

SUNDANCE & OLEANDER - MMRP

PRIOR TO RECORDATION OF FINAL MAP					
Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.3-2 Incorporate Feasible Emission Control Measures into Project Design and Operation</p> <p>The project applicants shall incorporate feasible emission control measures into the project design and operation as determined appropriate by the City. Such measures may include, but are not limited to, the following items as recommended in the SJVAPCD Guide for Assessing and Mitigating Air Quality Impacts (SJVAPCD 2002) and other sources. It should be noted that many of these measures may already be included in the proposed project design and City development standards; however, they are repeated here to allow a complete listing.</p> <ul style="list-style-type: none"> • Transit Infrastructure: If transit service is available to the project site, improvements shall be made to encourage residents to use it. Provide transit enhancing infrastructure that includes transit shelters, benches, street lighting, route signs and displays, and/or bus turnouts/bulbs. If transit service is not currently available, but is planned for the future, appropriate easements shall be reserved to provide for future improvements such as bus turnouts, loading areas, and shelters. • VMT Infrastructure: Provide park-and-ride lots and/or satellite telecommuting centers. • Pedestrian Infrastructure: Provide pedestrian enhancing infrastructure that includes sidewalks and pedestrian paths, direct pedestrian connections, street trees to shade sidewalks, pedestrian safety designs/infrastructure, street furniture and artwork, street lighting, and/or pedestrian signalization and signage. Sidewalks and bike paths shall be installed throughout as much of the project as possible and shall be connected to any nearby open space areas, parks, schools, commercial areas, etc. • Bicycle Infrastructure: Provide bicycle enhancing infrastructure that includes bikeways/paths connecting to a bikeway system, secure bicycle parking, and/or employee lockers and showers. • Rideshare Operational: Implement carpool/vanpool program such as carpool ride matching for employees, assistance with vanpool formation, provisions of vanpool vehicles, etc. • Services Operational: Provide on-site shops and services for employees such as cafeteria, bank/ATM, dry cleaners, convenience market, 	Oleander 1&2	<p>As noted at the end of the opening paragraph of the mitigation (left), many measures may already be included in the project as designed, required by City standard, or a condition of approval (COA). COA 27 covers the transit infrastructure; however, developer will coordinate with the City's Transit Manager, Johanna Ferriera to confirm.</p> <p>COA 29 covers the pedestrian and bicycle infrastructure. The mitigations that assumed commercial development are no longer warranted as no commercial development will occur within this project.</p> <p>The Area Source mitigation (last on the list) is relative to actual construction. This mitigation will be monitored at that time.</p>	Partially Complete	06/04/2013	MGM
	Oleander 1&2	MM spoke with the City's Transit Manager. She explained that no transit facilities will be located on Woodward Avenue in areas with houses fronting the roadway because those houses would be impacted by the transit stop.	Complete	07/01/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>etc. Provide on-site childcare, or contribute to off-site child care services within walking distance.</p> <ul style="list-style-type: none"> • Parking Operational: Provide preferential parking for carpool and vanpool vehicles. • Transit Operational: Provide transit incentives. • Other Operational: Implement compressed work schedule and home-based telecommuting program. • Area Source: Natural gas lines and electrical outlets shall be installed into patio areas to encourage the use of gas and/or electric barbecues (residential). Provide low nitrogen oxide (NO_x) emitting and/or high efficiency water heaters (solar, low-emissions, or central water heaters). Use energy efficient design including automated control system for heating/air conditioning and energy-efficient lighting in buildings (residential and commercial). Increase wall and attic insulation beyond Title 24 requirements, and use light colored roof materials to reflect heat (residential and commercial). Orient buildings to take advantage of solar heating and natural cooling and use passive solar designs, and plant deciduous trees on the south and westerly facing sides of buildings (residential and commercial). 					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.3-3 Implement Measures to Reduce Exposure of Sensitive Receptors to TAC Emissions</p> <ul style="list-style-type: none"> • The proposed Boys and Girls Club and proposed parks shall be located at the furthest feasible distance from SR 120 or a minimum of 500 feet south of this facility. • Soundwalls and tiered tree-planting shall be incorporated along the northern and eastern property lines of the project site to enhance the dispersion of emissions from SR 120. • Where feasible, the applicant shall locate higher density (i.e., medium and high density) land uses near SR 120, as these land uses would likely have a greater turnover of occupants and would, therefore, reduce long-term exposure to TACs. • Proposed facilities that would require the long-term use of diesel equipment and heavy-duty trucks shall develop and implement a plan to 	Oleander 1&2	The Boys and Girls Club is no longer part of this project.	N/A Complete	06/04/2013	MGM
	Oleander 1&2	The subdivision has been redesigned to front homes only Woodward Avenue per the updated General Plan Circulation Element, which removed the requirement for sound walls.	N/A Complete	06/04/2013	MGM
	Oleander 1&2	The Oleander Project only includes low density residential.	N/A Complete	06/04/2013	MGM
	Oleander 1&2	The mitigations that assumed commercial development are no longer warranted as no commercial development will occur within this project.	N/A Complete	06/04/2013	MGM

SUNDANCE & OLEANDER - MMRP

reduce emissions, which may include such measures as scheduling such activities when the residential uses are the least occupied, and requiring such equipment to be shut off when not in use and prohibiting heavy-trucks from idling. The plan shall be submitted to and approved by the city before loading dock activities begin. Copies of the plan shall be provided to all residential dwellings located within 1,000 feet of loading dock areas.

- Proposed commercial land uses that have the potential to emit toxic air emissions shall be located as far away as possible from existing and proposed receptors.
- When determining the exact type of facility that would occupy the proposed commercial space, the project shall take into consideration its toxic producing potential.
- All truck loading and unloading docks shall be equipped with one 110/208 volt power outlet for every two-dock door. Diesel trucks shall be prohibited from idling more than five minutes and must be required to connect to the 110/208 volt power to run any auxiliary equipment. Signage shall be provided.

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SUNDANCE & OLEANDER - MMRP

PRIOR TO SITE ACTIVITY					
Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.3-1 Comply with all Applicable Requirements of SJVAPCD Regulation VIII (Fugitive Dust Prohibitions)</p> <p>The following measures shall be implemented by the project applicants during construction of the proposed project as determined to be appropriate to the project by the City. This list of measures includes SJVAPCD's Enhanced and Additional control measures in addition to those contained in Regulation VIII. This complete list is recommended because of the project's potential to affect sensitive receptors, the large size of the project site, and the nonattainment status of the project area.</p> <ul style="list-style-type: none"> • All disturbed areas, including storage piles, which are not being actively used 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 pre-soaking. • 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 surfaces of outdoor storage piles, piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant. • Trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday. 	Oleander 1&2	The mitigations of this section are all requirements of the SJVAPCD and are part of the permitting process with the air district. Developer will provide a copy of the permitting documentation from the air district to show compliance with the mitigation. It is recommended that the mitigations be included as notes on the improvement plans.	Incomplete	06/04/2013	MGM
	Oleander 2	Jed Bennett – D.R. Horton to provide copy of permit from SJVAPCD prior to grading permit issuance. Mitigation Measures have been added as notes on the improvement plans.	Incomplete	07/18/2013	MGM
	Oleander 2	JB of DR Horton provided a copy of the Dust Control Plan Approval letter for Oleander Estates Unit 2 dated July 18, 2013.	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<ul style="list-style-type: none"> • Any site with 150 or more vehicle trips per day shall prevent carryout and trackout. • On-site vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from adjacent project areas with a slope greater than one percent. • Suspend excavation and grading activity when winds exceed 20 mph. (Regardless of wind speed, an owner/operator must comply with the 20% opacity limitation specified in Regulation VIII.) • Limit the area subject to excavation, grading, and other construction activity at any one time. • Use of alternative fueled or catalyst equipped diesel construction equipment, where reasonable available, such as equipment capable of using biodiesel or emulsified fuel. • When not in use, on-site equipment shall not be left idling. • Limit the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time. • Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set). • Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways or on Spare the Air Days. • Before construction contracts are issued, the project applicants shall perform a review of new technology, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is anticipated that in the near future both NO_x and PM₁₀ control equipment will be available. The SJVAPCD shall be consulted with on this process. 					
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SUNDANCE & OLEANDER - MMRP

