	$43,869	$45,223
Special Tax Support	$0	$0	$0
General Fund - 101	($1,127)	($1,161)	($1,196)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$41,426**	**$42,708**	**$44,027**
Balance to Levy	**$129,471**	**$133,357**	**$137,358**
Total Revenue at Maximum Rate	**$129,473**	**$133,357**	**$137,358**
Variance above/(below) Maximum Revenue	($2)	$0	$0
DISTRICT STATISTICS			
Total Parcels	418	418	418
Total Parcels Levied	418	418	418
Total EDUs	418.00	418.00	418.00
Total EDUs Levied	418.00	418.00	418.00
Proposed Levy per EDU	**$309.74**	$319.04	$328.61
Max Levy per EDU [4]	$309.74	$319.04	$328.61
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$515,696	$560,828	$607,502
Reserve Fund Adjustment	$42,554	$43,869	$45,223
Interest (0.5%)	$2,578	$2,804	$3,038
Projected Reserve Fund Balance at End of Year	**$560,828**	**$607,502**	**$655,763**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 14

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$17,201	$17,717	$18,249
Contracted Services - 5200	$28,666	$29,526	$30,412
Materials - 5300	$3,240	$3,337	$3,437
Capital Projects - 5600	$1,123	$1,157	$1,192
TOTAL DIRECT	**$50,231**	**$51,738**	**$53,290**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$1,812.63	$1,867	$1,923
Internal Services - 5400	$16,954	$17,463	$17,986
County Collection Fee	$630	$630	$630
TOTAL ADMINISTRATION	**$19,397**	**$19,960**	**$20,540**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$69,628**	**$71,698**	**$73,830**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($6,218)	($6,380)	($6,553)
Special Tax Support	$0	$0	$0
General Fund - 101	($369)	($380)	($392)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($6,587)**	**($6,761)**	**($6,945)**
Balance to Levy	**$63,040**	**$64,937**	**$66,885**
Total Revenue at Maximum Rate	**$63,046**	**$64,937**	**$66,885**
Variance above/(below) Maximum Revenue	($5)	$0	$0
DISTRICT STATISTICS			
Total Parcels	369	369	369
Total Parcels Levied	369	369	369
Total EDUs	371.00	371.00	371.00
Total EDUs Levied	371.00	371.00	371.00
Proposed Levy per EDU	**$169.92**	$175.02	$180.29
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$85,322	$79,530	$73,547
Reserve Fund Adjustment	($6,218)	($6,380)	($6,553)
Interest (0.5%)	$427	$398	$368
Projected Reserve Fund Balance at End of Year	**$79,530**	**$73,547**	**$67,362**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 15

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$69,787	$71,881	$74,037
Contracted Services - 5200	$57,934	$59,672	$61,463
Materials - 5300	$15,145	$15,600	$16,068
Capital Projects - 5600	$4,558	$4,695	$4,836
TOTAL DIRECT	**$147,425**	**$151,848**	**$156,403**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$7,505.23	$7,730	$7,962
Internal Services - 5400	$92,476	$95,250	$98,108
County Collection Fee	$2,406	$2,406	$2,406
TOTAL ADMINISTRATION	**$102,387**	**$105,387**	**$108,476**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$249,812**	**$257,234**	**$264,879**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($5,845)	($5,927)	($6,033)
Special Tax Support	$0	$0	$0
General Fund - 101	($3,364)	($3,465)	($3,569)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($9,209)**	**($9,392)**	**($9,602)**
Balance to Levy	**$240,603**	**$247,842**	**$255,278**
Total Revenue at Maximum Rate	**$240,624**	**$247,842**	**$255,278**
Variance above/(below) Maximum Revenue	($20)	$0	$0
DISTRICT STATISTICS			
Total Parcels	1,187	1,187	1,187
Total Parcels Levied	1,187	1,187	1,187
Total EDUs	1,415.98	1,415.98	1,415.98
Total EDUs Levied	1,415.98	1,415.98	1,415.98
Proposed Levy per EDU	**$169.92**	$175.02	$180.29
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$234,189	$229,515	$224,735
Reserve Fund Adjustment	($5,845)	($5,927)	($6,033)
Interest (0.5%)	$1,171	$1,148	$0
Projected Reserve Fund Balance at End of Year	**$229,515**	**$224,735**	**$218,703**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 16

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$10,972	$11,301	$11,640
Contracted Services - 5200	$16,689	$17,189	$17,705
Materials - 5300	$4,067	$4,189	$4,314
Capital Projects - 5600	$717	$738	$760
TOTAL DIRECT	**$32,444**	**$33,417**	**$34,420**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$1,030.94	$1,062	$1,094
Internal Services - 5400	$15,557	$16,024	$16,504
County Collection Fee	$527	$527	$527
TOTAL ADMINISTRATION	**$17,115**	**$17,612**	**$18,125**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$49,559**	**$51,030**	**$52,545**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$3,116	$3,230	$3,343
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$3,116**	**$3,230**	**$3,343**
Balance to Levy	**$52,675**	**$54,260**	**$55,888**
Total Revenue at Maximum Rate	**$52,680**	**$54,260**	**$55,888**
Variance above/(below) Maximum Revenue	($4)	$0	$0
DISTRICT STATISTICS			
Total Parcels	310	310	310
Total Parcels Levied	310	310	310
Total EDUs	310.00	310.00	310.00
Total EDUs Levied	310.00	310.00	310.00
Proposed Levy per EDU	**$169.92**	$175.02	$180.29
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$151,235	$155,108	$159,114
Reserve Fund Adjustment	$3,116	$3,230	$3,343
Interest (0.5%)	$756	$776	$796
Projected Reserve Fund Balance at End of Year	**$155,108**	**$159,114**	**$163,253**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 17

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$54,194	$55,820	$57,494
Contracted Services - 5200	$75,171	$77,426	$79,749
Materials - 5300	$59,853	$61,649	$63,498
Capital Projects - 5600	$3,539	$3,646	$3,755
TOTAL DIRECT	**$192,757**	**$198,540**	**$204,496**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$4,435.00	$4,568	$4,705
Internal Services - 5400	$50,101	$51,604	$53,152
County Collection Fee	$3,262	$3,262	$3,262
TOTAL ADMINISTRATION	**$57,798**	**$59,434**	**$61,119**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$250,555**	**$257,974**	**$265,615**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$85,632	$88,313	$91,061
Special Tax Support	$0	$0	$0
General Fund - 101	($10,021)	($10,322)	($10,631)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$75,611**	**$77,992**	**$80,429**
Balance to Levy	**$326,166**	**$335,965**	**$346,044**
Total Revenue at Maximum Rate	**$326,180**	**$335,965**	**$346,044**
Variance above/(below) Maximum Revenue	($14)	$0	$0
DISTRICT STATISTICS			
Total Parcels	1,133	1,133	1,133
Total Parcels Levied	1,133	1,133	1,133
Total EDUs	1,664.79	1,664.79	1,664.79
Total EDUs Levied	1,664.79	1,664.79	1,664.79
Proposed Levy per EDU	**$195.92**	$201.80	$207.85
Max Levy per EDU [4]	$195.93	$201.81	$207.86
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$953,264	$1,043,663	$1,137,195
Reserve Fund Adjustment	$85,632	$88,313	$91,061
Interest (0.5%)	$4,766	$5,218	$0
Projected Reserve Fund Balance at End of Year	**$1,043,663**	**$1,137,195**	**$1,228,255**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 18

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$28,415	$29,267	$30,145
Contracted Services - 5200	$34,907	$35,954	$37,033
Materials - 5300	$7,352	$7,573	$7,800
Capital Projects - 5600	$1,856	$1,912	$1,969
TOTAL DIRECT	**$72,530**	**$74,706**	**$76,947**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$2,852.38	$2,938	$3,026
Internal Services - 5400	$26,379	$27,170	$27,985
County Collection Fee	$1,183	$1,183	$1,183
TOTAL ADMINISTRATION	**$30,414**	**$31,291**	**$32,195**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$102,944**	**$105,997**	**$109,142**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$21,235	$21,907	$22,599
Special Tax Support	$0	$0	$0
General Fund - 101	($5,883)	($6,060)	($6,242)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$15,351**	**$15,847**	**$16,358**
Balance to Levy	**$118,296**	**$121,844**	**$125,499**
Total Revenue at Maximum Rate	**$118,295**	**$121,844**	**$125,499**
Variance above/(below) Maximum Revenue	$1	$0	$0
DISTRICT STATISTICS			
Total Parcels	968	968	968
Total Parcels Levied	968	968	968
Total EDUs	977.65	977.65	977.65
Total EDUs Levied	977.65	977.65	977.65
Proposed Levy per EDU	**$121.00**	$124.63	$128.37
Max Levy per EDU [4]	$121.00	$124.63	$128.37
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$253,830	$276,334	$299,623
Reserve Fund Adjustment	$21,235	$21,907	$22,599
Interest (0.5%)	$1,269	$1,382	$1,498
Projected Reserve Fund Balance at End of Year	**$276,334**	**$299,623**	**$323,720**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 19

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$23,276	$23,974	$24,693
Contracted Services - 5200	$47,501	$48,926	$50,394
Materials - 5300	$6,384	$6,576	$6,773
Capital Projects - 5600	$1,520	$1,566	$1,613
TOTAL DIRECT	**$78,682**	**$81,042**	**$83,473**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$1,787.81	$1,841	$1,897
Internal Services - 5400	$30,979	$31,908	$32,866
County Collection Fee	$1,518	$1,518	$1,518
TOTAL ADMINISTRATION	**$34,285**	**$35,268**	**$36,280**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$112,967**	**$116,310**	**$119,754**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$52,952	$54,588	$56,272
Special Tax Support	$0	$0	$0
General Fund - 101	($997)	($1,027)	($1,058)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$51,955**	**$53,562**	**$55,214**
Balance to Levy	**$164,922**	**$169,872**	**$174,968**
Total Revenue at Maximum Rate	**$164,924**	**$169,872**	**$174,968**
Variance above/(below) Maximum Revenue	($2)	$0	$0
DISTRICT STATISTICS			
Total Parcels	506	506	506
Total Parcels Levied	506	506	506
Total EDUs	742.49	742.49	742.49
Total EDUs Levied	742.49	742.49	742.49
Proposed Levy per EDU	**$222.12**	$228.79	$235.67
Max Levy per EDU [4]	$222.12	$228.79	$235.65
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$697,259	$753,698	$812,054
Reserve Fund Adjustment	$52,952	$54,588	$56,272
Interest (0.5%)	$3,486	$3,768	$4,060
Projected Reserve Fund Balance at End of Year	**$753,698**	**$812,054**	**$872,386**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 20

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$1,861	$1,916	$1,974
Contracted Services - 5200	$7,663	$7,893	$8,129
Materials - 5300	$2,350	$2,421	$2,494
Capital Projects - 5600	$122	$125	$129
TOTAL DIRECT	**$11,995**	**$12,355**	**$12,726**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$120	$123	$127
Internal Services - 5400	$6,295	$6,484	$6,678
County Collection Fee	$144	$144	$144
TOTAL ADMINISTRATION	**$6,559**	**$6,751**	**$6,949**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$18,554**	**$19,106**	**$19,675**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($1,080)	$0	$0
Special Tax Support	$0	$0	$0
General Fund - 101	($18)	($19)	($20)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($1,098)**	**($19)**	**($20)**
Balance to Levy	**$17,456**	**$17,980**	**$18,519**
Total Revenue at Maximum Rate	**$38,774**	**$39,937**	**$41,135**
Variance above/(below) Maximum Revenue	($21,318)	($21,957)	($22,616)
DISTRICT STATISTICS			
Total Parcels	168	168	168
Total Parcels Levied	168	168	168
Total EDUs	174.56	174.56	174.56
Total EDUs Levied	174.56	174.56	174.56
Proposed Levy per EDU	**$100.00**	$103.00	$106.09
Max Levy per EDU [4]	$222.12	$228.79	$235.65
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$166,175	$165,926	$166,755
Reserve Fund Adjustment	($1,080)	$0	$0
Interest (0.5%)	$831	$830	$834
Projected Reserve Fund Balance at End of Year	**$165,926**	**$166,755**	**$167,589**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 21

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$18,995	$19,565	$20,152
Contracted Services - 5200	$12,803	$13,187	$13,583
Materials - 5300	$8,578	$8,835	$9,100
Capital Projects - 5600	$1,241	$1,278	$1,316
TOTAL DIRECT	**$41,617**	**$42,865**	**$44,151**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$2,038.24	$2,099	$2,162
Internal Services - 5400	$25,886	$26,663	$27,462
County Collection Fee	$659	$659	$659
TOTAL ADMINISTRATION	**$28,584**	**$29,421**	**$30,284**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$70,200**	**$72,287**	**$74,435**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($4,271)	($4,374)	($4,485)
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($4,271)**	**($4,374)**	**($4,485)**
Balance to Levy	**$65,929**	**$67,913**	**$69,950**
Total Revenue at Maximum Rate	**$65,935**	**$67,913**	**$69,950**
Variance above/(below) Maximum Revenue	($6)	$0	$0
DISTRICT STATISTICS			
Total Parcels	388	388	388
Total Parcels Levied	388	388	388
Total EDUs	388.00	388.00	388.00
Total EDUs Levied	388.00	388.00	388.00
Proposed Levy per EDU\	**$169.92**	$175.02	$180.27
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$107,517	$103,783	$99,928
Reserve Fund Adjustment	($4,271)	($4,374)	($4,485)
Interest (0.5%)	$538	$519	$500
Projected Reserve Fund Balance at End of Year	**$103,783**	**$99,928**	**$95,943**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 22

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$5,739	$5,912	$6,089
Contracted Services - 5200	$8,613	$8,871	$9,137
Materials - 5300	$3,581	$3,689	$3,799
Capital Projects - 5600	$375	$386	$398
TOTAL DIRECT	**$18,308**	**$18,857**	**$19,423**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$451.52	$465	$479
Internal Services - 5400	$4,028	$4,149	$4,273
County Collection Fee	$364	$364	$364
TOTAL ADMINISTRATION	**$4,843**	**$4,978**	**$5,116**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$23,151**	**$23,835**	**$24,539**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$13,602	$14,024	$14,455
Special Tax Support	$0	$0	$0
General Fund - 101	($390)	($402)	($414)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$13,212**	**$13,622**	**$14,042**
Balance to Levy	**$36,363**	**$37,457**	**$38,581**
Total Revenue at Maximum Rate	**$36,366**	**$37,457**	**$38,581**
Variance above/(below) Maximum Revenue	($3)	$0	$0
DISTRICT STATISTICS			
Total Parcels	214	214	214
Total Parcels Levied	214	214	214
Total EDUs	214.00	214.00	214.00
Total EDUs Levied	214.00	214.00	214.00
Proposed Levy per EDU	**$169.92**	$175.03	$180.28
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$98,022	$112,114	$126,698
Reserve Fund Adjustment	$13,602	$14,024	$14,455
Interest (0.5%)	$490	$561	$633
Projected Reserve Fund Balance at End of Year	**$112,114**	**$126,698**	**$141,787**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 23

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$4,713	$4,854	$5,000
Contracted Services - 5200	$19,316	$19,896	$20,493
Materials - 5300	$2,888	$2,974	$3,064
Capital Projects - 5600	$308	$317	$327
TOTAL DIRECT	**$27,225**	**$28,041**	**$28,883**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$52	$54	$56
Internal Services - 5400	$5,311	$5,470	$5,634
County Collection Fee	$617	$617	$617
TOTAL ADMINISTRATION	**$5,980**	**$6,141**	**$6,307**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$33,205**	**$34,182**	**$35,189**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$29,582	$30,493	$31,426
Special Tax Support	$0	$0	$0
General Fund - 101	($1,105)	($1,139)	($1,173)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$28,476**	**$29,354**	**$30,253**
Balance to Levy	**$61,681**	**$63,537**	**$65,443**
Total Revenue at Maximum Rate	**$61,686**	**$63,537**	**$65,443**
Variance above/(below) Maximum Revenue	($5)	$0	$0
DISTRICT STATISTICS			
Total Parcels	363	363	363
Total Parcels Levied	363	363	363
Total EDUs	363.00	363.00	363.00
Total EDUs Levied	363.00	363.00	363.00
Proposed Levy per EDU	**$169.92**	$175.02	$180.29
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$126,504	$156,718	$187,995
Reserve Fund Adjustment	$29,582	$30,493	$31,426
Interest (0.5%)	$633	$784	$940
Projected Reserve Fund Balance at End of Year	**$156,718**	**$187,995**	**$220,361**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 24

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$18,071	$18,613	$19,172
Contracted Services - 5200	$15,526	$15,991	$16,471
Materials - 5300	$5,404	$5,566	$5,733
Capital Projects - 5600	$1,180	$1,216	$1,252
TOTAL DIRECT	**$40,181**	**$41,387**	**$42,628**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$1,876.01	$1,932	$1,990
Internal Services - 5400	$15,000	$15,450	$15,914
County Collection Fee	$690	$690	$690
TOTAL ADMINISTRATION	**$17,566**	**$18,072**	**$18,594**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$57,747**	**$59,459**	**$61,222**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$11,253	$11,617	$11,992
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$11,253**	**$11,617**	**$11,992**
Balance to Levy	**$69,000**	**$71,076**	**$73,214**
Total Revenue at Maximum Rate	**$101,941**	**$104,999**	**$108,149**
Variance above/(below) Maximum Revenue	($32,941)	($33,923)	($34,934)
DISTRICT STATISTICS			
Total Parcels	600	600	600
Total Parcels Levied	600	600	600
Total EDUs	600.00	600.00	600.00
Total EDUs Levied	600.00	600.00	600.00
Proposed Levy per EDU	**$115.00**	$118.46	$122.02
Max Levy per EDU [4]	$169.90	$175.00	$180.25
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$417,076	$430,414	$444,184
Reserve Fund Adjustment	$11,253	$11,617	$11,992
Interest (0.5%)	$2,085	$2,152	$2,221
Projected Reserve Fund Balance at End of Year	**$430,414**	**$444,184**	**$458,397**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 25

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$0	$0	$0
Contracted Services - 5200	$0	$0	$0
Materials - 5300	$0	$0	$0
Capital Projects - 5600	$0	$0	$0
TOTAL DIRECT	**$0**	**$0**	**$0**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$0	$0	$0
Internal Services - 5400	$0	$0	$0
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$0**	**$0**	**$0**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$0**	**$0**	**$0**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$0	$0	$0
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$0**	**$0**	**$0**
Balance to Levy	**$0**	**$0**	**$0**
Total Revenue at Maximum Rate	**$0**	**$0**	**$0**
Variance above/(below) Maximum Revenue	$0	$0	$0
DISTRICT STATISTICS			
Total Parcels	438	438	438
Total Parcels Levied	0	0	0
Total EDUs	438.00	438.00	438.00
Total EDUs Levied	0.00	0.00	0.00
Proposed Levy per EDU	**$0.00**	$0.00	$0.00
Max Levy per EDU [4]	$0.00	$0.00	$0.00
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$0	$0	$0
Reserve Fund Adjustment	$0	$0	$0
Interest (0.5%)	$0	$0	$0
Projected Reserve Fund Balance at End of Year	**$0**	**$0**	**$0**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 26

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$115,873	$119,349	$122,930
Contracted Services - 5200	$81,594	$84,042	$86,563
Materials - 5300	$45,693	$47,064	$48,476
Capital Projects - 5600	$7,568	$7,795	$8,029
TOTAL DIRECT	**$250,728**	**$258,250**	**$265,997**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$13,985.36	$14,405	$14,837
Internal Services - 5400	$63,137	$65,031	$66,982
County Collection Fee	$2,471	$2,471	$2,471
TOTAL ADMINISTRATION	**$79,593**	**$81,907**	**$84,290**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$330,321**	**$340,157**	**$350,287**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($78,715)	($80,989)	($83,344)
Special Tax Support	$0	$0	$0
General Fund - 101	($2,108)	($2,171)	($2,236)
Storm Drain Fund - 101	($2,390)	($2,462)	($2,536)
TOTAL ADJUSTMENTS	**($83,213)**	**($85,622)**	**($88,116)**
Balance to Levy	**$247,108**	**$254,535**	**$262,171**
Total Revenue at Maximum Rate	**$247,122**	**$254,535**	**$262,171**
Variance above/(below) Maximum Revenue	($13)	($0)	$0
DISTRICT STATISTICS			
Total Parcels	1,130	1,130	1,130
Total Parcels Levied	1,130	1,130	1,130
Total EDUs	1,130.00	1,130.00	1,130.00
Total EDUs Levied	1,130.00	1,130.00	1,130.00
Proposed Levy per EDU	**$218.68**	$225.25	$232.01
Max Levy per EDU [4]	$218.69	$225.25	$232.01
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$565,510	$486,795	$405,807
Reserve Fund Adjustment	($78,715)	($80,989)	($83,344)
Interest (0.5%)	$0	$0	$0
Projected Reserve Fund Balance at End of Year	**$486,795**	**$405,807**	**$322,462**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 27

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$1,547	$1,593	$1,641
Contracted Services - 5200	$4,485	$4,620	$4,759
Materials - 5300	$2,291	$2,360	$2,431
Capital Projects - 5600	$101	$104	$107
TOTAL DIRECT	**$8,425**	**$8,678**	**$8,938**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$63.19	$65	$67
Internal Services - 5400	$1,395	$1,437	$1,480
County Collection Fee	$156	$156	$156
TOTAL ADMINISTRATION	**$1,614**	**$1,658**	**$1,703**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$10,039**	**$10,336**	**$10,641**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$5,562	$5,733	$5,910
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$5,562**	**$5,733**	**$5,910**
Balance to Levy	**$15,601**	**$16,069**	**$16,551**
Total Revenue at Maximum Rate	**$88,369**	**$91,020**	**$93,751**
Variance above/(below) Maximum Revenue	($72,769)	($74,952)	($77,200)
DISTRICT STATISTICS			
Total Parcels	75	75	75
Total Parcels Levied	75	75	75
Total EDUs	520.02	520.02	520.02
Total EDUs Levied	520.02	520.02	520.02
Proposed Levy per EDU	**$30.00**	$30.90	$31.83
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$74,872	$80,808	$86,946
Reserve Fund Adjustment	$5,562	$5,733	$5,910
Interest (0.5%)	$374	$404	$435
Projected Reserve Fund Balance at End of Year	**$80,808**	**$86,946**	**$93,290**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 28

	Propposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$10,306	$10,615	$10,933
Contracted Services - 5200	$24,621	$25,360	$26,121
Materials - 5300	$30,250	$31,158	$32,092
Capital Projects - 5600	$673	$693	$714
TOTAL DIRECT	**$65,851**	**$67,826**	**$69,861**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$528.60	$544	$561
Internal Services - 5400	$6,832	$7,037	$7,248
County Collection Fee	$935	$935	$935
TOTAL ADMINISTRATION	**$8,295**	**$8,516**	**$8,743**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$74,146**	**$76,342**	**$78,604**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$19,310	$19,926	$20,552
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$19,310**	**$19,926**	**$20,552**
Balance to Levy	**$93,456**	**$96,268**	**$99,156**
Total Revenue at Maximum Rate	**$93,464**	**$96,268**	**$99,156**
Variance above/(below) Maximum Revenue	($8)	$0	$0
DISTRICT STATISTICS			
Total Parcels	550	550	550
Total Parcels Levied	550	550	550
Total EDUs	550.00	550.00	550.00
Total EDUs Levied	550.00	550.00	550.00
Proposed Levy per EDU	**$169.92**	$175.02	$180.29
Max Levy per EDU [4]	$169.93	$175.03	$180.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$391,685	$412,953	$434,944
Reserve Fund Adjustment	$19,310	$19,926	$20,552
Interest (0.5%)	$1,958	$2,065	$2,175
Projected Reserve Fund Balance at End of Year	**$412,953**	**$434,944**	**$457,670**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 29

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$30,855	$31,781	$32,734
Contracted Services - 5200	$19,550	$20,137	$20,741
Materials - 5300	$7,812	$8,046	$8,288
Capital Projects - 5600	$2,015	$2,076	$2,138
TOTAL DIRECT	**$60,232**	**$62,039**	**$63,900**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$3,583.19	$3,691	$3,801
Internal Services - 5400	$18,545	$19,101	$19,674
County Collection Fee	$799	$799	$799
TOTAL ADMINISTRATION	**$22,927**	**$23,591**	**$24,275**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$83,159**	**$85,630**	**$88,175**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($1,746)	($1,775)	($1,804)
Special Tax Support	$0	$0	$0
General Fund - 101	($1,537)	($1,583)	($1,630)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($3,283)**	**($3,358)**	**($3,435)**
Balance to Levy	**$79,876**	**$82,272**	**$84,740**
Total Revenue at Maximum Rate	**$79,876**	**$82,272**	**$84,740**
Variance above/(below) Maximum Revenue	($0)	$0	$0
DISTRICT STATISTICS			
Total Parcels	496	496	496
Total Parcels Levied	496	496	496
Total EDUs	496.00	496.00	496.00
Total EDUs Levied	496.00	496.00	496.00
Proposed Levy per EDU	**$161.04**	$165.87	$170.85
Max Levy per EDU [4]	$161.04	$165.87	$170.85
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$44,302	$42,555	$40,780
Reserve Fund Adjustment	($1,746)	($1,775)	($1,804)
Interest (0.5%)	$0	$0	$0
Projected Reserve Fund Balance at End of Year	**$42,555**	**$40,780**	**$38,976**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 30

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$9,918	$10,216	$10,522
Contracted Services - 5200	$10,161	$10,466	$10,780
Materials - 5300	$3,868	$3,984	$4,104
Capital Projects - 5600	$648	$667	$687
TOTAL DIRECT	**$24,595**	**$25,333**	**$26,093**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$910.36	$938	$966
Internal Services - 5400	$16,556	$17,053	$17,564
County Collection Fee	$498	$498	$498
TOTAL ADMINISTRATION	**$17,964**	**$18,488**	**$19,028**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$42,560**	**$43,821**	**$45,121**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$13,528	$13,949	$14,383
Special Tax Support	$0	$0	$0
General Fund - 101	($730)	($752)	($774)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$12,798**	**$13,198**	**$13,608**
Balance to Levy	**$55,358**	**$57,019**	**$58,730**
Total Revenue at Maximum Rate	**$55,358**	**$57,019**	**$58,730**
Variance above/(below) Maximum Revenue	($1)	$0	$0
DISTRICT STATISTICS			
Total Parcels	166	166	166
Total Parcels Levied	166	166	166
Total EDUs	166.00	166.00	166.00
Total EDUs Levied	166.00	166.00	166.00
Proposed Levy per EDU	**$333.48**	$343.49	$353.80
Max Levy per EDU [4]	$333.48	$343.49	$353.79
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$242,912	$257,654	$272,892
Reserve Fund Adjustment	$13,528	$13,949	$14,383
Interest (0.5%)	$1,215	$1,288	$1,364
Projected Reserve Fund Balance at End of Year	**$257,654**	**$272,892**	**$288,639**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 31

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$0	$0	$0
Contracted Services - 5200	$0	$0	$0
Materials - 5300	$0	$0	$0
Capital Projects - 5600	$0	$0	$0
TOTAL DIRECT	**$0**	**$0**	**$0**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$0	$0	$0
LMD Administration	$0	$0	$0
Internal Services - 5400	$0	$0	$0
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$0**	**$0**	**$0**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$0**	**$0**	**$0**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$0	$0	$0
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$0**	**$0**	**$0**
Balance to Levy	**$0**	**$0**	**$0**
Total Revenue at Maximum Rate	**$6,251**	**$6,439**	**$6,632**
Variance above/(below) Maximum Revenue	($6,251)	($6,439)	($6,632)
DISTRICT STATISTICS			
Total Parcels	1	1	1
Total Parcels Levied	0	0	0
Total EDUs	27.75	27.75	27.75
Total EDUs Levied	0.00	0.00	0.00
Proposed Levy per EDU	**$0.00**	$0.00	$0.00
Max Levy per EDU [4]	$225.27	$232.02	$238.98
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$635	$639	$642
Reserve Fund Adjustment	$0	$0	$0
Interest (0.5%)	$3	$3	$3
Projected Reserve Fund Balance at End of Year	**$639**	**$642**	**$645**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 32

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$0	$0	$0
Contracted Services - 5200	$0	$0	$0
Materials - 5300	$0	$0	$0
Capital Projects - 5600	$0	$0	$0
TOTAL DIRECT	**$0**	**$0**	**$0**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$0	$0	$0
Internal Services - 5400	$0	$0	$0
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$0**	**$0**	**$0**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$0**	**$0**	**$0**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$0	$0	$0
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$0**	**$0**	**$0**
Balance to Levy	**$0**	**$0**	**$0**
Total Revenue at Maximum Rate	**$41,080**	**$42,313**	**$43,582**
Variance above/(below) Maximum Revenue	($41,080)	($42,313)	($43,582)
DISTRICT STATISTICS			
Total Parcels	2	2	2
Total Parcels Levied	0	0	0
Total EDUs	222.68	222.68	222.68
Total EDUs Levied	0.00	0.00	0.00
Proposed Levy per EDU	**$0.00**	$0.00	$0.00
Max Levy per EDU [4]	$184.48	$190.01	$195.72
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$0	$0	$0
Reserve Fund Adjustment	$0	$0	$0
Interest (0.5%)	$0	$0	$0
Projected Reserve Fund Balance at End of Year	**$0**	**$0**	**$0**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 33

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$2,183	$2,248	$2,316
Contracted Services - 5200	$9,269	$9,547	$9,833
Materials - 5300	$2,411	$2,483	$2,558
Capital Projects - 5600	$143	$147	$151
TOTAL DIRECT	**$14,005**	**$14,426**	**$14,858**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$205	$211	$218
Internal Services - 5400	$1,883	$1,939	$1,998
County Collection Fee	$105	$90	$90
TOTAL ADMINISTRATION	**$2,193**	**$2,241**	**$2,305**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$16,198**	**$16,666**	**$17,163**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$196,119	$202,021	$208,084
Special Tax Support	$0	$0	$0
General Fund - 101	($512)	($527)	($543)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$195,607**	**$201,494**	**$207,541**
Balance to Levy	**$211,806**	**$218,160**	**$224,704**
Total Revenue at Maximum Rate	**$632,935**	**$651,923**	**$671,481**
Variance above/(below) Maximum Revenue	($421,130)	($433,764)	($446,777)
DISTRICT STATISTICS			
Total Parcels	37	37	37
Total Parcels Levied	35	35	35
Total EDUs	2,824.07	2,824.07	2,824.07
Total EDUs Levied	2,824.07	2,824.07	2,824.07
Proposed Levy per EDU	**$75.00**	$77.25	$79.57
Max Levy per EDU [4]	$224.12	$230.85	$237.77
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$375,162	$573,157	$778,044
Reserve Fund Adjustment	$196,119	$202,021	$208,084
Interest (0.5%)	$1,876	$2,866	$3,890
Projected Reserve Fund Balance at End of Year	**$573,157**	**$778,044**	**$990,018**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 34

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$6,662	$6,862	$7,068
Contracted Services - 5200	$7,649	$7,878	$8,115
Materials - 5300	$1,255	$1,293	$1,331
Capital Projects - 5600	$435	$448	$462
TOTAL DIRECT	**$16,001**	**$16,481**	**$16,975**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$918.99	$947	$975
Internal Services - 5400	$4,791	$4,935	$5,083
County Collection Fee	$27	$27	$27
TOTAL ADMINISTRATION	**$5,737**	**$5,908**	**$6,085**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$21,738**	**$22,389**	**$23,060**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$1,336	$1,378	$1,420
Special Tax Support	$0	$0	$0
General Fund - 101	($1,563)	($1,610)	($1,658)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($227)**	**($232)**	**($238)**
Balance to Levy	**$21,511**	**$22,157**	**$22,822**
Total Revenue at Maximum Rate	**$21,512**	**$22,157**	**$22,822**
Variance above/(below) Maximum Revenue	($1)	$0	$0
DISTRICT STATISTICS			
Total Parcels	9	9	9
Total Parcels Levied	9	9	9
Total EDUs	84.10	84.10	84.10
Total EDUs Levied	84.10	84.10	84.10
Proposed Levy per EDU	**$255.78**	$263.45	$271.36
Max Levy per EDU [4]	$255.79	$263.46	$271.37
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$16,690	$18,109	$19,578
Reserve Fund Adjustment	$1,336	$1,378	$1,420
Interest (0.5%)	$83	$91	$0
Projected Reserve Fund Balance at End of Year	**$18,109**	**$19,578**	**$20,998**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 35

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$14,769	$15,212	$15,668
Contracted Services - 5200	$9,162	$9,437	$9,720
Materials - 5300	$4,782	$4,925	$5,073
Capital Projects - 5600	$965	$993	$1,023
TOTAL DIRECT	**$29,677**	**$30,568**	**$31,485**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$1,617.96	$1,667	$1,716
Internal Services - 5400	$17,190	$17,706	$18,237
County Collection Fee	$480	$480	$480
TOTAL ADMINISTRATION	**$19,287**	**$19,852**	**$20,433**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$48,965**	**$50,419**	**$51,918**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($42)	($29)	($15)
Special Tax Support	$0	$0	$0
General Fund - 101	($972)	($1,001)	($1,031)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($1,014)**	**($1,030)**	**($1,047)**
Balance to Levy	**$47,951**	**$49,389**	**$50,871**
Total Revenue at Maximum Rate	**$47,951**	**$49,389**	**$50,871**
Variance above/(below) Maximum Revenue	$0	$0	$0
DISTRICT STATISTICS			
Total Parcels	186	186	186
Total Parcels Levied	186	186	186
Total EDUs	186.00	186.00	186.00
Total EDUs Levied	186.00	186.00	186.00
Proposed Levy per EDU	**$257.80**	$265.52	$273.49
Max Levy per EDU [4]	$257.80	$265.53	$273.50
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$58,132	$58,381	$58,352
Reserve Fund Adjustment	($42)	($29)	($15)
Interest (0.5%)	$291	$0	$0
Projected Reserve Fund Balance at End of Year	**$58,381**	**$58,352**	**$58,337**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 36

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$0	$0	$0
Contracted Services - 5200	$0	$0	$0
Materials - 5300	$0	$0	$0
Capital Projects - 5600	$0	$0	$0
TOTAL DIRECT	**$0**	**$0**	**$0**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$0	$0	$0
Internal Services - 5400	$0	$0	$0
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$0**	**$0**	**$0**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$0**	**$0**	**$0**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$0	$0	$0
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$0**	**$0**	**$0**
Balance to Levy	**$0**	**$0**	**$0**
Total Revenue at Maximum Rate	**$6,958**	**$7,167**	**$7,382**
Variance above/(below) Maximum Revenue	($6,958)	($7,167)	($7,382)
DISTRICT STATISTICS			
Total Parcels	1	1	1
Total Parcels Levied	0	0	0
Total EDUs	72.00	72.00	72.00
Total EDUs Levied	0.00	0.00	0.00
Proposed Levy per EDU	**$0.00**	$0.00	$0.00
Max Levy per EDU [4]	$96.64	$99.54	$102.52
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$2,450	$2,462	$2,474
Reserve Fund Adjustment	$0	$0	$0
Interest (0.5%)	$12	$12	$12
Projected Reserve Fund Balance at End of Year	**$2,462**	**$2,474**	**$2,487**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 37

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$0	$0	$0
Contracted Services - 5200	$0	$0	$0
Materials - 5300	$0	$0	$0
Capital Projects - 5600	$0	$0	$0
TOTAL DIRECT	**$0**	**$0**	**$0**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$0	$0	$0
Internal Services - 5400	$0	$0	$0
County Collection Fee	$0	$0	$0
TOTAL ADMINISTRATION	**$0**	**$0**	**$0**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$0**	**$0**	**$0**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$0	$0	$0
Special Tax Support	$0	$0	$0
General Fund - 101	$0	$0	$0
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$0**	**$0**	**$0**
Balance to Levy	**$0**	**$0**	**$0**
Total Revenue at Maximum Rate	**$7,344**	**$7,565**	**$7,792**
Variance above/(below) Maximum Revenue	($7,344)	($7,565)	($7,792)
DISTRICT STATISTICS			
Total Parcels	10	10	10
Total Parcels Levied	0	0	0
Total EDUs	76.00	76.00	76.00
Total EDUs Levied	0.00	0.00	0.00
Proposed Levy per EDU	**$0.00**	$0.00	$0.00
Max Levy per EDU [4]	$96.64	$99.54	$102.52
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$5,048	$5,074	$5,099
Reserve Fund Adjustment	$0	$0	$0
Interest (0.5%)	$25	$25	$25
Projected Reserve Fund Balance at End of Year	**$5,074**	**$5,099**	**$5,125**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 40

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$2,308	$2,377	$2,448
Contracted Services - 5200	$997	$1,027	$1,058
Materials - 5300	$435	$448	$461
Capital Projects - 5600	$151	$155	$160
TOTAL DIRECT	**$3,891**	**$4,007**	**$4,128**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$324	$334	$344
Internal Services - 5400	$5,878	$6,054	$6,236
County Collection Fee	$3	$3	$3
TOTAL ADMINISTRATION	**$6,205**	**$6,392**	**$6,583**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$10,096**	**$10,399**	**$10,711**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($5,115)	($5,269)	($5,427)
Special Tax Support	$0	$0	$0
General Fund - 101	($541)	($558)	($574)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($5,657)**	**($5,826)**	**($6,001)**
Balance to Levy	**$4,440**	**$4,573**	**$4,710**
Total Revenue at Maximum Rate	**$4,440**	**$4,573**	**$4,710**
Variance above/(below) Maximum Revenue	($0)	$0	$0
DISTRICT STATISTICS			
Total Parcels	1	1	1
Total Parcels Levied	1	1	1
Total EDUs	9.00	9.00	9.00
Total EDUs Levied	9.00	9.00	9.00
Proposed Levy per EDU	**$493.28**	$508.08	$523.32
Max Levy per EDU [4]	$493.28	$508.08	$523.32
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	($6,895)	($12,010)	($17,278)
Reserve Fund Adjustment	($5,115)	($5,269)	($5,427)
Interest (0.5%)	$0	$0	$0
Projected Reserve Fund Balance at End of Year	**($12,010)**	**($17,278)**	**($22,705)**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 41

