



August 19, 2025

Regular City Council Meeting

Resolution Exhibit 3 for Agenda Item 3.C

Please contact the City Clerk's Office at (209) 831-6105 with any questions.

## 4.0

## MITIGATION MONITORING AND REPORTING PROGRAM

**TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM**

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
<b>BIOLOGICAL RESOURCES</b>				
Impact 3.4-1: The proposed Project has the potential to have a direct or indirect effect on special-status invertebrate species.	<b>Mitigation Measure 3.4-1:</b> Prior to commencement of any grading activities, the Project proponent shall obtain coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species.	City of Tracy Planning Department  San Joaquin Council of Governments	Prior to commencement of any grading activities	
Impact 3.4-2: The proposed Project has the potential to have direct or indirect effects on special-status reptile and amphibian species.	Implement <b>Mitigation Measure 3.4-1.</b>	See Mitigation Measure 3.4-1	See Mitigation Measure 3.4-1	
Impact 3.4-3: The proposed Project has the potential to have direct or indirect effects on special-status bird species.	Implement <b>Mitigation Measure 3.4-1.</b>	See Mitigation Measure 3.4-1	See Mitigation Measure 3.4-1	
Impact 3.4-4: The proposed Project has the potential to result in direct or indirect effects on special-status mammal species.	Implement <b>Mitigation Measure 3.4-1.</b>	See Mitigation Measure 3.4-1	See Mitigation Measure 3.4-1	
Impact 3.4-9: The proposed Project has the potential to conflict with an adopted Habitat Conservation Plan.	Implement <b>Mitigation Measure 3.4-1.</b>	See Mitigation Measure 3.4-1	See Mitigation Measure 3.4-1	
<b>CULTURAL AND TRIBAL RESOURCES</b>				
Impact 3.5-1: Project implementation has the potential to cause a substantial adverse change to a significant historical resource, as defined in CEQA Guidelines §15064.5.	<b>Mitigation Measure 3.5-1:</b> Prior to the demolition of the existing residential structures, a comprehensive evaluation of the structures shall be conducted to identify and document any aspects of historical significance. This evaluation shall be carried out by qualified professionals in cultural resources management or historic preservation, in accordance with the standards of the California Office of Historic Preservation. The assessment	City of Tracy Community Development Department, qualified professional in	Prior to the demolition of the existing residential structures	

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	<p>shall include, but not be limited to, an examination of architectural features, historical records, oral histories, and any other relevant sources of information to determine the historical significance of the residential structures. The findings from the assessment shall be recorded and documented in accordance with the standards set forth by the California Office of Historic Preservation. This documentation shall be submitted to the City of Tracy Community Development Department for review and approval prior to the issuance of any permits for demolition.</p> <p>In the event that significant historical or cultural resources are identified, appropriate measures shall be implemented in consultation with the project applicant to mitigate any adverse impacts to these resources to the extent feasible. The applicant shall submit a final report summarizing the implementation of this mitigation measure, including any findings, documentation, and compliance verification activities, to the City of Tracy Community Development Department for cultural resources management.</p> <p><b>Mitigation Measure 3.5-2:</b> If any historical resources, cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, are found during grading and construction activities during any phase of the Project, all work shall be halted immediately within a 200-foot radius of the discovery until an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, has evaluated the find(s).</p> <p>Work shall not continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR; or 3) not a significant Public Trust Resource.</p> <p>In addition, if the resource(s) identified is cultural or tribal in nature, the Confederated Villages of Lisjan shall be contacted to review and identify the resource, prior to work continuing at the discovery site.</p> <ul style="list-style-type: none"> <li>○ If Native American resources are identified, a Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, would also be required and, if Native American resources are identified, shall be retained at the</li> </ul>	<p>cultural resources management or historic preservation</p> <p>City of Tracy Community Development Department, qualified archaeologist, Native American monitor</p>	<p>In the event that significant historical or cultural resources are identified</p> <p>If any historical resources, cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, are found during grading and construction activities during any phase of the Project</p>	