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.9-2 Comply with SJMSCP Requirements for Special-status Plant Species The project applicants shall request coverage under the SJMSCP and fees shall be paid in the amount determined by SJCOG during the application and review process for the project. SJCOG may also determine, based on an independent review by a qualified biologist, that the following mitigation shall be implemented to reduce impacts to special-status plants:</p> <p>a) Before project construction, surveys for the special-status plants listed in Table 4.9-1 shall be conducted by a qualified botanist at the appropriate time of year when the target species would be in flower or otherwise clearly identifiable. Surveys shall be conducted in accordance with specific methodologies described in Section 5.2.2.5 of the SJMSCP. If special-status plants are found, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • Sanford's arrowhead and slough thistle: The SJMSCP requires complete avoidance for these species; therefore, potential impacts on these species could not be covered through participation in the plan. If these species are present in the project area and cannot be avoided, a mitigation plan shall be developed, with review and input from the regulatory agencies (e.g., DFG). The mitigation plan shall identify mitigation measures for any populations affected by the project, such as creation of off-site populations through seed collection or transplanting, preserving and enhancing existing populations, or restoring or creating suitable habitat in sufficient quantities to compensate for the impact. All mitigation measures that the City determines through this consultation to be necessary shall be implemented by the project proponent. These measures shall be designed to ensure that the project does not result in a net reduction in the population size or range of Sanford's arrowhead and slough thistle. • Rose mallow and Delta tule pea: These species are considered widely distributed species by the SJMSCP, and dedication of conservation easements is the preferred option for mitigation. If these species are found in the project area, the possibility of establishing a conservation easement shall be evaluated. If dedication of a conservation easement is not a feasible option, payment of SJMSCP development fees may be used to mitigate impacts on these species. Use of conservation easements or development fees for establishment of habitat preserves, or a combination of the two mechanisms, shall be sufficient to avoid an overall net reduction in the population size or range of rose-mallow and Delta tule pea. • Wright's trichocoronis: This species is considered narrowly distributed 	Oleander 1&2	Developer will provide a copy of the permitting documentation from the SJCOG Habitat Division to show compliance with the mitigations relative to the SJMSCP.	Incomplete	06/04/2013	MGM
	Oleander 1&2	Developer provided a copy of the Incidental Take Minimization Measures (ITMM) approved by the SJCOG and signed by the Developer 09/13/2006. The Developer will work directly with SJCOG to satisfy the ITMM, which establishes compliance with this mitigation.	Complete	06/10/2013	MGM
	Oleander 2	Developer provided a copy of a revised ITMM due to the change of ownership to D.R. Horton.	Complete	07/10/2013	MGM
	Oleander 1a	Developer provided a copy of a revised ITMM due to the change of ownership to D.R. Horton.	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>by the SJMSCP, and dedication of conservation easements is the preferred option for mitigation. If this species is found in the project area, the possibility of establishing a conservation easement shall be evaluated. If dedication of a conservation easement is not an option, the SJMSCP requires consultation with the permitting agency representatives on the Technical Advisory Committee to determine the appropriate mitigation measures. These may include seed collection or other measures and would be determined on a population basis, taking into account the species type, relative health, and abundance. After the appropriate mitigation has been determined, it shall be implemented by the project applicants.</p>					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.9-3 Comply with SJMSCP Requirements for Special-status Wildlife Species The project applicants shall request coverage under the SJMSCP and fees shall be paid in the amount determined by SJCOG during the application and review process for the project. SJCOG may also determine, based on independent review by a qualified biologist, that the following mitigation shall be implemented to reduce impacts to Swainson's hawk, burrowing owl, white-tailed kite, and northern harrier:</p> <p>Swainson's Hawk</p> <p>a) If the project applicants elect to remove nest trees, then nest trees shall be removed between September 1 and February 15, when the nests are unoccupied.</p> <p>b) If the project applicants elect to retain a tree with an active nest or a nest becomes established in a suitable nest tree during the construction period, a setback shall be established that excludes all construction activities within a distance of two times the dripline of the tree, measured from the nest. This setback shall be maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave the nest. Setbacks shall be marked by brightly colored temporary fencing or other obvious markers.</p> <p>Burrowing Owl</p> <p>a) Burrowing owl may be discouraged from entering or occupying construction areas by discouraging the presence of ground squirrel. To accomplish this, the project applicants could prevent ground squirrel from occupying the project site by employing one of several methods outlined in Section 5.2.4.15 of the SJMSCP. These include retention of tall vegetation, regular discing of the site, or use of chemicals or traps to kill ground squirrel.</p>	Oleander 1&2	Developer will provide a copy of the permitting documentation from the SJCOG Habitat Division to show compliance with the mitigations relative to the SJMSCP.	Incomplete	06/04/2013	MGM
	Oleander 1&2	Developer provided a copy of the Incidental Take Minimization Measures (ITMM) approved by the SJCOG and signed by the Developer 09/13/2006. The Developer will work directly with SJCOG to satisfy the ITMM, which establishes compliance with this mitigation.	Complete	06/10/2013	MGM
	Oleander 2	Developer provided a copy of a revised ITMM due to the change of ownership to D.R. Horton.	Complete	07/10/2013	MGM
	Oleander 1a	Developer provided a copy of a revised ITMM due to the change of ownership to D.R. Horton.	Complete	07/30/2013	MGM
	Oleander 2	Developer provided copy of email from SJCOG Habitat Division confirming that the site is clear of Swainson's Hawks and Burrowing Owls.	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>b) Preconstruction surveys for burrowing owls shall be conducted within 75 meters of areas of project activity in locations with potential burrow habitat, including field edges, roadsides, levees, and fallow fields. Actively farmed agricultural fields and regularly disced or graded fields do not provide suitable burrow sites and need not be surveyed. The survey shall be conducted within 1 week before the beginning of construction. If burrowing owls are found, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • During the nonbreeding season (September 1 through January 31), burrowing owls occupying the project site shall be evicted from the project site by passive relocation as described in the DFG's Staff Report on Burrowing Owls (California Department of Fish and Game 1995). • During the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and shall be provided with a 75-meter protective buffer until and unless the Technical Advisory Committee, with the concurrence of the permitting agencies' representatives on the Technical Advisory Committee, or a qualified biologist approved by the permitting agencies, verifies through noninvasive means that either (1) the birds have not begun egg laying or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. After the fledglings are capable of independent survival, the burrow can be destroyed. <p>White-tailed Kite Preconstruction surveys shall investigate all potential nesting trees on the project site (e.g., especially tree tops 15-59 feet above the ground in oak, willow, eucalyptus, cottonwood, or other deciduous trees), during the nesting season (February 15 to September 15), whenever white-tailed kite is noted on-site or within the vicinity of the project site during the nesting season. A setback of 500 feet from nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave nests.</p> <p>Northern Harrier A setback of 500 feet from nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave nests. This setback shall apply whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing.</p>					
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SUNDANCE & OLEANDER - MMRP