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$371	$382	$394
Contracted Services - 5200	$1,970	$2,029	$2,090
Materials - 5300	$70	$72	$74
Capital Projects - 5600	$24	$25	$26
TOTAL DIRECT	**$2,436**	**$2,509**	**$2,584**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$49	$51	$52
Internal Services - 5400	$46	$47	$49
County Collection Fee	$3	$3	$3
TOTAL ADMINISTRATION	**$98**	**$101**	**$104**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$2,534**	**$2,609**	**$2,688**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	($682)	($702)	($723)
Special Tax Support	$0	$0	$0
General Fund - 101	($87)	($90)	($92)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**($769)**	**($792)**	**($815)**
Balance to Levy	**$1,765**	**$1,818**	**$1,872**
Total Revenue at Maximum Rate	**$1,765**	**$1,818**	**$1,872**
Variance above/(below) Maximum Revenue	($0)	$0	($0)
DISTRICT STATISTICS			
Total Parcels	1	1	1
Total Parcels Levied	1	1	1
Total EDUs	4.15	4.15	4.15
Total EDUs Levied	4.15	4.15	4.15
Proposed Levy per EDU	**$425.30**	$438.07	$451.20
Max Levy per EDU [4]	$425.30	$438.06	$451.20
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$10,531	$9,902	$9,250
Reserve Fund Adjustment	($682)	($702)	($723)
Interest (0.5%)	$53	$50	$46
Projected Reserve Fund Balance at End of Year	**$9,902**	**$9,250**	**$8,573**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 42

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$1,339	$1,379	$1,420
Contracted Services - 5200	$3,825	$3,940	$4,058
Materials - 5300	$2,252	$2,320	$2,389
Capital Projects - 5600	$87	$90	$93
TOTAL DIRECT	**$7,503**	**$7,729**	**$7,960**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$184	$189	$195
Internal Services - 5400	$1,165	$1,200	$1,236
County Collection Fee	$6	$6	$6
TOTAL ADMINISTRATION	**$1,355**	**$1,395**	**$1,437**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$8,858**	**$9,124**	**$9,397**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$11,301	$11,640	$11,989
Special Tax Support	$0	$0	$0
General Fund - 101	($314)	($323)	($333)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$10,987**	**$11,317**	**$11,656**
Balance to Levy	**$19,845**	**$20,440**	**$21,054**
Total Revenue at Maximum Rate	**$28,656**	**$29,516**	**$30,401**
Variance above/(below) Maximum Revenue	($8,811)	($9,076)	($9,348)
DISTRICT STATISTICS			
Total Parcels	2	2	2
Total Parcels Levied	2	2	2
Total EDUs	441.00	441.00	441.00
Total EDUs Levied	441.00	441.00	441.00
Proposed Levy per EDU	**$45.00**	$46.35	$47.74
Max Levy per EDU [4]	$64.98	$66.93	$68.94
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$47,387	$58,925	$70,860
Reserve Fund Adjustment	$11,301	$11,640	$11,989
Interest (0.5%)	$237	$295	$354
Projected Reserve Fund Balance at End of Year	**$58,925**	**$70,860**	**$83,203**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Zone 43

	Proposed Budget FY 2021-22	Forecasted Budget FY 2022-23	Forecasted Budget FY 2023-24
DIRECT COSTS [1]			
Personnel - 5100	$140	$144	$148
Contracted Services - 5200	$6,131	$6,315	$6,505
Materials - 5300	$2,026	$2,087	$2,150
Capital Projects - 5600	$8	$8	$8
TOTAL DIRECT	**$8,305**	**$8,554**	**$8,811**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$17	$18	$18
Internal Services - 5400	$2,017	$2,078	$2,140
County Collection Fee	$105	$105	$105
TOTAL ADMINISTRATION	**$2,139**	**$2,200**	**$2,263**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$10,444**	**$10,754**	**$11,074**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$89	$95	$101
Special Tax Support	$0	$0	$0
General Fund - 101	($33)	($34)	($35)
Storm Drain Fund - 101	$0	$0	$0
TOTAL ADJUSTMENTS	**$56**	**$61**	**$66**
Balance to Levy	**$10,500**	**$10,815**	**$11,139**
Total Revenue at Maximum Rate	**$22,717**	**$23,398**	**$24,100**
Variance above/(below) Maximum Revenue	($12,217)	($12,583)	($12,961)
DISTRICT STATISTICS			
Total Parcels	105	105	105
Total Parcels Levied	105	105	105
Total EDUs	105.00	105.00	105.00
Total EDUs Levied	105.00	105.00	105.00
Proposed Levy per EDU	**$100.00**	$103.00	$106.09
Max Levy per EDU [4]	$216.35	$222.84	$229.52
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$45,356	$45,672	$45,995
Reserve Fund Adjustment	$89	$95	$101
Interest (0.5%)	$227	$228	$230
Projected Reserve Fund Balance at End of Year	**$45,672**	**$45,995**	**$46,325**

City of Tracy
Consolidated Landscape Maintenance District
Proposed Budget for Fiscal Year 2021-22

Consolidated Totals - 41 Zones

	Proposed Budget FY 2020-21	Forecasted Budget FY 2021-22	Forecasted Budget FY 2022-23
DIRECT COSTS [1]			
Personnel - 5100	$1,167,170	$1,202,185	$1,237,887
Contracted Services - 5200	$1,021,824	$1,052,479	$1,083,249
Materials - 5300	$435,417	$448,480	$461,804
Capital Projects - 5600	$76,229	$78,516	$80,847
TOTAL DIRECT	**$2,700,640**	**$2,781,660**	**$2,863,787**
ADMINISTRATION COSTS [2]			
Overhead - 5900	$134,392	$138,423	$142,537
Internal Services - 5400	$761,039	$783,870	$807,310
County Collection Fee	$31,472	$31,457	$31,588
TOTAL ADMINISTRATION	**$926,903**	**$953,751**	**$981,435**
LEVY ADJUSTMENTS [3]			
TOTAL DIRECT AND ADMIN COSTS	**$3,627,543**	**$3,735,410**	**$3,845,222**
Capital Improvement Projects	$0	$0	$0
Zone Reserves Adjustment	$71,566	$76,170	$79,428
Special Tax Support	$0	$0	$0
General Fund - 101	($98,398)	($101,350)	($104,378)
Storm Drain Fund - 101	($20,000)	($20,600)	($21,202)
TOTAL ADJUSTMENTS	**($46,833)**	**($45,781)**	**($46,151)**
Balance to Levy	**$3,580,711**	**$3,688,261**	**$3,797,400**
Total Revenue at Maximum Rate	**$4,310,675**	**$4,439,995**	**$4,571,946**
Variance above/(below) Maximum Revenue	($729,964)	($751,734)	($774,547)
DISTRICT STATISTICS			
Total Parcels	16,991	16,991	16,991
Total Parcels Levied	16,537	16,537	16,537
Total EDUs	25,991	25,991	25,991.22
Total EDUs Levied	25,155	25,155	25,154.79
Proposed Levy per EDU	$5,803.74	5,978	$6,153.52
Max Levy per EDU [4]	$7,454.34	7,678	$7,906.28
FUND BALANCE INFORMATION			
Reserve Fund			
Beginning Fund Balance	$7,368,012	$7,475,752	$7,592,445
Reserve Fund Adjustment	$73,371	$76,170	$79,428
Interest (0.5%)	$34,368.86	$35,361	$29,808
Projected Reserve Fund Balance at End of Year	**$7,475,752**	**$7,587,282**	**$7,701,681**

PART III – QUANTIFICATION OF BENEFIT

The Act allows cities to establish benefit zones for the purpose of providing certain public improvements which provide a special benefit to the parcels. This includes the construction, maintenance, and servicing of street lights, traffic signals, and landscaping facilities. Section 22573 of the Act requires that maintenance assessments be levied according to benefit rather than according to the assessed value of property. This section states:

> **"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.**
>
> — Streets and Highways Code Section 22573

Section 22574 of the Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements."

In addition, Proposition 218, the "Right to Vote on Taxes Act," which was approved on the November 1996 Statewide ballot and added Article XIIID to the California Constitution, requires that a parcel's assessment not exceed the reasonable cost of the proportional special benefit conferred on that parcel. Proposition 218 provides that only special benefits are assessable and the City must separate the general benefits from the special benefits. In addition, Proposition 218 also requires that publicly owned property which benefits from the improvements be assessed, unless there is clear and definite evidence that those properties receive no special benefit. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways.

The amount to be assessed may be apportioned by any formula or method which fairly distributes the amount among all assessable lots or parcels. Additionally, it's required that the City separate the general benefits from the special benefits, because only special benefits may be assessed. The quantification and separation of general benefit from special benefits follows for each of the Zones and associated benefit areas.

PART IV – METHOD OF ASSESSMENT

General

The Method of Assessment outlines the formula by which property that receives special benefit from the improvements and services provided will be assessed annually. The Method of Assessment for the District follows:

Each parcel within the District is deemed to receive special benefit from the landscaping improvements. Each parcel that has a special benefit conferred upon it as a result of the maintenance and operation of the improvements is identified and the proportionate special benefit derived by each identified parcel is determined in relationship to the entirety of the costs of the maintenance, operation, and servicing of the improvements.

Each parcel is assigned a weighting factor known as an Equivalent Dwelling Unit (EDU) to identify the parcel's proportionate special benefit from the improvements. Each parcel's EDU is calculated based on the parcel's land use, development status and/or size as compared to other parcels that are associated with the improvements. All single- family residential properties are assigned an EDU of 1.00, and all other property types are assigned an EDU proportionate to the special benefits they receive as compared to this single-family residential property. The total EDU's in a Zone is divided into the total amount to be assessed (Balance to Levy) to establish the Levy per EDU (Rate). This Rate is then multiplied by the parcel's individual EDU to establish the parcel's levy amount.

The following formulas are used to calculate each property's assessment:

Total Balance to Levy ÷ Total EDUs = Levy per EDU

Levy per EDU x Parcel EDU = Parcel Levy Amount

The formula used for each Zone reflects the composition of the parcels and properties, and the services provided, to accurately proportion the costs based on estimated special benefit to each parcel. The total Levy per EDU will vary between Zones due to the different costs to maintain the improvements within each Zone and the number of EDU within the Zone.

Land Use Classifications

Every parcel within the District is assigned a land use classification based on available parcel information obtained from the County Assessor's Office and City records. To assess benefits equitably, it is necessary to relate the different type of parcel improvements to each other. The Equivalent Dwelling Unit method of assessment apportionment uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Dwelling Unit (EDU). Every other land use is converted to EDU's based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

The EDU method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1972 Act, as the benefit to each parcel from the improvements are apportioned as a function of land use type, size and development.

Single-Family Residential Subdivided Lot. This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.00 EDU per lot or parcel. This is the base value that all other land use types are compared and weighted against.

Planned-Residential Subdivision. This land use is defined as any property not fully subdivided, but has a specific number of proposed residential lots to be developed on the parcel (approved tract map). This land use type is assessed at 1.00 EDU per planned (proposed) residential lot.

Vacant, Undeveloped Private Property. This land use is defined as vacant property (undeveloped) that is not a fully subdivided residential lot or planned residential subdivision. This land use is assessed at 4.00 EDU per acre. Parcels less than 0.25 acres are assigned a minimum of 1.00 EDU. In Zones 10, 11, 36 and 37 this land use is assessed at 5.0 EDU per acre. Parcels less than 0.20 acres are assigned a minimum of 1.00 EDU.

Developed Non-Residential. This land use is defined as property developed for non-residential use, including, but not limited to, commercial and industrial properties, offices, churches and not-for-profit institutions and private schools. This land use type is assessed at 5.00 EDU per gross acre. Parcels less than 0.20 acres are assigned a minimum of 1.00 EDU.

Developed Multiple Residential Units. This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. This land use is assessed 1.00 EDU per unit for properties that the number of units can be identified. For properties that the number of units cannot be identified the property is assessed as Developed Commercial/Industrial property at 5.00 EDU per gross acre, but a minimum of 1.00 EDU.

Undeveloped, Public Property. This land use identifies properties that are exempt and are assigned 0.00 EDU. This land use classification may include, but is not limited to lots or parcels identified as:

- Public streets and other roadways (typically not assigned an APN by the County);
- Dedicated public easements such as utility right-of-ways, detention basins, channel ways, greenbelts, parkways, parks and open space areas;
- Privately owned property that cannot be developed or is associated with another property such as common areas, sliver parcels and bifurcated lots or properties that have little or no land value;

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment. Government-owned properties commonly identified as non-taxable properties by the County Assessor's Office are not exempt from District assessments unless:

- The property has restricted development or limited land use potential and the improvements clearly provide no benefit to the property; or
- The property provides additional or substantially similar improvements being provided by the District (such is the case with parks, open space areas and common areas).

Developed Public Property. This land use is defined as developed property owned by a public agency such as the City or by utility companies. This land use type is assessed at 0.30 EDU per gross acre.

Developed Regional Commercial. This land use is defined as property that has been designated for regional commercial development (i.e. Shopping mall). This land use type is assessed at 0.36 EDU per gross acre.

Restricted/Special Land Use. This land use classification identifies properties that benefit from the improvements, but cannot be fairly categorized by one of the other land use designations. This land use classification may include, but is not limited to:

- Developed Commercial/Industrial properties that only a small portion of the parcel has been developed;
- Properties identified as planned residential subdivisions, but currently have development restrictions; or
- Vacant properties with development limitations or development plans that identify large portions of the property as open space areas, parklands or similar exempt land uses.

The following table shows the EDU factors assigned to each property type in the District:

Property Type	Factor	Basis
Single Family Residential – Subdivided Lot	1.00	Parcel
Planned Residential Subdivision	1.00	Planned Lot
Vacant, Undeveloped Private Property (1)	4.00	Acre
Vacant, Undeveloped Private Property (Zones 10, 11, 36 & 37)(1)	5.00	Acre
Developed, Non-Residential Property	5.00	Acre
Developed, Multi-Family Residential	1.00	Unit
Undeveloped, Public Property (2)	0.00	Acre
Developed, Public Property (3)	0.30	Acre
Developed, Regional Commercial (4)	0.36	Acre

Notes

1. The Undeveloped Private property factor for Zones, 10, 11, 36 and 37 (5.00 EDU/Acre) reflects the more intense use of property within these Zones when the properties are developed as compared to property development in other Zones of the District, which are assigned a weighting factor of 4.00 EDU/Acre. It is important to note that the factors shown above are used to apportion the assessment within each specific Zone, not across the entire District and therefore this distinction is an appropriate reflection of these parcels' benefit compared to other property types within the respective Zones.

2. It has been determined that undeveloped public properties generally do not benefit from the improvements and services provided by the District and are not assessed. These types of properties generally include easements, detention basins, parks or properties that have little or no development potential and therefore receive no special benefits from the District improvements.

3. Developed Public properties typically receive comparatively less benefit from the improvements and services provided by the District, since the use and enhancement of these properties has little direct benefit from aesthetics of the local environment. The factor shown was originally established based on typical proportionate cost of service and hours of use

for this land use type.

4. Regional Commercial properties have been assigned a reduced benefit because of their size and their more distant proximity to the District improvements. Additionally, due to the nature and hours of use, the benefit received by such properties from the improvements and services is substantially less than other developed properties. The factor shown was originally established based on a calculation of the proportionate cost of service, average floor area ratios, and hours of use.

Assessment Range Formula

The annual landscaping assessment shall be calculated for each parcel annually by multiplying each parcel's number of EDU's by the actual assessment rate for the specific fiscal year. The actual annual assessment rate levied in any fiscal year for the District may not exceed the maximum annual assessment rate for such fiscal year without receiving property owner approval for the increase. The actual assessment rate shall be as approved by the City Council, not to exceed the maximum annual assessment rate for such fiscal year, after a noticed public hearing has been conducted, as required by law.

In each year, starting in the first year after the consolidation of the District (2003-04), the maximum annual assessment rate for each Zone shall be increased in an amount equal to the lesser of: (1) three percent (3.0%), or (2) the annual percentage increase of the Local Consumer Price Index ("CPI") for All Urban Consumers, for the San Francisco-Oakland-Hayward Area.

Each fiscal year, the City shall identify the percentage difference between the CPI for June and the CPI for the previous June (or similar time period). This percentage difference shall then establish the range of increased assessments allowed based on CPI. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

The actual annual assessment rate and actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum annual assessment rate for that fiscal year without property owner approval via a Proposition 218 compliant increase procedure.

The percentage difference for the CPI for the San Francisco-Oakland-Hayward Area June 2019 to June 2020 was 1.61% The maximum assessment rates allowed for Fiscal Year 2021-22 therefore, have been adjusted by 1.61% over the prior year's maximum assessment rates.

PART V – ASSESSMENT DIAGRAM

The assessment diagrams for each Zone in the District are on file with the City's Office of the City Clerk and available for public inspection.

The lines and dimensions of each lot or parcel within each Zone are those lines and dimensions shown on the maps of the Assessor of the County of San Joaquin for the fiscal year to which this Report applies. The Assessor's maps and records are incorporated by reference herein and made part of this Report.

An overview map of the District showing the locations of each Zone is included herein as Appendix B.

PART VI – ASSESSMENT ROLL

The assessment set forth for each parcel is shown on the Assessment Roll for the District, submitted separately, as "Assessment Roll for the City of Tracy, Consolidated Landscape Maintenance District, Fiscal Year 2021-22", which exhibit is incorporated by reference herein as Appendix C under separate cover, and is on file in the Office of the City Clerk.

APPENDIX A – IMPROVEMENT AREAS BY ZONE

Zone 1 Sycamore subdivision on east side of Tracy Boulevard

Arterial Street Landscaping

Tracy Boulevard – Southeast corner of Tracy Boulevard and Central Avenue, north to 1688 S. Tracy Boulevard

Zone 2 Fairhaven subdivision on west side of Tracy Boulevard

Arterial Street Landscaping

S. Tracy Boulevard – West side, approximately 1,000 feet south of Valpico to Sycamore Parkway (Fairhaven subdivision)

Rockport Way – Median strip and side strips

Zone 3 Northwest section of Tracy, bordered by I-205 to the north, Byron Road to the south and O'Hare Drive to the east

Arterial Street Landscaping

Grant Line Road – North side from Corral Hollow Road to O'Hare Drive; south side from 1820 W. Grant Line Road, east to Lincoln Road; median island from Lincoln Road, west to Orchard Parkway; south side from Corral Hollow Road, west to Henley Parkway

Corral Hollow Road – West side from Grant Line Road, south to Byron Road; east side from Byron Road to approximately 150 feet north of Alegre; median island from Byron Road, north to Grant Line Road; east side from Grant Line Road, north to beginning of the channel way; median island on Corral Hollow Road, north of Grant Line Road to the Mall entrance

Kavanagh Avenue – South side from Corral Hollow Road, east to Golden Springs Drive

Lowell Avenue – Corral Hollow, west to Regency (both sides), north side from Henley Parkway heading west to the end of the sound wall; south side from Henley Parkway, west to Blandford Lane; median island from Corral Hollow Road, east to Lincoln Boulevard; south side from Corral

Hollow Road, east to Promenade Circle; north side between the sound wall and curb, from Bridle Creek to Joe Pombo

Parkway; south side from east end of subdivision to the end of the soundwall/Joe Pombo Parkway; south side from Joe Pombo Parkway to Blandford Lane; south side from Promenade Circle, east to the end of the sound wall; northside from Henley Parkway, west to the end of the sound wall

Orchard Parkway – East side from Lowell Avenue to Grant Line Road; median island from Hillcrest, north to Joseph Damon Drive; west side from Lowell Avenue, north to approximately 500 feet north of Hillcrest, and from Joseph Damon Drive to Grant Line Road (to be weed free between curb and fence line); west side between curb and fence line, approximately 500 feet south of Joseph Damon Drive

Henley Parkway – East side between sound wall and curb, from Lowell Avenue to Bridle Creek Drive; west side from Lowell Avenue, north to the end of the sound wall (north of Giovanni)

Blandford Lane – East side from Lowell Avenue heading south to the end of the sound wall, including traffic circle at Lowell Avenue and Blandford Lane

Subdivision Landscaping

Arnaudo Village – Entryways at Lincoln Boulevard and Grant Line Road

Blossom Valley – Entryways at Travao Lane and Grant Line Road, including median-island

Foothill Ranch Estates – Entryway at Foothill Ranch Drive and Corral Hollow Road, including median-island

Woodfield Estates – Entryway at Fieldview, including north and south side sound wall and median strip along Fieldview; entryway at Promenade Circle, including west side of sound wall and median island

Sterling Estates – Alegre – north side and median-island

Pheasant Run – Entryways at Corral Hollow Road and Fieldview, including median-island; Annie Court adjacent to Fieldview, including south side of sound wall

Bridle Creek – Entryway at Lowell Avenue and Bridle Creek Circle, including median island on Bridle Creek Circle; entryway at Bridle Creek Circle and Joe Pombo Parkway

Entryways at Lowell Avenue and Oxford Way, including median-island on Oxford Way; entryway at Hampshire Lane, including median strip

Laurelbrook – Entryway at Laurelbrook Drive and Southbrook Lane, including median strip

Foothill Vista – Entryway at Hillcrest Drive between Orchard Parkway and Isabel Virginia

Countryside – Giovanni Lane, both sides, including median-island, from Henley Parkway, west to Rochester Street

Park Maintenance

Arnaudo Village – Slater Park on Suellen Drive

Buena Vista Estates – Kelly Park on Tammi Court

Foothill Ranch Estates – New Harmon Park on Hillcrest Drive

Laurelbrook – Dr. Ralph Allen Park at Veranda Court and Dorset Lane

Sterling Estates – Pombo Family Park on Joseph Damon Drive and Mary Alice Court

Park Atherton – Eagan Park on Oxford Lane and Lowell Avenue; Thrasher Park on Lowell Avenue and Joseph Menusa Drive; McCray Park on Fieldview Drive and Vivian Lane

Weed Abatement

Corral Hollow – Byron Road, north to Grant Line Road

Grant Line – North side from Corral Hollow Road heading west 500 feet from curb to 10 feet behind curb

Orchard Parkway – East side from Lowell Avenue to Hillcrest Drive curb to sidewalk; Orchard Parkway median island from Lowell Avenue to Grant Line Road

Pombo Parkway – East side from existing landscape, north to the end of the sound wall

Zone 4 **Located in front of the Summergate Apartments on Grant Line Road**

Weed Abatement

Grant Line Road – In front of apartment complex

Zone 5 **Located south of East Grant Line Road and east of Esther Drive.** No maintenance activity currently being performed

Zone 6 **Located on the southwest corner of Clover Drive and North Tracy Boulevard.** No maintenance activity currently being performed

Zone 7 **Located within the boundaries of 11th Street to the south, Corral Hollow Road, the SPRR tracks to the south and Hickory Avenue on the east**

Arterial Street Landscaping

Lauriana Lane – West side of Cypress Drive, south to Schulte Drive

Cypress Drive – North side from approximately 100 feet west of Hickory Avenue, west to Lauriana Lane; south side and median island from Lauriana Lane to Corral Hollow Road

Corral Hollow Road – East side approximately 300 feet north of Tennis Lane, south to the railroad tracks; east side, south from 11th Street to Cypress Drive (Safeway frontage only to include from face of curb to face of sidewalk); median strip from 11th Street, south to railroad tracks, south of Schulte Road; west side from Krohn Road, south to Cypress curb, to bike path

Schulte Road – From Corral Hollow Road heading east. The south side ends 1,000 feet before the railroad tracks. The north side ends at the railroad tracks and includes the median island

Subdivision Landscaping

Fox Hollow – Entryways at Tennis Lane and Lauriana Lane; entryways at Cypress Drive and Fox Hollow; entryways at Cypress Drive and Hunter's Trail; entryways at Tennis Lane and Corral Hollow Road, including median strip and two cul-de-sacs at Pheasant Run Court and Thomas Dehaven Court

Harvest Country West – Entryways at Raywood Lane, including median strip

Quail Meadows – Entryway at Golden Leaf Lane, including median strip; entryway at Quail Meadows, including median strip

Candlewood Estates – Entryway at Alden Glen Drive and Cypress Drive, including median strip

Corral Hollow Estates – Entryway at Lauriana Lane, both side, including median strip from Schulte Road, south approximately 92 feet

Park Maintenance

Fox Hollow – Kit Fox Park at Foxwood Court and Fox Hollow Way; Rippin Park at Tennis Lane and Firefly

Harvest Country West – Harvest Park at Birchwood Court and Fireside Lane

Candlewood Estates – Patzer Park at Alden Glen Drive and Meadowlark

Quail Meadows – Bailor-Hennan Park on Golden Leaf Lane

Weed Abatement

11th Street – Church frontage west of Alden Glen Drive, from face of curb to chain link fence

Schulte Road – from railroad tracks east of Lauriana Lane, heading west 1,000 feet to start of landscaping, 10 feet from the curb

Zone 8 Located within the boundaries of Corral Hollow Road on the west and 11th Street on the south

Arterial Street Landscaping

Belconte Drive – From 11th Street to Byron Road, east and west sides, including median-island

Redington Drive – Median-island, east and west of Belconte Drive

Byron Road – From Corral Hollow Road, west approximately 2,280 feet to the end of the subdivision sound wall

Corral Hollow Road – West side from Byron Road to 11th Street

Park Maintenance

Fabian – Fabian Park on Redington Drive

Zone 9 Located west of Tracy Boulevard from the UPRR spur line to Corral Hollow Road on the west, and to the south, Edgewood and Brookview West subdivisions

Arterial Street Landscaping

Tracy Boulevard – Circle B Ranch – west side from 245 feet north of Mt. Diablo Avenue, heading south past Schulte Road, approximately 650 feet to the end of the shopping center

Heritage subdivision – West side starting from approximately 200 feet north of Menay Drive, heading south to West Central Avenue

West side from Central Avenue heading south approximately 970 feet south of Valpico Road, next to the baseball field

West side from Sycamore Parkway heading south approximately 570 feet, to the end of the sound wall

Corral Hollow Road – From the railroad tracks south to Parkside drive, approximately 600 feet

Sycamore Parkway – West side and medians from Amberwood Lane south to Dove Lane; south of Central Avenue to Tracy Boulevard; west side, from Schulte Road, south to Amberwood Lane

Schulte Road – Median strip from Tracy Boulevard to railroad tracks; north side from Tracy Boulevard to Sycamore Parkway; south side from Tracy Boulevard to west end of shopping center; south side, from Sycamore Parkway, west to the end of the sound wall; south side from Sycamore Parkway, east to the shopping center

Valpico Road – Tracy Boulevard, both side, west to the City limits; median islands from Tracy Boulevard, west to the City limits

West Central Avenue – Median from Tracy Boulevard to Sycamore Parkway; north side from Tracy Boulevard, west to the end of Cedrus Drive

Subdivision Landscaping

Circle B Ranch – Entryways at Morris Phelps and Schulte Road; entryways at Mt. Diablo Avenue and Tracy Boulevard

Hearthstone – Entryways at Menay Drive and Tracy Boulevard; entryways at Amberwood Ln. and Sycamore Parkway cul-de-sac at Yorkshire Loop and Hampton Ct.

Regency Square – Entryways at Monument Drive, Tracy Boulevard and Sycamore Parkway; Monument Drive (north and south sides), including

Median islands at Monterey and Vintage Courts; cul-de-sac at southeast corner of Tahoe Court and northwest corner; cul-de-sacs at northeast and southwest corners of Tahoe Circle; court adjacent to Mt. Oso Mini Park on Henderson Court; court adjacent to Mt. Diablo Mini Park on Alpine Court

Muirfield – Entryway at Steinbeck; entryway at Petrig; cul-de-sac at Whitman Court; cul-de-sac at Longfellow Court; entryway at Dove Lane; median island on Chaplin, east and west of Sycamore Parkway; entry at Cagney; cul-de-sac at Shaw Creek; cul-de-sac at Williams Court; cul-de-sac at Bogart Court; cul-de-sac at Mansfield Court; cul-de-sac at Hepburn Court; entryway at Allegheny

Glen Creek – Entryway at Glen Creek Way

Greystone Station – Median-island at Windham; median-island at Sudley Drive

Harvest Glen – Entryway at Ray Harvey Drive; entryway at Meadow Lane; cul-de-sac at Cornucopia

Ironwood – Entryway at Monument Drive; walking path from Whitehaven Court, heading west to Mountain View Road; cul-de-sac at Newcastle Court; cul-de-sac at Clairmont Court; cul-de-sac at Hampton Court

Park Maintenance

Hearthstone – Valley Oak Park at Larkspur and Honeysuckle Court; Evelyn Costa Park at Claremont Drive and Whitehaven Court

Parkside Estates – Evans Park on Parkside Drive

Harvest Glen – Fitzpatrick Park on Savanna Drive; Albert Emhoff Park on Jonathon Place and Moonlight Way

Regency Square – Mt. Oso Park at Henderson Court; Mt. Diablo Park at Alpine Court

Muirfield – Golden Spike Park on Christy Court; Fred Icardi Park on Russell Street at Steinbeck Way; Westside Pioneer Park at Cagney Drive and Hepburn Street

Circle B – Sister Cities Park at Morris Phelps Drive and Saddleback Court

Greystone Station – John Kimball Park at Tom Fowler Drive and Sudley

Sienna Park – Tracy Press Park at Schulte Road and Weeping Willow Lane

Zone 10 Includes the MacArthur Drive area, bounded by I-205 to the north and 11th Street to the south

Arterial Street Landscaping

MacArthur Drive – East side, from Pescadero Avenue south to 2020 MacArthur Drive (curb to sidewalk); west side from Grant Line Road to 11th Street, approximately 35 feet from curb; median strip from I-205 to 11th Street; west side from Pescadero Avenue, south to end of the California Esprit subdivision; east side from Pescadero Avenue, north 165 feet; west side from Pescadero to a private canal; North side of 11th Street at channelway

Pescadero Avenue – North side, from MacArthur Drive, east to the end of the Outlet Center, curb to sidewalk and median strip; adjacent to Yellow Freight, from redwood header to sidewalk; south side adjacent to Market Wholesale, from face of curb approximately 30 feet; south side adjacent to the California Esprit subdivision, from MacArthur Drive west to the end of the sound wall; south side from MacArthur Drive, east to McLane Food Services; north side starting at 3403 Bungalows Drive to MacArthur Drive

Grant Line Road – North side, MacArthur Drive, east to the City limits, including median strip; south side, east of channelway to Skylark (ground cover only)

Zone 11 **Located southwest at the corner of W. Eleventh Street and N. MacArthur Drive.** In front of storage facility

Zone 12 **Located northwest of I-205 including the existing arterial landscaping along the right-of-way on Naglee Road and Grant Line Road**

Arterial Street Landscaping

Naglee Road – From Grant Line Road to Auto Plaza Drive, median and 5 foot strip between curb and sidewalk on the east side; west side from Pavilion Parkway to Robertson Drive, turf and curb strip only; Grant Line Road to Auto Plaza drive sidewalk on west side

Auto Plaza Drive – South side curb face to sidewalk, from Naglee Road, east to dead end

Robertson Drive – Both sides of the street curb face to sidewalk, from Naglee Road, west to Pavilion Parkway

Grant Line Road – South side from 2850 W. Grant Line Road, west to 3292 W. Grant Line Road; north side from west driveway of Chevron at 2615 W. Grant Line Road, west to the western edge of the property at 2785 W. Grant Line Road

Pavilion Parkway – Both sides of the street curb face to sidewalk, from Naglee Road to Power Road; median from Naglee Road, west to Power Road

Corral Hollow – Median from I-205 to Mall entrance; east side from I-205 to Mall entrance

Zone 13 **Located southwest of I-205 with 11th Street bordering on the south, Lammers Road on the west and Byron Road on the north**

Arterial Street Landscaping

Fabian Road – North side from the edge of the sound wall, east to Montgomery Lane, west to Lammers Road; both sides and median on Montgomery Lane from King Loop to Fabian Rd

Lammers Road – East side from Fabian Road, north to Feteira Way

Subdivision Landscaping

Westgate – Entryway at Westgate Drive, both sides, east to Antonio Loop; entryway from Feteira Way to Glazzy Lane, both sides, from Lammers Road, east to Glazzy Lane; median on Souza Way, from Thelma Loop to Antonio Loop

Park Maintenance

Souza Park South – On Antonio Loop between Souza Way and Ann Marie Way

Souza Park North – On Thelma Loop between Milton Jenson Court and Michael Drive

Zone 14 Bounded on the west by Lammers Road, on the east by Corral Hollow Road and on the south by Schulte Road and the railroad tracks

Arterial Street Landscaping

Corral Hollow Road – West side, 234 feet north of Tracey Jean Way, including the walking path between Corral Hollow Road and Tracey Jean Court

Subdivision Landscaping

Gabriel Estates – Entryway at Tracey Jean Way, including median strip

Park Maintenance

Joan Sparks Park – On Carol Ann Drive

Chandeayne Kingsley Park – On Robert Gabriel Drive

Zone 15 Located in the southwest section of the City, bordered by Tracy Boulevard, Linne Road and Corral Hollow Road

Arterial Street Landscaping

Tracy Boulevard – West side, from approximately 700 feet north of Whispering Wind, south to the end of the sound wall

Whispering Wind – Both sides, including medians from Tracy Boulevard, west to English Oaks Lane

Applebrook Lane – Both sides, including median from Whispering Wind, south to approximately 75 feet

English Oak Lane – East side from Whispering Wind, north to approximately 80 feet

Windsong Drive – Both sides, including median from Tracy Boulevard, west to approximately 370 feet

Corral Hollow Road – East side from 75 feet north of Peony Drive, heading south to railroad tracks

Subdivision Landscaping

Edgewood VI – Entryway at Peony Drive, both sides, including median strip from Corral Hollow Road, east to Maison Court; entryway at Middlefield Drive, both sides, including median strip from Corral Hollow Road, east to Whispering Wind Drive

Park Maintenance

William Adams Park – On Edgewood Terrace Drive

Don Cose Park – On Whirlway Lane

Bill Schwartz Park – On Peony Drive

Zone 16 Bordered on the north by Byron Road, 11th Street on the south, Palomar Drive on the west and Mamie Anderson on the east

Subdivision Landscaping

Crossroads Drive – Crossroads Drive, east and west from 11th Street to Solomon Drive; Crossroads Dr from Solomon Dr to fence line of 2506 Spencer Lane

Park Maintenance

Dan Busch Park – On the northeast corner of Crossroads Drive and Tolbert Drive

Zone 17 **Includes all areas east of Tracy Boulevard between the SPRR tracks on the north and 100 feet north of Deerwood Lane on the south**

Arterial Street Landscaping

Tracy Boulevard – East side from Valpico Road, north to the end of the shopping center (on-site landscape contractor maintains the 5,150 sq. ft. of shrubs and 800 sq. ft. of turf); east side from Valpico Road, south to the end of the shopping center

Central Avenue – West side from Schulte Road, south to Ferdinand Street and the east side from Schulte Road, south to Deerwood Lane; west side from Schulte Road, north to Country Court, including ground cover in front of fence on Mt. Oso

Schulte Road – North side from Tracy Boulevard , east to the cemetery; medians from east of Tract Boulevard to Gianelli; south side from Central Avenue to 300 feet east of Independence Drive

MacArthur Boulevard – West side from Krider Court, south to the north edge of the cemetery

Third Street – North side from Jaeger to Tudor

Leamon Street – South side of California Cameo Parkway from MacArthur Boulevard, west to Third Street and Jaeger Street

Mt. Diablo Avenue – South side (est. 1,000 sq. ft.) and median-island from MacArthur, west to Third Street

Valpico Boulevard – South side from Tracy Boulevard, east to end of landscaping; north side from Tracy Boulevard, east to end of landscaping (on-site landscape contractor maintains the 4,906 sq. ft. of shrubs)

Subdivision Landscaping

Meadow Glen – Entryways at Edenvale and Schulte Road; parkway from Cedar Mountain Drive to San Simeon Way

Victoria Park I – Entryways at Gianelli, including median, south side of Schulte Road; cul-de-sacs at Elizabeth Court, Henry Court and Edward Court

Victoria Park II (American Classics) – Cul-de-sacs at James Court and Mary Court

Victoria Park II (Traditions) – Cul-de-sacs at Elysan, Lavender and Primrose Courts, and entrance at Junior Harrington, north side to 100 feet east

California Collections – Entryways at MacArthur Drive and Wagtail Drive; cul-de-sac at Krider Court

California Renaissance – Entryway median at Third Street; entryway and median at Hotchkiss Street; cul-de-sac at Sir Lancelot

California Cameo – Entryway median at Leamon Street; cul-de-sac at Versailles Court; cul-de-sac at Czerny Street

Park Maintenance

Meadow Glen – Florence Stevens Park at Tassajero Court

Victoria Park – Sullivan Park on Victoria Street

California Collections – Huck Park on Wagtail Drive

Zone 18 Bounded on the north by Valpico Road, on the east by MacArthur Drive and on the south by Linne Road

Arterial Street Landscaping

Valpico Road (Glenbriar Estates) – South side from MacArthur Drive, west to the end of the sound wall; south side from Pebblebrook Drive, west to the end of the sound wall, approximately 600 feet (Pebblebrook Estates)

MacArthur Drive (Glenbriar Estates) – West side from Valpico Road, south to the end of the landscaping, approximately 290 south of Fair Oaks Road; west side from Glenbrook Drive, south 237 feet to end of landscape; north 220 feet to the end of the landscaping

Subdivision Landscaping

Glenbriar Estates – Glenbriar Drive from Valpico Road, south to Glenbriar Circle, both sides and median

Pebblebrook Estates – Entryway at Pebblebrook Drive, including median; cul-de-sac at Pebblebrook Court

Zone 19 **Located north of the UPRR tracks, south of Valpico Road, east of Tracy Boulevard and west of Glenbriar Estates**

Arterial Street Landscaping

Tracy Boulevard – East side including median from Valpico Road, south to UPRR tracks, Whispering Winds, Regency and Brookview,

Park Maintenance

William Kendal Lowes Park

Subdivision Landscaping

Regis Drive – West side from Whispering Wind Drive, south to Dietrick Avenue; from Regis Drive, east to 418 feet east of Reids Way; from Whispering Wind Drive, north to Arezzo Way, then east on Arezzo Way to Escatta Avenue

Brookview Drive – From Perennial Place, east to Glenhaven Drive, north side; from Regis Drive, east to Glenhaven Drive, south side