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	<i>Project applicant's expense.</i>			
Impact 3.5-2: Project implementation has the potential to cause a substantial adverse change to a significant archaeological resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074.	<p><b>Implement <i>Mitigation Measure 3.5-2</i>.</b></p> <p><b><i>Mitigation Measure 3.5-3:</i></b> <i>If human remains are discovered during the course of construction during any phase of the Project, work shall be halted at the site and at any nearby area reasonably suspected to overlie adjacent human remains until the San Joaquin County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, either of the following steps will be taken:</i></p> <ul style="list-style-type: none"> <li><i>The coroner shall contact the Native American Heritage Commission and the Confederated Villages of Lisjan in order to ascertain the Most Likely Descendant (MLD) from the deceased individual. If a MLD is identified, the MLD, with the permission of the owner of the land, or his or her authorized representative, in accordance with the law, may inspect the site discovery site and recommend to the landowner, or his or her representative, means for the treatment or disposition, with appropriate dignity' of the human remains and any associated grave goods. The landowner has no legal obligation to allow the MLD accesses to the property for the purpose of making a recommendation. The MLD must complete their inspection and make their recommendation within 48 hours of their notification by the NAHC. The recommendation may include the scientific removal and analysis of human remains and items associated with Native American burials. The coroner shall make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</i></li> <li><i>The landowner shall retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:</i> <ul style="list-style-type: none"> <li><i>The Native American Heritage Commission and Confederated Villages of Lisjan is unable to identify a</i></li> </ul> </li> </ul>	<p>See Mitigation Measure 3.5-2</p> <p>City of Tracy Community Development Department, San Joaquin County Coroner, Native American Heritage Commission, Confederated Villages of Lisjan</p>	<p>See Mitigation Measure 3.5-2</p> <p>If human remains are discovered during the course of construction during any phase of the Project</p>	

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	<p>descendant.</p> <ul style="list-style-type: none"> <li>○ The descendant identified fails to make a recommendation.</li> </ul> <p>The City of Tracy or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p>			
Impact 3.5-3: Project implementation has the potential to disturb human remains, including those interred outside of formal cemeteries.	Implement <b>Mitigation Measure 3.5-3.</b>	See Mitigation Measure 3.5-3	See Mitigation Measure 3.5-3	
GEOLOGY AND SOILS				
Impact 3.6-3: The proposed Project has the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse.	<p><b>Mitigation Measure 3.6-1:</b> All site preparation, grading operations, and construction design shall be conducted in conformance with the recommendations included in the Preliminary Geotechnical Engineering Study – Proposed New One- Story Warehouse Building, 16286 W. Schulte Road [APN: 209-280-250], Tracy, California (Condor Earth Technologies, Inc., 2020). Specific recommendations in the Geotechnical Engineering Report generally address the following:</p> <ol style="list-style-type: none"> <li>1. General grading and site preparation;</li> <li>2. Overexcavation;</li> <li>3. Subgrade Preparation;</li> <li>4. Fill materials;</li> <li>5. Engineered fill placement;</li> <li>6. Lime treatment;</li> <li>7. Excavations;</li> <li>8. Earthwork shrinkage;</li> <li>9. Underground utility trenches;</li> <li>10. Surface drainage control;</li> <li>11. General foundation;</li> <li>12. Shallow foundation design</li> <li>13. Lateral resistance;</li> <li>14. Construction considerations;</li> <li>15. Interior concrete slabs;</li> <li>16. Exterior concrete slabs;</li> <li>17. Retaining walls;</li> </ol>	City of Tracy Building Safety and Fire Prevention Division	Prior to the approval of Project improvement plans	

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	<p>18. Pavements; 19. Corrosion potential.</p> <p><i>Additional site testing and final design evaluation shall be conducted by the Project Geotechnical Consultant to refine and enhance these requirements as part of a final Geotechnical Evaluation. The Project Applicant/Developer shall require the Project Geotechnical Consultant to assess whether the requirements in that report need to be modified or refined to address any changes in the Project features that occur prior to the start of grading. If the Project Geotechnical Consultant identifies modifications or refinements to the requirements, the Project Applicant/Developer shall require appropriate changes to the final Project design and specifications. These requirements shall be incorporated into the final Geotechnical Evaluation.</i></p>			
Impact 3.6-4: The proposed Project has the potential for expansive soils to create substantial risks to life or property.	Implement <b>Mitigation Measure 3.6-1.</b>	See Mitigation Measure 3.6-1	See Mitigation Measure 3.6-1	
Impact 3.6-5 The proposed Project has the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	<p><b>Mitigation Measure 3.6-2:</b> <i>If any paleontological resources are found during grading and construction activities of the Project, all work shall be halted immediately within a 200-foot radius of the discovery until a qualified paleontologist has evaluated the find. A paleontologist is a scientist with an advanced degree (Master's or Doctorate) who studies the history of life on Earth through the fossil record.</i></p> <p><i>Work shall not continue at the discovery site until the paleontologist evaluates the find and makes a determination regarding the significance of the resource and identifies recommendations for conservation of the resource, including preserving in place or relocating on the Project site, if feasible, or collecting the resource to the extent feasible and documenting the find with the University of California Museum of Paleontology. The paleontologist recommendations shall be implemented.</i></p>	City of Tracy Community Development Department, qualified paleontologist	If any paleontological resources are found during grading and construction activities of the Project	
HAZARDS AND HAZARDOUS MATERIALS				
Impact 3.8-1: Potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release	<b>Mitigation Measure 3.8-1:</b> <i>In the event that hazardous materials are encountered during construction, a Soils Management Plan (SMP) shall be submitted and approved by the San Joaquin County Department of Environmental Health. The SMP shall establish management practices for handling hazardous materials, including fuels, paints, cleaners, solvents, etc., during construction. The approved SMP shall be posted and maintained onsite during construction activities and all construction personnel shall</i>	San Joaquin County Department of Environmental Health	In the event that hazardous materials are encountered during construction	