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<p>4.9-4 Conduct Preconstruction Surveys, Establish Buffers, and Monitor, as Required, to Reduce/Avoid Impacts to Other Nesting Raptors Common raptors are not covered by the SJMSCP. Therefore, the following mitigation measures shall be implemented to reduce impacts to these species:</p> <p>a) If project activity would commence during the raptor nesting season (February 15 to September 15), preconstruction surveys shall be conducted in areas of suitable nesting habitat within 500 feet of project activity. Surveys shall be conducted within 14 days prior to commencement of project activity. If no active nests are found, no further mitigation shall be required.</p> <p>b) If active nests are found, impacts shall be avoided by establishment of appropriate buffers. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. DFG guidelines recommend implementation of 500-foot buffers, but the size of the buffer may be adjusted if a qualified biologist determines that the project activity would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist may be required if the activity has potential to adversely affect the nest.</p>	Oleander 1&2	Developer will provide a copy of the permitting documentation from the SJCOG Habitat Division to show compliance with the mitigations relative to the SJMSCP.	Incomplete	06/04/2013	MGM
	Oleander 1&2	Developer provided a copy of the Incidental Take Minimization Measures (ITMM) approved by the SJCOG and signed by the Developer 09/13/2006. The Developer will work directly with SJCOG to satisfy the ITMM, which establishes compliance with this mitigation.	Complete	06/10/2013	MGM
	Oleander 2	Developer provided copy of email from SJCOG Habitat Division confirming that the site is clear of Swainson's Hawks and Burrowing Owls.	Complete	07/30/2013	MGM

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.9-5 Conduct a Tree Survey and Implement Measures to Reduce/Avoid Impacts on Protected and Heritage Trees</p> <p>1) Before project implementation, a tree survey shall be conducted by an arborist certified by the International Society of Arboriculture (ISA) to enumerate and evaluate all trees on the site that meet the standards in the City Code.</p> <p>2) All trees that meet the following criteria shall be avoided and protected during all construction activity:</p> <ul style="list-style-type: none"> • native oak trees with a trunk at least 6 inches in diameter at a height of 4.5 feet above the ground; and • heritage trees (all trees with a trunk diameter of 30 inches at a height of 2 feet above the ground). <p>3) Trees that are subject to protection, but must be removed as a result of project implementation, shall be replaced with in-kind species in accordance with tree planting specifications established by the City tree</p>	Oleander 1&2	Developer to provide information regarding the status of this mitigation.	Incomplete	06/04/2013	MGM
	Oleander 2	Jed Bennett – D.R. Horton --provided statement that there are no trees on the area of Unit 2 so there is nothing to evaluate.	Complete	07/11/2013	MGM
	Oleander (Entire Project area)	Toni Raymus provided a copy of a Tree Survey dated 12/03/2006 in which it was determined that none of the trees within the project sites meet the criteria for protection as defined in the EIR or City Ordinance.	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>ordinance. Native oak trees shall be replaced at a ratio of 3 to 1 and heritage trees shall be replaced at a ratio of 5 to 1.</p> <p>4) Replacement tree plantings shall be monitored for 3 years in accordance with monitoring protocols set forth in the City tree ordinance.</p> <p>5) If monitoring indicates that replacement plantings are not meeting performance standards, remedial measures shall be implemented. Appropriate measures shall be determined in coordination with the City.</p>				
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SUNDANCE & OLEANDER - MMRP

PRIOR TO ISSUANCE OF GRADING PERMITS AND DEMO PERMITS						
Mitigation	Phase	Notes	Status	Status Date	Verified By	
<p>4.2-3 Reduce Potential Conflicts with Existing or Future Land Uses Adjacent to the Project Site</p> <p>The project applicants shall phase the development of agricultural lands at the project site in such a way as to avoid the fragmentation of continuing agricultural operations. As development occurs at the project site, fencing, walls, or other suitable barriers shall be constructed or established at the interface between development and adjacent agricultural lands. Growers cultivating lands near or adjacent to urban development in the vicinity of the project site can be expected to comply with all necessary federal, state, and local restrictions regarding buffers between pesticide/herbicide applications and sensitive areas, such as schools, residences, and parks. Required buffer distances may vary depending on the type of chemicals used and the method of application. Residents and other individuals purchasing property near agricultural lands shall be provided information on the types of conflicts that may occur and appropriate means to address these conflicts, consistent with the City's Right-to-Farm Ordinance.</p> <p>With regards to the increased potential for the conversion of agricultural lands to the south, the project applicants shall implement Mitigation Measure 4.2-1 (Pay City of Manteca Agricultural Mitigation Fee), above.</p>	Oleander 1&2	Developer to provide information regarding the status of this mitigation.	Incomplete	06/04/2013	MGM	
	Oleander 1&2	The project conditions of approval require the construction of fencing along the boundaries adjacent to agricultural activities. All of the lots rear or to adjacent undeveloped future phases or ag land and each lot will as standard practice have solid board wood fencing constructed along its side and rear property lines. The City's right to farm ordinance already covers this mitigation.	Complete	07/03/2013	MGM	

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.4-3 Survey Previously Unexamined Areas before the Beginning of Any Project-Related Ground Disturbance and Implement Measures to Protect Archaeological Resources if Discovered during Surveys or Ground-Disturbing Activities</p> <p>Before the beginning of any project construction activity that could affect the previously unsurveyed portions of the project site, qualified archaeologists shall survey all portions of the site that were not examined during intensive surveys for the current effort, including an approximately 30-acre area in the southeastern portion of the project site near the intersection of Peach Avenue and Union Road. The survey shall be conducted during a time when the affected sites can be plowed and disced, so the natural ground surface can be examined for traces of prehistoric and/or historic-era cultural resources. Surveys of these areas would not be necessary if it is determined that they</p>	Oleander 1&2	Developer to provide documentation regarding the status of this mitigation. For example, the name of the archeologist, the date the survey was done, and the resultant report.	Incomplete	06/04/2013	MGM
	Oleander and Sundance Project Areas	Toni Raymus provided a letter and Memo dated Feb, 2007 from an Archaeologist satisfying the recommendations of this mitigation measure.	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>would not be affected by any project construction-related activity, including equipment staging or material stockpiling. A report of the survey results shall be prepared and submitted to the City for review.</p> <p>If the survey reveals the presence of cultural resources on the project site, the procedures outlined below shall be followed.</p> <p>If unrecorded cultural resources (e.g., unusual amounts of shell, animal bone, bottle glass, ceramics, structure/building remains, etc.) are encountered during surveys of the previously unexamined area where ground disturbance is planned or during project-related ground-disturbing activities, all ground-disturbing activities shall be restricted from being conducted within a 100-foot radius of the find. A qualified archaeologist shall identify the materials, determine their possible significance, and formulate appropriate measures for their treatment, which shall be implemented by the project applicants and their contractors. Potential treatment methods for significant and potentially significant resources may include, but would not be limited to, no action (i.e., resources determined not to be significant), avoidance of the resource through changes in construction methods or project design, and implementation of a program of testing and data recovery, in accordance with all applicable federal and state requirements. Implementation of this measure would reduce the potential impacts on cultural resources in previously unsurveyed area to a less-than-significant level.</p>					