Zone 20 **(Larkspur Estates) located generally south of Montclair Lane, west of MacArthur Drive, and north of Valpico Road**

Arterial Street Landscaping

MacArthur Boulevard – West side from DeBord Drive, north 415 feet to the end of the sound wall, and south from DeBord Drive 213 feet to the end of the sound wall; median on DeBord Drive

Park Maintenance

Stalsberg Drive – Clyde Abbot Park located on the south dead end of Stalsberg Drive

Zone 21 **(Huntington Park) located generally between Byron Road, south to Fabian Road and Gentry Lane, east to Jones Lane**

Subdivision Landscaping

Huntington Park – Entryway on Montgomery Lane, both sides from Fabian Road, north to King Loop, including median; entryway on

Lankershire Drive, both sides from Byron Road, south to Kensington Court, including median; cul-de-sac on Kensington Court; Byron Road south side from Lankershire Drive, west 243 feet to the end of the sound wall, and east from Lankershire Drive 554 feet to the end of the sound wall; entryway at Byron Road, 100 feet to Ogden Sannazor, east and west side of the pathway

Mini-Park Maintenance

Richard Hastie Park – located on Huntington Park Drive

Zone 22 Generally located between Corral Hollow Road, east to Egret Drive, and from Persimmon Way, south to Starflower Drive on the western half and Dove Drive on the eastern half

Arterial Street Landscaping

Corral Hollow Road – East side from Starflower Drive, north to the end of the sound wall of the sound wall

Subdivision Landscaping

Parkview (Muirfield 7) – North side of Persimmon Way along the sound wall from Geranium, west to Corral Hollow Road; west side of Lotus Way, along sound wall from Starflower Drive, north to Petunia; north side of Starflower along sound wall from Corral Hollow Road, east to Lotus Way, including median

Zone 23 Starflower Drive south to canal between Corral Hollow Road, Monroe Street and Gretchen Talley Park

Arterial Street Landscaping

Corral Hollow Road – From Starflower Drive, south to Kagehiro Dr.; east side of Corral Hollow, Kagehiro Dr. to Lotus Way

Starflower Drive – From Corral Hollow Rd south side to Lotus way

Kagehiro Drive – From Corral Hollow Road, east to Lotus Way

Zone 24 **(Eastlake) - Located south of 26102 S. MacArthur Drive, north of Valpico Road and east of MacArthur Drive**

Park Maintenance Only

Tiago Park – Located on Eastlake Circle between Crater Place and McKenna Court

Zone 25 **Located north of Brichetto Road and Schulte Road, east of Zone 32.** No maintenance activity currently being performed

Zone 26 **Located generally west of Corral Hollow Road, east of Lammers Road, north of Zone 14 and south of W. 11th Street**

Arterial Street Landscaping

Corral Hollow Road – 60 feet north of Cypress Drive to the end of the sound wall, south approximately 240 feet; north side, 31 feet north of Cypress Drive

Sterling Park II – From San Marcos subdivision at Tennis Lane, 290 feet north to the Sterling Park subdivision; Tennis Lane, west of Corral Hollow Road center median and south side

Krohn Road – South side from Corral Hollow Road, west to end of landscaping

Subdivision Landscaping

Sterling Park – Cypress Drive, north and south side, including median; Banff, east and west side, including median

San Marcos – Schulte, north and south side, including median; Babcock entryway and median; Cabana entryway and median; Schulte Road, north 922 feet to Tennis Lane; Schulte Road, south to Golden Leaf Lane; Nabor Ct

Park Maintenance

Verner Harrison – Located at Jill Drive and Brittany

Marlow Brothers – Located at Adaire Lane and Golden Leaf Lane

John Erb Park – located Barcelona Drive and Cypress Drive

Zone 27 **Located generally west of Zone 26, south of Zone 28, north of Zones 25 and 14, approximately one mile east of Lammers Road**

Arterial Street Landscaping

South Gate – Schulte Road, east from Mabel Josephine to the end of the landscaping

South Gate – Mabel Josephine, south from Schulte Road to Patrick McCaffrey Drive

South Gate – Schulte Road median, east from Mabel Josephine to Barcelona

Zone 28 **Located generally south of W. 11th Street, west of Zone 26, north of Zone 27 and east of Lammers Road**

Subdivision Landscaping

Crossroads Drive – From 11th Street, heading south on west side of the dead end of Crossroads Drive, curb to sound wall (curb to mow strip in front of Sports Complex); from 11th Street, heading south on the east side of the dead end of Crossroads Drive; median from 11th Street, heading south to the end of Crossroads Drive; Cranston Court; Wyman Court; Bennet Court; Marshall Court

Jefferson Parkway – 11th Street, heading south to Safford Lane; median from 11th Street, heading south to Safford Lane; east side from 11th Street to end of Sports Complex

Zone 29 **Located generally south of Schulte Road, north of Valpico Road, west of Chrisman Road and east of Zone 24**

Arterial Street Landscaping

Valpico Road – North side of Valpico Road from Chrisman Road, heading west 1,018 feet to the end of the sound wall; north side from Elissagaray Drive, heading west 145 feet; north side starting 440 feet west of Elissagaray Drive at sound wall, heading 238 feet west to the end of the sound wall

Chrisman Road – West side of Valpico Road, heading north 960 feet past Elissagaray Drive

Subdivision Landscaping

Elissagaray Drive – East side from Valpico Road to Rodger Drive; east side from Rodger Drive, heading northeast to Chrisman Road, including Amatchi Drive entrances, east and west; west side from Rodger Drive, heading north to Dominique Drive; north side from Aldacourrou Street, heading east to Chrisman Road

Dominique Drive – South side from Elissagaray Drive, heading west 525 feet past Basque Drive

Mount Pellier Street – West side from 125 feet south of Montauban Street, heading south 225 feet to the end of the fence at 2203 Mt. Pellier Street

Subdivision Court Landscaping

Baigorry Court – East side from 130 feet south of Rodger Drive, starting at the sound wall 210 feet to the end of the sound wall

Park Maintenance

Robert Kellogg Park – Located on Elissagaray Street

Zone 30 Yosemite Vista Housing Development located on S. MacArthur Drive

Arterial Street Landscaping

S. MacArthur Drive – From Yosemite Drive, heading north to the end of the sound wall; from Yosemite Drive, heading south to Jesse J. Martinez Drive; from Jesse J. Martinez Drive, heading south to the end of the landscaping

Yosemite Drive – Median-island from S. MacArthur Drive, east approximately 100 feet

Park Maintenance

Sentinel Drive – Jim Raymond Park

Zone 31 Tracy Mini Storage

Arterial Street Landscaping

Tracy Boulevard – East of Tracy Boulevard, west of Zone 28 and south of Valpico Road

Zone 32 Located north of Schulte Road, east of Lammers Road**.** No maintenance activity currently being performed

Zone 33 Generally located south of I-205, north of the SPRR tracks and east of Chrisman Road

Arterial Street Landscaping

Grant Line Road – From Best Buy warehouse, east to Skylark Way

Zone 34 The triangle area located south of the SPRR tacks, north of W. 11th Street and east of Corral Hollow Road

Arterial Street Landscaping

Corral Hollow Road – East side from 11th Street, north to railroad tracks at Byron Road

11th Street – From railroad tracks east of Alden Glen, heading west to Corral Hollow Road, north side from sidewalk to mow strip

Zone 35 East side of Tracy Boulevard between Centre Court and Tennis Lane

Arterial Street Landscaping

Tracy Boulevard – East side from BSC, heading south 375 feet past Tennis Lane

11th Street – From railroad tracks east of Alden Glen, heading west to Corral Hollow Road, north side from sidewalk to mow strip

Subdivision Landscaping

Ryland Junction – Entryway at Tracy Boulevard and Tennis Lane, including median; entryway at Tracy Boulevard and Centre Court, including median; Rockingham Court cul-de-sacs

Park Maintenance

Fisher Park – Located on Tracy Boulevard between Tennis Lane and Centre Court

Zone 36 El Pescadero at Grant Line Road

Arterial Street Landscaping

El Pescadero Park – South of El Pescadero Park, north of Grant Line Road and east of Buthmann

Zone 37 Forrest Greens

Arterial Street Landscaping

Acacia Street – North side of Acacia Street between East Street and MacArthur Drive

Zone 38 This Zone is split into four different areas within the District (Funded by City's General Fund, and not assessment revenue)

Zone A

Arterial Street Landscaping

11th Street – North side of 11th Street from Belconte Drive, west to Lammers Road; north side of 11th Street from Corral Hollow Road, west to Belconte Drive, from curb to sidewalk; north side of 11th Street from rail road tracks east of Alden Glen Drive, west to Corral Hollow Road, from curb to sidewalk; south side of 11th Street from Corral Hollow Road, west to the end of the landscaping west of Jefferson Drove, curb to sidewalk; south side of 11th Street from railroad tracks east of Alden Glen Drive, west to Corral Hollow Road, curb to sidewalk; median on 11th Street from rail road tracks east of Alden Glen Drive, heading west to Lammers Road; Lammers Rd – westside, median and eastside from 11th Street to end of Kimball High School; on eastside from curb to fence.

Grant Line Road – South side of Grant Line Road from 1820 W. Grant Line Road, east to Lincoln Boulevard; Corral Hollow Road, west side from Grant Line Road, north to I-205

Tracy Transit Station – Plaza area in the middle of 6th Street from Central Avenue to D Street; traffic circle at the intersection of 6th Street and

Central Avenue; traffic circle at the intersection of 6th Street and D Street; all on-site landscaping around the transit building and parking lot

Zone B

Valpico Town Center – North side of Valipco Rd. from Glebriar Drive heading east to MacArthur Dr.

Zone 40 Located at the northwest corner of Valpico Road and MacArthur

Arterial Street Landscaping

Rite-Aid – North side of Valpico Road from MacArthur Drive, heading west 370 feet to second driveway; west side of MacArthur Drive from Valpico Road, heading north 135 feet

Zone 41 Located at east side of Corral Hollow Road, north of Tennis Lane and south of Cypress Drive

Arterial Street Landscaping

Corral Hollow Road – east side of Corral Hollow Road fronting 350 N. Corral Hollow Road, starting from 285 feet north of Cypress Drive, heading north 375 feet to the end of the landscaping

Zone 42 Located at south side of W. Grant Line Road, north of Byron Road and west of S. Lammers Road

Arterial Street Landscaping

Grant Line – Center median and south side from east to west of complex

Zone 43 Located east of MacArthur Drive and north of Valpico Road

Arterial Street Landscaping

Tract 3290 (Ventana) – Ongoing maintenance, servicing and operation of the landscaping improvements within the public right-of-ways, to be installed in connection with this development

Channel Way with Arterial Landscaping

Located in Zone 1

Central Avenue – From Silkwood Lane, west to Tracy Boulevard (channel way in front of the Sycamore Village apartments); Central Avenue channel along the eastern side of the Sycamore Village apartments

Transit Corridor – Bike path to face of curb**;** from Silkwood lane west to Tracy Blvd in front of the Sycamore Apartments

Located in Zone 3

Grant Line Road – East side from Grant Line Road to the I-205 freeway right-of-way, approximately 1,600 linear feet; east side from Grant Line Road, north to I-205 (no mow), weed down as needed

Orchard Parkway – West side of Orchard Parkway from Lowell Avenue to Grant Line Road

Vivian Lane/Rita Way – From south end of Vivian Lane, heading north past Rita Way to Lowell Avenue

Lowell Avenue – North side of Lowell Avenue to Orchard Parkway

Transit Corridor (bike path to face of curb) – East side of Corral Hollow Road from Grant Line Road to I-205; Orchard Parkway shrubs; Orchard Parkway, west side from Lowell Avenue to Grant Line Road; Vivian Lane/Rita Way from rail road tracks, south of Vivian Lane, north to Lowell Avenue; north side of Lowell Avenue, west to Orchard Parkway

Located in Zone 7

From edge of property to bike path – North side of Cypress Drive from Corral Hollow Road to Lauriana lane; east side of Lauriana Lane from Cypress Drive to Schulte Road; north side of Schulte Road from Lauriana Lane, east to the rail road tracks

Transit Corridor (bike path to face of curb) – Starting at the rail road tracks on Schulte Road west of Sycamore Parkway, heading west to Lauriana Lane, then on Lauriana, then west on Cypress Drive to Corral Hollow Road

Located in Zone 9

From edge of property to bike path – North side of Schulte Road channel way from railroad tracks to Sycamore Parkway; east side of Sycamore

Parkway from Schulte Road, south to Windham Drive; south side of Central Avenue from Tracy Boulevard to Sycamore Parkway; east side of Windham Drive, south from Sycamore Parkway to Cherry Blossom

Transit Corridor (bike path to face of curb) – From Cherry Blossom, north to Sycamore Parkway on the east side, north to Schulte Road then west to rail road tracks; Central Avenue from Tracy Boulevard, west to Sycamore Parkway; north side of Schulte Road from Sycamore Parkway, west to Lauriana Lane

Located in Zone 10

MacArthur Drive – Landscaped channel way, east side from 11th Street overpass, north to driveway at 2020 MacArthur Drive-edge of property to bike path; non-landscaped channel area, east side from driveway at 2020 MacArthur Drive to Grant Line Road, north to Pescadero Road; I-205, west to rail road tracks west of MacArthur

Pescadero Avenue – Starting from the east driveway of the Outlet Mall, heading east 835 feet to the curve, then heading north 975 feet to the curve, then west 2,080 feet, ending at MacArthur Drive; starting from the south side of Pescadero Avenue from the east driveway of the Outlet Mall, heading south 2,550 feet to Grant Line Road; starting on the eastern edge of the property at 800 Grant Line Road, heading south 485 feet, then picking back up on the south side of the rail road tracks and heading south 950 feet to MacArthur Drive (Channel way is approximately 50 feet wide)

Transit Corridor (bike path to face of curb) – East side of MacArthur Drive from the 11th Street overpass, north to 1820 MacArthur Drive

Located in Zone 12

Naglee Detention Basin – Around fence line to bottom of the berm; entrance on Naglee Road, northwest side of Auto Plaza Drive

Park and Ride Lot – Transit corridor Park & Ride

Located in Zone 26

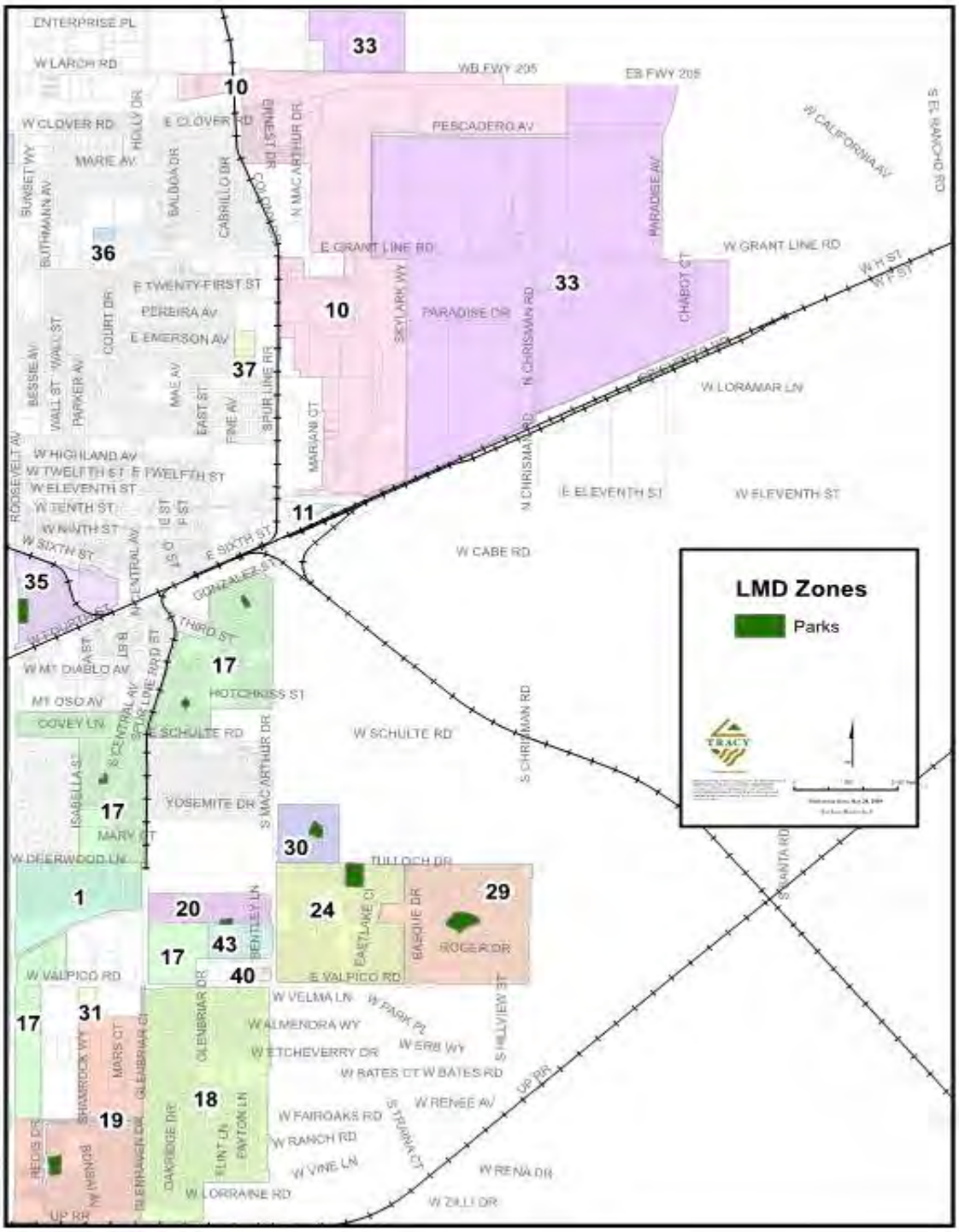
From edge of property to bike path – West side of Corral Hollow Road from Cypress Drive, north to Krohn Road; end of channel way from Krohn Road, 300 feet west to DB-V Detention Basin;

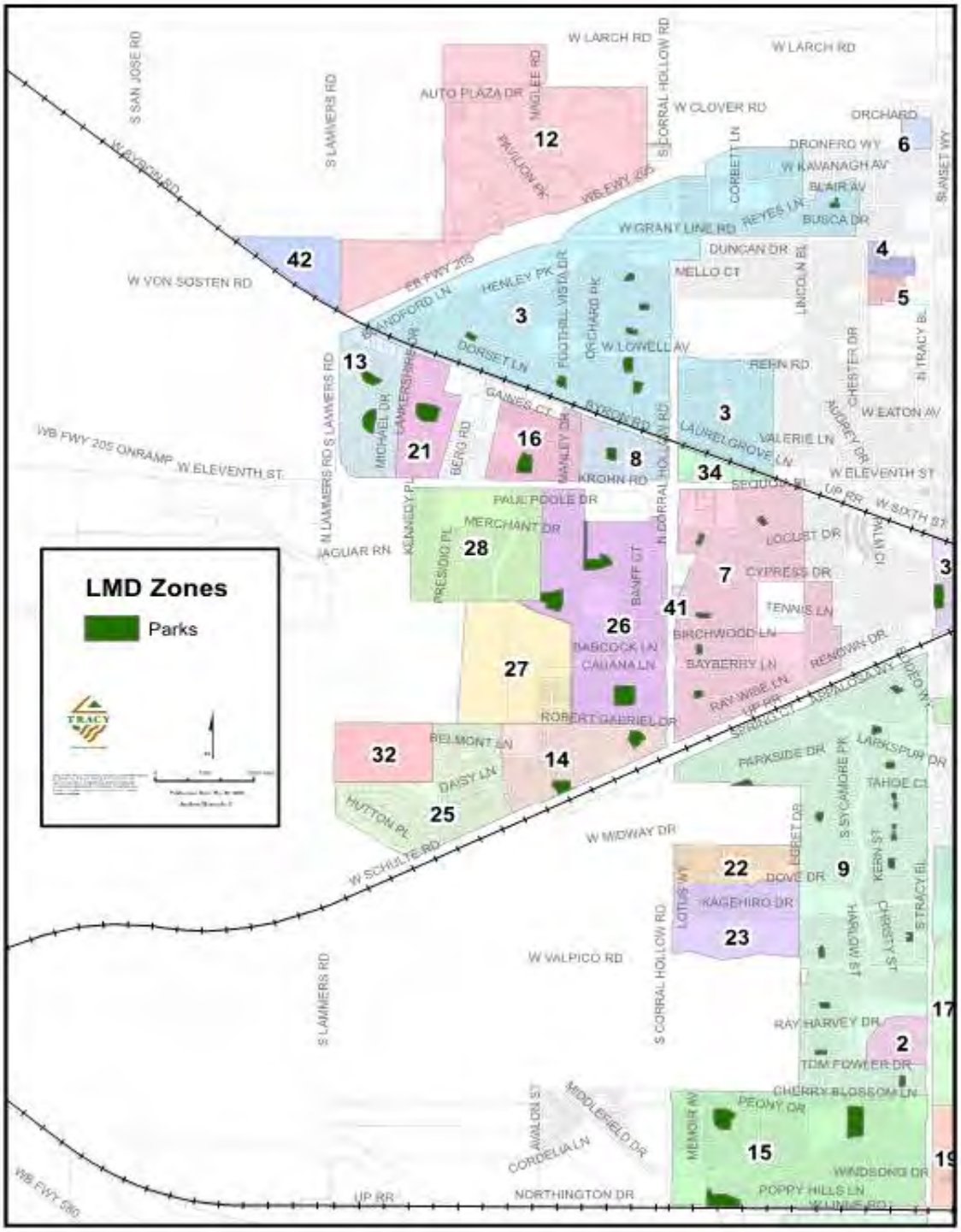
Placentia Fields Channel Way (General Fund Channel Way) – North of Cypress Drive towards 11th Street, then east to the end of the channel way

Transit Corridor (bike path to face of curb) – West side of Corral Hollow Road from Cypress Drive, north to Krohn Road

APPENDIX B – CONSOLIDATED LANDSCAPE MAINTENANCE MAP

A Diagram showing the District and Zone boundaries is on the following page.




LMD Zones
Parks
W LARCH RD
S SAN JOSE RD
S LAMMERS RD
AUTO PLAZA DR
MIGLEE RD
S CORRAL HOLLOW RD
W CLOVER RD
ORCHARD
DRONERO WY
W KAVANAGH AV
BLAIR AV
BUSCA DR
SUNSET WY
CORBETT LN
REYES LN
W GRANT LINE RD
DUNCAN DR
MELLO CT
LINCOLN BL
CHESTER DR
N TRACY BL
W VON SOSTEN RD
EB FWY 205
HENLEY PK
FOOTHILL VISTA DR
ORCHARD PK
W LOWELL AV
DORSET LN
GAINES CT
BYRON RD
KERN RD
AUDREY DR
W EATON AV
VALERIE LN
LAUREL GROVE LN
WB FWY 205 ONRAMP
W ELEVENTH ST
MICHAEL DR
LAMMERSHIRE DR
BERG RD
MANLEY DR
KRONN RD
SEQUOIA CT
UP RR
W SIXTH ST
JAGUAR RN
KENNEDY PL
PAUL POOLE DR
MERCHANT DR
PRESIDIO PL
BANFF CT
N CORRAL HOLLOW RD
LOCUST DR
CYPRESS DR
TENNIS LN
BIRCHWOOD LN
BAYBERRY LN
RENOWN DR
RAY WISE LN
BABCOCK LN
CALIANA LN
ROBERT GABRIEL DR
SPANOS PK W
ARGONAUT DR
PARKSIDE DR
LARKSPUR DR
TAHOE CT
S SYCAMORE PK
KERN ST
S TRACY BL
LOBERT DR
W MIDWAY DR
W SCHULTE RD
DAISY LN
HUTTON PL
BELMONT LN
DOVE DR
KAGEHIRO DR
LOTUS WY
THROUGH ST
CHERRY ST
W VALPICO RD
S CORRAL HOLLOW RD
S LAMMERS RD
RAY HARVEY DR
TOM FOWLER DR
CHERRY BLOSSOM LN
PEGGY DR
MEMORY AV
AVALON ST
MIDDLEFIELD DR
CORDELIA LN
WINDSONG DR
POPPY HILLS LN
NORTHINGTON DR
WB FWY 580
UP RR
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APPENDIX C – ASSESSMENT ROLL

The assessment set forth for each parcel is shown on the Assessment Roll for the District, submitted separately, as "Assessment Roll for the City of Tracy, Consolidated Landscape Maintenance District, Fiscal Year 2021-22", which exhibit is incorporated by reference herein as Appendix C under separate cover, and is on file in the Office of the City Clerk.

The Assessment Roll lists all parcels within the boundaries of the District as shown on the Assessment Diagram, Part D herein, and on the last equalized roll of the Assessor of the County of San Joaquin, which is by reference made part of this report.

A list of names and addresses of the owners of all parcels within this District is shown on the last equalized Property Tax Roll of the Assessor of the County of San Joaquin, which by reference is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the office of the City Clerk of the City of Tracy.

RESOLUTION _____

APPROVING THE ENGINEER'S REPORT REGARDING THE PROPOSED LEVY AND COLLECTION OF ASSESSMENTS FOR THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT, PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR FISCAL YEAR 2021/2022 AND DIRECT THE FINANCE DIRECTOR TO MAKE APPROPRIATE BUDGET ADJUSTMENTS TO REFLECT 2021/2022 ENGINEER'S REPORT

WHEREAS, The City Council, pursuant to provisions of the *Landscaping and Lighting Act of 1972 (commencing with Section 22500), Part 2, Division 15, of the California Streets and Highways Code* (hereinafter referred to as the "Act"), did by previous Resolution, order the preparation of the Fiscal Year 2021/2022 Engineer's Report for the Tracy Consolidated Landscape Maintenance District (hereinafter referred to as the "District"), and

WHEREAS, Said Engineer's Report was filed with the City Clerk of the City of Tracy, and upon review of the Report, the City Council had, by resolution, declared its intention to levy and collect assessments within the District for Fiscal Year 2021/2022, and fixed July 6, 2021 as the public hearing date to accept public comment and testimony regarding the District and proposed assessments in accordance with *Section 22624 of Chapter 3 of Part 2 of Division 15 of the California Streets and Highways Code,* and

WHEREAS, This City Council has examined and reviewed the Report as presented, and is satisfied with the description of the District, the Zones and improvements identified therein, each of the budget items and documents as set forth, and is satisfied that the proposed assessments have been spread proportionately in accordance with the special benefit each property receives from the improvements, operation, maintenance and services to be performed, as set forth in the Report or as modified by Council action and incorporated herein, and

WHEREAS, The Engineer's Report was completed and finalized after adoption of the City's Fiscal Year 2021/2022 Budget and minor adjustments are required to reconcile the Budget and Engineer's Report;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby resolves, orders and determines as follows:

1. The above recitals are true and correct.

2. The Engineer's Report as previously presented or as modified by direction of the City Council shall consist of the following:

    a) A sufficient description of the territory and properties within the District, the Zones therein and the improvements and services to be provided.

    b) The Annual Budgets associated with the various improvements and services provided by the District (an estimate of the costs and expenses required for the operation and maintenance of the improvements within the various Zones of the District).

c) An Assessment Rate per benefit unit and description of the Method of Apportionment sufficient to calculate the proportional special benefit assessment to be applied to each parcel for Fiscal Year 2021/2022, and identification of the maximum assessment rates that may be applied to properties within each Zone of the District, and Assessment Roll identifying the special benefit assessment proposed for each assessed parcel within the District.

3. The Report as presented or as modified by City Council action is hereby approved. Said Report as presented or as modified is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

4. Amend the City's budget for Fiscal Year 2021/2022 as evidence in the Annual LMD Engineers Report.

5. The City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation and final approval of the Report.

* * * * * * * * * * * * * *

The foregoing Resolution _____was adopted by the City Council of the City of Tracy on the 6th day of July, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

RESOLUTION _____

ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR 2021/2022

WHEREAS, The City Council pursuant to provisions of the *Landscaping and Lighting Act of 1972 (commencing with Section 22500) Part 2, Division 15 of the California Streets and Highways Code* (hereinafter referred to as the "Act"), did by previous Resolution, initiate proceedings for the levy and collection of assessments against lots and parcels within the Tracy Consolidated Landscape Maintenance District (hereinafter referred to as the "District") for Fiscal Year 2021/2022, and

WHEREAS, Harris & Associates (the Assessment Engineer for the District) has prepared and filed the District Engineer's Report for Fiscal Year 2021/2022 with the City Clerk pursuant to *Section 22623* of the Act, and said report has been presented to the City Council, and is incorporated herein by reference, and

WHEREAS, The City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2021 and ending June 30, 2022, to pay the costs and expenses of operating, maintaining and servicing landscaping and appurtenant facilities located within the District;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby resolves, orders, determines and certifies as follows:

1. The above recitals are true and correct.

2. Following notice duly given, the City Council has held a full and fair Public Hearing regarding a Resolution approving or amending the Report prepared in connection herewith, the levy and collection of assessments, and considered all oral and written statements, protests and communications made or filed by interested persons.

3. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds, determines, and certifies that:

    a) The land within the District will receive special benefit by the operation, maintenance and servicing of landscaping and appurtenant facilities within the boundaries of the District.

    b) The District includes all of the land receiving such benefit.

    c) The net amount to be assessed upon the lands within the District has been apportioned by a formula and method which fairly distributes the net amount among the eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2021 and ending June 30, 2022.

    d) The proposed special benefit assessments calculated and apportioned for Fiscal Year 2021/2022 are consistent with the previously adopted Rate and Method approved by the property owners within the District in accordance with the provisions of the California Constitution Articles XIIIC and XIIID, and meet the requirements of Proposition 218.

e) The assessments are in accordance with *Article 4 of Chapter 1 of Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22565*, in connection with the proposed levy and collection of assessments related thereto.

f) The assessments to be levied are without regard to property valuation.

4. The Report and assessments as presented to the City Council and on file with the City Clerk are hereby confirmed as filed.

5. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements including turf, ground cover, shrubs and trees, irrigation systems, water features, channel way landscape, and all appurtenant facilities related thereto or that may be authorized pursuant to the provisions of the Act.

6. The County Auditor of San Joaquin County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

7. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the Tracy Consolidated Landscape Maintenance District, and such money shall be expended only for the maintenance, operation and servicing of the landscaping, parks and appurtenant facilities as described in the Report.

8. The adoption of this resolution constitutes the District levy for the fiscal year commencing July 1, 2021 and ending June 30, 2022.

9. The City Clerk or their designee is hereby authorized and directed to file the levy with the County Auditor upon adoption of this resolution.

* * * * * * * * * * * * * *

The foregoing Resolution _____ was adopted by the City Council of the City of Tracy on the 6th day of July, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 3.B

REQUEST

INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3.08.580 REGARDING SPECIAL SPEED ZONES OF THE TRACY MUNICIPAL CODE TO UPDATE SPEED LIMITS AS REQUIRED BY THE CALIFORNIA VEHICLE CODE

EXECUTIVE SUMMARY

To allow the Police Department to enforce posted traffic speed on streets with use of radar equipment, it is necessary to establish speed limits in accordance with the requirements of the California Vehicle Code (CVC). The CVC requires completion of engineering and traffic surveys to establish posted speeds once every five years. Staff has recently completed engineering and traffic surveys to update speed limits on 18 arterial and collector streets in accordance with the CVC and California Manual of Uniform Traffic Control Devices (CAMUTCD) and recommends introducing an ordinance to amend special speed zones outlined in Section 3.08.580 of the Tracy Municipal Code.

DISCUSSION

The use of radar equipment is one of the most effective tools for enforcing speed limits and traffic safety on City streets. To allow the Police Department to fully utilize the equipment, it is necessary to establish speed limits in accordance with the requirements of the California Vehicle Code (CVC). In order to legally use radar equipment for speed enforcement, engineering and traffic surveys are needed to establish posted speeds once every five years.

Section 3.08.580, Article 12, of the Tracy Municipal Code (TMC) establishes speed zones on various streets in the City. The speed limit on streets is established on the basis of engineering and traffic surveys and the applicable traffic engineering standards. Speed limits in the vicinity of schools are posted in accordance with the requirements of the CVC and Caltrans Traffic Manual. Since these surveys are good for a period of five years, the amendment to the municipal code is necessary after every five years to update these surveys resulting in update of posted speeds.

An engineering and traffic survey was completed on a total of 33 segments of arterial and collector streets segments by the Engineering Division. This survey will update the posted speeds and provide the basis for the proposed amendments of the municipal code; thus resulting in continuation of special speed zones with updated speed limits on the street segments listed in Attachment A. It should be noted that the CVC provides very specific rules that must be employed to legally establish speed limits which can be enforced by radar. Subsequent discussion in this report will summarize those rules.

This update to the City's traffic code will establish radar enforceable speed limit zones for arterial and collector streets including: Brookview Drive, Buthmann Avenue, Central Avenue, Corral Hollow Road, Dominique Drive, Fourth Street, Grant Line Road, International Parkway, Joe Pombo Parkway, Lammers Road, Larch Road, MacArthur Drive, Paradise Avenue, Paradise Road, Schulte Road, Sequoia Boulevard, Sixth Street, and Valpico Road.

The results of the speed survey recommend that existing speed limits on 3 street segments will be changed with the update of section 3.08.580 of the TMC and the posted speed on remaining streets segments remain unchanged.

The following table lists the proposed changes on 3 street segments:

Street	Segment	Previously Established	Newly Established	Change
International Parkway	Berkeley Road to Schulte Road	40	45	5 mph up
Schulte Road	International Parkway to Hansen Road	40	45	5 mph up
Sequoia Boulevard	Alden Glen Drive to Beechnut Avenue	25	30	5 mph up

The recommendations are based upon the 85th percentile speed of surveyed moving vehicles on those streets with consideration given to the existing road site conditions such as street alignment, classification, collisions, etc. The CVC allows further adjustment of the surveyed speed based upon the above conditions. The research indicates that posting speeds lower than the closest 85th percentile speed does not lower the speed of motorists.

The Police Department has reviewed the surveys and concurs with the proposed speed limits. A copy of the proposed Ordinance Amendment is provided as Attachment C. Attachment D provides an update of the TMC section 3.08.580 special speed zone table.

A copy of all engineering and traffic surveys certified as correct by the City Engineer will be maintained in the Engineering Division files with a duplicate copy on file with the Police Department.

It is observed that the some of the surveyed segments were a part of longer segments of the roadways listed in the Tracy Municipal Code for radar enforcement. In order to differentiate the speed limits on the surveyed segments, it is necessary to add the partial segments separately and delete the larger segments. It is also necessary to update the street names of few segments in the Tracy Municipal Code. This will avoid confusion in establishing the speed limit signs for the various roadway segments and assist in better speed enforcement.

Therefore, the following 21 roadway segments are recommended to be added to the ordinance for radar enforcement:

Street	Segment	Previously Established	Newly Established	Change
Buthmann Avenue	Grant Line Road to Kavanagh Avenue	25	25	No Change
Buthmann Avenue	Kavanagh Avenue to Clover Road	25	25	No Change

Central Avenue	Tracy Boulevard to Schulte Road	30	30	No Change
Central Avenue	Schulte Road to Mount Diablo Avenue	30	30	No Change
Corral Hollow Road	Eleventh Street to Lowell Avenue	40	40	No Change
Corral Hollow Road	Lowell Avenue to Grant Line Road	40	40	No Change
Corral Hollow Road	Parkside Drive to Schulte Road	40	40	No Change
Eleventh Street	East Street to Beginning of Bridge	35	35	No Change
Grant Line Road	West City Limits/Byron Road to I-205	40	40	No Change
Grant Line Road	I-205 to Corral Hollow Road	40	40	No Change
Grant Line Road	MacArthur Drive to Skylark Avenue	45	45	No Change
Grant Line Road	Skylark Avenue to Chrisman Road	45	45	No Change
Grant Line Road	Chrisman Road to East City Limits	45	45	No Change
International Parkway	Berkeley Road to Schulte Road	40	45	5 mph up
International Parkway	I-205 to Berkeley Road	45	45	No Change
Joe Pombo Parkway	Bridle Creek Drive to Grant Line Road	35	35	No Change
Joe Pombo Parkway	Lowell Avenue to Bridle Creek Drive	35	35	No Change
Paradise Road	Grant Line Road to Chrisman Road	40	40	No Change
Schulte Road	International Parkway to Hansen Road	40	45	5 mph up
Sixth Street	Tracy Boulevard to Central Avenue	30	30	No Change
Sixth Street	Central Avenue to MacArthur Drive	30	30	No Change

The following 17 roadway segments are recommended to be removed from the ordinance for radar enforcement to avoid duplication of road segments:

Street	Segment	Previously Established	Newly Established	Change
Buthmann Avenue	Grant Line Road to Clover Road			Delete
Central Avenue	Tracy Boulevard to Mount Diablo Avenue			Delete
Corral Hollow Road	Grant Line Road to Eleventh Street			Delete
Corral Hollow Road	Eleventh Street to Parkside Drive			Delete
Eleventh Street	East Street to east City limits			Delete
Grant Line Road	MacArthur Drive to East City Limits			Delete
Grant Line Road	West City Limits/Byron Road to Corral Hollow Road			Delete
Grant Line Road	West City Limits to Corral Hollow Road			Delete
Joe Pombo Parkway	Lowell Avenue to Grant Line Road			Delete
Lammers Road	Montgomery Lane to Bryon Road			Delete
Lammers Road	Schulte Road to Eleventh Street (City Limits)			Delete
Mountain House Parkway	Schulte Road (old) to Berkeley Road			Delete
Mountain House Parkway	Berkeley Road to I-205 (City Limits)			Delete
Paradise Avenue	Grant Line Road to Chrisman Road			Delete
Schulte Road	Corral Hollow Road to west City limits (along RR tracks)			Delete
Schulte Road	Mountain House Parkway to Hansen Road			Delete
Sixth Street	Tracy Boulevard to MacArthur Drive			Delete

FISCAL IMPACT

Enforcement of speed limits is a budgeted item and is the Police Department's responsibility. Signing and striping changes as the result of speed changes will be performed by Public Works staff. The costs associated with signing and striping will be absorbed within the existing traffic striping and signage operation budget.

STRATEGIC PLAN

This agenda item supports the City of Tracy's Quality of Life Strategic Priority, which is to provide an outstanding quality of life by enhancing the City's amenities, business mix and services and cultivating connections to promote positive change and progress in our community.

