

# Village 5 & Special Use District B (SUD-B) Specific Plan

FINAL PARTIALLY RECIRCULATED ENVIRONMENTAL IMPACT REPORT  
SCH No. 2014052071



August 2021

Prepared for  
City of Lincoln  
Community Development Department





# VILLAGE 5 & SPECIAL USE DISTRICT B SPECIFIC PLAN

Final Partially Recirculated Environmental Impact Report  
SCH #2014052071

Prepared for  
City of Lincoln,  
Community Development Department

August 2021

2600 Capitol Avenue  
Suite 200  
Sacramento, CA 95816  
916.564.4500  
[www.esassoc.com](http://www.esassoc.com)



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# CHAPTER 1

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## Introduction and List of Commenters

### Purpose of this Document

This Final Partially Recirculated Environmental Impact Report (FPREIR) includes all agency and public comments received on the Draft Partially Recirculated Environmental Impact Report (DPEIR, SCH #2014052071) for the Village 5 & Special Use District B Specific Plan (V5SP or proposed project) for the City of Lincoln. Written comments were received by the City of Lincoln during the public comment period from May 7, 2021 through June 21, 2021. This document also includes written responses to each comment received on the DPREIR. These responses correct, clarify, and amplify text in the DPREIR, as appropriate. These changes do not alter the conclusions of the DPREIR.

This FPREIR has been prepared in accordance with the California Environmental Quality Act (CEQA) and consistent with the direction from the Court. The complete Partially Recirculated Environmental Impact Report (PREIR) is made up of the FPREIR together with the DPREIR (and Appendices), and supersedes relevant parts of the 2017 V5SP EIR, including Sections 3.2, *Agriculture and Forestry Resources*, 3.4, *Biological Resources*, and 3.15, *Transportation and Circulation*. The PREIR will inform the public and the decision makers, including the Lincoln Planning Commission and Lincoln City Council, in their considerations of adequacy of the EIR and the merits of the proposed project, as well as actions of other responsible and trustee agencies in their consideration of discretionary permits or other approvals related to the proposed project.

### Summary of Proposed Project

The V5SP establishes a development framework for land use, mobility, utilities and services, resource protection, and implementation to promote the systematic and orderly development of the Village 5 Plan Area. Implementation of the V5SP includes amendments to the City of Lincoln's 2050 General Plan to move land uses within the Plan Area from the Village (V) designation to land use designations reflective of the mixed use plan. The City proposes to prezone the Plan Area in accordance with the General Development Plan (GDP), which is a required companion document to the V5SP that would function as the zoning code for the Specific Plan. The GDP establishes the regulations, standards, and guidelines for development, with a much greater level of detail and specificity than is provided in the Specific Plan to ensure that each Area of the V5SP would be developed in a cohesive and well-planned manner. The GDP includes specific direction for Area A, an approximately 799-acre portion of the Plan Area, controlled by the project applicant. The City and project applicant have entered into a development agreement to

implement the V5SP, and further development agreements for different portions of the V5SP are anticipated in the future.

The V5SP allows for the development of the Plan Area with residential and employment-generating uses along with recreational, open space, public and educational land uses. Buildout of the Plan Area is estimated to accommodate development of approximately 8,244 dwelling units. Approximately 4.6 million square feet total of employment-generating and commercial land uses are proposed as part of the proposed project.

## **Project Actions**

The proposed project is anticipated to include, but may not be limited to, the following City actions:

- Certification of the EIR to determine that the EIR was completed in compliance with the requirements of CEQA, that the decision-making body has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the City of Lincoln;
- Adoption of a Mitigation Monitoring Plan (MMP), which specifies the methods for monitoring mitigation measures required to eliminate or reduce the project's significant effects on the environment;
- Adoption of Findings of Fact, and for any impacts determined to be significant and unavoidable, a Statement of Overriding Considerations;
- Approval of one or more amendments to the General Plan;
- Adoption of Rezoning and Zoning Text Amendments;
- Adoption of a Public Facilities Financing Plan for the Village 5 Specific Plan;
- Approval of annexation(s) and petition(s) for annexation by LAFCo;
- Approval of a Water Supply Assessment; Approval of the Village 5 Specific Plan;
- Approval of the Village 5 General Development Plan for Area A, a portion of the Plan Area (Appendix B);
- Approval of the Village 5 General Development Plans for Area B through J;
- Approval of an Operating Agreement for Electronic Message Center;
- Approval of Conditional Use Permits;
- Approval of (Vesting) Tentative Subdivision Maps;
- Approval of one or more Development Agreements for the Village 5 Specific Plan;
- Approval of Site Plans for the Village 5 Specific Plan; and
- Approval of a Memorandum of Understanding (MOU) between Richland Communities, the City, and Placer United Soccer relating to the 72-acre Sports Complex.