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<p>4.4-4 Stop Potentially Damaging Work if Human Remains Are Uncovered During Construction, Assess the Significance of the Find, and Pursue Appropriate Management</p> <p>California law recognizes the need to protect interred human remains, particularly Native American burials and associated items of patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code Sections 7050.5 and 7052 and California Public Resources Code Section 5097. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, all such activities within a 100-foot radius of the find shall be halted immediately and the project applicants' designated representative shall be notified. The project applicants shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state</p>	Oleander 1&2	Developer to provide information regarding the status of this mitigation. Other recent projects have listed this mitigation on the improvement plans including a phone number for the coroner's office and archeologist on retainer.	Incomplete	06/04/2013	MGM	
	Oleander 1&2	Notes have been added to the Improvement Plans.	Complete	07/18/2013	MGM	

SUNDANCE & OLEANDER - MMRP

lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The project applicants' responsibilities for acting upon notification of a discovery of Native American human remains are identified in detail in the California Public Resources Code Section 5097.9. CCWD or its appointed representative and the professional archaeologist shall contact the Most Likely Descendent (MLD), as determined by the NAHC, regarding the remains. The MLD, in cooperation with the property owner and the lead agencies shall determine the ultimate disposition of the remains.					
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<p>4.5-1 Prepare and Implement a Stormwater Pollution Prevention Plan (SWPPP) that Minimizes the Potential Contamination of Surface Waters, and Comply with the Central Valley Regional Water Quality Control Board (RWQCB) Requirements to Protect Water Quality</p> <p>The project applicants shall consult with the Central Valley RWQCB to acquire the appropriate regulatory approvals that may be necessary to obtain the following:</p> <ul style="list-style-type: none"> • Section 401 water quality certification; • SWRCB statewide NPDES stormwater permit for general construction activity; • Central Valley RWQCB NPDES permit for construction dewatering activity; and • any other necessary site-specific WDRs or waivers under the Porter-Cologne Act. <p>As required under the NPDES stormwater permit for general construction activity, the project applicant shall prepare and submit the appropriate NOIs and prepare the SWPPP and any other necessary engineering plans and specifications for pollution prevention and control. The SWPPP and other appropriate plans shall identify and specify the use of erosion and sediment control BMPs, means of waste disposal, implementation of approved local plans, non-stormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities. The SWPPP shall also specify the pollutants that are likely to be used during construction that could be present in stormwater drainage and non-stormwater discharges. A sampling and monitoring program shall be included in the SWPPP that meets the</p>	Oleander 1&2	Developer to provide documentation regarding the status of this mitigation. City was not able to find a current/active Notice of Intent on the State Water Resources Control Board website. The one found is listed as "terminated".	Incomplete	06/04/2013	MGM
	Oleander 2	MM found upon Review of the State Water Resources Control Board website a recent NOI and SWPPP for Oleander 2.	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>requirements of SWRCB Order 99-08-DWQ to ensure that the BMPs are effective.</p> <p>Construction techniques shall be identified that would reduce the potential for runoff, and the plan shall identify the erosion and sedimentation control measures to be implemented. The SWPPP shall also specify spill prevention and contingency measures, identify the types of materials used for equipment operation, and identify measures to prevent or clean up spills of hazardous materials used for equipment operation and hazardous waste. Emergency procedures for responding to spills shall also be identified. BMPs identified in the SWPPP shall be used in all subsequent site development activities. The SWPPP shall identify personnel training requirements and procedures that would be used to ensure that workers are aware of permit requirements and proper installation and performance inspection methods for BMPs specified in the SWPPP. The SWPPP shall also identify the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP. All construction contractors shall retain a copy of the approved SWPPP on the construction site.</p> <p>The project applicants shall also prepare and submit an NOI and acquire authorization for the Central Valley RWQCB NPDES permit for construction dewatering activities that may be necessary for foundation and utility installations within the project site.</p> <p>Under SWRCB Order 99-08-DWQ, as amended, the SWRCB has determined that implementation of a SWPPP, the BMPs identified in the SWPPP, and the monitoring and sampling program required in the SWPPP are considered to meet the water quality requirements of the Porter-Cologne Act, barring a violation identified by the monitoring or sampling procedures.</p>					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.5-2 Implement BMPs that Minimize the Potential Long-Term Water Quality Effects of Urban Runoff</p> <p>The project applicants shall implement permanent water quality features (BMPs) designed in conformance with standards of the Central Valley RWQCB, the City of Manteca, and SSJID. The project applicants shall implement BMPs such as, but not limited to, the following:</p> <p>a) Post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate would result in increased potential for downstream erosion.</p>	Oleander 1&2	The City of Manteca finds that compliance with the City's Storm Water Master plan, Public Works Engineering Standard Plans for stormwater, and establishing and obtaining approval of a SWPPP in compliance with the State Regional Water Quality Control Board will be sufficient to comply with the identified mitigations of this section.	Incomplete until SWPPP is approved	06/04/2013	MGM