RECOMMENDATION

That City Council introduce and waive the full reading of an ordinance amending Section 3.08.580, "Special Speed Zones," of Chapter 3.08 "Traffic Regulations" of the City of Tracy Municipal Code to update speed limits as required by the California Vehicle Code.

Prepared by: Anju Pillai, PE, Senior Civil Engineer

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Development Services Director
Don Scholl, Public Works Director
Sekou Millington, Police Chief
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

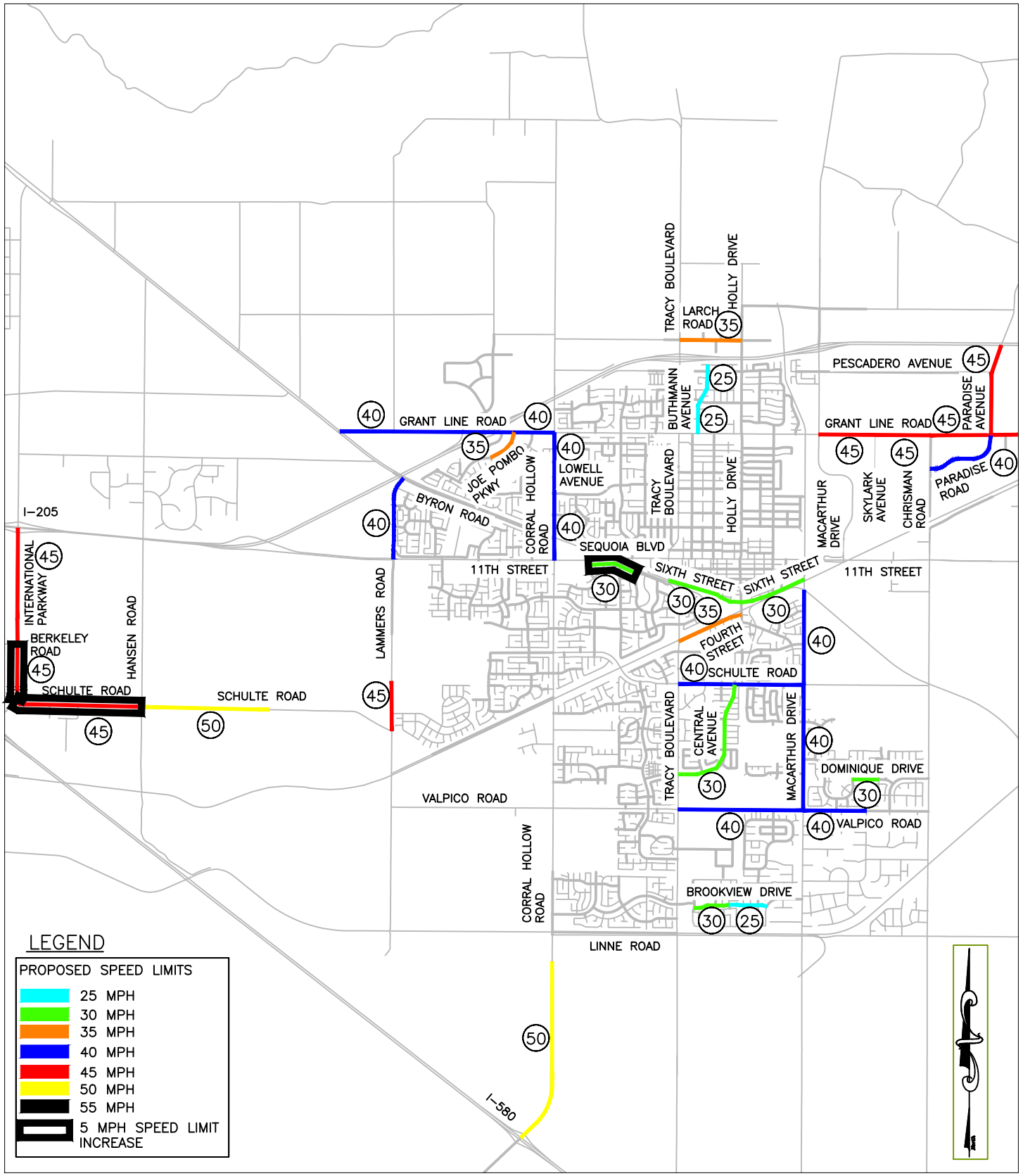
ATTACHMENTS

Attachment A – Speed Survey Locations
Attachment B – Speed Survey Map
Attachment C – Ordinance
Attachment D – TMC Section Special Speed Zone Table 2020
Attachment E – Speed Zone Report December 2020

ATTACHMENT A						
SR. NO.	**SEGMENT**	**FROM**	**TO**	**PREVIOUSLY ESTABLISHED SPEED LIMIT**	**85TH PERCENTILE SPEED**	**PROPOSED SPEED**
1	BROOKVIEW DRIVE	REIDS WAY	GLENBROOK DRIVE	25	32	25
2	BROOKVIEW DRIVE	REGIS DRIVE	REIDS WAY	30	36	30
3	BUTHMANN AVENUE	GRANT LINE ROAD	KAVANAGH AVENUE	25	32	25
4	BUTHMANN AVENUE	KAVANAGH AVENUE	CLOVER ROAD	25	32	25
5	CENTRAL AVENUE	TRACY BLVD.	SCHULTE ROAD	30	37	30
6	CORRAL HOLLOW ROAD	S/O LINNE ROAD	I-580	50	57	50
7	CORRAL HOLLOW ROAD	ELEVENTH STREET	LOWELL AVENUE	40	45	40
8	CORRAL HOLLOW ROAD	LOWELL AVENUE	GRANT LINE ROAD	40	45	40
9	DOMINIQUE DRIVE	EASTLAKE CIRCLE	ELLISAGARY DRIVE	30	37	30
10	FOURTH STREET	TRACY BLVD.	CENTRAL AVENUE	35	40	35
11	GRANT LINE ROAD	WEST CITY LIMITS	I-205	40	45	40
12	GRANT LINE ROAD	I-205	CORRAL HOLLOW ROAD	40	43	40
13	GRANT LINE ROAD	MACARTHUR DRIVE	SKYLARK AVENUE	45	48	45
14	GRANT LINE ROAD	SKYLARK AVENUE	CHRISMAN ROAD	45	51	45
15	GRANT LINE ROAD	CHRISMAN ROAD	EAST CITY LIMITS	45	52	45
16	INTERNATIONAL PARKWAY	BERKELEY ROAD	SCHULTE ROAD	40	50	45
17	INTERNATIONAL PARKWAY	I-205	BERKELEY ROAD	45	51	45
18	JOE POMBO PARKWAY	BRIDLE CREEK DR	GRANT LINE ROAD	35	38	35
19	LAMMERS ROAD	ELEVENTH STREET	BYRON ROAD	40	47	40

EXHIBIT A						
SR. NO.	**SEGMENT**	**FROM**	**TO**	**PREVIOUSLY ESTABLISHED SPEED LIMIT**	**85TH PERCENTILE SPEED**	**PROPOSED SPEED**
20	LAMMERS ROAD	CL at REDBRIDGE	SCHULTE ROAD	45	52	45
21	LARCH ROAD	HOLLY DRIVE	TRACY BLVD.	35	39	35
22	MACARTHUR DRIVE	SPRR TRACKS	SCHULTE ROAD	40	47	40
23	MACARTHUR DRIVE	VALPICO ROAD	SCHULTE ROAD	40	47	40
24	PARADISE ROAD	GRANT LINE ROAD	CHRISMAN ROAD	40	45	40
25	PARADISE AVENUE	NORTH CITY LIMITS	GRANT LINE ROAD	45	51	45
26	SCHULTE ROAD	TRACY BLVD.	MACARTHUR DRIVE	40	46	40
27	SCHULTE ROAD	HANSEN ROAD	EAST CITY LIMITS	50	57	50
28	SCHULTE ROAD	INTERNATIONAL PARKWAY	HANSEN ROAD	40	50	45
29	SEQUOIA BLVD.	ALDEN GLEN DRIVE	BEECHNUT AVENUE	25	36	30
30	SIXTH STREET	TRACY BLVD.	CENTRAL AVENUE	30	37	30
31	SIXTH STREET	CENTRAL AVENUE	MACARTHUR DRIVE	30	37	30
32	VALPICO ROAD	MACARTHUR DRIVE	FAIROAKS DRIVE	40	47	40
33	VALPICO ROAD	TRACY BLVD.	MACARTHUR DRIVE	40	45	40

ATTACHMENT B



TRACY
Think Inside the Triangle

TRAFFIC SPEED SURVEY
UPDATE 2020
EXHIBIT B

DESIGNED BY	ET
DRAWN BY	ET
CHECKED BY	AP
SCALE	NTS

REVISIONS

SYMBOL	DATE	DESCRIPTION	APPROVED

SHEET
1
OF 1 SHEET

CITY OF TRACY

APPROVED FOR CONSTRUCTION SUBJECT TO THE DATA SHOWN. CITY OF TRACY AND THE UNDERSIGNED ARE NOT RESPONSIBLE FOR ERRORS AND/OR OMISSION THAT MAY BE PRESENT ON THESE PLANS.

ROBERT ARMIJO CITY ENGINEER DATE:

ATTACHMENT C

ORDINANCE _____

AMENDING SECTION 3.08.580 (SPECIAL SPEED ZONES) OF CHAPTER 3.08 (TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY) OF THE TRACY MUNICIPAL CODE

WHEREAS, The use of radar equipment is one of the most effective tools for enforcing speed limits and traffic safety on City streets, and

WHEREAS, Subsection (c) of California Vehicle Code section 40803 provides that evidence of conducting a speed zone survey within the last five years to establish the prima facie speed for a local street or road shall constitute a prima facie case that such local street or road is not a speed trap for the purposes of radar enforcement, and

WHEREAS, City staff completed an Engineering & Traffic survey in December 2020, and

WHEREAS, The survey shows prima facie speed limits for certain street portions as set forth below, and

WHEREAS, It is observed that the some of the surveyed segments were sub-part of longer segments of the roadway in the Tracy Municipal Code for radar enforcement, and

WHEREAS, In order to differentiate the speed limits on the surveyed segments, it is necessary to add the sub-parts separately and delete the larger segments, and

WHEREAS, It is also necessary to update the street names of few segments in the Tracy Municipal Code, and

NOW THEREFORE, The City Council of the City of Tracy, does ordain as follows:

SECTION 1: Amended Section. Section 3.08.580 of Chapter 3.08 of Title 3 of the Tracy Municipal Code is hereby amended to change the previously established Declared Prima Facie Speed Limit (Miles per Hour) for the below described street portions:

Name of Street and Portion Affected	**Declared Prima Facie Speed Limit** (Miles per Hour)
- **International Parkway** Berkeley Road to Schulte Road	45
- **Schulte Road** International Parkway to Hansen Road	45
- **Sequoia Boulevard** Alden Glen Drive to Beechnut Avenue	30

SECTION 2: Amended Section. Section 3.08.580 of Chapter 3.08 of Title 3 of the Tracy Municipal Code is hereby amended to add the below 21 described street portions and their previously established Declared Prima Facie Speed Limit (Miles per Hour):

Name of Street and Portion Affected	**Declared Prima Facie Speed Limit** (Miles per Hour)
- **Buthmann Avenue** Grant Line Road to Kavanagh Avenue	25
- **Buthmann Avenue** Kavanagh Avenue to Clover Road	25
- **Central Avenue** Tracy Boulevard to Schulte Road	30
- **Central Avenue** Schulte Road to Mount Diablo Avenue	30
- **Corral Hollow Road** Eleventh Street to Lowell Avenue	40
- **Corral Hollow Road** Lowell Avenue to Grant Line Road	40
- **Corral Hollow Road** Parkside Drive to Schulte Road	40
- **Eleventh Street** East Street to Beginning of Bridge	35
- **Grant Line Road** West City Limits/Byron Road to I-205	40
- **Grant Line Road** I-205 to Corral Hollow Road	40
- **Grant Line Road** MacArthur Drive to Skylark Avenue	45
- **Grant Line Road** Skylark Avenue to Chrisman Road	45
- **Grant Line Road** Chrisman Road to East City Limits	45
- **International Parkway** Berkeley Road to Schulte Road	45

- **International Parkway** I-205 to Berkeley Road	45
- **Joe Pombo Parkway** Bridle Creek Drive to Grant Line Road	35
- **Joe Pombo Parkway** Lowell Avenue to Bridle Creek Drive	35
- **Paradise Road** Grant Line Road to Chrisman Road	40
- **Schulte Road** International Parkway to Hansen Road	45
- **Sixth Street** Tracy Boulevard to Central Avenue	30
- **Sixth Street** Central Avenue to MacArthur Drive	30

SECTION 3: Amended Section. Section 3.08.580 of Chapter 3.08 of Title 3 of the Tracy Municipal Code is hereby amended to delete the below 17 street sections to avoid duplication of street segments:

Name of Street and Portion Affected	**Declared Prima Facie Speed Limit** (Miles per Hour)
- **Buthmann Avenue** Grant Line Road to Clover Road	25
- **Central Avenue** Tracy Boulevard to Mount Diablo Avenue	30
- **Corral Hollow Road** Grant Line Road to Eleventh Street	40
- **Corral Hollow Road** Eleventh Street to Parkside Drive	40
- **Eleventh Street** East Street to east City limits	35
- **Grant Line Road** MacArthur Drive to East City Limits	45
- **Grant Line Road** West City Limits/Byron Road to Corral Hollow Road	40

- **Grant Line Road** West City Limits to Corral Hollow Road	40
- **Joe Pombo Parkway** Lowell Avenue to Grant Line Road	35
- **Lammers Road** Montgomery Lane to Byron Road	25
- **Lammers Road** Schulte Road to Eleventh Street (City Limits)	50
- **Mountain House Parkway** Schulte Road (old) to Berkeley Road	40
- **Mountain House Parkway** Berkeley Road to I-205 (City Limits)	45
- **Paradise Avenue** Grant Line Road to Chrisman Road	40
- **Schulte Road** Corral Hollow Road to west City limits (along RR tracks)	45
- **Schulte Road** Mountain House Parkway to Hansen Road	40
- **Sixth Street** Tracy Boulevard to MacArthur Drive	30

SECTION 4: Remaining sections. Except as herein added or changed, the remaining sections of the Tracy Municipal Code, including the Declared Prima Facie Speed Limit (Miles per Hour) for the Portions of Streets not set forth above, shall remain in full force.

SECTION 5: Title, chapter, and section headings. Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of any title, chapter, or section hereof.

SECTION 6: Constitutionality. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7: Effective date. This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 8: Publication. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't Code § 36933.)

* *

The foregoing Ordinance _____ was introduced at a regular meeting of the Tracy City Council on the 6th day of July 2021, and finally adopted on the _____ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Attachment D

3.08.580 Special speed zone Table

Name of Street or Portion Affected	Declared Prima Facie Speed Limit (Miles per Hour)
- Arbor Road	
Holly Drive to MacArthur Drive	40
- Balboa Drive	
Portola Way to Clover Road	25
Portola Way to Kavanagh Avenue	25
- Barcelona Drive	
Cypress Drive to Schulte Road	25
- Beechnut Avenue	
Sequoia Boulevard to Tracy Boulevard	30
- Beverly Place	
Lincoln Boulevard to Tracy Boulevard	25
- Brichetto Road	
Chrisman Road to east City limits	50
- Brookview Drive	
Regis Drive to Reids Way	30
Reids Way to Glenbrook Drive	25
- Buthmann Avenue	
Grant Line Road to Kavanagh Avenue	25
Kavanagh Avenue to Clover Road	25
- Byron Road	
Corral Hollow Road to Lammers Road	45
- Central Avenue	
Sycamore Parkway to Tracy Boulevard	35
Tracy Boulevard to Schulte Road	30
Schulte Road to Mount Diablo Avenue	30
Mount Diablo Avenue to Fourth Street	25
Fourth Street to Eleventh Street	25
Mount Diablo Avenue to Eleventh Street	25

- Chester Drive	
Eaton Avenue to Lowell Avenue	25
- Chrisman Road	
Valpico Road to north City limits	50
Grant Line Road to Paradise Avenue	40
Paradise Avenue to RR Tracks (south of Paradise Ave)	40
- Clover Road	
West City limits to Holly Drive	25
- Corral Hollow Road	
Parkside Drive to Schulte Road	40
Eleventh Street to Lowell Avenue	40
Lowell Avenue to Grant Line Road	40
North City limits to Grant Line Road	35
Parkside Drive to Valpico Road (City limits)	40
Schulte Rd to Eleventh St	45
Valpico Road to Linne Road (City limits)	45
I-580 to south City Limits	55
1100’ south of Linne Road to I-580	50
- Crossroads Drive	
Eleventh Street to Gaines Lane	25
Greystone Drive to Eleventh Street	30
- Cypress Drive	
Corral Hollow Road to Summer Lane	30
Hickory Avenue to Corral Hollow Road	25
- Dominique Drive	
Eastlake Circle to Elissagary Drive	30
- Dove Drive/Way	
Sycamore Parkway to Starflower Drive	25
- East Lake Circle	
Crater Place to Lakeview Drive (East side)	25
Crater Place to Lakeview Drive (West side)	25
- East Street	

Grant Line Road to Eleventh Street	30
Eleventh Street to Sixth Street	25
- Eaton Avenue	
Richard Drive to East Street	25
- Eleventh Street	
East Street to Beginning of Bridge	35
Beginning of Bridge to East City Limits	45
Corral Hollow Road to Lincoln Boulevard	35
Lammers Road to Corral Hollow Road	45
Lincoln Boulevard to Tracy Boulevard	30
Tracy Boulevard to East Street	30
West City limits to Lammers Road	55
- Entrada Way	
Grant Line Road to Portola Way	25
- Fabian Road	
Lammers Road to Mamie Anderson Lane	35
- Fourth Street	
Tracy Boulevard to Central Avenue	35
- Glenbriar Drive	
Valpico Road to Glenbriar Circle	30
- Glenbrook Drive	
Brookview Drive to MacArthur Drive	25
- Grant Line Road	
Corral Hollow Road to Tracy Boulevard	40
MacArthur Drive to Skylark Avenue	45
Skylark Avenue to Chrisman Road	45
Chrisman Road to east City Limits	45
Tracy Boulevard to MacArthur Drive	40
West City limits/Byron Road to I-205	40
I-205 to Corral Hollow Road	40
- Hansen Road	
Schulte Road to I-205 (City Limits)	50

- Henley Parkway	
Bridle Creek Drive to Lowell Avenue	35
- Holly Drive	
Clover Road to the north City limits	35
Grant Line Road to Clover Road	30
Eleventh Street to Grant Line Road	25
- International Parkway	
Schulte Road to Berkeley Road	45
Berkeley Road to I-205 (City Limits)	45
- Jackson Avenue	
Crossroads Drive to Jefferson Parkway	25
- Jefferson Parkway	
Eleventh Street to Jackson Avenue	30
- Joe Pombo Parkway	
Lowell Avenue to Bridle Creek Drive	35
Bridle Creek Drive to Grant Line Road	35
- Kavanagh Avenue	
Corral Hollow Road to Tracy Boulevard	25
Tracy Boulevard to Balboa Drive	25
- Lammers Road	
Eleventh Street to Byron Road	40
Eleventh Street to City limits south of Jaguar Run	45
Redbridge Drive to Schulte Road (City limits)	45
- Lankershire Drive	
Montgomery Lane to Byron Road	25
- Larch Road	
Tracy Boulevard to Holly Drive	35
- Lauriana Lane	
Schulte Road to Cypress Avenue	30
- Lincoln Boulevard	
Eleventh Street to Grant Line Road	30
- Linne Road	

West City limits to East City limits	50
- Lowell Avenue	
Blandford Lane to Orchard Parkway	30
Orchard Parkway to Corral Hollow Road	30
Corral Hollow Road to Lincoln Boulevard	30
Lincoln Boulevard to Tracy Boulevard	30
Tracy Boulevard to East Street	25
- MacArthur Drive	
Eleventh Street to I-205 Interchange	40
Fair Oaks Drive to Valpico Road	45
Schulte Road to SPRR Tracks	40
South City limits to Fair Oaks Drive	40
SPRR Tracks to Eleventh Street	35
Valpico to Schulte Road	40
I-205 Interchange to north City limits	40
- Middlefield Drive	
Corral Hollow Road to Whispering Wind Drive	35
Whispering Wind Drive to Peony Drive	25
- Mt. Diablo Avenue	
Tracy Boulevard to Central Avenue	25
Central Avenue to MacArthur Drive	25
- Naglee Road	
Grant Line Road to north City limits	35
- Orchard Parkway	
Lowell Avenue to Grant Line Road	35
- Paradise Avenue	
Grant Line Road to north City limits	45
- Paradise Road	
Grant Line Road to Chrisman Road	40
- Parker Avenue	
Eleventh Street to Grant Line Road	25
- Parkside Drive	

Winter Lane to Corral Hollow Road	30
- Pescadero Avenue	
MacArthur Drive to 2,500' east of MacArthur Drive	35
2,500' east of MacArthur Drive to east City limits	45
- Portola Way	
Balboa Drive to Entrada Way	25
Holly Drive to Entrada Way	25
- Presidio Place	
Jackson Avenue to Compton Place	25
- Richard Drive	
Lincoln Boulevard to Eaton Avenue	25
- Schulte Road	
Barcelona Drive to Mabel Josephine Drive	40
Corral Hollow Road to Barcelona Drive	35
Corral Hollow Road to Tracy Boulevard	40
International Parkway to Hansen Road	45
Hansen Road to east City limit	50
Tracy Boulevard to MacArthur Drive	40
- Sequoia Boulevard	
Alden Glen Drive to Beechnut Avenue	30
- Sixth Street	
Tracy Boulevard to Central Avenue	30
Central Avenue to MacArthur Drive	30
- Starflower Drive	
Corral Hollow Road to Dove Drive/Way	25
- Summer Lane	
Eleventh Street to Brittany Place	25
- Sycamore Parkway	
Tracy Boulevard to Valpico Road	30
Valpico Road to Schulte Road	35
- Tennis Lane	
Corral Hollow Road to Jill Drive	25

Tracy Boulevard to Corral Hollow Road	25
- Tenth Street	
Civic Center Drive to MacArthur Drive	25
Tracy Boulevard to East Street	25
Tracy Boulevard to MacArthur Drive	25
- Third Street	
Central Avenue to Mt. Diablo Avenue	25
- Tracy Boulevard	
Grant Line Road to Larch Road	35
Larch Road to the north City limits	40
Linne Road to Valpico Road	45
Lowell Avenue to Grant Line Road	35
Schulte Road to Sixth Street	40
Sixth Street to Lowell Avenue	35
South City limits to Linne Road	45
Valpico to Schulte Road	45
- Valpico Road	
Fairoaks Drive to east City limits	45
MacArthur Drive to Fairoaks Drive	40
Tracy Boulevard to MacArthur Drive	40
West City limits to Tracy Boulevard	40
-Western Pacific Way	
West City Limits to Corral Hollow Road	50
- Whispering Wind Drive	
St. Regis Drive to Tracy Boulevard	30
Tracy Boulevard to Middlefield Drive	30

The declared prima facie or maximum speed limit shall be effective when appropriate signs giving notice thereof are erected upon the street and shall not thereafter be revised except on the basis of an engineering and traffic survey. The provisions of this section shall not apply in respect to the twenty-five (25) mile per hour prima facie speed limit which is applicable when passing a school building or the grounds thereof

Attachment E

City of Tracy

Engineering & Traffic Survey Report
December 2020

Engineering Division
Development Services Department

I. Index

Sr.No	Item Description	Page
1	Index	1
2	Introduction	2
3	Study Procedures	4
4	Traffic & Engineering Studies	6
5	Engineering & traffic surveys recommendations	7
6	Speed Survey Data Sheets	29

December
2020

Engineering & Traffic Survey Report

II. INTRODUCTION

This report presents the results of Traffic and Engineering Surveys conducted in the year 2020 by and for the City of Tracy. The surveys were conducted to establish safe and reasonable speed limits. The findings of this report will enable the City to justify radar enforcement of speed limits in these roadways, as indicated in Section 40802 of the California Vehicle Code. Segments of the following City streets were investigated:

- Brookview – Reids Way to Glenbrook Drive
- Brookview – Regis Drive to Reids Way
- Buthmann Avenue – Grant Line Road to Kavanagh Avenue
- Buthmann Avenue – Kavanagh Avenue Road to Clover Road
- Central Avenue – Tracy Boulevard to Schulte Road
- Corral Hollow Road – 1100' South of Linne Road to I-580
- Corral Hollow Road – Eleventh Street to Lowell Avenue
- Corral Hollow Road – Lowell Avenue to Grant Line Road
- Domonique Drive – Eastlake Circle Ellisagary Drive
- Fourth Street – Tracy Boulevard to Central Avenue
- Grant Line Road – West City Limits to I-205
- Grant Line Road – I-205 to Corral Hollow Road
- Grant Line Road – MacArthur Drive to Skylark Avenue
- Grant Line Road – Skylark Avenue to Chrisman Road
- Grant Line Road – Chrisman Road to East City Limit
- International Parkway – Berkeley Road to Schulte Road
- International Parkway – I-205 to Berkeley Road
- Joe Pombo Parkway – Bridle Creek Drive to Grant Line Road
- Lammers Road – Eleventh Street to Byron Road
- Lammers Road – CL at Redbridge to Schulte Road
- Larch Road – Holly Drive to Tracy Boulevard
- MacArthur Drive – SPRR Tracks to Schulte Road
- MacArthur Drive – Valpico Road to Schulte Road
- Paradise Road – Grant Line Road to Chrisman Road
- Paradise Avenue – North City Limit to Grant Line Road
- Schulte Road – Tracy Boulevard to MacArthur Drive
- Schulte Road – Hansen Road to East City Limits
- Schulte Road – International Parkway to Hansen Road

- Sequoia Boulevard – Alden Glen Drive to Beechnut Avenue
- Sixth Street – Tracy Boulevard to Central Avenue
- Sixth Street – Central Avenue to MacArthur Drive
- Valpico Road – MacArthur Drive to Fairoaks Drive
- Valpico Road – Tracy Boulevard to MacArthur Drive

III. STUDY PROCEDURES

Section 22352, from the California Vehicle Code requires a 25 mph prima facie speed limit on streets in residential or business district, 15 mph at railroad grade crossings, highway intersections with sight restrictions and in any alley. However, upon the basis of an Engineering and Traffic survey, a local authority may declare speed limits of 30, 35, 40, 45, 50, 55, 60, or a maximum of 65 mph in order to facilitate the orderly movement of traffic. Section 22356 currently sets the maximum speed limit at 65 mph. Also, except as provided in Section 22356, Section 22349 (b) Not withstanding any other provisions of law, no person may drive a vehicle upon a two lane, undivided highway at a speed greater than 55 miles per hour unless that highway, or portion thereof, has been posted for higher speed by local agency on the bases of an engineering and traffic survey. Prima facie speed limits can be posted without the need for engineering and traffic surveys. The required elements in such Engineering and Traffic Survey are outlined in Section 627 of the Code. This report adopts the aforementioned guidelines in formulating the recommendations in this report.

The principle elements in this study of the selected streets are highlighted below:

Radar Check

Each street was divided into segments to account for its differing roadway characteristics. Variations in roadway segments include street width, and other significant geometric factors and constraints. One speed check was made in each section from an inconspicuously parked, unmarked vehicle. Every effort was made to insure that the presence of the vehicle does not affect the driving behavior of other motorists. A minimum of 100 samples or more were taken for each section of major Roadway. All field data was coded onto forms for subsequent computer analysis.

Data Analysis

For each survey section, computer analysis and calculations were performed on the field data to obtain several key parameters. The computer analysis printouts are included in the appendix of this report. A list of these parameters and a brief discussion of each follow:

50th Percentile Speed. The 50th percentile speed is the speed above and below which 50 percent of the sample speeds lie. This is also known as the median or middle speed.

85th Percentile Speed. The 85th percentile speed, or the critical speed, is the speed at or below which 85 percent of the observed vehicles are traveling. Traffic engineers generally consider that at least 85 percent of all motorists will drive at speeds that are reasonable and prudent for the prevailing conditions, without the benefit of posted speed limits, signs, or enforcement. Therefore, the

85th percentile speed is a good preliminary indicator of the appropriate speed limit that can be imposed, after taking into consideration all other secondary factors such as historical collision occurrence, traffic volumes, road features, and other special constraints.

Pace Speed. The pace speed is the ten-mile-per-hour increment that contains the greatest number of observed vehicles. In general, the 85th percentile speed and the recommended speed limit should lie within the upper range of the pace. This parameter is also a good indicator of a reasonable and appropriate speed limit.

Range of Speeds. The range of speeds is simply the speeds of the fastest and slowest vehicles observed. A large range of speeds, say in excess of 30 mph, indicates unfavorable road conditions that lead to inconsistent traffic stream and great likelihood of traffic collisions.

Average speed. The average speed is a simple arithmetic mean of all speeds observed in a single sample.

Collision Review

At this point, a good initial estimate of the appropriate speed limit for each of the street sections has been determined. However, as a first check, it is necessary to validate these estimates by carefully reviewing the historical collision occurrences within the last two years. The location and severity of collision occurrences, of well as their frequency are considered before a final speed limit is recommended for each road section. The intersection related collisions were not included for speed zone study.

Field Check

After performing the radar checks, data analyses, and collision review, a final field check was made. In performing a field check, the driver needs to be fully aware of the aforementioned parameters and particularly cognizant of the 85th percentile speeds and the pace speed. The driver evaluates the appropriateness of these values and notes the significance of other factors such as roadside development, driveways, parked vehicles, emergency shoulder areas, schools and playgrounds, pedestrians, roadway alignment, control, and numerous other intangible factors. These elements are given serious consideration in the determination of a reasonable and safe speed limit.

Reasonable limits are speeds at which motorists would drive without the affects of enforcement of signs. However, it is known that motorists tend to drive faster in residential districts away from their homes that the local residents would prefer.

People are more concerned about traffic speeds in their neighborhood than elsewhere. This is not a tendency to willfully break the law, but rather a reflection of human

behavior. Consequently, unlike multi-lane arterial roadways, where the 85th percentile speed closely approximates the posted speed limit, the 85th percentile speed on local residential streets may be much higher than the legal limit. In fact, it is not uncommon that the majority of the motorists, ever as high as 80 to 90 percent of those observed, travels in excess of the 25 mph prima facie residential speed limit. This fact does not imply that the 25 mph limit is inappropriate; it simply implies that the majority of the motorists are driving imprudently.

Frequent changes of the speed limit over a stretch of roadway need to be avoided in establishing speed limits. Varying the limits over a relatively short length of roadway may also be inappropriate. Speed limits that change every few blocks may accurately reflect prevailing driving conditions on the street, but they do not give the motorist the opportunity to become aware of the lawful limit.

For the reasons mentioned above, the recommendations in this report are made to produce consistency in the speed limits, and are not intended to encourage unsafe speeds.

IV. TRAFFIC AND ENGINEERING STUDIES

The following sections present the findings of the Engineering and Traffic surveys. Each of the roadway segments into which a street is divided is discussed separately, and recommendation on the speed limit is provided at the end of each sub-section. The 85th percentile speed and the recommended speed limits for the surveyed roadways are included.

V. ENGINEERING & TRAFFIC SURVEY RECOMMENDATIONS

- **Brookview Drive**

Reids Way to Glenbrook Drive

This segment of Brookview Drive is a two-lane Eastbound and Westbound major collector road. The segment is approximately 0.30 miles in length and 36-40 feet in width. There are driveways that front the roadway and permitted on street parking. The previously established speed limit in this section is 25 mph.

There were 2 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	22 mph. - 31 mph.
85th percentile speed	32 mph.
50th percentile speed	27 mph.

The 85th percentile speed indicates a speed of 32 mph. The presence of bike lanes, residential area, intersections, curve and driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 25 mph.

The recommended speed limit for this section therefore is 25 mph.

Regis Drive to Reids Way

This segment of Brookview Drive is a two-lane with two-way left-turn lanes Eastbound and Westbound major collector road. The segment is approximately 0.28 miles in length and 40-52 feet in width. There is permitted on street parking and a park area. The previously established speed limit in this section is 30 mph.

There were 2 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	27 mph. - 36 mph.
85th percentile speed	36 mph.
50th percentile speed	32 mph.

The 85th percentile speed indicates a speed of 36 mph. The presence of bike lanes, residential area, intersections, curve, and parks in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 30 mph.

The recommended speed limit for this section therefore is 30 mph.

- **Buthmann Avenue**

Grant Line Road to Kavanagh Avenue

This segment of Buthmann Avenue is a two-lane Northbound and Southbound residential collector. The segment is approximately 0.26 miles in length and 38 feet in width. There are driveways that front the roadway and on street parking. The previously established speed limit in this section is 25 mph.

There were 20 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	23 mph. - 32 mph.
85th percentile speed	32 mph.
50th percentile speed	28 mph.

The 85th percentile speed indicates a speed of 32 mph. The presence of driveways, residential area, and on street parking in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 25 mph.

The recommended speed limit for this section therefore is 25 mph.

Kavanagh Avenue to Clover Road

This segment of Buthmann Avenue is a two-lane Northbound and Southbound residential collector. The segment is approximately 0.25 miles in length and 38 feet in width. There are driveways that front the roadway and on street parking. The previously established speed limit in this section is 25 mph.

There were 20 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	23 mph. - 32 mph.
85th percentile speed	32 mph.
50th percentile speed	27 mph.

The 85th percentile speed indicates a speed of 32 mph. The presence of driveways, residential area, and on street parking in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 25 mph.

The recommended speed limit for this section therefore is 25 mph.

- **Central Avenue**

Tracy Boulevard to Schulte Road

This segment of Central Avenue is a two-lane Northbound and Southbound minor arterial with painted median and left turn lanes. The segment is approximately 1.02 miles in length and 52-54 feet in width. There are bike lanes, and driveways that front the roadway. There is also a school and park in the area. The previously established speed limit in this section is 30 mph.

There were 34 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	29 mph. - 38 mph.
85th percentile speed	37 mph.
50th percentile speed	33 mph.

The 85th percentile speed indicates a speed of 37 mph. The presence of bike lanes, schools, parks, and driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 30 mph.

The recommended speed limit for this section therefore is 30 mph.

- **Corral Hollow Road**

1100' South of Linne Road to I-580

This segment of Corral Hollow is a two-lane Northbound and Southbound major arterial road. The segment is approximately 1.42 miles in length and 26 feet in width. There is no shoulder, narrow width, and curvy road. The previously established speed limit in this section is 50 mph.

There were 36 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	49 mph. - 58 mph.
85th percentile speed	57 mph.
50th percentile speed	53 mph.

The 85th percentile speed indicates a speed of 57 mph. The presence narrow width, no shoulder, and curvy portions in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 50 mph.

The recommended speed limit for this section therefore is 50 mph.

Eleventh Street to Lowell Avenue

This segment of Corral Hollow is a six-lane Northbound and Southbound major arterial road with wide median island. The segment is approximately 0.53 miles in length and 60 feet in width. There are bike lanes, nearby schools, commercial driveways. The previously established speed limit in this section is 40 mph.

There were 138 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	36 mph. - 45 mph.
85th percentile speed	45 mph.
50th percentile speed	40 mph.

The 85th percentile speed indicates a speed of 45 mph. The presence of commercial driveways, schools, bikes lanes in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

Lowell Avenue to Grant Line Road

This segment of Corral Hollow is a six-lane Northbound and Southbound major arterial road with wide median island. The segment is approximately 0.48 miles in length and 72 feet in width. There are bike lanes, nearby schools, commercial driveways. The previously established speed limit in this section is 40 mph.

There were 66 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	34 mph. - 43 mph.
85th percentile speed	45 mph.
50th percentile speed	40 mph.

The 85th percentile speed indicates a speed of 45 mph. The presence of commercial driveways, schools, bikes lanes in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

- **Dominique Drive**

Eastlake Circle to Elissagary Drive

This segment of Dominique drive is a two-lane Eastbound and Westbound residential collector. The segment is approximately 0.21 miles in length and 40 feet in width. There are bike lanes and driveways that front the roadway. The previously established speed limit in this section is 30 mph.

There were 0 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	27 mph. - 36 mph.
85th percentile speed	37 mph.
50th percentile speed	31 mph.

The 85th percentile speed indicates a speed of 37 mph. The presence of bike lanes and driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 30 mph.

The recommended speed limit for this section therefore is 30 mph.

- **Fourth Street**

Tracy Boulevard to Central Avenue

This segment of Fourth Street is a two-lane Eastbound and Westbound major collector. The segment is approximately 0.53 miles in length and 30 feet in width. There are residential driveways that front the roadway and a nearby school. The previously established speed limit in this section is 35 mph.

There were 15 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	31 mph. - 40 mph.
85th percentile speed	40 mph.
50th percentile speed	35 mph.

The 85th percentile speed indicates a speed of 40 mph. The presence of driveways and school area in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 35 mph.

The recommended speed limit for this section therefore is 35 mph.

- **Grant Line Road**

West City Limits to I-205

This segment of Grant Line Road is a six-lane Eastbound and Westbound major arterial road that becomes a two lane rural road. The segment is approximately 1.1 miles in length and 33-108 feet in width. There are commercial driveways, bike lanes, lane mergers in this segment. The previously established speed limit in this section is 40 mph.

There were 175 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	32 mph. - 41 mph.
85th percentile speed	45 mph.
50th percentile speed	39 mph.

The 85th percentile speed indicates a speed of 45 mph. The presence of bike lanes, collisions, lane mergers in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

I-205 to Corral Hollow Road

This segment of Grant Line Road is a six-lane Eastbound and Westbound major arterial road with merging and turning lanes. The segment is approximately 0.42 miles in length and 100 feet in width. There are commercial driveways, bike lanes, lane mergers in this segment. The previously established speed limit in this section is 40 mph.

There were 90 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	32 mph. - 41 mph.
85th percentile speed	43 mph.
50th percentile speed	37 mph.

The 85th percentile speed indicates a speed of 43 mph. The presence of bike lanes, collisions, lane mergers in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

MacArthur Drive to Skylark Avenue

This segment of Grant Line Road is a four-lane Eastbound and Westbound major arterial road two-way left-turn lanes. The segment is approximately 0.41 miles in length and 50 feet in width. This segment has industrial driveways and a fire station. The previously established speed limit in this section is 88 mph.