The proposed project is anticipated to include, but may not be limited to, the following actions of approval by entities other than the City:

- Placer County Local Agency Formation Commission (LAFCo): approval of annexation of the Plan Area to the City of Lincoln;
- California Department of Transportation (Caltrans): encroachment permits for alterations to SR 65 until such time as it is relinquished to the City; issuance and renewals of permits for messaging center under the Outdoor Advertising Act;
- California Department of Fish and Wildlife (CDFW): Streambed Alteration Agreements (Section 1602 of the Fish and Game Code);
- Central Valley Regional Water Quality Control Board (CVRWQCB): Water Quality Certification (Section 401 of the Clean Water Act);
- Placer County Air Pollution Control District (PCAPCD): Authority to Construct; Permit to Operate stationary sources of air pollution (e.g., storm drain pump stations);
- Placer County Board of Supervisors: coverage under PCCP (if and when adopted);
- Placer County Water Agency (PCWA): provision of water supplies;
- Nevada Irrigation District (NID): provision of water supplies;
- Western Placer Unified School District (WPUSD): approval of school sites and approval of a mitigation agreement with the project applicant;
- United States Army Corp of Engineers: Section 404 of the Clean Water Act;
- United States Fish and Wildlife Service: authorizations pursuant to the federal Endangered Species Act, for effects related to federally-listed flora and fauna; and
- National Marine Fisheries Service/NOAA: authorizations pursuant to the federal Endangered Species Act, for effects on federally-listed anadromous fish that may be present in Auburn Ravine.

## Organization of the Final Partially Recirculated EIR

The Final Partially Recirculation EIR is organized as follows:

### Chapter 1 – Introduction and List of Commenters

This chapter summarizes the project under consideration and describes the contents of the Final Partially Recirculated EIR. This chapter also contains a list of all of the agencies or persons who submitted comments on the DPREIR during the public review period, presented in order by agency, organization, individual and date received.

### Chapter 2 – Revisions to the Draft Partially Recirculated EIR

This chapter describes changes and refinements made to the proposed project since publication of the DPREIR. These refinements, clarifications, amplifications, and corrections, which are described

as a narrative in the beginning of the chapter, would not change the environmental analysis and conclusions presented in the DPREIR for the reasons discussed in Chapter 2. This chapter also summarizes text changes made to the DPREIR in response to comments made on the DPREIR and/or staff-initiated text changes. Changes to the text of the DPREIR are shown by either a line through the text that has been deleted or double underlined where new text has been inserted.

## Chapter 3 – Comments and Responses

This chapter contains the comment letters received on the DPREIR followed by responses to individual comments. Each comment letter is presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the letter number appearing first, followed by the comment number. For example, comments in Letter A1 are numbered A1-1, A1-2, A1-3, and so on. Immediately following the letter are responses, each with binomials that correspond to the bracketed comments.

If the subject matter of one letter overlaps that of another letter, the reader may be referred to more than one group of comments and responses to review all information on a given subject. Where this occurs, cross-references to other comments are provided.

Some comments that were submitted to the City neither pertain to CEQA environmental issues nor address the adequacy of the analysis contained in the DPREIR. Responses to such comments, though not required, are included to provide additional information. When a comment does not directly pertain to environmental issues analyzed in the DPREIR, does not ask a question about the adequacy of the analysis contained in the DPREIR, expresses an opinion related to the merits of the proposed project, or does not question an element of or conclusion of the DPREIR, the response acknowledges the comment and may provide additional information where appropriate. The intent is to recognize the comment. Many comments express opinions about the merits or specific aspects of the proposed project, and these are included in the Final Partially Recirculated EIR for consideration by the decision-makers.

## Chapter 4 – Mitigation Monitoring Plan

This chapter contains the Mitigation Monitoring Plan (MMP) to aid the City in its implementation and monitoring of measures adopted in the V5SP EIR and the Partially Recirculated EIR, where it supersedes portions of the V5SP EIR, and to comply with the requirements of Public Resources Code Section 21081.6(a).