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<p>b) If applicable, the following items are required and shall be implemented in the site layout during the subdivision design and approval process, consistent with applicable City of Manteca General Plan policies:</p> <ul style="list-style-type: none"> concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition; limit clearing and grading of native vegetation at a site to the minimum amount needed to build lots, allow access, and provide fire protection; maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants; promote natural vegetation by using parking lot islands and other landscaped areas; and preserve riparian areas and wetlands. <p>c) The project shall be designed to minimize, to the maximum extent practicable, the introduction of pollutants of concern that may result in significant impacts, generated from site runoff of directly connected impervious areas (DCIA), to the storm water conveyance system as approved by the City. Pollutants of concern consist of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are adversely affecting the beneficial uses of a receiving water, elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bioaccumulate in organisms therein, or the detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and/or flora and fauna.</p> <p>d) Project plans shall include BMPs consistent with local codes, ordinances, or other regulatory mechanism to decrease the potential of slopes and/or channels from eroding and affecting stormwater runoff:</p> <ul style="list-style-type: none"> convey runoff safely from the tops of slopes and stabilize disturbed slopes; use natural drainage systems to the maximum extent practicable; stabilize permanent channel crossings; vegetate slopes with native or drought tolerant vegetation, as appropriate; and install energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels in accordance with applicable specifications to minimize erosion, with the approval of all agencies with jurisdiction (e.g., USACE and DFG). <p>e) The project applicants shall provide storm drain system stenciling and</p>		(see mitigation 4.5-1 above)			
	Oleander 2	MM found upon Review of the State Water Resources Control Board website a recent NOI and SWPPP for Oleander 2.	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>signage, where appropriate. Storm drain stencils are highly visible source controls that are typically placed directly adjacent to storm drain inlets. The stencil contains a brief statement that prohibits the dumping of improper materials into the storm water conveyance system. Graphical icons, either illustrating anti-dumping symbols or images of receiving water fauna, are effective supplements to the anti-dumping message. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (e.g., NO DUMPING – DRAINS TO RIVER) and/or graphical icons to discourage illegal dumping.</p> <p>f) Where proposed project plans include outdoor areas for storage of materials that may contribute pollutants to the storm water conveyance system, the following structural or treatment BMPs shall be implemented:</p> <p style="padding-left: 20px;">Materials with the potential to contaminate storm water shall be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs;</p> <p style="padding-left: 20px;">The storage area shall be paved and sufficiently impervious to contain leaks and spills; and</p> <p style="padding-left: 20px;">The storage area shall have a roof or awning to minimize collection of storm water within the secondary containment area.</p> <p>g) To minimize the off-site transport of pollutants in parking areas, the following design criteria shall be implemented:</p> <p style="padding-left: 20px;">reduce impervious land coverage of parking areas, and infiltrate or treat runoff.</p>					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
4.5-3 Implement Mitigation Measure 4.8-4 (Reevaluate City's Stormwater Capacity and Either Secure Will Serve Letter from City or Fully Fund Drain 8 Improvements) to Achieve Adequate Stormwater Capacity The project applicants shall implement Mitigation Measure 4.8-4, which requires the project applicants, in consultation with the City, to determine whether any stormwater capacity is available that could be served by the City's existing facilities. If the City determines that additional capacity is available within the City's existing system, the project applicants shall secure a will serve letter from the City indicating that remaining capacity could serve all or a portion of remaining project demands. If it is determined that additional capacity is not available within the City's system or would only meet a portion	Oleander 1&2	Developer to provide documentation of confirmation of capacity (will serve letter).	Incomplete	06/04/2013	MGM
	Oleander 1&2	MM spoke with the Community Development Director and Public Works Director and they determined that the existing storm drainage facilities have enough capacity to handle the development of the 231-lots within Units 1A, 1B, & 2.	Complete	07/03/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>of the City's demands, the project applicants shall fully fund the necessary improvements to Drain 8, which include construction of the south drain pump station at SR 120 (between South Airport Way and McKinley Avenue) and pipeline installation from the project site to the pump station (along East Woodward Avenue). These improvements would upgrade the City's stormwater system and would provide adequate stormwater capacity for full buildout of the proposed project.</p>					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.7-5 Prepare and Implement a Construction Traffic Control Plan Before the issuance of any grading permits, the project applicants shall prepare a construction traffic control plan that shall be applied to all construction activities associated with the project. The plan shall include, at a minimum, the following conditions:</p> <ul style="list-style-type: none"> • Local roadways shall be jointly monitored by the City and project applicants every six months to determine whether project-related construction traffic is degrading roadway conditions. Roadways with potential to be damaged by construction traffic and included in the monitoring effort shall be agreed to by the City and the project applicants. • All degradation of pavement conditions because of project-related construction traffic shall be fully repaired by the project applicants to the satisfaction of the City of Manteca, based on maintaining at least pre-construction conditions. • Procedures shall be provided for any road closures and movement of large construction vehicles such as cranes and dump trucks. Plans shall be provided for lane closures, including times (e.g., limit closures to between 9:00 AM and 4:00 PM). 	Oleander 1&2	Developer to establish a Traffic Control Plan or equivalent in cooperation with the City of Manteca, Public Works Department Senior Engineering Technician Jim DeJong. Developer to provide copy of plan or confirmation that the City is not requiring a plan.	Incomplete	06/05/2013	MGM
	Oleander Oleander 1&2	MM consulted with Jim DeJong and Frederic Clark who found that this mitigation will be satisfied as part of the on-going oversight and coordination between the developer and the City's Public Works Department Construction Inspectors during construction. The City requires roadway maintenance and repair due, encroachment permits for work within the right of way, and specific details for closures and notifications to emergency services on an on-going as needed basis.	Complete	07/03/2013	MGM

Mitigation	Phase	Notes	Status	Status Date	Verified By
4.7-7 Prepare and Submit for City Approval a Construction Management Plan Prior to the issuance of grading permits, the project applicants shall prepare a Construction Management Plan and submit the plan to the City of Manteca	Oleander 1&2	Developer to establish a Construction Management Plan or equivalent in cooperation with the	Incomplete	06/05/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>Public Works Department for review and approval. The Construction Management Plan shall identify the timing of construction and the timing of elements that would result in the full or partial blockage of local roadways. The plan shall specify the measures that would be implemented to minimize traffic-related impacts, including construction parking during construction, which shall be limited to on-site areas or facilities designated for parking uses (e.g., parking garage). These measures could include, but are not limited to the following: use of signage notifying travelers that they are entering a construction zone; and use of cones, flaggers, and guide-vehicles to direct traffic through the construction zone. All roadway damage(s) as a result of construction shall be repaired in similar fashion as stated in the mitigation for monitoring efforts. A copy of the plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct local roadways.</p>		City of Manteca, Public Works Department Senior Engineering Technician Jim DeJong. Developer to provide copy of plan or confirmation that the City is not requiring a plan.			
	Oleander 1&2	MM consulted with Jim DeJong and Frederic Clark who found that this mitigation will be satisfied as part of the on-going oversight and coordination between the developer and the City's Public Works Department Construction Inspectors during construction. The City requires roadway maintenance and repair due, encroachment permits for work within the right of way, and specific details for closures and notifications to emergency services on an on-going as needed basis.	Complete	07/03/2013	MGM

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.7-10 Coordinate with the City to Ensure the Provision of Bus Transportation Services</p> <p>The project applicants shall coordinate with the City to ensure that bus transportation services are provided to the project in accordance with City standards. Because it cannot be guaranteed at this time that appropriate bus services would be provided to the proposed project site, this impact would remain significant and unavoidable.</p>	Oleander 1&2	Developer to coordinate with the City's Transit Manager Johanna Ferriera to determine whether any transit facilities are needed in the project site. (see mitigation 4.3-2 above)	Incomplete	06/05/2013	MGM
	Oleander 1&2	MM spoke with the City's Transit Manager. She explained that no transit facilities will be located on Woodward Avenue in areas with houses fronting the roadway because those houses would be impacted by the transit stop.	Complete	07/01/2013	MGM

SUNDANCE & OLEANDER - MMRP

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.8-4 Reevaluate City's Stormwater Capacity and Either Secure Will Serve Letter from City or Fully Fund Drain 8 Improvements</p> <p>a) The project applicants, in consultation with the City, shall determine whether any stormwater capacity is available on or before 80% buildout of the 541 units [344 for Sundance; 197 units for Oleander] that could be served by the City's existing facilities. If the City determines that additional capacity is available within the City's existing system (i.e., if buildout of other development does not occur as anticipated), the project applicants shall secure a will serve letter from the City indicating that remaining capacity could serve all or a portion of remaining project demands (i.e., demands from 533 units). If sufficient capacity is available to meet total buildout demands, no further mitigation would be required.</p> <p>b) If it is determined that additional capacity is not available within the City's system or would only meet a portion of the City's demands, the project applicants shall fully fund the necessary improvements to Drain 8, which include construction of the south drain pump station at SR 120 (between South Airport Way and McKinley Avenue) and pipeline installation from the project site to the pump station (along East Woodward Avenue). These improvements would upgrade the City's stormwater system and would provide adequate stormwater capacity for full buildout of the proposed project.</p> <p>Construction of these improvements would occur on the project site and would also extend east along Woodward Avenue (pipeline) and at SR 120 between South Airport Way and McKinley Avenue (pump station).</p>	Oleander 1&2	Developer to provide documentation of confirmation of capacity (will serve letter).	Incomplete	06/04/2013	MGM
	Oleander 1&2	MM spoke with the Community Development Director and Public Works Director and they determined that the existing storm drainage facilities have enough capacity to handle the development of the 231-lots within Units 1A, 1B, & 2.	Complete	07/03/2013	MGM