There were 40 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	37 mph. - 46 mph.
85th percentile speed	48 mph.
50th percentile speed	42 mph.

The 85th percentile speed indicates a speed of 48 mph. The presence of driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 45 mph.

The recommended speed limit for this section therefore is 45 mph.

Skylark Avenue to Chrisman Road

This segment of Grant Line Road is a six-lane Eastbound and Westbound major arterial road with merging/terminating lanes. The segment is approximately 0.47 miles in length and 94 feet in width. This segment has industrial driveways and a fire station. The previously established speed limit in this section is 45 mph.

There were 10 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	42 mph. - 51 mph.
85th percentile speed	51 mph.
50th percentile speed	47 mph.

The 85th percentile speed indicates a speed of 51 mph. The presence of driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 45 mph.

The recommended speed limit for this section therefore is 45 mph.

Chrisman Road to East City Limits

This segment of Grant Line Road is a six-lane Eastbound and Westbound major arterial road that becomes a two lane in county. The segment is approximately 0.72 miles in length and 94 feet in width. The segment has industrial driveways. The previously established speed limit in this section is 45 mph.

There were 21 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	41 mph. - 50 mph.
85th percentile speed	52 mph.
50th percentile speed	46 mph.

The 85th percentile speed indicates a speed of 52 mph. The presence of driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 45 mph.

The recommended speed limit for this section therefore is 45 mph.

- **International Parkway**

  Berkeley Road to Schulte Road

  This segment of International Parkway is a four-lane Northbound and Southbound major arterial road with a median island. The segment is approximately 0.46 miles in length and 76 feet in width. There are industrial driveways along the segment. The previously established speed limit in this section is 40 mph.

  There were 28 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	41 mph. - 50 mph.
85th percentile speed	50 mph.
50th percentile speed	45 mph.

  The 85th percentile speed indicates a speed of 50 mph. The presence of driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit changes to 45 mph.

  The recommended speed limit for this section therefore is 45 mph.

  I-205 to Berkeley Road

  This segment of International Parkway is a two-lane Northbound and Southbound major arterial road with a portion of striped median island. The segment is approximately 0.91 miles in length and 36 feet in width. There are industrial driveways along the segment. The previously established speed limit in this section is 45 mph.

  There were 22 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	42 mph. – 51 mph.
85th percentile speed	51 mph.
50th percentile speed	47 mph.

  The 85th percentile speed indicates a speed of 45 mph. The presence of driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit changes to 45 mph.

  The recommended speed limit for this section therefore is 45 mph.

- **Joe Pombo Parkway**

  Grant Line Road to Bridle Creek Drive

  This segment of Grant Line Road is a two-lane Northbound and Southbound collector. The segment is approximately 0.29 miles in length and 51 feet in width. There are bike lanes and a curve on the roadway. The previously established speed limit in this section is 35 mph.

  There were 20 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	31 mph. - 40 mph.
85th percentile speed	38 mph.
50th percentile speed	34 mph.

  The 85th percentile speed indicates a speed of 38 mph. The presence of bike lanes and a curve justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 35 mph.

  The recommended speed limit for this section therefore is 35 mph.

- **Lammers Road**

  Eleventh Street to Byron Road

  This segment of Lammers Road is a two-lane Northbound and Southbound major arterial road. The segment is approximately 0.66 miles in length and 39 feet in width. There are bike lanes, collision history, curves present in the intersection. The previously established speed limit in this section is 40 mph.

  There were 47 reported collisions on this roadway from October 2017 to October 2020.

  10 mph pace speed 38 mph. - 47 mph.
  85th percentile speed 47 mph.
  50th percentile speed 43 mph.

  The 85th percentile speed indicates a speed of 47 mph. The presence of bike lanes, collision history, and curves on this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

  The recommended speed limit for this section therefore is 40 mph.

  City Limits at Redbridge to Schulte Road

  This segment of Lammers Road is a two-lane Northbound and Southbound major arterial road. The segment is approximately 0.38 miles in length and 20 feet in width. There is a nearby school to the segment. The previously established speed limit in this section is 45 mph.

  There were 8 reported collisions on this roadway from October 2017 to October 2020.

  10 mph pace speed 43 mph. - 52 mph.
  85th percentile speed 52 mph.
  50th percentile speed 48 mph.

  The 85th percentile speed indicates a speed of 52 mph. The presence of a nearby school on this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 45 mph.

  The recommended speed limit for this section therefore is 45 mph.

- **Larch Road**

  Holly Drive to Tracy Blvd

  This segment of Larch Road is a two-lane Eastbound and Westbound major collector road. The segment is approximately 0.49 miles in length and 37 feet in width. There are industrial driveways along this segment. The previously established speed limit in this section is 35 mph.

  There were 30 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	30 mph. - 39 mph.
85th percentile speed	39 mph.
50th percentile speed	35 mph.

  The 85th percentile speed indicates a speed of 35 mph. The presence of industrial driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 35 mph.

  The recommended speed limit for this section therefore is 35 mph.

- ***MacArthur Drive***

SPRR Tracks to Schulte Road

This segment of MacArthur Drive is a two-lane Northbound and Southbound major arterial road. The segment is approximately 0.75 miles in length and 28 to 36 feet in width. There are residential driveways and bike lanes along the segment. The previously established speed limit in this section is 40 mph.

There were 20 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	39 mph. - 48 mph.
85th percentile speed	47 mph.
50th percentile speed	43 mph.

The 85th percentile speed indicates a speed of 47 mph. The presence of bike lanes and driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

Valpico Road to Schulte Road

This segment of MacArthur Drive is a four-lane Northbound and Southbound major arterial road. The segment is approximately 1 mile in length and 64-96 feet in width. There are bike lanes and residential driveways along the segment. The previously established speed limit in this section is 40 mph.

There were 38 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	38 mph. - 47 mph.
85th percentile speed	47 mph.
50th percentile speed	43 mph.

The 85th percentile speed indicates a speed of 47 mph. The presence of bike lanes and driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

- ***Paradise Road***

  Grant Line Road to Chrisman Road

  This segment of Paradise Road is a two-lane Northbound and Southbound major collector. The segment is approximately 0.62 miles in length and 60 feet in width. There are industrial driveways along the roadway. The previously established speed limit in this section is 40 mph.

  There were 15 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	36 mph. - 45 mph.
85th percentile speed	45 mph.
50th percentile speed	40 mph.

  The 85th percentile speed indicates a speed of 45 mph. The presence of driveways on this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

  The recommended speed limit for this section therefore is 40 mph.

- ***Paradise Avenue***

  North City Limits to Grant Line Road

  This segment of Paradise Avenue is a two-lane Northbound and Southbound major collector. The segment is approximately 0.77 miles in length and 33-60 feet in width. There are industrial driveways along the roadway The previously established speed limit in this section is 45 mph.

  There were 14 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	40 mph. - 49 mph.
85th percentile speed	51 mph.
50th percentile speed	46 mph.

  The 85th percentile speed indicates a speed of 51 mph. The presence of driveways on this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 45 mph.

  The recommended speed limit for this section therefore is 45 mph.

- ***Schulte Road***

  Tracy Boulevard to MacArthur Drive

  This segment of Schulte Road is a four-lane Eastbound and Westbound major arterial road that merges into a two lane road. The segment is approximately 1 mile in length and 56-72 feet in width. There are bike paths, driveways on the roadway. The previously established speed limit in this section is 40 mph.

  There were 47 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	35 mph. - 44 mph.
85th percentile speed	46 mph.
50th percentile speed	41 mph.

  The 85th percentile speed indicates a speed of 46 mph. The presence of driveways, bike paths in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

  The recommended speed limit for this section therefore is 40 mph.

  Hansen Road to East City Limits

  This segment of Schulte Road is a two-lane Eastbound and Westbound major arterial road. The segment is approximately 0.45 miles in length and 24 feet in width. There are driveways along the roadway. The previously established speed limit in this section is 50 mph.

  There were 13 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	48 mph. - 57 mph.
85th percentile speed	57 mph.
50th percentile speed	53 mph.

  The 85th percentile speed indicates a speed of 57 mph. The presence of driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 50 mph.

  The recommended speed limit for this section therefore is 50 mph.

International Parkway to Hansen Road

This segment of Schulte Road is a four-lane Eastbound and Westbound major arterial road with a stripped median island. The segment is approximately 1.02 miles in length and 40 to 48 feet in width. There are driveways along the roadway. The previously established speed limit in this section is 40 mph.

There were 45 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	40 mph. - 49 mph.
85th percentile speed	50 mph.
50th percentile speed	45 mph.

The 85th percentile speed indicates a speed of 50 mph. The presence of driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit changes to 45 mph.

The recommended speed limit for this section therefore is 45 mph.

- **Sequoia Boulevard**

  Alden Glen Drive to Beechnut Avenue

  This segment of Sequoia Boulevard is a two-lane Eastbound and Westbound residential collector road. The segment is approximately 0.41 miles in length and 36-40 feet in width. There are residential driveways, on street parking, and curves on the roadway. The previously established speed limit in this section is 25 mph.

  There were 9 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	27 mph. - 36 mph.
85th percentile speed	36 mph.
50th percentile speed	32 mph.

  The 85th percentile speed indicates a speed of 36 mph. The presence of residential driveways, on street parking, and curves on this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit changes to 30 mph.

  The recommended speed limit for this section therefore is 30 mph.

- **Sixth Street**

Tracy Boulevard to Central Avenue

This segment of Sixth Street is a two-lane Eastbound and Westbound collector. The segment is approximately 0.58 miles in length and 36 feet in width. There are residential areas, on street parking, and curves on the roadway. The previously established speed limit in this section is 30 mph.

There were 11 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	29 mph. - 38 mph.
85th percentile speed	37 mph.
50th percentile speed	34 mph.

The 85th percentile speed indicates a speed of 37 mph. The presence of residential areas, on street parking, and curves in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 30 mph.

The recommended speed limit for this section therefore is 30 mph.

Central Avenue to MacArthur Drive

This segment of Sixth Street is a two-lane Eastbound and Westbound collector. The segment is approximately 0.52 miles in length and 36 feet in width. There are residential driveways, on street parking, plaza, and curves on the roadway. The previously established speed limit in this section is 30 mph.

There were 18 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	28 mph. - 37 mph.
85th percentile speed	37 mph.
50th percentile speed	33 mph.

The 85th percentile speed indicates a speed of 37 mph. The presence of residential driveways, on street parking, and curves in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 30 mph.

The recommended speed limit for this section therefore is 30 mph.

- **Valpico Road**

MacArthur Drive to Fairoaks Drive

This segment of Valpico Road is a two-lane Eastbound and Westbound minor arterial road with a two-way left-turn lane. The segment is approximately 0.5 miles in length and 45 feet in width. There are residential driveways and bike lanes on the segment. The previously established speed limit in this section is 40 mph.

There were 17 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	38 mph. - 47 mph.
85th percentile speed	47 mph.
50th percentile speed	43 mph.

The 85th percentile speed indicates a speed of 47 mph. The presence of bike lanes and driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

Tracy Boulevard to MacArthur Drive

This segment of Valpico Road is a two-lane Eastbound and Westbound arterial road. The segment is approximately 0.95 miles in length and 32 to 60 feet in width. There are bike lanes and portions of residential and industrial subdivisions on the roadway. The previously established speed limit in this section is 40 mph.

There were 22 reported collisions on this roadway from October 2017 to October 2020.

10 mph pace speed	36 mph. - 45 mph.
85th percentile speed	45 mph.
50th percentile speed	40 mph.

The 85th percentile speed indicates a speed of 45 mph. The presence of bike lanes and driveways in this segment justifies the downgrading of the 85th percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remains at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

VI. SPEED SURVEY DATA SHEETS

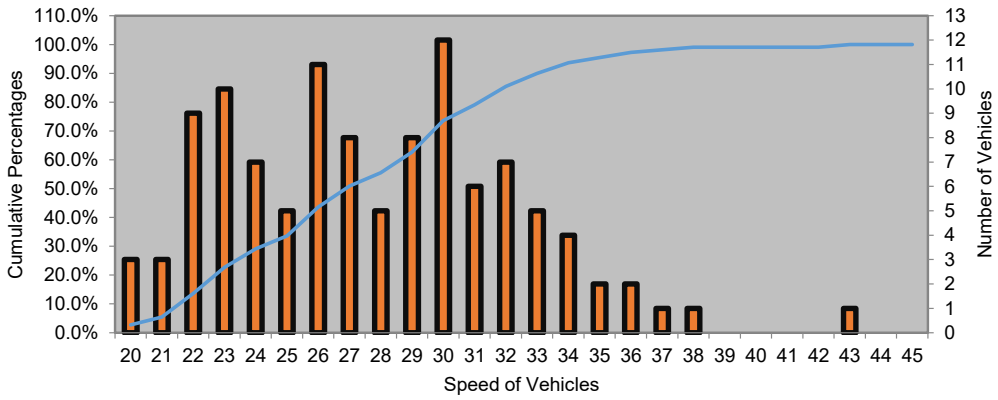
VEHICLE SPEED SURVEY REPORT

Location:	Brookview Drive between Glenbrook Drive and Reids Way		
Date:	9/3/2020	Recorder:	ET
Begin Time:	9:30 AM	Direction:	EB/WB
End Time:	11:30 AM	Land use:	Residential
Day:	Thursday	Type:	Major Collector
Weather:	Sunny and Clear	Posted Limit:	25

SUMMARY STATISTICS

Total Observed (vehicles)	110		50th Percentile (mph)	27
Speed Range (mph)	20	43	85th Percentile (mph)	32
10 Mph Pace (mph)	22	31	Average Speed (mph)	27.72

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 2 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Major collector, Curve (0.30 Mi, 36'-40')
Volume (if known)	
Parking Considerations	Parking permitted in portion of this segment
Other Considerations	Park, Intermediate intersections, park area

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 32 MPH
Presence of bikelane, residential area, intersections curve and collisions in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 25 MPH

DATA COLLECTED	
Speed	Samples
20	3
21	3
22	9
23	10
24	7
25	5
26	11
27	8
28	5
29	8
30	12
31	6
32	7
33	5
34	4
35	2
36	2
37	1
38	1
39	0
40	0
41	0
42	0
43	1
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	110

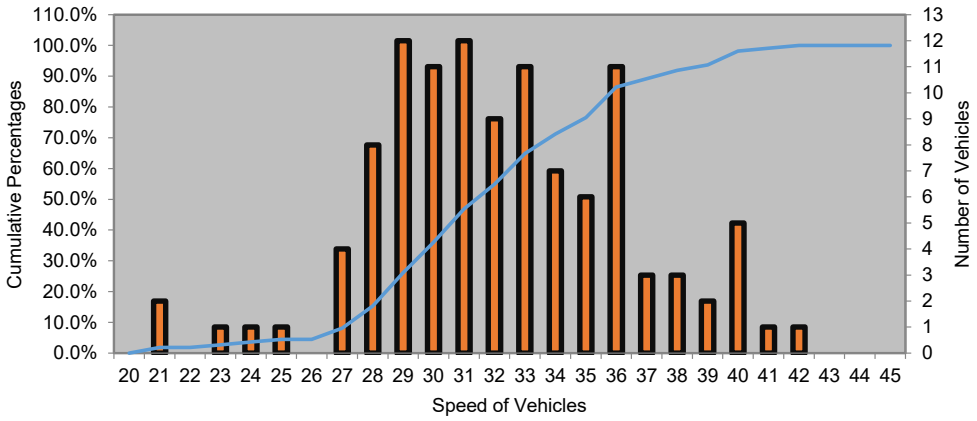
VEHICLE SPEED SURVEY REPORT

Location:	Brookview Drive between Reids Way and Regis Drive		
Date:	9/3/2020	Recorder:	ET
Begin Time:	1:30 PM	Direction:	EB/WB
End Time:	2:40 PM	Land use:	Residential
Day:	Thursday	Type:	Major Collector
Weather:	Sunny and Clear	Posted Limit:	30

SUMMARY STATISTICS

Total Observed (vehicles)	111		50th Percentile (mph)	32
Speed Range (mph)	21	42	85th Percentile (mph)	36
10 Mph Pace (mph)	27	36	Average Speed (mph)	32.23

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 2 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane with TWLTL, Residential Area (0.28 Mi, 40'-52')
Volume (if known)	
Parking Considerations	Parking permitted in this segment
Other Considerations	Bike Lane, Park Area, Residential subdivisions, Pedestrian cross

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 36 MPH
Presence of bike lanes, intersections, park collisions, and curve in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 30 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	2
22	0
23	1
24	1
25	1
26	0
27	4
28	8
29	12
30	11
31	12
32	9
33	11
34	7
35	6
36	11
37	3
38	3
39	2
40	5
41	1
42	1
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	111

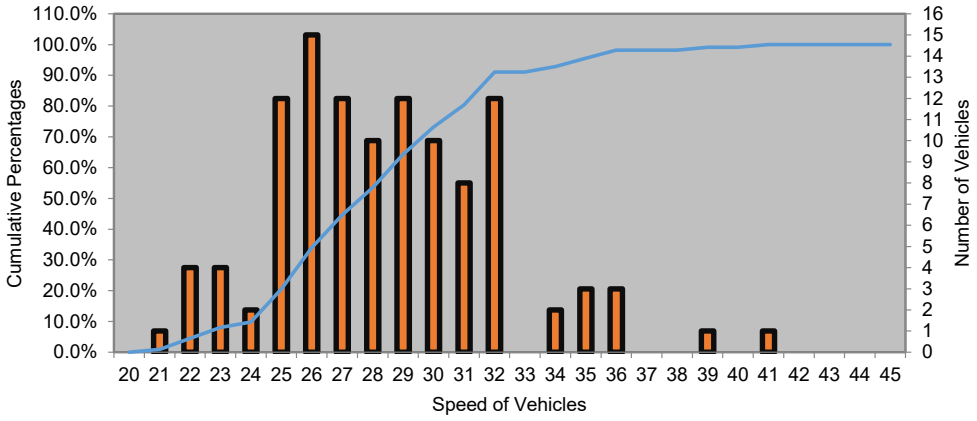
VEHICLE SPEED SURVEY REPORT

Location:	Buthmann Ave between Grant Line Road and Kavanagh Ave		
Date:	9/22/2020	Recorder:	ET
Begin Time:	9:20 AM	Direction:	NB/SB
End Time:	11:00 AM	Land use:	Resdiential
Day:	Tuesday	Type:	Residential Collector
Weather:	Sunny and Clear	Posted Limit:	25

SUMMARY STATISTICS

Total Observed (vehicles)	112		50th Percentile (mph)	28
Speed Range (mph)	21	41	85th Percentile (mph)	32
10 Mph Pace (mph)	23	32	Average Speed (mph)	28.43

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 20 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane residential collector roadway (0.26 Mi, 38')
Volume (if known)	
Parking Considerations	Parking permitted in this segment
Other Considerations	Residential driveways, intermediate intersections,

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 32 MPH
Presence of driveways, residential area, intersections curve and collisions in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 25 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	1
22	4
23	4
24	2
25	12
26	15
27	12
28	10
29	12
30	10
31	8
32	12
33	0
34	2
35	3
36	3
37	0
38	0
39	1
40	0
41	1
42	0
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	112

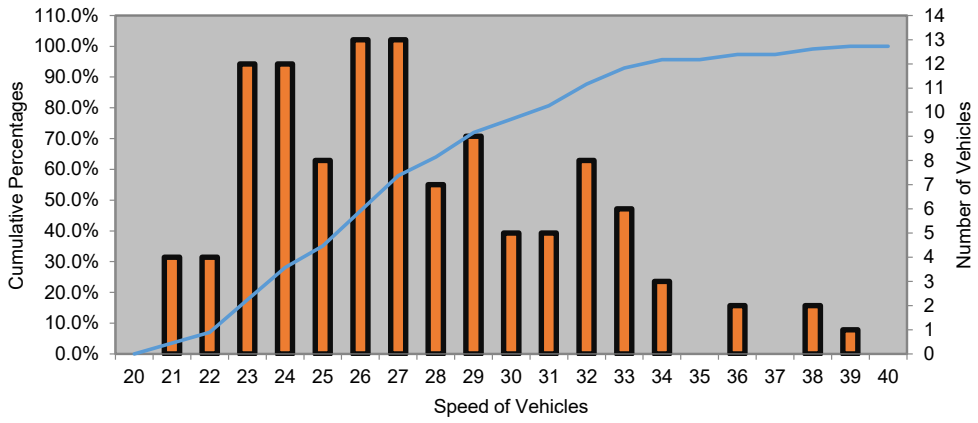
VEHICLE SPEED SURVEY REPORT

Location:	Buthmann Avenue between Kavanagh Ave and Clover Rd		
Date:	9/22/2020	Recorder:	ET
Begin Time:	1:20 PM	Direction:	NB/SB
End Time:	3:10 PM	Land use:	Residential
Day:	Tuesday	Type:	Collector
Weather:	Sunny and Clear	Posted Limit:	25

SUMMARY STATISTICS

Total Observed (vehicles)	114		50th Percentile (mph)	27
Speed Range (mph)	21	39	85th Percentile (mph)	32
10 Mph Pace (mph)	23	32	Average Speed (mph)	27.46

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 9 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane residential collector roadway (0.25 Mi, 38')
Volume (if known)	
Parking Considerations	Parking permitted in this segment
Other Considerations	Residential driveways, intermediate intersections,

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 32 MPH
Presence of driveways, residential area, intersections curve and collisions in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 25 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	4
22	4
23	12
24	12
25	8
26	13
27	13
28	7
29	9
30	5
31	5
32	8
33	6
34	3
35	0
36	2
37	0
38	2
39	1
40	0
41	0
42	0
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	114

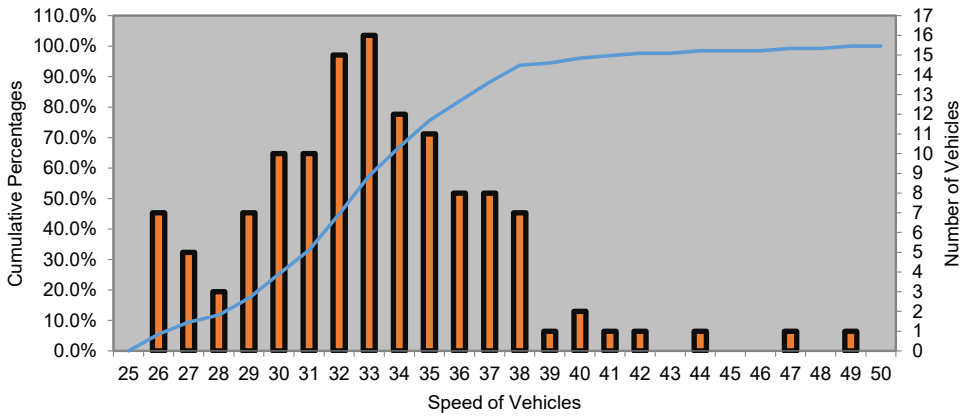
VEHICLE SPEED SURVEY REPORT

Location:	Central Avenue between Schulte Road and Tracy Blvd.		
Date:	9/23/2020	Recorder:	ET
Begin Time:	9:20 AM	Direction:	NB/SB
End Time:	10:30 AM	Land use:	Residential
Day:	Wednesday	Type:	Minor Arterial
Weather:	Sunny and Clear	Posted Limit:	30

SUMMARY STATISTICS

Total Observed (vehicles)	127		50th Percentile (mph)	33
Speed Range (mph)	26	49	85th Percentile (mph)	37
10 Mph Pace (mph)	29	38	Average Speed (mph)	33.13

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 34 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	2 Lane Arterial painted median, Curve, (1.02 Mi, 52'-54')
Volume (if known)	
Parking Considerations	Parking permitted in certain areas
Other Considerations	Driveways, School Zone, Park, Curve, Merging, bike lane

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 37 MPH
Presence of residential driveways, intersections, collisions parking, school and park in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 30 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	7
27	5
28	3
29	7
30	10
31	10
32	15
33	16
34	12
35	11
36	8
37	8
38	7
39	1
40	2
41	1
42	1
43	0
44	1
45	0
46	0
47	1
48	0
49	1
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	127

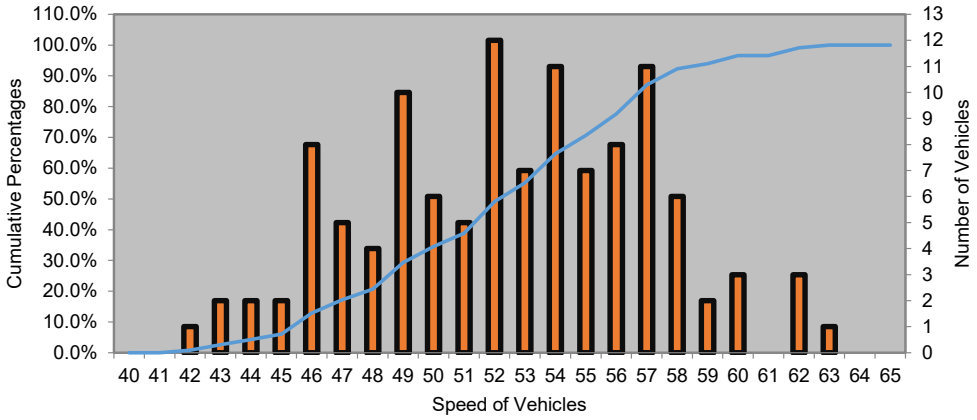
VEHICLE SPEED SURVEY REPORT

Location:	Corral Hollow Road between 1100' South of Linne and I-580		
Date:	10/1/2020	Recorder:	ET
Begin Time:	1:45 PM	Direction:	NB/SB
End Time:	2:30 PM	Land use:	Agricultural
Day:	Thursday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	50

SUMMARY STATISTICS

Total Observed (vehicles)	116		50th Percentile (mph)	53
Speed Range (mph)	42	63	85th Percentile (mph)	57
10 Mph Pace (mph)	49	58	Average Speed (mph)	52.50

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 36 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Major Arterial, Curve, (1.42 Mi, 26')
Volume (if known)	
Parking Considerations	Rural Area, No parking
Other Considerations	No Shoulder, Curve, Narrow Width

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 57 MPH
Presence of curve, low shoulder, narrow bridges collisions and trucks in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 50 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
34	0
35	0
36	0
37	0
38	0
39	0
40	0
41	0
42	1
43	2
44	2
45	2
46	8
47	5
48	4
49	10
50	6
51	5
52	12
53	7
54	11
55	7
56	8
57	11
58	6
59	2
60	3
61	0
62	3
63	1
64	0
65	0
Total	116

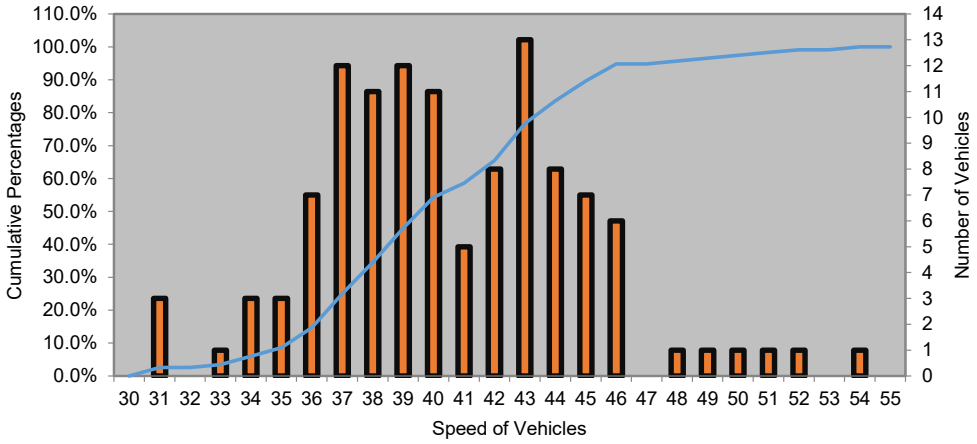
VEHICLE SPEED SURVEY REPORT

Location:	Corral Hollow Road between Eleventh Street and Lowell Avenue		
Date:	10/20/2020	Recorder:	ET
Begin Time:	10:05 AM	Direction:	NB/SB
End Time:	11:00 AM	Land use:	Residential
Day:	Tuesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	116		50th Percentile (mph)	40
Speed Range (mph)	31	54	85th Percentile (mph)	45
10 Mph Pace (mph)	36	45	Average Speed (mph)	40.53

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



Number of Accidents	Total 138 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	6-lane major arterial with median island(0.53 Mi, 70')
Volume (if known)	
Parking Considerations	No Parking permitted in this segment
Other Considerations	Major Retail Area, Senior Care facility, Bike Lane, school

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 45 MPH
Presence of bike lanes, intersections, school, collisions, and lane merges in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	3
32	0
33	1
34	3
35	3
36	7
37	12
38	11
39	12
40	11
41	5
42	8
43	13
44	8
45	7
46	6
47	0
48	1
49	1
50	1
51	1
52	1
53	0
54	1
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	116

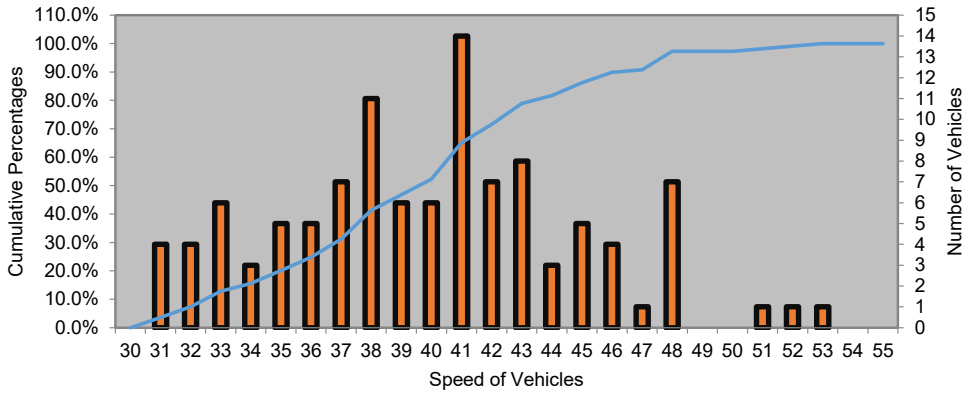
VEHICLE SPEED SURVEY REPORT

Location:	Corral Hollow Road between Lowell Avenue and Grant Line Road		
Date:	10/20/2020	Recorder:	ET
Begin Time:	1:35 PM	Direction:	NB/SB
End Time:	2:40 PM	Land use:	Residential
Day:	Tuesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	109		50th Percentile (mph)	40
Speed Range (mph)	31	53	85th Percentile (mph)	45
10 Mph Pace (mph)	34	43	Average Speed (mph)	39.91

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 66 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	4 lane major arterial with median island(0.48 Mi, 72')
Volume (if known)	
Parking Considerations	No Parking permitted in this segment
Other Considerations	School frontage, Bike Lane, residential driveway

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 45 MPH
Presence of bike lanes, intersections, school collisions, and curve in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
19	0
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	4
32	4
33	6
34	3
35	5
36	5
37	7
38	11
39	6
40	6
41	14
42	7
43	8
44	3
45	5
46	4
47	1
48	7
49	0
50	0
51	1
52	1
53	1
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
Total	109

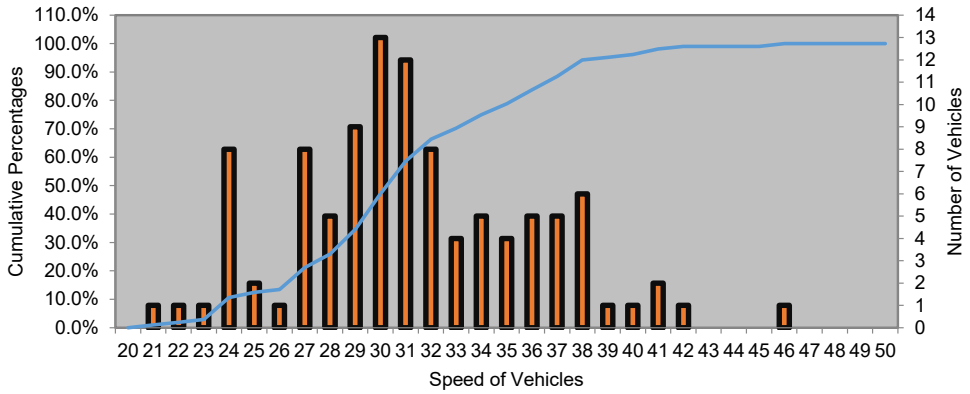
VEHICLE SPEED SURVEY REPORT

Location:	Dominique Drive between Eastlake Circle and Elissagary Drive		
Date:	9/3/2020	Recorder:	ET
Begin Time:	4:30 PM	Direction:	EB/WB
End Time:	5:50 PM	Land use:	Residential
Day:	Thursday	Type:	Residential Collector
Weather:	Sunny and Clear	Posted Limit:	30

SUMMARY STATISTICS

Total Observed (vehicles)	104		50th Percentile (mph)	31
Speed Range (mph)	21	46	85th Percentile (mph)	37
10 Mph Pace (mph)	27	36	Average Speed (mph)	31.28

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 0 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane residential collector roadways(0.21 Mi, 40')
Volume (if known)	
Parking Considerations	parking permitted in this segment
Other Considerations	residential driveways, resdiential area, bike lanes

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 37 MPH
Presence of residential driveways, intersections, collisions parking, and nearby park in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 30 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	1
22	1
23	1
24	8
25	2
26	1
27	8
28	5
29	9
30	13
31	12
32	8
33	4
34	5
35	4
36	5
37	5
38	6
39	1
40	1
41	2
42	1
43	0
44	0
45	0
46	1
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	104

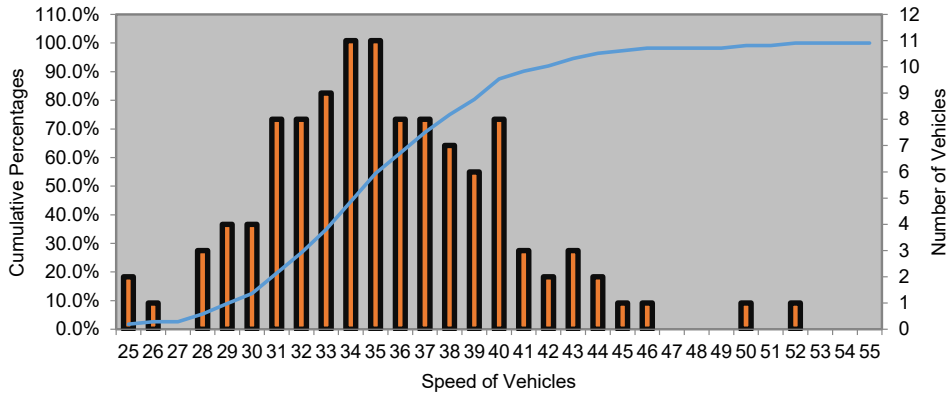
VEHICLE SPEED SURVEY REPORT

Location:	Fourth Street between Tracy Blvd. and Central Avenue		
Date:	9/15/2020	Recorder:	ET
Begin Time:	1:40 PM	Direction:	EB/WB
End Time:	3:30 PM	Land use:	Residential
Day:	Tuesday	Type:	Collector
Weather:	Sunny and Clear	Posted Limit:	35

SUMMARY STATISTICS

Total Observed (vehicles)	112		50th Percentile (mph)	35
Speed Range (mph)	25	52	85th Percentile (mph)	40
10 Mph Pace (mph)	31	40	Average Speed (mph)	35.51

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 15 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Major collector (0.53 Mi, 30')
Volume (if known)	
Parking Considerations	Parking permiited on one side of road
Other Considerations	Intermeidate intersections, Montessori School

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 40 MPH
Presence of bike lanes, intersections, driveways, collisions and no shoulder on one side in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 35 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	2
26	1
27	0
28	3
29	4
30	4
31	8
32	8
33	9
34	11
35	11
36	8
37	8
38	7
39	6
40	8
41	3
42	2
43	3
44	2
45	1
46	1
47	0
48	0
49	0
50	1
51	0
52	1
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	112

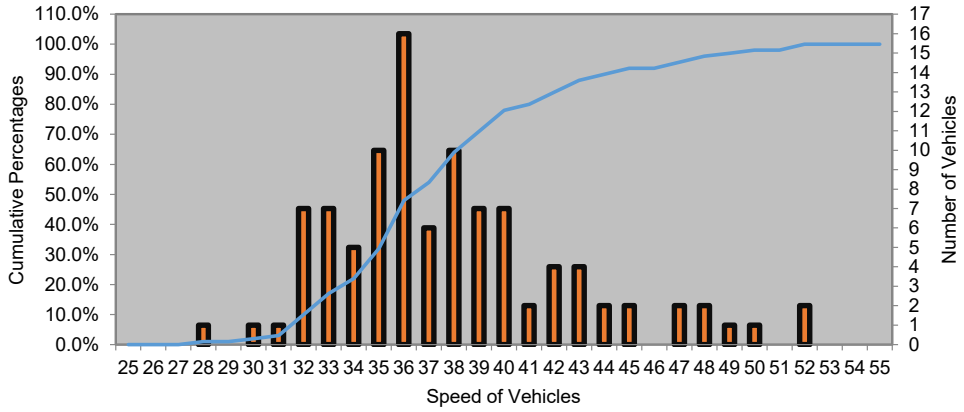
VEHICLE SPEED SURVEY REPORT

Location:	Grant Line Road between I-205 and Corral Hollow Road		
Date:	9/15/2020	Recorder:	ET
Begin Time:	9:35 AM	Direction:	EB/WB
End Time:	11:30 AM	Land use:	Commercial
Day:	Tuesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	100		50th Percentile (mph)	37
Speed Range (mph)	28	52	85th Percentile (mph)	43
10 Mph Pace (mph)	32	41	Average Speed (mph)	37.88

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 90 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	6 Lane Arterial w/merging & turning lane(0.42 Mi, 100')
Volume (if known)	
Parking Considerations	No Parking
Other Considerations	Bike Lane, Commercial Driveways, Weaving of traffic

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 43 MPH
Presence of bike lanes, intersections, driveways collisions, and lane merges in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	1
29	0
30	1
31	1
32	7
33	7
34	5
35	10
36	16
37	6
38	10
39	7
40	7
41	2
42	4
43	4
44	2
45	2
46	0
47	2
48	2
49	1
50	1
51	0
52	2
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	100