## Public Participation and Review

The City of Lincoln has complied with all noticing and public review requirements of CEQA. This compliance included notification of all responsible and trustee agencies and interested groups, organizations, and individuals that the DPREIR was available for review. The following list of actions took place during the preparation, distribution, and review of the DPREIR:

- The City decertified portions of the Agricultural, Biological Resources, and Transportation sections of the 2017 EIR on July 14, 2020 pursuant to Resolution No. 202-122. This action allowed for the preparation and circulation of the DPREIR.

- A Notice of Completion (NOC) and OPR Summary Form, and digital copy of the DPREIR were filed with the State Clearinghouse on May 7, 2021. An official 45-day public review period for the DPREIR was established by the State Clearinghouse, ending on June 21, 2021. A Notice of Availability (NOA) for the DPREIR was published in the Lincoln News Messenger on May 7, 2021 and sent to appropriate public agencies. The DPREIR was also published on the City's website at <http://www.lincolncalifornia.gov/city-hall/departments-divisions/community-development/planning/environmental-documents>.
- Copies of the DPREIR were available for review at the following publicly accessible locations:
 

City of Lincoln  
Community Development Department  
600 Sixth Street, Third Floor  
Lincoln, CA 95648

Lincoln Public Library  
485 Twelve Bridges Drive  
Lincoln, CA 95648
- Public comments were invited and accepted during a City of Lincoln Planning Commission meeting on May 19, 2021. Public comments followed a presentation by City staff, which included a brief presentation on the proposed project and overview of the purpose and content of the DPREIR.

## List of Commenters

The City of Lincoln received five comment letters during the comment period on the DPREIR for the proposed project. Table 1-1 below indicates the numerical designation for each comment letter, the author of the comment letter, and the date of the comment letter.

**TABLE 1-1  
COMMENT LETTERS REGARDING THE DRAFT PARTIALLY RECIRCULATED EIR**

Letter	Entity	Author(s) of Comment Letter/e-mail	Date of Comment Letter/e-mail
<b>Agencies – Federal, State, and Local</b>			
A1	California Department of Transportation (Caltrans), District 3	Kevin Yount, Branch Chief Office of Transportation Planning Regional Planning Branch-East	June 22, 2021
A2	Central Valley Regional Water Quality Control Board (CVRWQCB)	Greg Hendricks Environmental Scientist	June 22, 2021
<b>Individuals</b>			
I1		Michael and Becky LaSpina	May 16, 2021
I2		Michael and Becky LaSpina	May 21, 2021
I3	Soluri Meserve (law corporation)	Patrick Soluri	June 21, 2021
<b>Planning Commission Meeting Transcript</b>			
	Transcript of Planning Commission Meeting on May 19, 2021	Multiple	May 19, 2021

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# CHAPTER 2

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## Revisions to the Draft Partially Recirculated EIR

### Introduction

This chapter describes text changes made to the DPREIR in response to a comment as described in Chapter 3. There are no changes to the DPREIR that are initiated by City staff or in response to a modification to the proposed project.

Under CEQA, recirculation of all or part of an EIR may be required if significant new information is added after public review and prior to certification. According to CEQA Guidelines section 15088.5(a), new information is not considered significant “unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” More specifically, the CEQA Guidelines define significant new information as including:

- A new significant environmental impact resulting from the project or from a new mitigation measure;
- A substantial increase in the severity of an environmental impact that would not be reduced to insignificance by adopted mitigation measures;
- A feasible project alternative or mitigation measure considerably different from those analyzed in the Draft EIR that would clearly lessen the environmental impacts of the project and which the project proponents decline to adopt; and
- A Draft EIR that is so fundamentally and basically inadequate and conclusory that meaningful public review and comment were precluded.

The changes to the Proposed Project and text changes described below update, refine, clarify, and amplify the project information and analyses presented in the DPREIR. Pursuant to CEQA Guidelines section 15088.5, recirculation of a Draft EIR is required only if:

- 1) a new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
- 2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;

- 3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it; or
- 4) the draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

No new significant impacts are identified, and no information is provided that would involve a substantial increase in severity of a significant impact that would not be mitigated by measures agreed to by the project applicant. In addition, no feasible new or considerably different project alternatives or mitigation measures that the project applicant has declined to adopt have been identified. Finally, there are no changes or set of changes that would reflect fundamental inadequacies in the DPREIR. Recirculation of any part of the DPREIR therefore is not required.

## **Text Changes to the Draft Partially Recirculated EIR**

This section summarizes text changes made to the DPREIR in response to a comment presented in Chapter 3. New text is indicated in double underline and text to be deleted is reflected by a ~~strike through~~. Text changes are presented in the page order in which they appear in the DPREIR.