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of hazardous materials into the environment.	<p><i>acknowledge that they have reviewed and understand the plan.</i></p> <p><b>Mitigation Measure 3.8-2:</b> Prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to San Joaquin County Environmental Health Department (CUPA) for review and approval. If during the construction process the applicant or its subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).</p> <p><b>Mitigation Measure 3.8-3:</b> Prior to the issuance of grading permits, the applicant shall hire a qualified consultant to perform site-specific soil sampling to determine if chemicals of potential concern associated with the historical agricultural uses at the Project site are present in shallow soil at concentrations that would pose a threat to human health. In order to achieve this, a soil sampling and analysis workplan shall be submitted for approval by the San Joaquin County Department of Environmental Health prior to the work. The sampling and analysis plan shall meet the requirements of the Department of Toxic Substances Control Interim Guidance for Sampling Agricultural Properties (2008).</p> <p><i>If the sampling results indicate the presence of agrichemicals that exceed commercial screening levels, a removal action workplan shall be prepared in coordination with San Joaquin County Department of Environmental Health. The removal action workplan shall include a detailed engineering plan for conducting the removal action, a description of the onsite contamination, the goals to be achieved by the removal action, and any alternative removal options that were considered and rejected and the basis for that rejection. A no further action letter shall be issued by San Joaquin County Department of Environmental Health upon completion of the removal action. The removal action shall be deemed complete when the confirmation samples exhibit concentrations below the commercial screening levels, which will be established by the agencies.</i></p> <p><b>Mitigation Measure 3.8-4:</b> Prior to the issuance of grading permits or demolition permits, the septic tank shall be abandoned and removed under permit from the San Joaquin County Department of Environmental Health.</p>	<p>San Joaquin County Environmental Health Department</p> <p>San Joaquin County Environmental Health Department</p> <p>San Joaquin County Environmental Health Department</p>	<p>Prior to bringing hazardous materials onsite</p> <p>Prior to the issuance of grading permits</p> <p>Prior to the issuance of grading permits or demolition permits</p>	

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	<p><b>Mitigation Measure 3.8-5:</b> Prior to ground disturbing activities, the applicant shall ensure that all debris/miscellaneous nonhazardous solid waste observed at the site during the Phase 1 Environmental Site Assessment be collected and disposed at an appropriate Solid Waste/Landfill facility.</p> <p><b>Mitigation Measure 3.8-6:</b> Prior to any renovations or demolition of the existing structures within the Project site, surveys shall be conducted for the presence of lead-based paints or products, radon, mold, asbestos containing materials, as recommended by the Phase I ESA (dated November 4, 2020) prepared by ATC for the West Schulte Road property. The intent of the additional testing is to investigate whether any buildings, facilities, or soils contain hazardous materials, including petroleum products, agrichemical (including pesticides, herbicides, diesel, petrochemicals, etc.), asbestos, etc. If asbestos-containing materials and/or lead are found in buildings, an Operations and Maintenance (O&amp;M) Program shall be implemented in order to safely manage the suspect ACMs and LBP located at the subject property, and a California Occupational Safety and Health Administration (Cal/OSHA) certified asbestos containing building materials (ACBM) and lead based paint contractor shall be retained to remove the asbestos-containing materials and lead in accordance with EPA and Cal/OSHA standards. In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal/OSHA asbestos and lead worker construction standards. The ACBM and lead shall be disposed of properly at an appropriate offsite disposal facility.</p> <p><b>Mitigation Measure 3.8-7:</b> Prior to any ground disturbance activities within 50 feet of a well on the Project site, the applicant shall hire a licensed well contractor to obtain a well destruction permit for any wells to be abandoned from the San Joaquin County Environmental Health Department, and properly abandon the on-site well(s) Any related subsurface piping, pursuant to review and approval by the City Engineer and the San Joaquin County Environmental Health Department.</p>	<p>City of Tracy Planning Department</p> <p>City of Tracy Planning Department</p> <p>City of Tracy Planning Department</p>	<p>Prior to ground disturbing activities</p> <p>Prior to any renovations or demolition of the existing structures within the Project site</p> <p>Prior to any ground disturbance activities within 50 feet of a well on the Project site</p>	
NOISE				
Impact 3.9-1: The proposed Project has the potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local	<p><b>Mitigation Measure 3.9-1:</b> To reduce potential construction noise impacts during Project construction, the following multi-part mitigation measure shall be implemented for the Project:</p> <ul style="list-style-type: none"> <li>All construction equipment powered by internal combustion engines shall be properly muffled and maintained.</li> <li>Quiet construction equipment, particularly air compressors, shall</li> </ul>	City of Tracy Building Safety and Fire Prevention Division	Prior to the approval of Project improvement plans	