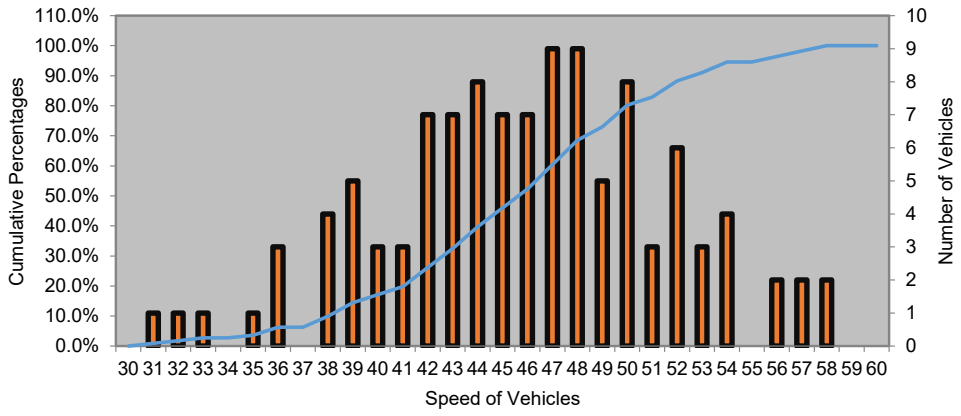
VEHICLE SPEED SURVEY REPORT

Location:	Grant Line Road between Chrisman Rd and East City Limits at Bestbuy		
Date:	9/9/2020	Recorder:	ET
Begin Time:	4:10 PM	Direction:	EB/WB
End Time:	5:20 PM	Land use:	Industrial/Agricultural
Day:	Wednesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	45

SUMMARY STATISTICS

Total Observed (vehicles)	111		50th Percentile (mph)	46
Speed Range (mph)	31	58	85th Percentile (mph)	52
10 Mph Pace (mph)	41	50	Average Speed (mph)	45.90

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 21 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	6 Lane Arterial into two lane in County (0.72 Mi, 94')
Volume (if known)	
Parking Considerations	No parking is permitted
Other Considerations	Adjacant to County Area, merging/turning in the seg

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 52 MPH
Presence of bike lanes, intersections, driveways, trucks collisions, and lane merges in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 45 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	1
32	1
33	1
34	0
35	1
36	3
37	0
38	4
39	5
40	3
41	3
42	7
43	7
44	8
45	7
46	7
47	9
48	9
49	5
50	8
51	3
52	6
53	3
54	4
55	0
56	2
57	2
58	2
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	111

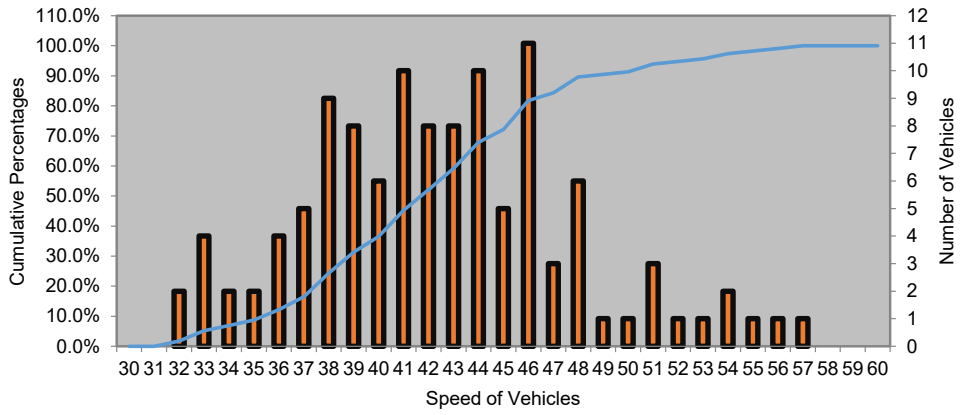
VEHICLE SPEED SURVEY REPORT

Location:	Grant Line Road Between MacArthur Drive and Skylark Avenue		
Date:	9/9/2020	Recorder:	ET
Begin Time:	9:50 AM	Direction:	EB/WB
End Time:	11:05 AM	Land use:	Industrial/Agricultural
Day:	Wednesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	45

SUMMARY STATISTICS

Total Observed (vehicles)	115		50th Percentile (mph)	42
Speed Range (mph)	32	57	85th Percentile (mph)	48
10 Mph Pace (mph)	37	46	Average Speed (mph)	42.43

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 40 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	4 Lane Arterial w/ median & TWLTL (0.41 Mi, 88')
Volume (if known)	
Parking Considerations	No Parking permitted in this segment
Other Considerations	Curve in the roadway, industrial driveways, Fire Station

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 48 MPH
Presence of bike lanes, intersections, driveways, trucks collisions, curve, and fire station in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 45 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	2
33	4
34	2
35	2
36	4
37	5
38	9
39	8
40	6
41	10
42	8
43	8
44	10
45	5
46	11
47	3
48	6
49	1
50	1
51	3
52	1
53	1
54	2
55	1
56	1
57	1
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	115

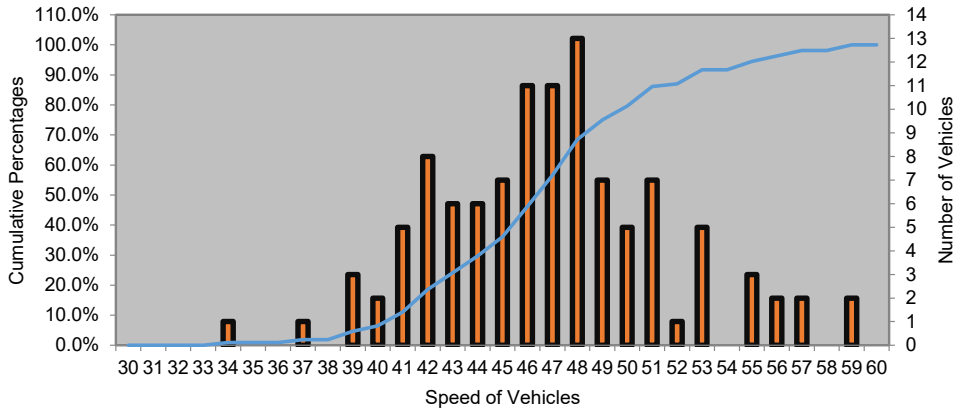
VEHICLE SPEED SURVEY REPORT

Location:	Grant Line Road between Skylark Avenue and Chrisman Road		
Date:	9/9/2020	Recorder:	ET
Begin Time:	11:10 AM	Direction:	EB/WB
End Time:	12:10 PM	Land use:	Industrial/Agricultural
Day:	Wednesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	45

SUMMARY STATISTICS

Total Observed (vehicles)	108		50th Percentile (mph)	47
Speed Range (mph)	34	59	85th Percentile (mph)	51
10 Mph Pace (mph)	42	51	Average Speed (mph)	46.94

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 10 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	6 Lane roadway with merge/terminate lane(0.47 Mi, 94')
Volume (if known)	
Parking Considerations	No parking permited in the segment
Other Considerations	Rural residential driveways, Farming Area, Fire Station

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 51 MPH
Presence of bike lanes, intersections, driveways, trucks collisions, and lane merges in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 45 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
34	1
35	0
36	0
37	1
38	0
39	3
40	2
41	5
42	8
43	6
44	6
45	7
46	11
47	11
48	13
49	7
50	5
51	7
52	1
53	5
54	0
55	3
56	2
57	2
58	0
59	2
60	0
61	0
62	0
63	0
64	0
65	0
Total	108

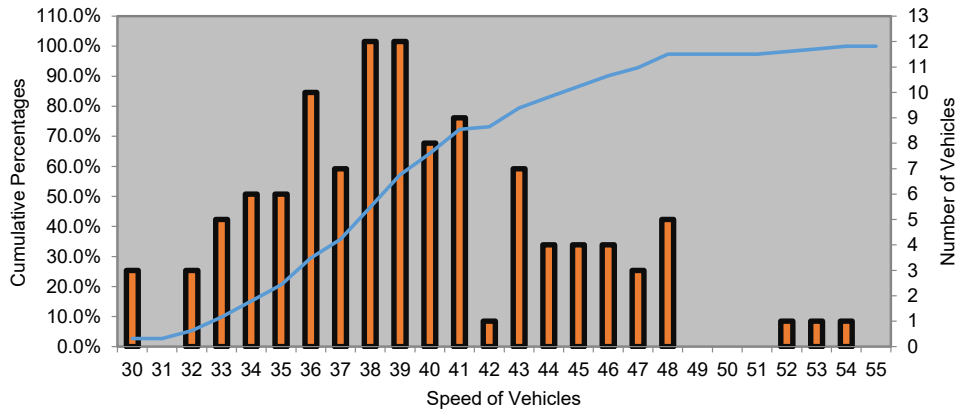
VEHICLE SPEED SURVEY REPORT

Location:	Grant Line Road between West City Limits/Byron Rd and I-205		
Date:	9/16/2020	Recorder:	ET
Begin Time:	9:30 AM	Direction:	EB/WB
End Time:	10:45 AM	Land use:	Commercial/Agricultural
Day:	Wednesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	112		50th Percentile (mph)	39
Speed Range (mph)	30	54	85th Percentile (mph)	45
10 Mph Pace (mph)	32	41	Average Speed (mph)	39.46

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 175 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	6 Lane w/median island to a 2 Lane Rural(1.1 Mi, 33'-108')
Volume (if known)	
Parking Considerations	No parking permitted in this segment
Other Considerations	Bike Lane, intermdiate intersections, driveways, commercial

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 45 MPH
Presence of bike lanes, intersections, driveways, trucks collisions, lane merges, shoulder in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	3
31	0
32	3
33	5
34	6
35	6
36	10
37	7
38	12
39	12
40	8
41	9
42	1
43	7
44	4
45	4
46	4
47	3
48	5
49	0
50	0
51	0
52	1
53	1
54	1
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	112

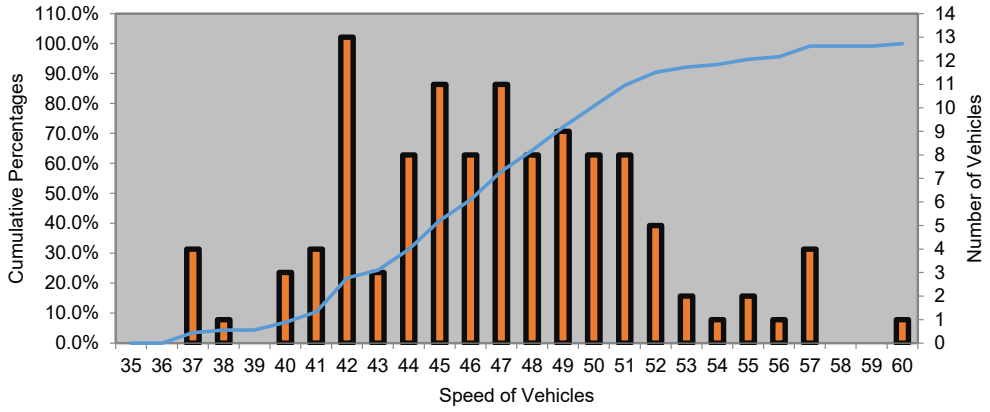
VEHICLE SPEED SURVEY REPORT

Location:	International Parkway between I-205 and Berkeley Road		
Date:	10/13/2020	Recorder:	ET
Begin Time:	10:40 AM	Direction:	NB/SB
End Time:	12:10 PM	Land use:	Agricultural
Day:	Tuesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	45

SUMMARY STATISTICS

Total Observed (vehicles)	115		50th Percentile (mph)	47
Speed Range (mph)	37	60	85th Percentile (mph)	51
10 Mph Pace (mph)	42	51	Average Speed (mph)	46.82

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 22 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	2 lanes & portion of stripped median island(0.91 Mi, 36')
Volume (if known)	
Parking Considerations	No street parking, no bike lane
Other Considerations	

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 51 MPH
Presence of driveways in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit= 45 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
34	0
35	0
36	0
37	4
38	1
39	0
40	3
41	4
42	13
43	3
44	8
45	11
46	8
47	11
48	8
49	9
50	8
51	8
52	5
53	2
54	1
55	2
56	1
57	4
58	0
59	0
60	1
61	0
62	0
63	0
64	0
65	0
Total	115

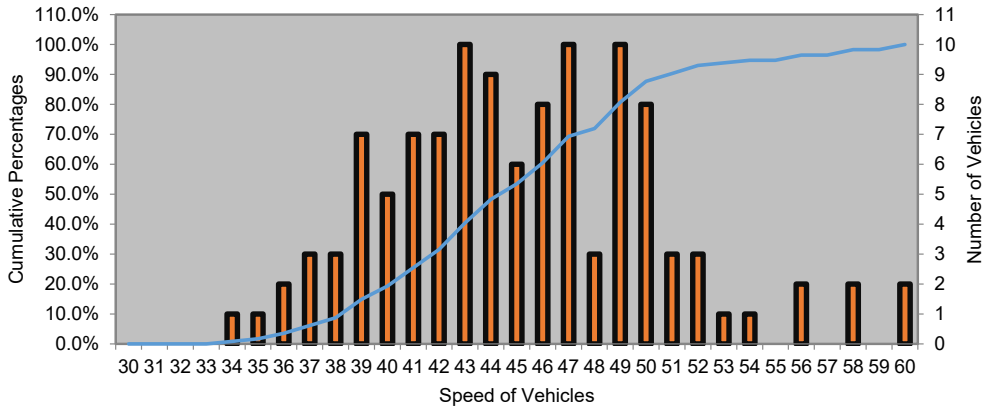
VEHICLE SPEED SURVEY REPORT

Location:	International Parkway between Berkeley Road and Schulte Road		
Date:	10/15/2020	Recorder:	ET
Begin Time:	9:25 AM	Direction:	NB/SB
End Time:	11:10 AM	Land use:	Industrial
Day:	Thursday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40(TMC)/45(Posted)

SUMMARY STATISTICS

Total Observed (vehicles)	114		50th Percentile (mph)	45
Speed Range (mph)	34	60	85th Percentile (mph)	50
10 Mph Pace (mph)	41	50	Average Speed (mph)	45.19

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 28 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	4 lanes with stripped median island (0.46 Mi, 76')
Volume (if known)	
Parking Considerations	No on street parking, no bike lane
Other Considerations	

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 50 MPH
Presence of driveways in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit= 45 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
34	1
35	1
36	2
37	3
38	3
39	7
40	5
41	7
42	7
43	10
44	9
45	6
46	8
47	10
48	3
49	10
50	8
51	3
52	3
53	1
54	1
55	0
56	2
57	0
58	2
59	0
60	2
61	0
62	0
63	0
64	0
65	0
Total	114

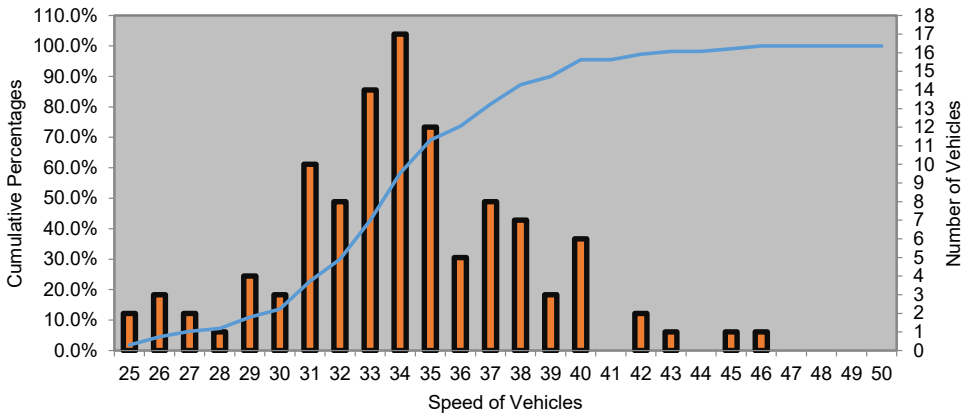
VEHICLE SPEED SURVEY REPORT

Location:	Joe Pombo Parkway between Grant Line Road and Bridle Creek Drive		
Date:	9/29/2020	Recorder:	ET
Begin Time:	9:50 AM	Direction:	NB/SB
End Time:	11:00 AM	Land use:	Residential/Commercial
Day:	Tuesday	Type:	Collector
Weather:	Sunny and Clear	Posted Limit:	35

SUMMARY STATISTICS

Total Observed (vehicles)	110		50th Percentile (mph)	34
Speed Range (mph)	25	46	85th Percentile (mph)	38
10 Mph Pace (mph)	31	40	Average Speed (mph)	34.17

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 20 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane, Curve, Bike Lane (0.29 Mi, 51')
Volume (if known)	
Parking Considerations	No on street parking
Other Considerations	Residential Subdivisions, Commerciial Area

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 38 MPH
Presence of intersections, bike lane, curve, park driveways and collisions in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 35 MPH

DATA COLLECTED	
Speed	Samples
19	0
20	0
21	0
22	0
23	0
24	0
25	2
26	3
27	2
28	1
29	4
30	3
31	10
32	8
33	14
34	17
35	12
36	5
37	8
38	7
39	3
40	6
41	0
42	2
43	1
44	0
45	1
46	1
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
Total	110

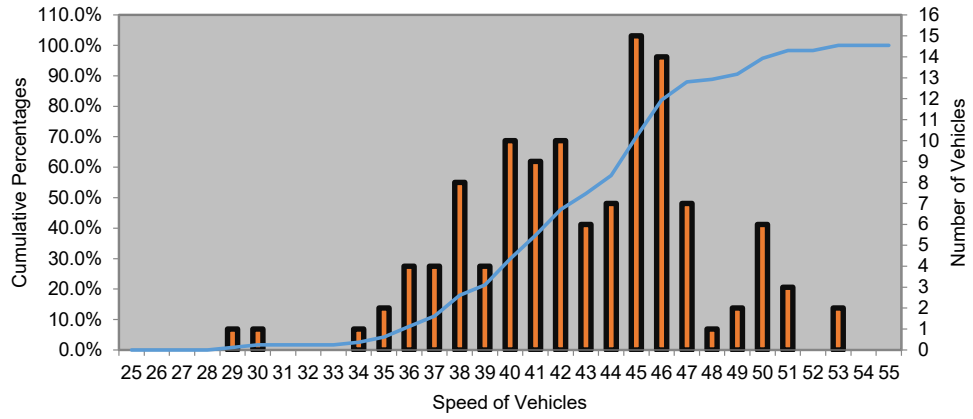
VEHICLE SPEED SURVEY REPORT

Location:	Lammers Road between Eleventh Street and Byron Road		
Date:	10/8/2020	Recorder:	ET
Begin Time:	10:10 AM	Direction:	NB/SB
End Time:	11:15 AM	Land use:	Residential/Agricultural
Day:	Thursday	Type:	Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	117		50th Percentile (mph)	43
Speed Range (mph)	29	53	85th Percentile (mph)	47
10 Mph Pace (mph)	38	47	Average Speed (mph)	42.93

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 47 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Major Arterial Roadway, Curve (0.66 Mi, 39')
Volume (if known)	
Parking Considerations	No on Street Parking,
Other Considerations	No shoulder, Bike lane, Intermediate intersecitons

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 47 MPH
Presence of bike lanes, intersections, driveways, shoulder curve, collisions, and lane merges in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	1
30	1
31	0
32	0
33	0
34	1
35	2
36	4
37	4
38	8
39	4
40	10
41	9
42	10
43	6
44	7
45	15
46	14
47	7
48	1
49	2
50	6
51	3
52	0
53	2
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	117

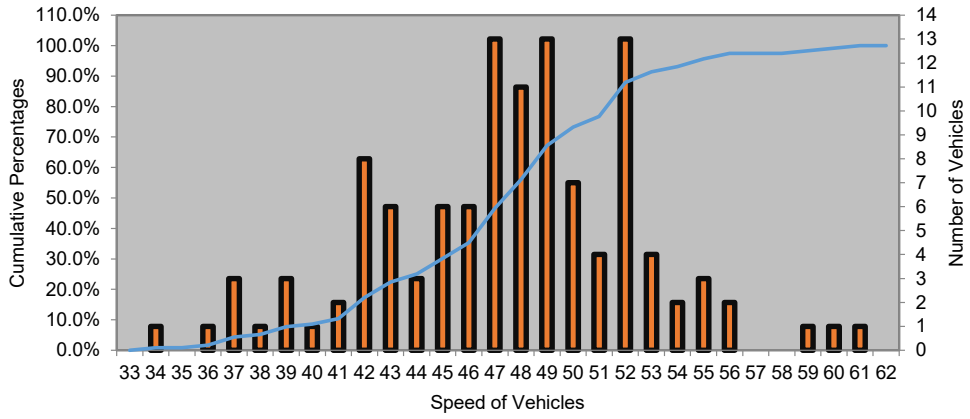
VEHICLE SPEED SURVEY REPORT

Location:	Lammers Road between Schulte Road and CL north of Redbridge		
Date:	10/6/2020	Recorder:	ET
Begin Time:	1:50 PM	Direction:	NB/SB
End Time:	2:40 PM	Land use:	Residential/Agricultural
Day:	Tuesday	Type:	Arterial/Expressway
Weather:	Sunny and Clear	Posted Limit:	45

SUMMARY STATISTICS

Total Observed (vehicles)	116		50th Percentile (mph)	48
Speed Range (mph)	34	61	85th Percentile (mph)	52
10 Mph Pace (mph)	43	52	Average Speed (mph)	47.53

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 8 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Major Arterial Roadway (0.38 Mi, 20')
Volume (if known)	
Parking Considerations	No parking in the segment permitted
Other Considerations	School Pedestrians, No shoulder, intermediate intersections

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 52 MPH
Presence of driveways, low shoulder, collisions and school pedestrians in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 45 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
34	1
35	0
36	1
37	3
38	1
39	3
40	1
41	2
42	8
43	6
44	3
45	6
46	6
47	13
48	11
49	13
50	7
51	4
52	13
53	4
54	2
55	3
56	2
57	0
58	0
59	1
60	1
61	1
62	0
63	0
64	0
65	0
Total	116

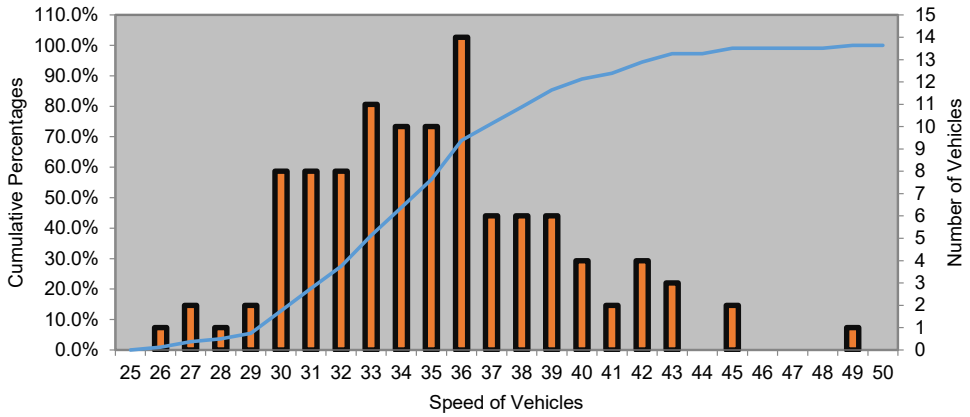
VEHICLE SPEED SURVEY REPORT

Location:	Larch Road between Holly Drive and Tracy Blvd		
Date:	9/22/2020	Recorder:	ET
Begin Time:	3:30 PM	Direction:	EB/WB
End Time:	4:30 PM	Land use:	Industrial
Day:	Tuesday	Type:	Major Collector
Weather:	Sunny and Clear	Posted Limit:	35

SUMMARY STATISTICS

Total Observed (vehicles)	109		50th Percentile (mph)	35
Speed Range (mph)	26	49	85th Percentile (mph)	39
10 Mph Pace (mph)	30	39	Average Speed (mph)	35.13

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 30 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	2 Lane Major collector road, Industrial area (0.49 Mi, 37')
Volume (if known)	
Parking Considerations	No Parking in Major Portion of this segment
Other Considerations	Indust. Driveway, Intermediate intersect., partial roadway

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 39 MPH
Presence of comercial driveways, intersections, trucks collisions and parking in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 35 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	1
27	2
28	1
29	2
30	8
31	8
32	8
33	11
34	10
35	10
36	14
37	6
38	6
39	6
40	4
41	2
42	4
43	3
44	0
45	2
46	0
47	0
48	0
49	1
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	109

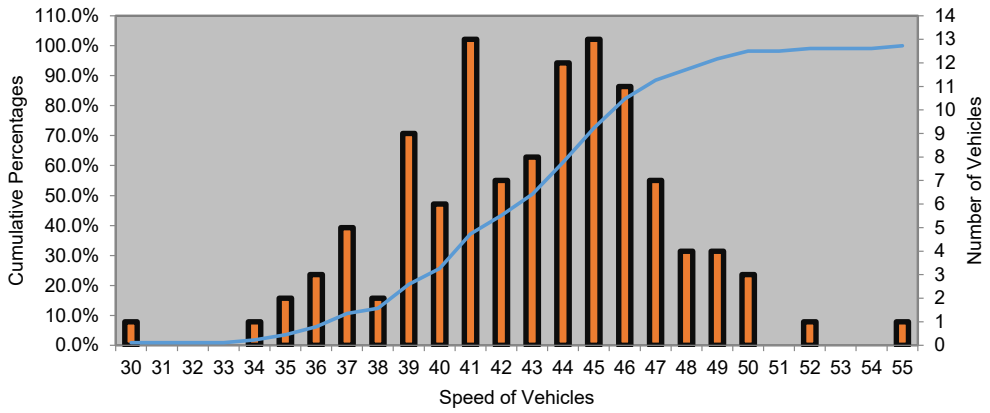
VEHICLE SPEED SURVEY REPORT

Location:	MacArthur Drive between SPRR Tracks and Schulte Road		
Date:	10/1/2020	Recorder:	ET
Begin Time:	9:25 AM	Direction:	NB/SB
End Time:	10:25 AM	Land use:	Commercial/Residential
Day:	Thursday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	113		50th Percentile (mph)	43
Speed Range (mph)	30	55	85th Percentile (mph)	47
10 Mph Pace (mph)	39	48	Average Speed (mph)	42.99

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 20 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	2 lane, segment of class 2 bike lane(0.75 Mi, 28'-36')
Volume (if known)	
Parking Considerations	No parking
Other Considerations	

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 47 MPH
Presence of driveways in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit= 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	1
31	0
32	0
33	0
34	1
35	2
36	3
37	5
38	2
39	9
40	6
41	13
42	7
43	8
44	12
45	13
46	11
47	7
48	4
49	4
50	3
51	0
52	1
53	0
54	0
55	1
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	113

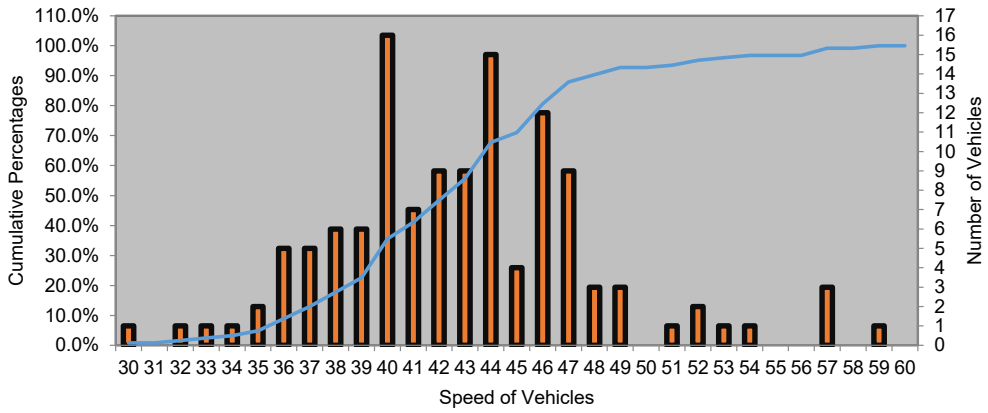
VEHICLE SPEED SURVEY REPORT

Location:	MacArthur Drive between Valpico Road and Schulte Road		
Date:	10/8/2020	Recorder:	ET
Begin Time:	1:45 PM	Direction:	NB/SB
End Time:	3:10 PM	Land use:	Commercial/Residential
Day:	Thursday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	124		50th Percentile (mph)	43
Speed Range (mph)	30	59	85th Percentile (mph)	47
10 Mph Pace (mph)	38	47	Average Speed (mph)	42.87

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 38 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	4 lanes with median island, bike lanes (1 Mi, 64'-96')
Volume (if known)	
Parking Considerations	No parking, Bike lanes
Other Considerations	

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 47 MPH
Presence of driveways in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit= 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	1
31	0
32	1
33	1
34	1
35	2
36	5
37	5
38	6
39	6
40	16
41	7
42	9
43	9
44	15
45	4
46	12
47	9
48	3
49	3
50	0
51	1
52	2
53	1
54	1
55	0
56	0
57	3
58	0
59	1
60	0
61	0
62	0
63	0
64	0
65	0
Total	124

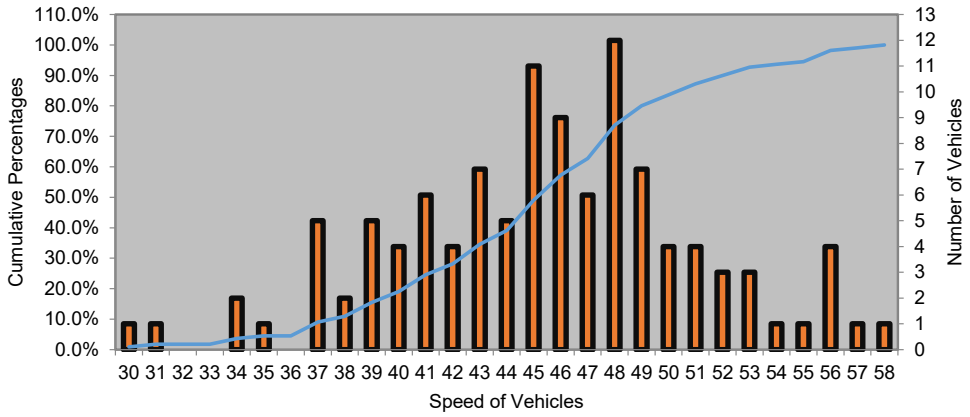
VEHICLE SPEED SURVEY REPORT

Location:	Paradise Avenue between Grant Line Road and North City Limits		
Date:	9/8/2020	Recorder:	ET
Begin Time:	4:00 PM	Direction:	NB/SB
End Time:	5:30 PM	Land use:	Industrial/Agricultural
Day:	Tuesday	Type:	Collector
Weather:	Sunny and Clear	Posted Limit:	45

SUMMARY STATISTICS

Total Observed (vehicles)	110		50th Percentile (mph)	46
Speed Range (mph)	30	58	85th Percentile (mph)	51
10 Mph Pace (mph)	40	49	Average Speed (mph)	45.38

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 14 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Major Collector, Minor curve (0.77 Mi, 33'-60')
Volume (if known)	
Parking Considerations	No Parking permitted in the segment
Other Considerations	Industrial Driveways

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 51 MPH
Presence of curve, trucks, driveways, bike lanes collisions and pace speed in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 45 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	1
31	1
32	0
33	0
34	2
35	1
36	0
37	5
38	2
39	5
40	4
41	6
42	4
43	7
44	5
45	11
46	9
47	6
48	12
49	7
50	4
51	4
52	3
53	3
54	1
55	1
56	4
57	1
58	1
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	110

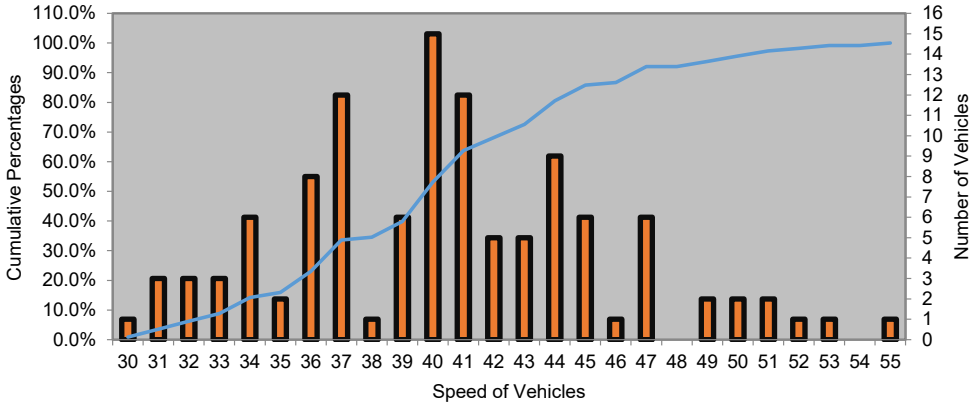
VEHICLE SPEED SURVEY REPORT

Location:	Paradise Road between Chrisman Road and Grant Line Road		
Date:	9/8/2020	Recorder:	ET
Begin Time:	2:15 PM	Direction:	North/South
End Time:	3:50 PM	Land use:	Industrial
Day:	Tuesday	Type:	Major Collector
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	113		50th Percentile (mph)	40
Speed Range (mph)	30	55	85th Percentile (mph)	45
10 Mph Pace (mph)	36	45	Average Speed (mph)	40.42

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 15 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Major Collector, curve (0.62 Mi, 60')
Volume (if known)	
Parking Considerations	No Parking permitted in the segment
Other Considerations	Industrial Driveways

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 45 MPH
Presence of curve, trucks, driveways, intersections bike lanes and collisions in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	1
31	3
32	3
33	3
34	6
35	2
36	8
37	12
38	1
39	6
40	15
41	12
42	5
43	5
44	9
45	6
46	1
47	6
48	0
49	2
50	2
51	2
52	1
53	1
54	0
55	1
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	113

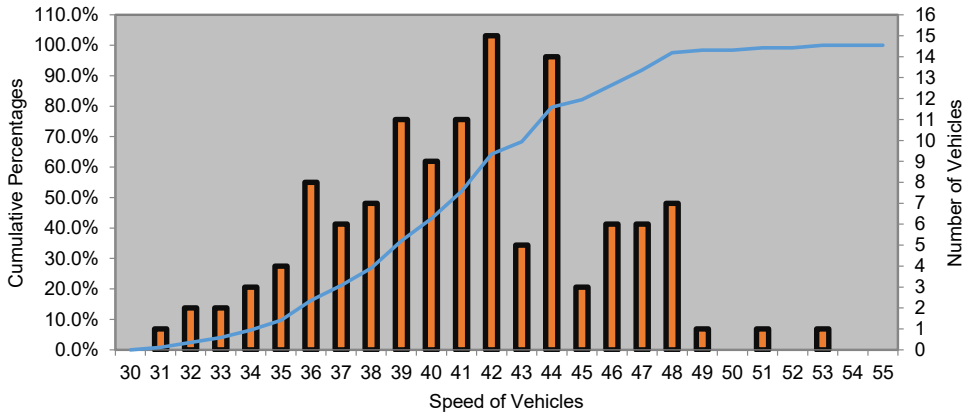
VEHICLE SPEED SURVEY REPORT

Location:	Schulte Road between Tracy Blvd. and MacArthur Drive		
Date:	10/1/2020	Recorder:	ET
Begin Time:	10:40 AM	Direction:	EB/WB
End Time:	11:30 AM	Land use:	Residential
Day:	Thursday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	123		50th Percentile (mph)	41
Speed Range (mph)	31	53	85th Percentile (mph)	46
10 Mph Pace (mph)	35	44	Average Speed (mph)	41.15

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 47 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	4 Lane arterial merges/terminates to two Lanes (1 Mi, 56'-72')
Volume (if known)	
Parking Considerations	No parkin permitted in the area
Other Considerations	School crossings, intersections, residential driveways, bike lane

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 46 MPH
Presence of bike lanes, intersections, driveways curve, collisions, and lane merges in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	1
32	2
33	2
34	3
35	4
36	8
37	6
38	7
39	11
40	9
41	11
42	15
43	5
44	14
45	3
46	6
47	6
48	7
49	1
50	0
51	1
52	0
53	1
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	123

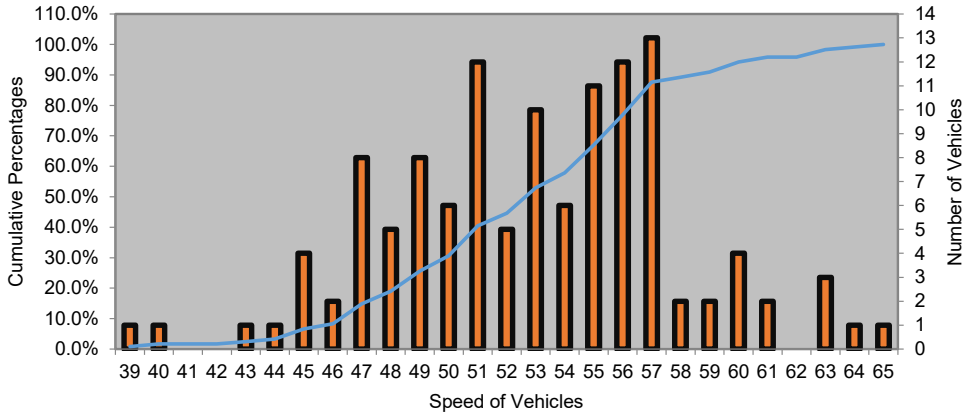
VEHICLE SPEED SURVEY REPORT

Location:	Schulte Road between Hansen Road and East City Limits		
Date:	10/13/2020	Recorder:	ET
Begin Time:	9:10 AM	Direction:	EB/WB
End Time:	10:40 AM	Land use:	Agricultural
Day:	Tuesday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	50

SUMMARY STATISTICS

Total Observed (vehicles)	121		50th Percentile (mph)	53
Speed Range (mph)	39	65	85th Percentile (mph)	57
10 Mph Pace (mph)	48	57	Average Speed (mph)	52.93

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 13 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	2 lanes (0.45 Mi, 24')
Volume (if known)	
Parking Considerations	No on street parking, no bike lane
Other Considerations	