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.9-6 Complete a Wetland Delineation, Obtain USACE Verification, and Acquire the Necessary Permits to Reduce/Avoid Impacts on Sensitive Natural Habitats</p> <p>1) A delineation of waters of the United States, including wetlands that would be affected by the project, shall be made by qualified biologists through the formal Section 404 wetland delineation process. The delineation shall be submitted to and verified by USACE.</p> <p>2) Prior to any on-site grading, a temporary buffer (construction fencing or similar material) of at least 50 feet shall be established around the on-site irrigation ditches, which are potentially subject to USACE jurisdiction, to</p>	Oleander 1	Developer to provide documentation for this mitigation.	Incomplete	06/05/2013	MGM
	Oleander 2	NOTE: This mitigation would not apply to the project area west of Oleander Avenue (Unit 2) as there are no potential "Jurisdictional Wetlands". (See Exhibit 4.9-1 page 4.9-2 of the DEIR)	Complete for Unit 2	06/05/2013	MGM
	Oleander 1&2	It is found that the portion of Jurisdictional Wetland that existed at	Complete	07/03/2013	MGM

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<p>protect the ditches from potential conversion and/or fill of waters of the United States and potential disturbance or removal of freshwater marsh habitat.</p> <p>3) The applicant shall avoid any fill of the irrigation ditches on site until either: a) the USACE verifies the ditches are non-jurisdictional; or b) the USACE issues a permit to fill the ditches.</p> <p>4) If, based on the verified delineation, it is determined that fill of waters of the United States would result from project implementation, authorization for such fill shall be secured from USACE through the Section 404 permitting process.</p> <p>5) The project applicants shall also consult with DFG to determine whether a Section 1602 Streambed Alteration Agreement may be required for alteration of irrigation ditches and impacts to freshwater marsh habitat.</p> <p>6) The acreage of waters of the United States and freshwater marsh habitat that would be removed shall be replaced or restored/enhanced on a “no net loss” basis in accordance with USACE and DFG regulations and Development Title 9-1505. Habitat restoration, enhancement, and/or replacement shall be at a location and by methods agreeable to USACE and DFG, as determined during the permitting processes for CWA Section 404 and California Fish and Game Code Section 1602.</p>		<p>the eastern end of the Oleander project was removed by the South San Joaquin Irrigation District (SSJID) in cooperation and compliance with responsible permitting agencies.</p>			
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>VISUAL 1 Submit a Detailed Lighting Plan</p> <p>The project applicants shall submit a detailed lighting plan, in conformance with City of Manteca standards, to minimize the encroachment of project-related lighting to the maximum degree feasible to adjacent areas before project approval. The lighting plan shall specify protective measures such as down- and side-shielding, and/or the use of directional lighting. Other features such as low-sodium filaments may also be incorporated into the lighting plan to minimize the encroachment of glare on off-site areas.</p>	<p>Oleander 1&2</p>	<p>The Improvement Plans for the project include a lighting plan that satisfies this mitigation.</p>	<p>Complete</p>	<p>06/05/2013</p>	<p>MGM</p>

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>GEO 1 Adhere to the Recommendations in the Geotechnical Services Reports</p> <p>The project applicants and construction contractors shall adhere to the recommendations provided in the geotechnical reports that were prepared for the proposed project to minimize or avoid damage from liquefaction. Possible</p>	<p>Oleander 1&2</p>	<p>The improvement plans for the project will be reviewed for compliance with this mitigation. The City's Public Works Construction</p>	<p>Complete</p>	<p>06/05/2013</p>	<p>MGM</p>

SUNDANCE & OLEANDER - MMRP

measures would include, but shall not be limited to, over-excavating and recompacting the area with engineered fill or in-place soil densification. In-place soil densification measures could include deep dynamic compaction, compaction grouting, vibro-compaction, and the use of nonliquefiable caps.		Inspectors will monitor excavation and compaction during the site grading.			
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>GEO 2- Develop and Implement an Erosion Control Plan</p> <p>The project applicants shall develop and implement an Erosion Control Plan. A grading and erosion control plan shall be prepared by a California registered civil engineer and submitted to the Manteca Department of Public Works for all new development. The plan shall be consistent with the CBC grading requirements and shall include the site-specific grading proposed for the new development. The project applicants shall ensure that the construction contractor is responsible for securing a source of transportation and deposition of excavated materials.</p>	Oleander 1&2	The City of Manteca finds that compliance with the City's Storm Water Master plan, Public Works Engineering Standard Plans for stormwater, and establishing and obtaining approval of a SWPPP in compliance with the State Regional Water Quality Control Board will be sufficient to comply with the identified mitigations of this section. (see mitigations 4.5-1 & 2)	Incomplete until SWPPP is approved	06/04/2013	MGM
	Oleander 2	MM found upon Review of the State Water Resources Control Board website a recent NOI and SWPPP for Oleander 2.	Complete	07/30/2013	MGM

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>GEO 3- Implement Best Management Practices</p> <p>To ensure that soils do not directly or indirectly discharge sediments into surface waters as a result of construction activities, water quality protection measures shall be implemented by the project applicants/construction contractor during construction. The mitigation measures shall be in accordance with Central Valley Regional Water Quality Control Board (Central Valley RWQCB) regulations regulating control of stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) program which requires the applicant to:</p> <ul style="list-style-type: none"> • File a Notice of Intent (NOI) to discharge stormwater with the Central Valley RWQCB; • Prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies 	Oleander 1&2	The City of Manteca finds that compliance with the City's Storm Water Master plan, Public Works Engineering Standard Plans for stormwater, and establishing and obtaining approval of a SWPPP in compliance with the State Regional Water Quality Control Board will be sufficient to comply with the identified mitigations of this section. (See mitigations 4.5-1 & 2)	Incomplete until SWPPP is approved	06/04/2013	MGM
	Oleander 2	MM found upon Review of the	Complete	07/30/2013	MGM

SUNDANCE & OLEANDER - MMRP

<p>best management practices (BMPs) that would be employed to prevent or minimize the discharge of sediments and other contaminants with the potential to affect beneficial uses or lead to violation of water-quality objectives;</p> <ul style="list-style-type: none"> • Complete a self-implemented annual monitoring program and prepare a report on BMP performance; and • BMPs shall include dust control measures such as wetting the top layer of exposed soils and covering soil stockpiles, as necessary. 		State Water Resources Control Board website a recent NOI and SWPPP for Oleander 2.			

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>HAZARD 1 - Prepare a Site Health and Safety Plan To avoid health risks to construction workers, the contractor shall prepare a site health and safety plan. This plan will outline measures that shall be employed to protect construction workers and the public from exposure to hazardous materials during demolition and construction activities. These measures could include, but would not be limited to posting notices, limiting access to the site, air monitoring, watering, and installation of wind fences. Development contractors shall be required to comply with state health and safety standards for all demolition work. If necessary, this shall include compliance with federal Occupational Health and Safety Administration and Cal-OSHA requirements regarding exposure to asbestos and lead-based paint.</p>	Oleander 1&2	Developer to contact the Manteca Fire Marshal to determine procedures for establishing the required plans (i.e. Safety, Fire, Haz. Mat.), or documentation determining/finding that standard practice of requiring compliance with State and Local regulations under supervision of the MFD is sufficient mitigation.	Incomplete	06/05/2013	MGM
	Oleander 2	Jed Bennett – D.R. Horton provided a letter to the Fire Marshal stating that no hazardous materials will be stored on site, which is found to satisfy this mitigation.	Complete	07/30/2013	MGM

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>HAZARD 2- Sample and Test On-site Soils and Groundwater Before demolition of any structures associated with past and current farming operations (e.g., buildings, USTs, ASTs, tanks, etc.), the project applicants shall investigate the extent to which soil and/or groundwater has been contaminated from these past operations. This investigation shall follow the ESAs and/or other appropriate testing guidelines and shall include, as necessary, analysis of soil and/or groundwater samples taken at or near the potential contamination sites. If the results indicate that contamination exists</p>	Oleander 1	Developer to provide documentation for review and approval prior to phases of improvement/grading that would require demolition of structures (i.e. the homes fronting onto Oleander).	Incomplete	06/05/2013	MGM
	Oleander 2	NOTE: This mitigation would not apply to the project area west of	Complete for Unit 2	06/05/2013	MGM

SUNDANCE & OLEANDER - MMRP

at levels above regulatory action standards, then the San Joaquin County Department of Environmental Health (SJCEH) shall be notified and the site shall be remediated in accordance with recommendations made by appropriate federal, state, or local regulatory agencies. The agencies involved would depend on the type and extent of contamination. Remediation activities could include, but would not be limited to, the excavation of contaminated soil areas and hauling of contaminated soil materials to an appropriate off-site disposal facility, mixing of on-site soils, and capping (i.e., paving or sealing) of contaminated areas.		Oleander Avenue (Unit 2) as there are no structures to be demolished.			