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general plan or noise ordinance, or applicable standards of other agencies.	<p><i>be selected whenever possible.</i></p> <ul style="list-style-type: none"> <li><i>All stationary noise-generating construction equipment such as generators or air compressors shall be located as far as is practical from existing residences. In addition, the Project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site.</i></li> <li><i>Unnecessary idling of internal combustion engines shall be prohibited.</i></li> <li><i>The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.</i></li> <li><i>Construction shall be limited to 7:00 a.m. to 10:00 p.m.</i></li> <li><i>Staging areas on the Project site shall be located in areas that maximize, to the extent feasible, the distance between staging activity and sensitive receptors.</i></li> </ul> <p><i>These requirements shall be noted on the Project improvement plans.</i></p>			
TRANSPORTATION AND CIRCULATION				
Impact 3.10-1: Project implementation would conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	<p><b>Mitigation Measure 3.13-1:</b> Prior to commencement of any operational activities, the project proponent shall implement either “Option 1” or “Option 2”, as provided in the CEQA Transportation Analysis prepared by Kimley Horn on July 22, 2022. “Option 1” includes a combination of TDM measures plus a VMT Mitigation Banking Fee for the Project to achieve 15% VMT reductions (assuming the VMT Mitigation Banking Fee Program is adopted by the time the proposed project is ready to apply for permits). Alternatively, as described under “Option 2”, if the VMT Mitigation Banking Fee Program is not adopted at the time the proposed project is ready to apply for permits), the proposed project would be required to provide TDM measures that fully reduce the VMT by 15%. See Table 2 of the CEQA Transportation Analysis prepared by Kimley Horn for the proposed list of TDM measures under this option.</p> <p><i>The TDM Plan shall be submitted to the City for review prior to approval of improvement plans, and the effectiveness of the TDM Plan shall be evaluated, monitored, and revised, if determined necessary by the City. The TDM Plan shall include the TDM strategies that will be implemented during the lifetime of the proposed Project and shall outline the anticipated effectiveness of the strategies. The anticipated effectiveness of the TDM Plan may be monitored</i></p>	City of Tracy Planning Department	Prior to commencement of any operational activities	

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	through annual surveys to determine employee travel mode split and travel distance for home-based work trips, and/or the implementation of technology to determine the amount of traffic generated by and home-based work miles traveled by employees, which shall be determined in coordination with the City. The frequency and duration of the anticipated effectiveness would depend on the ultimate strategy determined in coordination with the City. Additionally, the Project applicant shall pay any VMT banking fee in effect at the time of building permit issuance to secure VMT credits of a total of 15 percent for the subject building, taking into account the stated percent efficacy for the TDM measures above.			
UTILITIES AND SERVICE SYSTEMS				
Impact 3.11-5: The proposed Project has the potential to 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.	<b>Mitigation Measure 3.11-1:</b> Prior to the issuance of a building or grading permit, the Project applicant shall submit a drainage plan to the City of Tracy for review and approval. The plan shall include an engineered storm drainage plan that demonstrates attainment of pre-Project runoff requirements prior to release at the outlet canal and describes the volume reduction measures and treatment controls used to reach attainment consistent with the Citywide Storm Drainage Master Plan.	City of Tracy Planning Department	Prior to the issuance of a building or grading permit	