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 57 MPH
Presence of driveways in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit= 50 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
34	0
35	0
36	0
37	0
38	0
39	1
40	1
41	0
42	0
43	1
44	1
45	4
46	2
47	8
48	5
49	8
50	6
51	12
52	5
53	10
54	6
55	11
56	12
57	13
58	2
59	2
60	4
61	2
62	0
63	3
64	1
65	1
Total	121

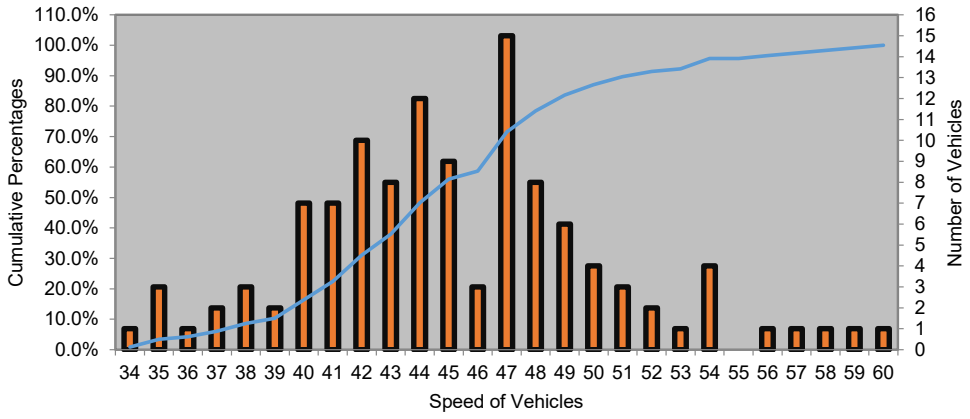
VEHICLE SPEED SURVEY REPORT

Location:	Schulte Road between International Parkway and Hansen Road		
Date:	10/15/2020	Recorder:	ET
Begin Time:	3:50 PM	Direction:	EB/WB
End Time:	4:50 PM	Land use:	Industrial
Day:	Thursday	Type:	Major Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	116		50th Percentile (mph)	45
Speed Range (mph)	34	60	85th Percentile (mph)	50
10 Mph Pace (mph)	40	49	Average Speed (mph)	45.19

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 45 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	4 lanes with stripped median island (1.02 Mi, 40'-48')
Volume (if known)	
Parking Considerations	No on streert parking, no bike lane
Other Considerations	

RECOMMENDATIONS & NOTES

TRACY Think Inside the Triangle	85th percentile indicates speed of 50 MPH Presence of driveways in this segment justifies downgrading speed limit by 5 mph. **Recommended speed limit= 45 MPH**

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
34	1
35	3
36	1
37	2
38	3
39	2
40	7
41	7
42	10
43	8
44	12
45	9
46	3
47	15
48	8
49	6
50	4
51	3
52	2
53	1
54	4
55	0
56	1
57	1
58	1
59	1
60	1
61	0
62	0
63	0
64	0
65	0
Total	116

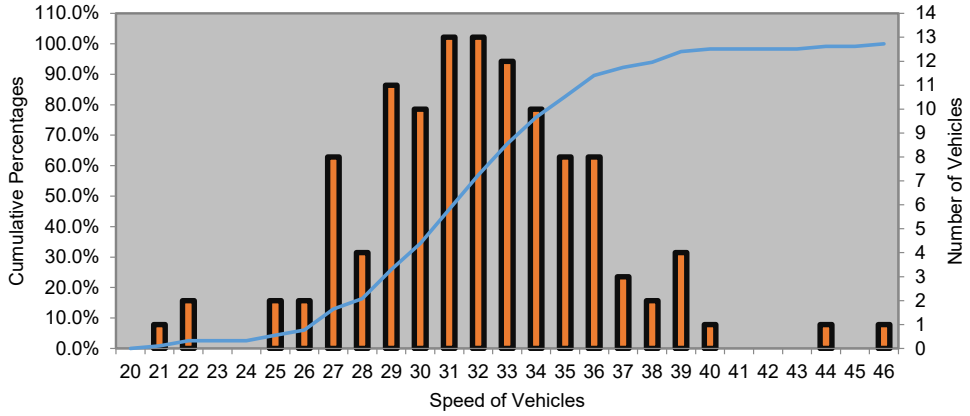
VEHICLE SPEED SURVEY REPORT

Location:	Sequoia Blvd between Alden Glen Drive and Beechnut Avenue		
Date:	9/30/2020	Recorder:	ET
Begin Time:	2:00 PM	Direction:	EB/WB
End Time:	4:00 PM	Land use:	Residential
Day:	Wednesday	Type:	Collector
Weather:	Sunny and Clear	Posted Limit:	25

SUMMARY STATISTICS

Total Observed (vehicles)	116		50th Percentile (mph)	32
Speed Range (mph)	21	46	85th Percentile (mph)	36
10 Mph Pace (mph)	27	36	Average Speed (mph)	31.98

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 9 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane residential, Curve (0.41 Mi, 36'-40')
Volume (if known)	
Parking Considerations	Parking Permitted in this segment
Other Considerations	Resdientail Driveways, Intermediate intersections

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 36 MPH
Presence of driveways, residential area, intersections
in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 30 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	1
22	2
23	0
24	0
25	2
26	2
27	8
28	4
29	11
30	10
31	13
32	13
33	12
34	10
35	8
36	8
37	3
38	2
39	4
40	1
41	0
42	0
43	0
44	1
45	0
46	1
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	116

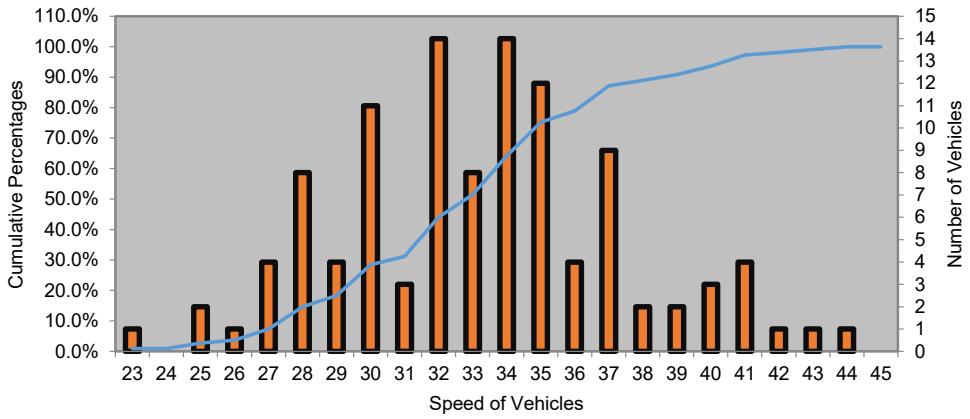
VEHICLE SPEED SURVEY REPORT

Location:	Sixth Street between Central Ave. and MacArthur Rd.		
Date:	9/18/2020	Recorder:	ET
Begin Time:	10:45 AM	Direction:	EB/WB
End Time:	12:00 PM	Land use:	Industrial/Residential
Day:	Friday	Type:	Collector
Weather:	Sunny and Clear	Posted Limit:	30

SUMMARY STATISTICS

Total Observed (vehicles)	109		50th Percentile (mph)	33
Speed Range (mph)	23	44	85th Percentile (mph)	37
10 Mph Pace (mph)	28	37	Average Speed (mph)	33.23

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 18 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Collector (0.52 Mi, 36')
Volume (if known)	
Parking Considerations	Parking permitted in this segment
Other Considerations	Plaza, Residential Area, intersections, curve in roadway

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 37 MPH
Presence of residential driveways, intersections curve, collisions, and plaza in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 30 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	1
24	0
25	2
26	1
27	4
28	8
29	4
30	11
31	3
32	14
33	8
34	14
35	12
36	4
37	9
38	2
39	2
40	3
41	4
42	1
43	1
44	1
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	109

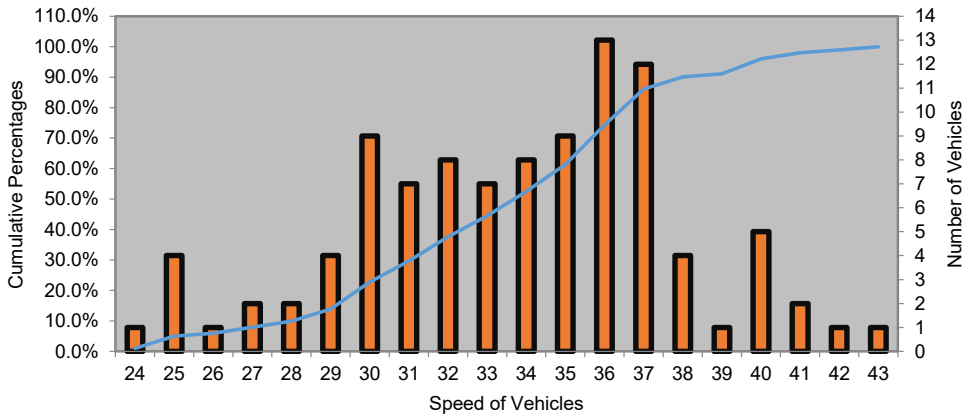
VEHICLE SPEED SURVEY REPORT

Location:	Sixth Street between Tracy Blvd. and Central Avenue		
Date:	9/18/2020	Recorder:	ET
Begin Time:	3:20 PM	Direction:	EB/WB
End Time:	4:20 PM	Land use:	Industrial/Residential
Day:	Friday	Type:	Collector
Weather:	Sunny and Clear	Posted Limit:	30

SUMMARY STATISTICS

Total Observed (vehicles)	101		50th Percentile (mph)	34
Speed Range (mph)	24	43	85th Percentile (mph)	37
10 Mph Pace (mph)	29	38	Average Speed (mph)	33.73

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 11 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lane Collector (0.58 Mi, 36')
Volume (if known)	
Parking Considerations	Parking permitted in this segment
Other Considerations	Plaza, Residential Area, intersections, curve in roadway

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 37 MPH
Presence of residential driveways, intersections curve, collisions, and plaza in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 30 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	1
25	4
26	1
27	2
28	2
29	4
30	9
31	7
32	8
33	7
34	8
35	9
36	13
37	12
38	4
39	1
40	5
41	2
42	1
43	1
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	101

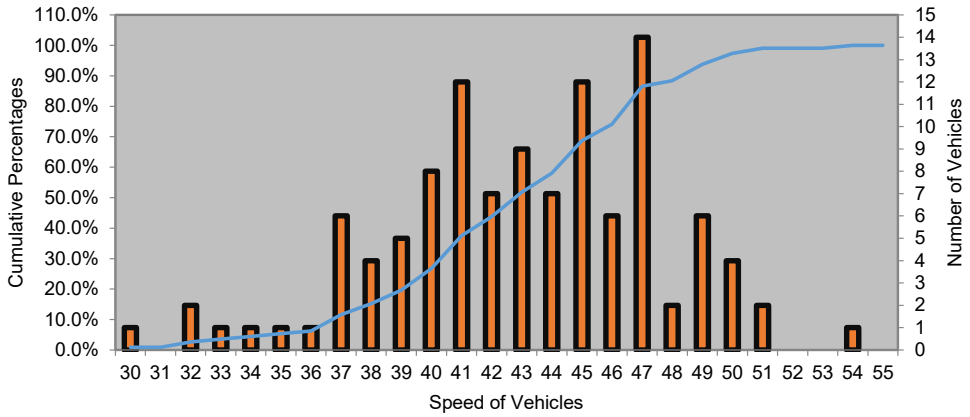
VEHICLE SPEED SURVEY REPORT

Location:	Valpico Road between Fairoaks Drive and MacArthur Drive		
Date:	9/8/2020	Recorder:	ET
Begin Time:	9:30 AM	Direction:	EB/WB
End Time:	10:30 AM	Land use:	Resiential
Day:	Tuesday	Type:	Minor Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	112		50th Percentile (mph)	43
Speed Range (mph)	30	54	85th Percentile (mph)	47
10 Mph Pace (mph)	38	47	Average Speed (mph)	43.05

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 17 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	Two Lanes Minor Arterial with TWLTL (0.50 Mi, 45')
Volume (if known)	
Parking Considerations	No Parking Permitted in the segment
Other Considerations	Int intersecitons, bike lane, No shoudler, Residential Dwys

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 47 MPH
Presence of driveways, intersections, shoulder, bike lanes and collisions in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit = 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	1
31	0
32	2
33	1
34	1
35	1
36	1
37	6
38	4
39	5
40	8
41	12
42	7
43	9
44	7
45	12
46	6
47	14
48	2
49	6
50	4
51	2
52	0
53	0
54	1
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	112

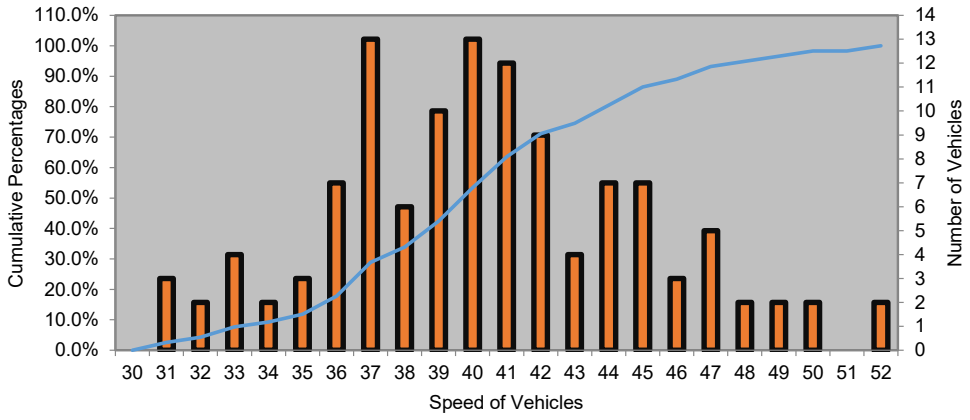
VEHICLE SPEED SURVEY REPORT

Location:	Valpico Road between Tracy Boulevard and MacArthur Drive		
Date:	9/8/2020	Recorder:	ET
Begin Time:	10:45 AM	Direction:	EB/WB
End Time:	11:45 AM	Land use:	Industrial/Residential
Day:	Tuesday	Type:	Arterial
Weather:	Sunny and Clear	Posted Limit:	40

SUMMARY STATISTICS

Total Observed (vehicles)	118		50th Percentile (mph)	40
Speed Range (mph)	31	52	85th Percentile (mph)	45
10 Mph Pace (mph)	36	45	Average Speed (mph)	40.42

GRAPH OF CUMULATIVE PERCENTAGE OF VEHICLES VS SPEED



ANALYSIS INFORMATION

Number of Accidents	Total 22 Collisions
Date Period	10/26/2017 - 10/26/2020
Street layout	2 lanes without median island (0.95 Mi, 32'-60')
Volume (if known)	
Parking Considerations	No parking, segment of Class 2 bike lane
Other Considerations	Portion is industrial and residential subdivisions

RECOMMENDATIONS & NOTES

TRACY
Think Inside the Triangle

85th percentile indicates speed of 45 MPH
Presence of bike lanes, driveways in this segment justifies downgrading speed limit by 5 mph.

Recommended speed limit= 40 MPH

DATA COLLECTED	
Speed	Samples
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	3
32	2
33	4
34	2
35	3
36	7
37	13
38	6
39	10
40	13
41	12
42	9
43	4
44	7
45	7
46	3
47	5
48	2
49	2
50	2
51	0
52	2
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
Total	118

July 6, 2021

AGENDA ITEM 3.C

REQUEST

CONDUCT A PUBLIC HEARING TO DECLARE A DROUGHT EMERGENCY AND AUTHORIZE THE IMPLEMENTATION OF STAGE 3 WATER RESTRICTIONS CONTAINED IN SECTION 11.28.190 OF THE TRACY MUNICIPAL CODE AND THE WATER SHORTAGE CONTINGENCY PLAN

EXECUTIVE SUMMARY

On April 21, 2021, the California State Governor issued a Drought Emergency Proclamation to protect public health, safety and the environment. The proclamation directed state agencies to take immediate action to bolster drought resilience across the state and declared a State of Emergency in Mendocino and Sonoma counties due to severe drought conditions. On May 10th the Governor expanded the proclamation to include an additional 39 California counties to its list, including San Joaquin County.

On June 15, 2021, Council approved the City's 2020 Urban Water Management Plan and Water Shortage Contingency Plan (WSCP). At that time, staff informed Council it would be bringing an agenda item to Council requesting a declaration of drought emergency and implementation of a higher stage of the WSCP than the current Stage 1 due to the persisting drought conditions and curtailment of city's water supplies.

Even though the 2020 WSCP was approved by Council, it has not been codified in the Tracy Municipal Code. It is anticipated that 2020 WSCP will be codified within the next two months. However, due to the urgency of the nature of the emergency, staff is recommending implementation of water conservation restrictions per the existing 2015 WSCP. While Stage 1 is estimated to result in up to 10% water savings, the Stage 2 is estimated to bring savings up to 15% and implementation of Stage 3 is estimated to result in savings of 20% of water usage. The stages of water restrictions and estimated savings of water consumption is illustrated in the discussion section of the staff report.

Staff is requesting that Council declare a state of drought and conduct a public hearing to adopt a resolution authorizing Stage 3 of emergency water restrictions in accordance with the WSCP and Section 11.28.190 of the Tracy Municipal Code. This action will mandate a reduction in the City's potable water consumption through further restricting water use by the City and its customers. This will also enable the City to request additional water supply from the Bureau of Reclamation and other agencies to make up for some of the shortages in the City's surface water supplies for health and safety reasons, if the existing drought persists for a longer duration.

Water conservation is the right thing to do under the present drought conditions, however, implementation of Stage 3 of WSCP will result in loss of revenue to the water enterprise fund and will ultimately impact the consumer water rates if the existing drought conditions continue for a longer period of time.

DISCUSSION

Background

Due to the lack of precipitation and snow in the Sierra Nevada Mountains, and extraordinarily warm temperatures, all of the snowpack depleted earlier than anticipated. This has resulted in extremely low reservoir storage and reductions to water supplies to the City from the Central Valley Project. Due to the reduction in water supply and the Governor's proclamation, it is necessary for the City to implement water conservation measures to close the gap between its water supply and overall demand. Further it enables the City to continue promoting the State's message to "Make Conservation a Way of Life in California."

One of the major suppliers of water to the City is the Central Valley Project governed by the United States Bureau of Reclamation. The City's annual surface water supplies from the Central Valley Project were reduced in May to less than 1500 acre feet, which is only 15% of its contracted amount of 10,000 acre feet per year. This reduction to the water supply from the Bureau is due to the ongoing drought conditions and there is no relief of the dryer than normal conditions in the near future. The City must initiate stricter water conserving measures to ensure it has adequate water supplies for the health and safety of its consumers.

The City is currently in Stage 1 of its WSCP by default. Stage 1 implements mandatory prohibitions that are always in place such as not allowing water to flow off a property and not using a hose without an on/off nozzle attached. It also has mandatory requirements such as requiring hotels and restaurants to offer guests to opt out of daily laundering of linens and towels and that those same establishments must provide drought noticing. These measures are anticipated to provide a 10% savings in water use across the City.

Stage 2 of the WSCP implements additional requirements related to outdoor water uses and restricts all consumers to a three day a week irrigation schedule and upon discovery of a leak in their irrigation system, they must repair and control that leak within 48 hours. These measures are anticipated to provide a 15% savings in water use across the City.

Stage 3 of the WSCP implements both Stage 1 and 2 measures and further limits outdoor water uses by limiting automotive and recreational vehicle dealerships to one day a week for washing new vehicles and a newly purchased automobile or recreational vehicle may be washed any day of the week prior to delivery to a customer. Residents can wash their vehicles by using a bucket. These measures are anticipated to provide a 20% savings in water use across the City.

In order to implement Stage 3 of the WSCP, City Council must make a declaration of drought emergency and conduct a public hearing to adopt a Resolution in accordance with Tracy Municipal Code 11.28.130.

Staff will monitor the water uses against the actual supplies during the next few months and will augment its water supplies from groundwater wells or additional supplies such as public health and safety allocations from the Bureau, if received.

Still, if the water supplies fall short of the reduced needs, additional conservation and enactment of Stage 4 or 5 of the WSCP will be reviewed and may be recommended to Council in the future for approval. However, staff believes that the City will not be in such a situation due to the support of its consumers and their actions to assist in this endeavor.

The following are the highlights of implementing Stage 3 (which includes implementing all Stages 1, 2 and 3).

Water Use Restrictions		
Stage	Percentage of Potable Water Savings Anticipated	Type of Water Restrictions
In place all the time.	5%	Prohibitions:
		Allowing Flagrant Water Waste
		Using a hose without a shufoff nozzle attached
		Using potable water to operate non-recirculating water features
		Using potable water to irrigate ornamental grass or turf in street medians
		Using potable water to hose off sidewalks, driveways, patios, etc.
		Mandatory Requirements:
		Customers must properly maintain all outdoor plumbing and irrigation systems
		Customers must practice prudent water conservation measures.
		Water only late at night or early morning and on non-windy periods.
		Swimming Pools, Hot tubs and Spas must have a non-permeable floating cover or equivalent device to provide 90% surface coverage
1	10%	Landscape Irrigation may only be done before 9:00 am or after 7:00 p.m.
		Restaurants and Commercial Lodging must post drought notices.
		Lodging accomodations must offer the option to opt out of linen/towel service.
2	15%	Continue Stage 1
		Landscape irrigation limited to three days per week (Odd/Even Schedule)
		48 Hours to repair and/or control irrigation system from time of notification/discovery
3	20%	Continue Stage 2
		Individual Residential Car Washing limited to soap and bucket use.
		Vehicle dealerships limited to washing new/used inventory on Fridays/prior to delivery
		Pools, Spas & Hot tubs must not be filled unless equipped with a filter backwash system with 90% water recovery standard or it is for maintenance and safety.

Education and Enforcement

The City will continue to engage the community through educational messaging on utility billing envelopes and statements, conservation advertisements in local movie theaters, and by tracking and responding to questions, inquiries and/or complaints through the City's Government Outreach program and mobile app. The City will continue to work to strategically reduce watering at public facilities where non-recirculating systems exist, and continue water patrol during regular work hours.

Water conservation concerns and/or complaints will continue to be referred to the Utilities Department for investigation. Typically, staff will investigate the issue and provide water customers with educational materials about conservation and ways to manage/monitor water usage. If a customer repeatedly fails to comply, a written letter would be issued encouraging compliance to avoid penalties. If the problem continues, a citation in accordance with the City's municipal code could be issued. According to Tracy Municipal Code, fines range between $100 for a first violation to $500 by a third violation and up to $500 for a first violation if imposed by a State agency. However, staff will continue to encourage compliance by practicing education and outreach before taking punitive action to achieve the City's water conservation goals.

Drought Compliance Financial Assistance

The City has budgeted $25,000 for FY21-22 in rebates and incentives to encourage drought compliance for its water consumers. The current program provides a rebate to replace existing three gallon or higher use toilets with a more water efficient one in pre-1994 residential and commercial properties. This program complies with the City's Water Conservation Plan. The State has several grants available for under-served and disadvantaged communities, however, the City of Tracy does not qualify for such grants.

Beginning in early FY21-22, two new incentive programs to help reduce outdoor water use will be introduced and made available to help save consumers some of their hard earned income over time. The first one is a Smart Irrigation Meter rebate and the second is a Drought Resistant Landscape rebate. Staff will continue exploring other financial opportunities to assist and encourage its consumers to conserve more water.

Landscapes in New and Re-Development Areas

The City of Tracy requires compliance with the Water Efficient Landscape Ordinance for all qualifying projects. Staff is also working interdepartmentally to update existing drought resistant landscape standards for new and re-development areas to achieve the required compliance goals.

Implementation

Stage 3 water conservation measures including the education and enforcement component will be implemented over the next 30 days with notifications (utility bill, multi-media and website) going out to all those who are affected. Staff will continue to provide education and enforcement including routine water patrols during the initial 30 days as well.

These Stage 3 measures will continue in place until adequate precipitation alleviates the extreme drought conditions and the drought proclamations and emergencies are lifted. If the drought continues and the water supply situation deteriorates, additional emergency water restrictions may be required.

Due to the prevailing curtailment of the City's water supplies by the Bureau of Reclamation, it is anticipated that implementation of Stage 3 water conservation will save water consumption up to 20%. The difference in shortage of water supplies and savings will be temporarily made up by production of more water from the existing wells. Staff will continue reviewing the water situation, update and recommend Council of future actions, if needed.

STRATEGIC PLAN

This agenda item supports the Council Strategic Priority of Quality of Life by conserving potable water uses and making it available for health and safety of its residents.

FISCAL IMPACT

This item has fiscal impacts to both the revenue and expenditures in the Water Enterprise fund and the General Fund. Due to the forecasted shortfalls in supplies and the reduction in overall water use by all consumers, revenues will continue in a downward trend while the majority of its fixed cost for maintenance and operations will remain unchanged. In addition, enforcement and education expenses will increase.

RECOMMENDATION

Council conduct a public hearing to declare a drought emergency and authorize the implementation of Stage 3 water restrictions contained in section 11.28.190 of the Tracy Municipal Code and the Water Shortage Contingency Plan.

Prepared by: Stephanie Reyna-Hiestand, Water Resources and Compliance Manager

Reviewed by: Kuldeep Sharma, Utilities Department Director
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – TMC 11.28 Water Management Article 6 Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals
Attachment B – Drought Monitor Stage Impacts
Attachment C – May 10 Proclamation

Article 6. - Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals

11.28.150 - Amendments.

The provisions of this article may be amended from time to time or as deemed necessary by the City Council.

(Prior code § 11-7.601)

11.28.160 - Mandatory prohibitions and requirements.

(a) Prohibitions. The following actions and activities are prohibited:

(1) Allowing flagrant water waste or incidental water runoff.

(2) Irrigating using a hose without a shutoff nozzle attached.

(3) Using potable water to operate non-recirculating decorative water features, including splash pads.

(4) Irrigating outdoors during and within forty-eight (48) hours following a measurable rainfall. "Measurable rainfall" means any amount of precipitation that generates a puddle or runoff.

(5) The serving of drinking water other than upon request, in eating or drinking establishments.

(6) Irrigating ornamental grass or turf on public street medians.

(7) Irrigating outside of newly constructed homes and buildings in a manner that is inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(8) Irrigating any hardscape.

(b) *Mandatory requirements.*

(1) Any customer must properly maintain all outdoor plumbing and irrigation systems and control all leaks within seventy-two (72) hours of discovery or notification.

(2) Customers shall practice prudent water conservation measures, including:

(i) Planting drought-tolerant landscapes;

(ii) Installing and maintaining water-efficient irrigation systems such as drip and bubble irrigation with weather or soil-based controllers;

(iii) Installing sprinkler heads with a low flow rate appropriate for the landscape to prevent overwatering and runoff;

(iv) Watering only in the late night or early morning hours during non- windy periods.

(3) A hose that dispenses potable water shall be fitted with a shut-off nozzle or flow restriction device attached to it that causes it to cease dispensing water immediately when not in use.

(4) All swimming pools, hot tubs, and spas installed after May 1, 1993 must have a separation tank and water recovery system installed in the filter backwash system, with a ninety (90%) percent water recovery standard.

(5) Each swimming pool, hot tub and spa installed after July 15, 2015 must have a non-permeable floating cover or equivalent device that provides ninety (90%) percent surface coverage.

(Ord. No. 1227, § 1(Exh. A), 10-18-2016; Ord. No. 1233, § 2, 5-16-2017)

11.28.170 - Stage 1 water restrictions.

This section applies to any person, owner or manager responsible for the day-to-day operations of a premise. In addition to the mandatory prohibitions and requirements in section 11.28.160, the following requirements apply:

(a) All landscape irrigation is restricted to before 9:00 a.m. or after 7:00 p.m. daily. This applies to residential, commercial, industrial, institutional, municipal and other public agencies or entities.

(b) Restaurants and commercial lodging establishments must post notice of drought conditions.

(c) Hotels and motels must offer guests an option to opt out of linen/towel service.

(Prior code § 11-7.603)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015; Ord. No. 1227, § 1(Exh. A), 10-18-2016)

11.28.180 - Stage 2 water restrictions.

In addition to Stage 1, the following requirements apply:

(a) Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated three per week as follows:

(1) Odd-numbered addresses may irrigate only on Monday, Wednesday and Saturday before 9:00 a.m. and after 7:00 p.m.

(2) Even-numbered addresses may irrigate only on Tuesday, Thursday and Sunday before 9:00 a.m. and after 7:00 p.m.

(3) At any time provided that only drip, microspray or bubbler irrigation is used.

(b) Any customer must repair and control all outdoor water leaks that violate this Chapter, as determined by the City, within forty-eight (48) hours of discovery or notification.

(Prior code § 11-28.180)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015; Ord. No. 1227, § 1(Exh. A), 10-18-2016)

11.28.190 - Stage 3 water restrictions.

In addition to Stages 1 and 2, the following requirements apply:

(a) Except as otherwise provided, individual residential car washing is allowed only with the use of a bucket. "Individual residential car washing" means the cleaning with potable water of a motor vehicle that is registered to an individual who lives on the premise.

(b) Automobile and recreational vehicle dealerships are allowed to continue washing vehicles with a hose that is fitted with a shut-off nozzle or flow restriction device attached under the following conditions:

(1) Automobiles and recreational vehicles may be washed only on Friday using the method outlined above.

(2) An automobile, motorcycle, boat or motorhome may be washed the day before or the day of delivery to the purchaser using the method outlined above before 9:00 a.m. or after 7:00 p.m.

(c) No customer may add water or refill a swimming pool, spa or hot tub unless it has a separation tank and water recovery system installed in the filter backwash system, with a ninety (90%) percent water recovery standard and it is a maintenance or health and safety issue.

(Prior code § 11-7.605)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015; Ord. No. 1227, § 1(Exh. A), 10-18-2016)

11.28.200 - Stage 4 water restrictions.

In addition to Stages 1, 2 and 3, the following requirements apply. Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated two days per week as follows:

(1) Odd-numbered addresses may irrigate only on Wednesday and Saturday before 9:00 a.m. and after 7:00 p.m.

(2) Even-numbered addresses may irrigate only on Thursday and Sunday before 9:00 a.m. and after 7:00 p.m.

(Prior code § 11-7.606)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015; Ord. No. 1227, § 1(Exh. A), 10-18-2016)

11.28.210 - Stage 5 water restrictions and Water Emergency declaration.

(a) The City Council may mandate specific restrictions and prohibitions which may include but are not limited to:

(1) All water uses not required for public health and safety and fire protection are prohibited.

(2) No outdoor potable water uses are allowed.

(3) No recreational water uses are allowed.

(4) The Utilities Director shall establish water budgets for all customer accounts.

(b) The City Council may declare a water emergency and direct the City Manager to implement appropriate water conservation and/or rationing requirements consistent with this chapter when one or more of the following conditions exist:

(1) A decrease in the ability to draw groundwater due to well contamination, well failure or other equipment or system failure, and no alternative source of water is available,

(2) Contamination of the water system,

(3) Natural disasters affecting water deliveries,

(4) During times of floods which would affect water quality,

(5) Sabotage or threats of sabotage against the water system,

(6) Any unusual situation or circumstance which affects the quantity or quality of the water supply.

(Prior code § 11-7.607)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015; Ord. No. 1227, § 1(Exh. A), 10-18-2016)

11.28.220 - Temporary rate increases.

When drought or water emergency conditions are declared by the City Council, it may become necessary to implement a temporary rate increase to cover reduced revenues as a result of conservation. Rates may be increased by resolution of the Council when it is determined that revenues are inadequate.

(Prior code § 11-7.608)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015)

11.28.230 - Excess water use surcharge.

(a) During periods of a declared drought or water emergency, the City Council may, by resolution, establish a water rate structure which provides incentives (or disincentives) to conserve water use.

(b) Any water user may seek to have the excess water use surcharge waived or forgiven through the variance process set forth in subsection 11.28.240(b) of this chapter upon substantial evidence of the following:

(1) The excess water use was beyond the user's control, and was not reasonably correctable due to special and unique circumstances, or

(2) An incident or condition occurred where public health or safety would have been threatened by decreased water usage.

(Prior code § 11-7.609)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015)

11.28.240 - Variances on usage restrictions or usage allotments.

The Director, shall document the type and character of any residential, commercial, or industrial user or public authority requesting a variance in the assigned water goal in Phase I, II, III or IV of this chapter. The Director shall maintain a separate file of each variance request and the response to that request. This file shall be available for public inspection during regular business hours.

(a) No variance request will be considered until a water use has been prohibited or an excess use fee has been assessed on the customer's bill.

(b) The Director may grant a variance for uses of water otherwise prohibited or adjust any consumer's allotment or billing, if the Director finds and determines that to fail to do so would cause an emergency condition affecting health, sanitation, or fire protection or causes undue hardship of the applicant or public.

(c) If any condition upon which the variance request approval was based cease to exist (e.g., an occupant of the home vacates), the billed user of the home is responsible for notifying the Finance Department of the change for an appropriate adjustment to the user's allotment.

(d) The City may request periodic confirmation from the billed user that all conditions upon which the variance request was approved are still in existence. Failure on the part of the user to respond to any reasonable inquiry shall be grounds for termination of the variance. Supplying false or erroneous information in such an inquiry for the purpose of obtaining or maintaining additional water allotments shall be deemed fraud.

(Prior code § 11-7.610)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015)

11.28.250 - Appeals.

Any water service customer who considers an action taken by the City under this chapter to have been erroneously taken, may appeal the action and decision to the City Manager as set forth in Section 1.12.010. The appellant shall continue to pay the monthly charge as billed pending the completion of the appeal process.

(Ord. 1111 § 4 Exh. A (part), 2007: prior code § 11-7.611)

(Ord. No. 1196, § 1 (Exh. A), 6-16-2015)

11.28.260 - Temporary water service.

Notwithstanding any other provisions of this chapter, no prohibition is expressly imposed upon applications, approvals, or installations of water service facilities solely for temporary service to those construction works which are entitled to permanent water service facilities under the terms of this chapter. However, the Director may, at his/her discretion, suspend the issuance of water permits for such temporary uses such as construction works, when acceptable alternative nonpotable sources are available.

(Prior code § 11-7.612)

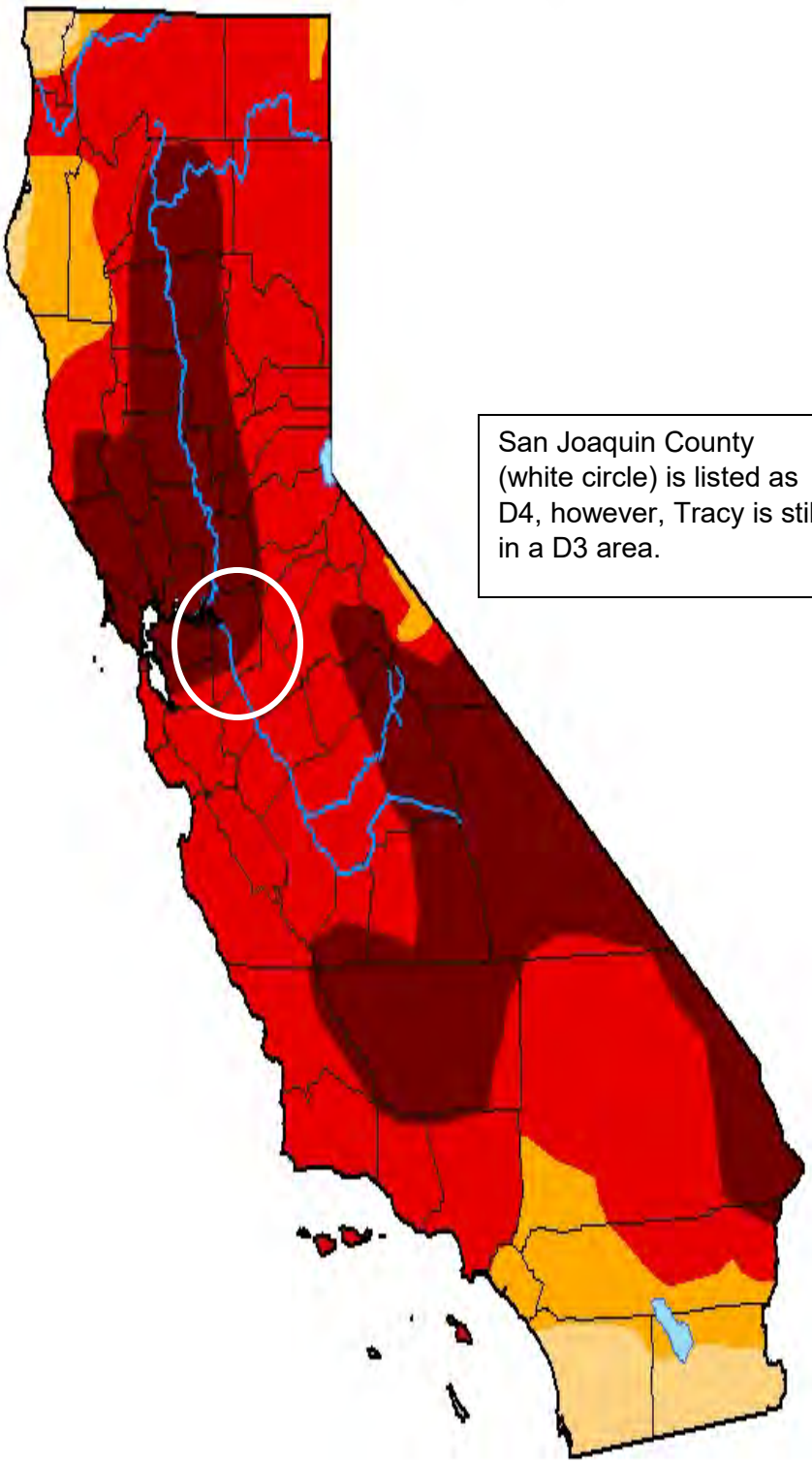
11.28.270 - Residential use without prior history.

Where there is no prior history of use and notwithstanding any reduction of water use which would otherwise be a goal for residential water users pursuant to the goals as set forth in this chapter, no residential household shall be given a goal to reduce water consumption below the following: The seasonal average consumption customary for that user class or meter class, less than appropriate conservation goal amount.