Mitigation	Phase	Notes	Status	Status Date	Verified By	
<p>HAZARD 3- Prepare a Site Plan that Identifies Remediation Activities The project contractors shall prepare a site plan that identifies any necessary remediation activities appropriate for proposed land uses, including excavation and removal of on-site contaminated soils, and redistribution of clean fill material on the project site. The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil and building debris removed from the site. In the event that contaminated groundwater is encountered during site excavation activities, the contractor shall report the contamination to the appropriate regulatory agencies, dewater the excavated area, and treat the contaminated groundwater to remove contaminants before discharge in the sanitary sewer system. The development contractors shall be required to comply with the plan and applicable local, state, and federal laws and the requirements of the City of Manteca for dewatering discharge. The plan shall outline measures for specific handling and reporting procedures for hazardous materials, and disposal of hazardous materials removed from the site at an appropriate off-site disposal facility. In addition, the following measures shall apply to construction activities as appropriate.</p> <p>1) The SJCEH shall be notified if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil and odorous groundwater) is encountered during excavation. Any contaminated areas shall be remediated in accordance with recommendations made by appropriate federal, state, or local regulatory agencies as generally described above.</p> <p>2) Before demolition of any on-site structures, the project applicants shall hire a qualified consultant to investigate whether any of these structures contain asbestos-containing materials and lead that could become friable or mobile during demolition activities. If found, the asbestos-containing</p>	Oleander 1	Developer to provide approving documentation from the SJCEH for review and approval prior to issuance of grading permits for phases of the map that would require demolition of structures (i.e. the homes fronting onto Oleander). Also, developer to obtain demolition permits from the City of Manteca prior to demolition of structures.	Incomplete	06/05/2013	MGM	
	Oleander 2	NOTE: This mitigation would not apply to the project area west of Oleander Avenue (Unit 2) as there are no structures to be demolished.	Complete for Unit 2	06/05/2013	MGM	

SUNDANCE & OLEANDER - MMRP

<p>materials and lead shall be removed by an accredited inspector 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 asbestos-containing materials and lead shall be disposed of properly at an appropriate off-site disposal facility.</p>					
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PRIOR TO ISSUANCE OF BUILDING PERMITS					
Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.2-1 Pay City of Manteca Agricultural Mitigation Fee</p> <p>The project applicants shall pay the required City of Manteca agricultural mitigation fee to help offset the conversion of Important Farmland. Consistent with Chapter 13.42 of the Manteca Municipal Code, a \$2,000 agricultural mitigation fee shall be assessed for every acre of Important Farmland that would be developed as part of the proposed project. A total of \$456,000 (\$2,000 multiplied by 228 acres) shall be provided to the City. Under the City's program, the fees collected would be used to acquire farmland conservation easements and/or farmland deed restrictions.</p>					

Mitigation	Phase	Notes	Status	Status Date	Verified By	
<p>4.3-3 Implement Measures to Reduce Exposure of Sensitive Receptors to TAC Emissions</p> <ul style="list-style-type: none"> • The proposed Boys and Girls Club and proposed parks shall be located at the furthest feasible distance from SR 120 or a minimum of 500 feet south of this facility. • Soundwalls and tiered tree-planting, shall be incorporated along the northern and eastern property lines of the project site to enhance the dispersion of emissions from SR 120. • Where feasible, the applicant shall locate higher density (i.e., medium and high density) land uses near SR 120, as these land uses would likely have a greater turnover of occupants and would, therefore, reduce long-term exposure to TACs. • Proposed facilities that would require the long-term use of diesel equipment and heavy-duty trucks shall develop and implement a plan to reduce emissions, which may include such measures as scheduling such activities when the residential uses are the least occupied, and requiring such equipment to be shut off when not in use and prohibiting heavy-trucks from idling. The plan shall be submitted to and approved by the city before loading dock activities begin. Copies of the plan shall be provided to all residential dwellings located within 1,000 feet of loading dock areas. • Proposed commercial land uses that have the potential to emit toxic air emissions shall be located as far away as possible from existing and 						

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<p>proposed receptors.</p> <ul style="list-style-type: none"> When determining the exact type of facility that would occupy the proposed commercial space, the project shall take into consideration its toxic producing potential. All truck loading and unloading docks shall be equipped with one 110/208 volt power outlet for every two-dock door. Diesel trucks shall be prohibited from idling more than five minutes and must be required to connect to the 110/208 volt power to run any auxiliary equipment. Signage shall be provided. 					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
4.6-2 Implement Measures to Control Stationary- and Area-Source Noise Levels					
<p>a) The project applicants shall ensure implementation of the following mitigation measures in the design and operation of the proposed project to reduce exposure of nearby existing off-site sensitive receptors to noise levels that exceed the City's standards for non-transportation noise sources. Mitigation measures shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> locate mechanical equipment (e.g., air conditioning and ventilation systems, pump stations) at the farthest distance from and/or shielded from nearby residences; and limit noise-generating operational activities associated with the proposed commercial land uses, including truck deliveries and the loading and unloading of materials, to the less noise-sensitive hours of the day (7:00 a.m. to 7:00 p.m.). <p>b) The following measures shall apply to noise-generating activities associated with the project's proposed recreational land uses, including neighborhood parks and open space areas:</p> <ul style="list-style-type: none"> On-site landscape maintenance equipment shall be equipped with properly operating exhaust mufflers and engine shrouds, in accordance with manufacturers' specifications. The operation of on-site landscape maintenance equipment shall be 					

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<p>limited to the least noise-sensitive daytime hours of 7 a.m. to 7 p.m.</p> <p style="padding-left: 20px;">Outdoor use of amplified sound systems shall be limited to the least noise-sensitive daytime hours of 7 a.m. to 7 p.m.</p> <p style="padding-left: 20px;">Use of on-site outdoor recreational facilities shall conform to City regulations.</p>					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.6-4 Implement Measures to Ensure Compatibility of the Proposed Land Uses with Projected On-site Noise Levels</p> <p>a) The project applicants shall implement Mitigation Measures 4.6-2(a) and (b).</p> <p>b) The project applicants shall also implement the following measures:</p> <p style="padding-left: 20px;">use increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; mechanical air systems; exterior wall insulation);</p> <p style="padding-left: 20px;">a noise study to determine the necessary height for the sound wall shall be prepared and submitted to the City before final improvement plans are submitted;</p> <p style="padding-left: 20px;">sound barriers shall be constructed to protect noise-sensitive land uses proposed on the site from exterior noise levels generated by surface transportation noise sources. Locations for sound barriers shall include the project site's north boundary along SR 120 and the project's east boundary along Union Road. According to the City of Manteca's General Plan Noise Element, Policy N-P-11 as discussed in the Regulatory Setting (Section 4.6.2), for residential development backing onto a freeway, the developer shall be required to build a sound barrier wall, and provide for other appropriate mitigation measures to satisfy the performance standards in Table 4.6-4 (in the Draft EIR). Sound barriers may consist of an earthen berm and/or sound wall of sufficient density and shall be designed according to the design parameters established by the Caltrans' Traffic Noise Protocol (Caltrans 1998). All outdoor human-made noise barriers shall have an aesthetically pleasing appearance and blend well with the color and character of surrounding homes or other facilities. Final design and specifications for the proposed noise barrier shall be developed in consultation with an acoustical engineer.</p> <p style="padding-left: 20px;">in accordance with the City of Manteca Health and Safety Code 8.24 Right to Farm, all real estate transactions or lease agreements for on-site proposed residential land uses shall disclose the presence of agricultural</p>					