(Prior code § 11-7.613)

U.S. Drought Monitor
California

June 15, 2021
(Released Thursday, Jun. 17, 2021)
Valid 8 a.m. EDT



San Joaquin County (white circle) is listed as D4, however, Tracy is still in a D3 area.

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	100.00	94.75	85.44	33.32
Last Week 06-08-2021	0.00	100.00	100.00	94.75	85.20	33.32
3 Months Ago 03-16-2021	0.78	99.22	90.62	58.59	29.54	3.75
Start of Calendar Year 12-29-2020	0.00	100.00	95.17	74.34	33.75	1.19
Start of Water Year 09-29-2020	15.35	84.65	67.65	35.62	12.74	0.00
One Year Ago 06-16-2020	41.79	58.21	46.74	20.84	2.45	0.00

Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to https://droughtmonitor.unl.edu/About.aspx

Author:

Curtis Riganti
National Drought Mitigation Center

droughtmonitor.unl.edu

Category	Historically observed impacts
D0	Soil is dry; irrigation delivery begins early
	Dryland crop germination is stunted
	Active fire season begins
	Winter resort visitation is low; snowpack is minimal
D1	Dryland pasture growth is stunted; producers give supplemental feed to cattle
	Landscaping and gardens need irrigation earlier; wildlife patterns begin to change
	Stock ponds and creeks are lower than usual
D2	Grazing land is inadequate
	Producers increase water efficiency methods and drought-resistant crops
	Fire season is longer, with high burn intensity, dry fuels, and large fire spatial extent; more fire crews are on staff
	Wine country tourism increases; lake- and river-based tourism declines; boat ramps close
	Trees are stressed; plants increase reproductive mechanisms; wildlife diseases increase
	Water temperature increases; programs to divert water to protect fish begin
	River flows decrease; reservoir levels are low and banks are exposed
D3	Livestock need expensive supplemental feed, cattle and horses are sold; little pasture remains, producers find it difficult to maintain organic meat requirements
	Fruit trees bud early; producers begin irrigating in the winter
	Federal water is not adequate to meet irrigation contracts; extracting supplemental groundwater is expensive
	Dairy operations close
	Fire season lasts year-round; fires occur in typically wet parts of state; burn bans are implemented
	Ski and rafting business is low, mountain communities suffer
	Orchard removal and well drilling company business increase; panning for gold increases
	Low river levels impede fish migration and cause lower survival rates
	Wildlife encroach on developed areas; little native food and water is available for bears, which hibernate less
	Water sanitation is a concern, reservoir levels drop significantly, surface water is nearly dry, flows are very low; water theft occurs
	Wells and aquifer levels decrease; homeowners drill new wells
	Water conservation rebate programs increase; water use restrictions are implemented; water transfers increase
	Water is inadequate for agriculture, wildlife, and urban needs; reservoirs are extremely low; hydropower is restricted
D4	Fields are left fallow; orchards are removed; vegetable yields are low; honey harvest is small
	Fire season is very costly; number of fires and area burned are extensive
	Many recreational activities are affected
	Fish rescue and relocation begins; pine beetle infestation occurs; forest mortality is high; wetlands dry up; survival of native plants and animals is low; fewer wildflowers bloom; wildlife death is widespread; algae blooms appear
	Policy change; agriculture unemployment is high, food aid is needed
	Poor air quality affects health; greenhouse gas emissions increase as hydropower production decreases; West Nile Virus outbreaks rise
	Water shortages are widespread; surface water is depleted; federal irrigation water deliveries are extremely low; junior water rights are curtailed; water prices are extremely high; wells are dry, more and deeper wells are drilled; water quality is poor;

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS climate change is intensifying the impacts of droughts on our communities, environment, and economy, and California is in a second consecutive year of dry conditions, resulting in drought or near-drought throughout many portions of the State; and

WHEREAS recent warm temperatures and extremely dry soils have further depleted the expected runoff water from the Sierra-Cascade snowpack, resulting in a historic and unanticipated estimated reduction of 500,000 acre feet of water – or the equivalent of supplying water for up to one million households for one year – from reservoirs and stream systems, especially in the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watersheds; and

WHEREAS the extreme drought conditions through much of the State present urgent challenges, including the risk of water shortages in communities, greatly increased wildfire activity, diminished water for agricultural production, degraded habitat for many fish and wildlife species, threat of saltwater contamination of large fresh water supplies conveyed through the Sacramento-San Joaquin Delta, and additional water scarcity if drought conditions continue into next year; and

WHEREAS Californians have saved water through conservation efforts, with urban water use approximately 16% below where it was at the start of the last drought years, and I encourage all Californians to undertake actions to further eliminate wasteful water practices and conserve water; and

WHEREAS on April 21, 2021, I issued a proclamation directing state agencies to take immediate action to bolster drought resilience and prepare for impacts on communities, businesses, and ecosystems, and proclaiming a State of Emergency to exist in Mendocino and Sonoma counties due to severe drought conditions in the Russian River Watershed; and

WHEREAS additional expedited actions are now needed in the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watersheds; and

WHEREAS it is necessary to expeditiously mitigate the effects of the drought conditions within the Klamath River Watershed Counties (Del Norte, Humboldt, Modoc, Siskiyou, and Trinity counties), the Sacramento-San Joaquin Delta Watershed Counties (Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba counties), and the Tulare Lake Watershed Counties (Fresno, Kern, Kings, and Tulare counties) to ensure the protection of health, safety, and the environment; and

WHEREAS under Government Code Section 8558(b), I find that the conditions caused by the drought conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under Government Code Section 8625(c), I find that local authority is inadequate to cope with the drought conditions; and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of, the drought conditions statewide, and under Government Code Section 8571, I find that strict compliance with various statutes and regulations specified in this proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions in the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watershed Counties.

NOW THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watershed Counties due to drought.

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021 Proclamation remain in full force and effect, except as modified. State agencies shall continue to implement all directions from that proclamation and accelerate implementation where feasible.

2. To ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to procurement, state contracts, and fleet assets, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended to the extent necessary to address the effects of the drought in the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watershed Counties. Approval of the Department of Finance is required prior to the execution of any contract entered into pursuant to this provision.

3. To support voluntary approaches where hydrology and other conditions allow, the Department of Water Resources and the State Water Resources Control Board (Water Board) shall expeditiously consider requests to move water, where appropriate, to areas of need, including requests involving voluntary water transfers, forbearance agreements, water exchanges, or other means. Specifically, the Department of Water Resources and Water Board shall prioritize transfers that retain a higher percentage of water in upstream reservoirs on the Sacramento, Feather, and American Rivers for release later in the year. If necessary, the Department of Water Resources shall request that the Water Board consider changes to water rights permits to enable such voluntary movements of water. For actions taken in the Klamath River and Sacramento-San Joaquin Delta Watershed Counties pursuant to this paragraph, the following requirements of the Water Code are suspended:

    a. Section 1726(d) requirements for written notice and newspaper publication, provided that the Water Board shall post notice on its website and provide notice through electronic subscription services where interested persons can request information about temporary changes; and

b. Section 1726(f) requirement of a 30-day comment period, provided that the Water Board shall afford a 15-day comment period.

4. To ensure adequate, minimal water supplies for purposes of health, safety, and the environment, the Water Board shall consider modifying requirements for reservoir releases or diversion limitations—including where existing requirements were established to implement a water quality control plan—to conserve water upstream later in the year in order to protect cold water pools for salmon and steelhead, improve water quality, protect carry over storage, or ensure minimum health and safety water supplies. The Water Board shall require monitoring and evaluation of any such changes to inform future actions. For actions taken in the Sacramento-San Joaquin Delta Watershed Counties pursuant to this paragraph, Water Code Section 13247 is suspended.

5. To ensure protection of water needed for health, safety, and the environment in the Klamath River and Sacramento-San Joaquin Delta Watershed Counties, the Water Board shall consider emergency regulations to curtail water diversions when water is not available at water right holders' priority of right or to protect releases of stored water. The Department of Water Resources shall provide technical assistance to the Water Board that may be needed to develop appropriate water accounting for these purposes in the Sacramento-San Joaquin Delta Watershed.

6. To ensure critical instream flows for species protection in the Klamath River and Sacramento-San Joaquin Delta Watersheds, the Water Board and Department of Fish and Wildlife shall evaluate the minimum instream flows and other actions needed to protect salmon, steelhead, and other native fishes in critical streams systems in the State and work with water users and other parties on voluntary measures to implement those actions. To the extent voluntary actions are not sufficient, the Water Board, in coordination with the Department of Fish and Wildlife, shall consider emergency regulations to establish minimum drought instream flows.

7. Operative paragraph 4 of my April 21, 2021 Proclamation is withdrawn and superseded by the following, which shall apply to the Russian River Watershed identified in my April 21, 2021 Proclamation as well as the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watershed Counties:

   To prioritize drought response and preparedness resources, the Department of Water Resources, the Water Board, the Department of Fish and Wildlife, and the Department of Food and Agriculture, in consultation with the Department of Finance, shall:

   a. Accelerate funding for water supply enhancement, water conservation, or species conservation projects.
   b. Identify unspent funds that can be repurposed to enable projects to address drought impacts to people, ecosystems, and economic activities.
   c. Recommend additional financial support for groundwater substitution pumping to support Pacific flyway habitat needs in the lower Sacramento River and Feather River portions of the Central Valley in the Fall of 2021.

8. Consistent with operative paragraph 13 of my April 21, 2021 Proclamation, the Department of Water Resources shall take actions, if necessary, to implement plans that address potential Delta salinity issues. Such actions may include, among other things, the installation and removal of, Emergency Drought Salinity Barriers at locations within the Sacramento-San Joaquin Delta Estuary. These barriers shall be designed to conserve water for use later in the year to meet state and federal Endangered Species Act requirements, preserve to the extent possible water quality in the Delta, and retain water supply for human health and safety uses. The Water Board and the Department of Fish and Wildlife shall immediately consider any necessary regulatory approvals needed to install Emergency Drought Salinity Barriers. For actions taken pursuant to this paragraph, Section 13247 and the provisions of Chapter 3 (commencing with Section 85225) of Part 3 of Division 35 of the Water Code are suspended.

9. To support the movement of water from areas of relative plenty to areas of relative scarcity in the Sacramento-San Joaquin Delta and Tulare Lake Watershed Counties, the Department of Water Resources shall expedite the consideration and, where appropriate, the implementation of pump-back delivery of water through the State Water Project on behalf of local water agencies.

10. To proactively prevent situations where a community runs out of drinking water, the Water Board, the Department of Water Resources, the Office of Emergency Services, and the Office of Planning and Research shall assist local agencies in identifying acute drinking water shortages in domestic water supplies, and shall work with local agencies in implementing solutions to those water shortages.

11. For purposes of carrying out or approving any actions contemplated by the directives in operative paragraphs 3, 4, 5, 6, 8, and 9, the environmental review by state agencies required by the California Environmental Quality Act in Public Resources Code, Division 13 (commencing with Section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought in the Klamath River, Sacramento-San Joaquin Delta and Tulare Lake Watershed Counties. For purposes of carrying out the directive in operative paragraph 10, for any (a) actions taken by the listed state agencies pursuant to that directive, (b) actions taken by a local agency where the Office of Planning and Research concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with Section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought in counties where the Governor has proclaimed a drought state of emergency. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

12. To ensure transparency in state agency actions, the Water Board and Department of Water Resources will maintain on their websites a list of the activities or approvals by their agencies for which provisions of the Water Code are suspended under operative paragraphs 3, 4, or 8 of this proclamation.

13. To ensure that posting and dissemination of information related to drought emergency activities is not delayed while accessible versions of that information are being created, Government Code Sections 7405 and 11546.7 are hereby suspended as they pertain to the posting of materials on state agency websites as part of responding to the drought emergency, provided that any state agencies failing to satisfy these code sections shall make and post an accessible version on their websites as soon as practicable.

This proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of May 2021.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State

RESOLUTION _____

DECLARING A DROUGHT EMERGENCY AND AUTHORIZING THE IMPLEMENTATION OF STAGE 3 WATER RESTRICTIONS CONTAINED IN SECTION 11.28.190 OF THE TRACY MUNICIPAL CODE AND THE WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, California State Governor proclaimed a drought emergency on April 21, 2021 directing state agencies to take immediate action to bolster drought resilience across the state, and

WHEREAS, State Governor expanded the drought emergency proclamation on May 10, 2021 to include San Joaquin County along with 38 other California Counties requiring accelerated action to protect public health, safety and the environment, and

WHEREAS, warmer than normal temperatures across the State reduced expected water supplies from the Sierra Nevada snowpack, and

WHEREAS, in May 2021, the United States Bureau of Reclamation reduced the City's water supply from the Central Valley Project by approximately 85% of its allocation to 1,482 acre feet, and

WHEREAS, the need for water conservation from all sectors of the Tracy community will continue until adequate precipitation alleviates the drought, and if the drought continues additional emergency water conservation regulations may be required, and

WHEREAS, Tracy Municipal Code Section 11.28.130, Drought declaration, authorizes the City Council to enact Stages of the Water Shortage Contingency Plan by resolution.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tracy hereby:

A. Declares a drought emergency, and
B. Authorizes Stage 3 of the Water Shortage Contingency Plan under Tracy Municipal Code Section 11.28.190, as cited below:

Article 6. - Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals

11.28.150 - Amendments.

The provisions of this article may be amended from time to time or as deemed necessary by the City Council.

11.28.160 - Mandatory prohibitions and requirements.	
(a) **Prohibitions**. The following actions and activities are prohibited:	
	(1) Allowing flagrant water waste or incidental water runoff.
	(2) Irrigating using a hose without a shutoff nozzle attached.
	(3) Using potable water to operate non-recirculating decorative water features, including splash pads.

	(4) Irrigating outdoors during and within forty-eight (48) hours following a measurable rainfall. "Measurable rainfall" means any amount of precipitation that generates a puddle or runoff.	
	(5) The serving of drinking water other than upon request, in eating or drinking establishments.	
	(6) Irrigating ornamental grass or turf on public street medians.	
	(7) Irrigating outside of newly constructed homes and buildings in a manner that is inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.	
	(8) Irrigating any hardscape.	
(b)	***Mandatory requirements***.	
	(1) Any customer must properly maintain all outdoor plumbing and irrigation systems and control all leaks within seventy-two (72) hours of discovery or notification.	
	(2) Customers shall practice prudent water conservation measures, including:	
		(i) Planting drought-tolerant landscapes;
		(ii) Installing and maintaining water-efficient irrigation systems such as drip and bubble irrigation with weather or soil-based controllers;
		(iii) Installing sprinkler heads with a low flow rate appropriate for the landscape to prevent overwatering and runoff;
		(iv) Watering only in the late night or early morning hours during non- windy periods.
	(3) A hose that dispenses potable water shall be fitted with a shut-off nozzle or flow restriction device attached to it that causes it to cease dispensing water immediately when not in use.	
	(4) All swimming pools, hot tubs, and spas installed after May 1, 1993 must have a separation tank and water recovery system installed in the filter backwash system, with a ninety (90%) percent water recovery standard.	
	(5) Each swimming pool, hot tub and spa installed after July 15, 2015 must have a non-permeable floating cover or equivalent device that provides ninety (90%) percent surface coverage.	

11.28.170 - **Stage 1 water restrictions.**

This section applies to any person, owner or manager responsible for the day-to-day operations of a premise. In addition to the mandatory prohibitions and requirements in section 11.28.160, the following requirements apply:

(a) All landscape irrigation is restricted to before 9:00 a.m. or after 7:00 p.m. daily. This applies to residential, commercial, industrial, institutional, municipal and other public agencies or entities.

(b) Restaurants and commercial lodging establishments must post notice of drought conditions.

(c) Hotels and motels must offer guests an option to opt out of linen/towel service.

11.28.180 - **Stage 2 water restrictions**.

In addition to Stage 1, the following requirements apply:	
(a) Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated three (3) days per week as follows:	
	(1) Odd-numbered addresses may irrigate only on Monday, Wednesday and Saturday before 9:00 a.m. and after 7:00 p.m.
	(2) Even-numbered addresses may irrigate only on Tuesday, Thursday and Sunday before 9:00 a.m. and after 7:00 p.m.
	(3) At any time provided that only drip, microspray or bubbler irrigation is used.
(b) Any customer must repair and control all outdoor water leaks that violate this Chapter, as determined by the City, within forty-eight (48) hours of discovery or notification.	
11.28.190 - **Stage 3 water restrictions.**	
In addition to Stages 1 and 2, the following requirements apply:	
(a) Except as otherwise provided, individual residential car washing is allowed only with the use of a bucket. "Individual residential car washing" means the cleaning with potable water of a motor vehicle that is registered to an individual who lives on the premise.	
(b) Automobile and recreational vehicle dealerships are allowed to continue washing vehicles with a hose that is fitted with a shut-off nozzle or flow restriction device attached under the following conditions:	
	(1) Automobiles and recreational vehicles may be washed only on Friday using the method outlined above.
	(2) An automobile, motorcycle, boat or motorhome may be washed the day before or the day of delivery to the purchaser using the method outlined above before 9:00 a.m. or after 7:00 p.m.
(c) No customer may add water or refill a swimming pool, spa or hot tub unless it has a separation tank and water recovery system installed in the filter backwash system, with a ninety (90%) percent water recovery standard and it is a maintenance or health and safety issue.	

* * * * * * * * * * * * * *

The foregoing Resolution 2021-_____ was adopted by Tracy City Council on the 6th day of July, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 3.D

REQUEST

INTRODUCTION OF AN ORDINANCE TO CREATE SECTION 6.26 "SHARED MOBILITY DEVICE PILOT PROGRAM" OF THE TRACY MUNICIPAL CODE, TO ESTABLISH A PILOT PERMIT PROGRAM FOR SHARED MOBILITY DEVICES

EXECUTIVE SUMMARY

The City of Tracy does not currently have anything in place that either allows or prohibits the use of shared mobility devices within the City limits. California Assembly Bill 1286 (AB 1286) requires that cities that allow shared mobility providers to operate in their jurisdictions adopt rules for the operation, parking and maintenance of any shared mobility device for rent or use through any of the following: ordinance, agreement, or permit terms.

In order to come into compliance with AB 1286, the City needs to adopt an ordinance that provides regulation on shared mobility device use within the City limits. This item requests that Council introduce an ordinance to initiate a pilot permit program for shared mobility devices within the City limits, which will be re-evaluated after one year.

DISCUSSION

A shared mobility device is an electrically motorized board, scooter, bicycle or other similar personal transportation device as defined in the California Vehicle Code (CVC) that is made available to the public by a service provider for a fee.

On September 18, 2020, Governor Newsom signed AB 1286, a bill requiring a city or county that authorizes a shared mobility device provider to operate within its jurisdiction on or after January 1, 2021, to adopt operation, parking, and maintenance rules, as provided, regarding the use of the shared mobility devices in its jurisdiction before the provider may offer shared mobility devices for rent or use. The bill also requires a city or county that authorized a provider to operate within its jurisdiction before January 1, 2021, and continues to provide that authorization to adopt operation, parking, and maintenance rules, as provided, by January 1, 2022. Part of the bill's requirements also state that the authorized provider maintain minimum levels of insurance, as stated in the bill, for bodily injury or property damage, including contractual liability, personal injury, and product liability and completed operations.

The CVC currently regulates the rules of the road for the operation of various shared mobility devices, whether it be a scooter, bicycle or other mean of transportation. In regards to motorized scooters, some highlights of recent laws regarding their use include:

- Helmets are required if under 18 years of age
- A driver's license or instruction permit is required to operate
- No passengers are allowed
- No riding on sidewalks unless entering or leaving an adjacent property

- 15 mph speed limit for the scooter
- Must ride in a bike lane if the road has a speed limit greater than 25 mph

While the CVC currently regulates the rules of the road for these devices, the City of Tracy currently does not have any ordinance in place that either authorizes or prohibits the use of shared mobility devices or their providers. Dockless scooters from Bird Rides, Inc. have been operating within Tracy since October 2020, and staff have received additional requests for shared mobility device providers to operate within City limits.

The adoption of this pilot program ordinance will provide the framework to allow shared mobility device providers a framework in which to operate within the City. Particularly, this will create a permit process by which the providers will submit detailed information regarding their business, provide insurance naming the City as an additional insured, and impose a permit fee of $500 plus $0.10 per ride back to the City as a source of revenue to help offset the direct and indirect costs for City resources and staff to administer and enforce the pilot program, as well as the use of public property. This ordinance would also state that the providers are required to affirm that the user acknowledges and meets the use requirements as prescribed in the CVC.

While preparing this ordinance, staff met with other departments, including staff from the Police Department, and representatives from Bird Rides, Inc. to get feedback on areas of concern with implementing and enforcing the ordinance. Feedback was also solicited from the Transportation Advisory Commission who indicated that important aspects to address were safety and liability for the City, which has been addressed in the ordinance. While this is a new ordinance, and shared mobility devices are something relatively new to the City of Tracy, it is recommended that this be a pilot program that is evaluated after one year in operation so that it can be determined if any adjustments to the ordinance are needed.

STRATEGIC PLAN

This agenda item is a routine operational item and does not directly relate to the City Council's seven strategic priorities.

FISCAL IMPACT

Revenues from fees collected by the Parks & Recreation Department will go to the General Fund. These fees will help to offset any staff time required to administer and implement this ordinance.

RECOMMENDATION

That City Council introduce and waive the full reading of an ordinance to adding Section 6.26, "Shared Mobility Device Pilot Program," to Title 6 of the Tracy Municipal Code.

Prepared by: Ed Lovell, Transit Manager

Reviewed by:
Brian MacDonald, Parks & Recreation Director
Karin Schnaider, Finance Director
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENT

Exhibit 1 - Chapter 6.26 – Shared Mobility Device Pilot Program Ordinance
Exhibit 2 – AB 1286

Chapter 6.26 - SHARED MOBILITY DEVICE PILOT PROGRAM

Article 1 - TITLE AND PURPOSE.

6.26.010 This Chapter shall be known as the "Shared Mobility Device Pilot Program Ordinance."

6.26.020 This Chapter creates a program to facilitate the use of shared mobility devices while ensuring the protection of public health and safety, including the safety of the public traveling by foot, bicycle, or vehicle on public sidewalks, streets, and other public right-of-way.

Article 2 - DEFINITIONS.

6.26.210 – Definitions

(a) "Code" shall mean Tracy Municipal Code.

(b) "Electric Bicycle" has the same meaning as in California Vehicle Code section 312.5.

(c) "Fleet" shall mean all Shared Mobility Devices owned a by specific operator.

(d) "Geofencing" shall mean the creation of a virtual geographic boundary, defined by the Global Positioning System (GPS), radio-frequency identification (RFID), or other technology that enables the operator to regulate speed, issue notifications, and take other actions when a Shared Mobility Device in its fleet enters or leaves a defined area.

(e) "Motorized Scooter" has the same meaning as in California Vehicle Code section 407.5(a)-(b).

(f) "Public Area" shall mean any outdoor area that is open to the public for public use, whether owned or operated by the City or a private party.

(g) "Public Right-of-Way" shall mean any public alley, parkway, public transportation path, roadway, sidewalk, or street that is owned, granted by easement, operated, or controlled by the City.

(h) "Shared Mobility Device" shall mean an electrically motorized board as defined in Section 313.5 of the Vehicle Code, motorized scooter as defined in Section 407.5 of the Vehicle Code, electric bicycle as defined in Section 312.5 of the Vehicle Code, bicycle as defined in Section 231 of the Vehicle Code, or other similar personal transportation device, except as provided in subdivision (b) of Section 415 of the Vehicle Code, that is made available to the public by a shared mobility device provider for shared use and transportation in exchange for financial compensation via a digital application or other electronic or digital platform. A shared mobility device does not include automobiles registered by the California Department of Motor Vehicles, nor assistive mobility devices used by persons with disabilities.

(i) “Shared Mobility Device Provider or Operator” shall mean any person or business entity, owning, managing, or making available shared mobility devices for hire in exchange for financial compensation via a digital application or other electronic or digital platform, that is granted a permit by the City to make available Shared Mobility Devices for shared use and transportation

(j) "Users" means a person who rents and uses a shared mobility device from an operator.

Article 3 – GENERAL REGULATIONS

6.26.310 – Granting of Permits

Any person, firm, or corporation desiring to make available for rent within the City of Tracy any shared mobility device shall first obtain a shared mobility device operator permit.

6.26.320 – Application for Shared Mobility Device Operator Permit

(a) Any person or entity seeking to obtain a shared mobility device operator permit shall submit a written permit application, signed under penalty of perjury, using the form designated by the Parks & Recreation Director for that purpose.

(b) The permit shall include permit fees, which shall:

(1) Defray the City's costs in administering and enforcing the provisions of this Chapter; and

(2) Reflect charges associated with use of public property pursuant to this Chapter.

(c) The permit application fee shall be $500 per application (non-refundable), plus a program fee of $0.10 per ride transaction. These fees will defray the City's costs in administering and enforcing the provisions of the Chapter, as well as charges related to the use of public property.

(d) The Parks & Recreation Director, or designee, may specify the information that must be provided in connection with an application and the form in which the information is to be provided. The application shall contain, at a minimum, the following:

(1) The applicant's true name, address, and telephone number; the true and fictitious name, address, and telephone of the shared mobility device provider; and written evidence that the applicant is an owner or legal representative of the shared mobility device provider;

(2) Information sufficient to show that the applicant is financially, technically, and legally qualified to operate and maintain a shared mobility device system;

(3) A description of the proposed plan of operation, including, at a minimum, a detailed description of:

(i) A summary of the applicant's current operations in similar jurisdictions, including confirming the applicant has a permit to operate where required for such jurisdictions,

(ii) The applicant's proposed operations in the City including the maximum number of shared mobility devices anticipated, the plan for deployment of shared mobility devices within the City, the plan for shared mobility device maintenance, levels of staff for operations and administration, and the plan for customer service,

(iii) The applicant's regulatory compliance program, including but not limited to, authorized representative that will serve as City's local point of contact 24 hours/7 days a week,

(iv) The applicant's history of, intent to, and ability to comply with, State and local law such as public outreach efforts and signage,

(v) The applicant's plans to implement safety programs, including, for example, a program by which the applicant will receive information about and notify users of inappropriate use,

(vi) The applicant's plans to educate users of shared mobility devices about applicable California Vehicle Code provisions, local laws, and other applicable laws, regulations, and guidelines,

(vii) The applicant's plans to comply with applicable Federal, State, and local data privacy laws and otherwise to protect the privacy of personal information provided by users,

(viii) Plans for sharing of anonymized trip data with the City through an application program interface (API), General Bikeshare Feed Specifications (GBFS), Mobility Data Specifications (MDS), or similar technology,

(ix) Proof of insurance naming the City of Tracy as an additional insured, including an additional insured endorsement, in amounts established by the City's Risk Manager and in accordance with applicable state laws,

(x) Any other requirements set forth by the Parks & Recreation Director.

(e) A completed shared mobility device permit shall include, at a minimum, the following:

(1) The types of shared mobility devices the operator is authorized to deploy,

(2) The maximum number of each type of shared mobility devices permitted in the operator's fleet as determined by the City,

(3) Locations identified where an operator shall use geofencing or similar technology to reduce the speed of the operator's shared mobility devices,

(4) Locations identified where an operator shall use geofencing or similar technology to prevent users from ending a ride, without express written permission from the property owner to the operator.

(5) Specific labelling of each shared mobility device in letters at least 1" tall that reads "RIDING ON SIDEWALKS IS PROHIBITED BY STATE LAW."

(6) The non-refundable shared mobility device permit fee.

(7) Provision for the shared mobility device operator to accept cash payment for ride credits.

(8) Provision to create a discount program for qualified low-income individuals.

(9) Ability to require proof of a driver's license or permit to unlock and use the device as required the California Vehicle Code.

(10) An indemnification provision, approved by the City's Risk Manager, that states that the operator shall indemnify, defend, and hold harmless the City and its officers, officials, employees, representatives, and agency from any and all claims, closes, damages, injuries liabilities or losses which arise out of, or which are in any way

related to, the City's issuance of the permit, and for any and all claims, losses, damages, injuries, liabilities or losses to any user or any third party, arising out of or which are in any way related to operator's activities and operations including but not limited to said activities and operations under the permit.

(f) The Parks & Recreation Director shall issue a non-transferable permit upon the operator's payment of fees required and the Parks & Recreation Director's determination that the operator's permit application is complete.

(g) Permits shall be effective upon signature by the operator and valid until June 30, 2022 unless otherwise extended or terminated earlier by the City.

(h) The Parks & Recreation Director shall adopt a process to renew permit agreements.

6.26.330 – Impoundment of Devices

(a) A shared mobility device displayed, offered, or made available for rent, or left, in the public right-of-way or a public area in violation of this Chapter, shall be subject to immediate impoundment by the City.

(b) A shared mobility device displayed, offered, or made available for rent absent a permit is subject to immediate removal.

(c) Within three hours of notice from the City, an operator shall retrieve its shared mobility device that has been maintained or parked in violation of this Code, California Vehicle Code, or the permit.

(d) If a shared mobility device is materially blocking the public right-of-way or ADA path of travel, the device may be removed immediately by City staff and impounded at operator's expense including the payment of an impoundment and storage fee, as established by Council resolution.

(e) Any shared mobility device not retrieved from impound for more than 30 calendar days may, at the Parks & Recreation Director's discretion, be repurposed, recycled, destroyed, or auctioned in accordance with applicable state law.

6.26.340 – Violations

(a) Any person who violates any provision of this Chapter shall be guilty of an infraction.

(b) Violations of this Chapter are hereby declared a public nuisance.

6.26.350 – Exigency

The Parks & Recreation Director may require operators, through geofencing or similar technology to temporarily disable shared mobility devices in a specific area during an emergency or within the perimeter of a permitted special event as defined in Chapter 4.40 of this code.

6.26.360 – Revocation of Permit

The Parks & Recreation Director may revoke an operator's permit if the operator violates any provision of this code or the terms of their permit agreement. If the City revokes an operator's permit, the operator may be required to wait at least six months from the date the permit was revoked before applying for a new permit.

(a) Within ten (10) calendar days of the termination or expiration of an operator's permit, the operator shall remove its fleet from operation with the City and shall retrieve any shared mobility devices impounded by the City. If the operator fails to comply, the City may remove and dispose of shared mobility devices at the operator's cost.

(b) The Parks & Recreation Director's decision to revoke a permit shall be appealable to the City Manager in accordance with Section 1.12.010 of this Code. The City Manager's decision shall be final.

6.26.370 – Pilot Program

Any permit issued pursuant to this Chapter shall terminate and be of no further force or effect beyond June 30, 2022, unless otherwise extended or terminated earlier by the City Council.

Assembly Bill No. 1286

CHAPTER 91

An act to add Title 10.1 (commencing with Section 2505) to Part 4 of Division 3 of the Civil Code, relating to mobility devices.

[Approved by Governor September 18, 2020. Filed with Secretary of State September 18, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1286, Muratsuchi. Shared mobility devices: agreements.

Existing law regulates contracts for particular transactions, including those in which one person agrees to give to another person the temporary possession and use of personal property, other than money for reward, and the latter agrees to return the property to the former at a future time.

This bill would require a shared mobility service provider, as defined, to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. The bill would require that the provider maintain a specified amount of commercial general liability insurance in a user agreement before distributing a shared mobility device within that jurisdiction. The bill would define shared mobility device to mean an electrically motorized board, motorized scooter, electric bicycle, bicycle, or other similar personal transportation device, except as provided.

This bill would require a city or county that authorizes a shared mobility device provider to operate within its jurisdiction on or after January 1, 2021, to adopt operation, parking, and maintenance rules, as provided, regarding the use of the shared mobility devices in its jurisdiction before the provider may offer shared mobility devices for rent or use. The bill would require a city or county that authorized a provider to operate within its jurisdiction before January 1, 2021, and continues to provide that authorization to adopt operation, parking, and maintenance rules, as provided, by January 1, 2022.

The people of the State of California do enact as follows:

SECTION 1. Title 10.1 (commencing with Section 2505) is added to Part 4 of Division 3 of the Civil Code, to read:

TITLE 10.1. SHARED MOBILITY DEVICES

2505. (a) For purposes of this title:

(1) "Shared mobility device" means an electrically motorized board as defined in Section 313.5 of the Vehicle Code, motorized scooter as defined in Section 407.5 of the Vehicle Code, electric bicycle as defined in Section

312.5 of the Vehicle Code, bicycle as defined in Section 231 of the Vehicle Code, or other similar personal transportation device, except as provided in subdivision (b) of Section 415 of the Vehicle Code, that is made available to the public by a shared mobility service provider for shared use and transportation in exchange for financial compensation via a digital application or other electronic or digital platform.

(2) "Shared mobility service provider" or "provider" means a person or entity that offers, makes available, or provides a shared mobility device in exchange for financial compensation or membership via a digital application or other electronic or digital platform.

(b) Before distribution of a shared mobility device, a shared mobility service provider shall enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. The agreement or permit shall, at a minimum, require that the shared mobility service provider maintain commercial general liability insurance coverage with a carrier doing business in California, with limits not less than one million dollars ($1,000,000) for each occurrence for bodily injury or property damage, including contractual liability, personal injury, and product liability and completed operations, and not less than five million dollars ($5,000,000) aggregate for all occurrences during the policy period. The insurance shall not exclude coverage for injuries or damages caused by the shared mobility service provider to the shared mobility device user.

(c) (1) A city or county that authorizes a provider to operate within its jurisdiction on or after January 1, 2021, shall adopt rules for the operation, parking, and maintenance of shared mobility devices before a provider may offer any shared mobility device for rent or use in the city or county by any of the following:

(A) Ordinance.

(B) Agreement.

(C) Permit terms.

(2) A city or county that authorized a provider to operate within its jurisdiction before January 1, 2021, and continues to provide that authorization shall adopt rules for the operation, parking, and maintenance of shared mobility devices by January 1, 2022, by any of the following:

(A) Ordinance.

(B) Agreement.

(C) Permit terms.

(3) A provider shall comply with all applicable rules, agreements, and permit terms established pursuant to this subdivision.

(d) Nothing in this section shall prohibit a city or county from adopting any ordinance or regulation that is not inconsistent with this title.

SEC. 2. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

O

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY ADDING CHAPTER 6.26 “SHARED MOBILITY DEVICE PILOT PROGRAM” TO TITLE 6 “BUSINESSES, PROFESSIONS AND TRADES” OF THE TRACY MUNICIPAL CODE TO ESTABLISH A PILOT PERMIT PROGRAM FOR SHARED MOBILITY DEVICES

WHEREAS, shared mobility devices such as electric bikes or scooters provide alternative means of transportation that assist in the reduction of local greenhouse gas (GHG) emissions, decrease vehicular traffic, and improve the overall quality of life, and

WHEREAS, the City of Tracy is committed to protecting the public health, safety, and welfare of its residents while responding to advances and developments in technology as they relate to alternative modes of transportation modes, and

WHEREAS, Assembly Bill 1286 enacted Title 10.1 (commencing with Section 2505) of the California Civil Code to require providers of shared mobility devices to enter into an agreement or obtain a permit the city or county with jurisdiction over the area of use; and

WHEREAS, the City seeks to establish a shared mobility device pilot program that requires shared mobility device providers to obtain a permit from the City in order to operate in Tracy and set minimum operating requirements regarding maintenance, education, safety, customer service, insurance and indemnification, and compliance with California Vehicle Code and accessibility restrictions, and

WHEREAS, the intent of the pilot program is to implement state law, facilitate the use of shared mobility devices while ensuring the protection of public health and safety, including the safety of the public traveling by foot, bicycle, assisted mobility devices, or vehicle on public sidewalks, streets, and other public right-of-way, and establish positive working relationships with shared mobility device providers, and

WHEREAS, the pilot program will inform future City regulations regarding shared mobility devices.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TRACY DOES ORDAIN AS FOLLOWS:

SECTION 1: The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2: The City Council hereby amends Title 6 “Businesses, Professions, and Trades” to add a new Chapter 6.26 “Shared Mobility Devices Pilot Program” as described in Exhibit 1 of the Ordinance.

SECTION 3: If any provision or the application of this Ordinance is for any reason held to be unconstitutional, invalid, or otherwise unenforceable, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each subsection or provision of this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be

severed and the balance of the Ordinance enforced.

SECTION 4: The City Council finds that this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines because the requirement that shared mobility device providers obtain a City permit does not have the potential for causing a significant effect on the environment.

SECTION 5: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 6: This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the Ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the Ordinance. (Gov't. Code §36933.)

* *

This Ordinance _____ was introduced at a regular meeting of the Tracy City Council on the 6th day of July, 2021, and finally adopted on the _____ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

July 6, 2021

AGENDA ITEM 3.E

REQUEST

DISCUSS THE CREATION OF A COUNCIL POLICY REQUIRING CITY COUNCIL MEMBERS SERVING ON EXTERNAL BOARDS, COMMISSIONS, SUBCOMMITTEES OR JOINT POWER AUTHORITIES TO HAVE COUNCIL APPROVAL PRIOR TO COMMITTING CITY FUNDS AND PROVIDE DIRECTION TO STAFF

EXECUTIVE SUMMARY

Mayor Pro Tem Vargas, seconded by Council Member Arriola, requested to place an item on the agenda to discuss the creation of a Council policy that would govern how and when City Council Members serving on external boards may approve actions that obligate City funds.

DISCUSSION

At the February 16, 2021 City Council meeting, Mayor Pro Tem Vargas requested to place on the Council agenda an item for consideration, discussion, and action pertaining to governing the actions of City Council Members while serving on external Boards, Commissions, Subcommittees and JPAs with respect to financial commitments. Mayor Pro Tem Vargas suggested requiring City Council approval before Council Members serving on external Boards, Commissions, Subcommittees, and/or JPAs could cast a vote that would committee City funds.

This agenda item provides the forum for Council to discuss and consider creating such a policy. Based on Council's discussion and direction, staff could return at a subsequent Council meeting with draft language for Council's consideration and approval.

FISCAL IMPACT

The fiscal impact will depend upon direction received on this report.

STRATEGIC PLAN

This agenda item is a routine operational item that does not relate to the Council's Strategic Plans.

RECOMMENDATION

That the City Council:

1. Consider and discuss creating a Council Policy governing fiscal commitments while serving on external Boards, Commissions, Subcommittees and JPAs;
2. Provide direction to staff as needed.

Prepared by: Midori Lichtwardt, Assistant City Manager

Approved by: Jenny D. Haruyama, City Manager