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operations on adjacent parcels, which could result in nuisance associated with noise levels in excess of applicable standards. Lawful and proper agricultural operations are exempt from these standards.				
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Mitigation	Phase	Notes	Status	Status Date	Verified By
4.7-1 Pay Fair Share Cost for the Installation of Traffic Signals at Four Intersections and Intersection Approach Widening					
<p>The installation of a traffic signal at the following intersections has been identified as needed in the peak-hour signal warrant analysis:</p> <ul style="list-style-type: none"> Airport Way and SR 120 westbound ramps intersection, Airport Way and SR 120 eastbound ramps intersection, Union Road and SR 120 westbound ramps intersection, and Union Road and SR 120 eastbound ramps intersection. <p>Because these intersections currently warrant the installation of a signal, the project applicants shall pay their fair share of the cost for installation of these four traffic signals. These signals shall be installed on or before issuance of the 300th building permit. The project applicants may be referred to fund and install these signals at their expense and would be reimbursed monies in excess of their fair share portions once monies are collected from surrounding developments. The implementation of this measure would improve operation of these intersections to LOS B or C. The total dollar amount shall be determined in consultation with the City when final project approvals are sought. Payment for improvements will occur as part of the collection of PFIP fees at the issuance of building permits.</p> <p>These four intersections would be widened to provide additional width to accommodate turn pockets. The westbound intersection off-ramps at Airport Way and Union Road would widen the approaches to provide separate left-turn pockets to accommodate the additional project-generated traffic. The eastbound intersection off-ramps at Airport Way and Union Road would widen the approaches to provide separate right-turn pockets to accommodate the additional project-generated traffic. These improvements may require widening of the off-ramps to accommodate the additional lanes. Funding for these improvements would be from the traffic impact fees paid by the applicant. The project applicants shall coordinate with Caltrans and the City of Manteca to implement these mitigation measures.</p>					

SUNDANCE & OLEANDER - MMRP

Mitigation	Phase	Notes	Status	Status Date	Verified By	
<p>4.7-4(a) Provide Turn/Through Lanes at Two Intersections</p> <p>The project applicants shall provide the following on the eastbound approach of the Airport Way and SR 120 intersection:</p> <ul style="list-style-type: none"> a shared left-turn/through lane, and a separate right-turn lane. <p>Implementation of this measure would maintain operation of this intersection at LOS D. This improvement has been identified in the City's PFIP, for which monies are being collected to implement this improvement.</p> <p>The project applicants shall provide the following on the southbound approach of the intersection of Union Road and Woodward Avenue:</p> <ul style="list-style-type: none"> a separate left-turn lane, and a shared right-turn/through lane. <p>Implementation of this measure would improve operation of this intersection to LOS C. This improvement has been identified in the City's PFIP, for which monies are being collected to implement this improvement.</p> <p>These improvements shall be constructed on or before issuance of the 300th building permit.</p>						

Mitigation	Phase	Notes	Status	Status Date	Verified By	
<p>4.7-4(b) Pay Fair Share Cost for the Widening of Airport Way and Union Road</p> <p>The widening of Airport Way and Union Road has been identified as needed by the City's General Plan. The project applicants shall pay their fair share of the cost for widening Airport Way and Union Road, as follows:</p> <ul style="list-style-type: none"> Airport Way north of SR 120, widen from 2 to 4 lanes; Airport Way south of SR 120, widen from 2 to 4 lanes; Union Road north of SR 120, widen from 2 to 4 lanes; and Union Road south of SR 120, widen from 2 to 6 lanes. <p>These improvements have been identified in the City's PFIP, for which monies are being collected. The project applicants shall coordinate with the City as to</p>						

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<p>timing of implementation of this mitigation measure. Implementation of this measure would improve cumulative operations of these roadways to LOS C and LOS D. The total dollar amount shall be determined in consultation with the City when final project approvals are sought. Payment for improvements will occur as part of the collection of PFIP fees at the issuance of building permits.</p>					
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Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.7-6(a) Modify the Woodward Avenue and Oleander Avenue Intersection The project applicants shall modify the Woodward Avenue and Oleander Avenue intersection to operate as an all-way stop controlled intersection and provide a left-turn pocket.</p>					

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.7-6(b) Design Vehicular, Pedestrian, and Bicycle Access that Meets the City's Standards The project applicants shall submit tentative maps to the City that demonstrate proposed vehicular, pedestrian, and bicycle access on the project site and between the project site and existing development to the north and west that would meet the City of Manteca General Plan, 2003 Bicycle Master Plan, and project standards.</p>					

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.7-8 Coordinate with the City Regarding Required Number of Parking Spaces and Design Parking Areas in Accordance with City Standards At the time improvement plans are submitted to the City for the commercial</p>					

SUNDANCE & OLEANDER - MMRP

<p>site, the project applicants shall coordinate with the City of Manteca to identify the required number of parking spaces to be provided at the proposed commercial site. The project applicants shall design the commercial site to provide the appropriate number of spaces and shall design the commercial parking areas in accordance with the City's zoning code, including stall size, aisle size, and access driveways.</p>					

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>4.8-3 Install Wastewater Conveyance Improvements to Ensure Adequate Wastewater Conveyance Capacity for the Project</p> <p>The project applicants shall fully fund and install a pump station and a new force main to convey wastewater to the proposed Tara Park pump station (to be located at Woodward Avenue and McKinley Avenue). Installation of these improvements would provide adequate wastewater conveyance capacity for the proposed project.</p> <p>Construction of these improvements would occur on the project site and would also extend east along Woodward Avenue to the proposed Tara Park pump station (at McKinley Avenue).</p>					

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>PUB-1 Provide School Impact Fees</p> <p>As required by state law, the project applicants shall pay the state-mandated school impact fees to the appropriate school districts to fund the project's fair share of impacts to school facilities. For MUSD, developer impact fees would be \$2.24 per square foot for residential development because the proposed project would be located in a Mello Roos district. Payment of these fees is deemed full and complete mitigation (see Government Code Section 65996).</p>					

Mitigation	Phase	Notes	Status	Status Date	Verified By
<p>REC-1 Provide Park Acquisition and Improvement Fee</p> <p>Provide Park Acquisition and Improvement Fee: The project applicants shall comply with Policy PF-P-53 of the General Plan, which requires the payment of a park acquisition and improvement fee to fund system-wide improvements.</p>					

SUNDANCE & OLEANDER - MMRP

Appropriate fees for the project will be determined by the City. The Project Applicants shall comply with Policy PF-P-53 of the General Plan by the payment of the Park Acquisition and Improvement Fee set forth as Number 10 in Exhibit "F" to the Sundance Development Agreement and Exhibit "E" to the Oleander Development Agreement.					