The text revisions provide clarification, amplification, and corrections that have been identified since publication of the DPREIR. The text changes do not result in a change in the analysis or conclusions of the DPREIR.

### **Chapter 1, Introduction**

#### **Changes in Response to Comments**

There are no text changes in response to comments in this section.

### **Section 3.2, Agriculture and Forestry Resources**

#### **Changes in Response to Comments**

The first paragraph of the Placer County Conservation Program description on page 3.2-15 is revised to read:

The County has developed and adopted the Placer County Conservation Program (PCCP) to coordinate and streamline the state and federal natural resources regulatory permitting processes. The City of Lincoln is a participating jurisdiction in the proposed PCCP or a Permittee. The PCCP is a Habitat Conservation Plan (HCP) pursuant to Section 10 of the Federal Endangered Species Act and a Natural Community Conservation Plan (NCCP) under the California Natural Community Conservation Planning Act. Agricultural lands are considered under the PCCP. For instance, rice is mapped as a community because of its large extent and relationship to historic vernal pool complex lands, as well as its potential for wetland restoration. Orchards and vineyards are considered agricultural lands, but are treated as a separate agricultural community due to their value to Covered

Species (e.g., birds).<sup>1</sup> It is anticipated that the PCCP will protect up to 8,240 acres of agricultural lands (compared to the 601 acres currently protected).<sup>2</sup> Additional details regarding the PCCP can be found in Section 3.4, *Biological Resources*, of this Draft PREIR.

Mitigation Measure 3.2-1, on page 3.2-18 is revised to read:

- a) *The project applicant shall comply with the PCCP to mitigate impacts of converting Prime Farmland, Farmland of Statewide Importance, or Unique Farmland agricultural lands, most specifically rice lands. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in ~~subsection (b)~~, Mitigation Measures 3.4-1(b) and 3.4-2(b) in Section 3.4, Biological Resources, of this Draft EIR, shown below.*

*~~The project applicant shall implement Mitigation Measures 3.4-1(b) and 3.4-2(b) in Section 3.4, Biological Resources, of this Draft EIR, shown below.~~*

The first sentence of the first paragraph on page 3.2-26 is modified as follows:

The adopted PCCP includes a commitment for acquisition of fee title or conservation easements on up to approximately 10,0508,240 acres of agricultural land, including 2,000 acres of rice agriculture and up to 8,0506,240 acres of land dedicated to other agricultural uses.<sup>3</sup>

The second sentence of the second paragraph on page 3.2-26 is modified as follows:

Objective GGS-1.1 ensures that at least 2,000 of the up to 8,240 acres will be rice land (or wetland equivalent).

The Impact Significance After Mitigation discussion on page 3.2-27, after the second paragraph, is revised to include the following text addition:

In addition to the commitment for agriculture and other open space protection, the PCCP also intends to meet its natural community-level goal of establishing interconnected vernal pool complex and grassland natural communities with functional ecological processes that sustain native species (Goal VPCGH-1), through a number of objectives, one of which includes the protection of 17,000 acres of existing vernal pool complex, including 790 wetted acres of vernal pool constituent habitat, primarily in the Valley RAA.<sup>4</sup> The PCCP relies on the relationship between grassland and vernal pool complexes

<sup>1</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Pp. 1-11, 2-62, 2-71, 3-30, 3-59, 3-107, 4-26, 4-54. Etc. Available: <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>. Accessed January 20, 2021.

<sup>2</sup> Placer County, 2018. Placer County Conservation Program, Executive Summary, p. 18. September 2018.

<sup>3</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-30.

<sup>4</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-17.

as its rationale for Objective VPCG-1.3, *Protect Grasslands*, which will protect 2,740 acres of grassland natural community (i.e., non-vernal pool complex grassland), including 350 acres in the Valley RAA.<sup>5</sup>

The biological setting of the PCCP notes that “virtually all of the existing vernal pool complexes and annual grasslands in the Valley have been managed for various forms of agriculture, primarily grazing and dry pasture.”<sup>6</sup> The Natural Community-level biological goals of the PCCP include the continuation of agricultural activity through the use of grazing as a management tool for vernal pool complex and grassland communities. According to the PCCP, “ranching activities, such as pond maintenance and moderate livestock grazing, are essential to the long-term survival of some Covered Species, such as California red-legged frog and vernal pool species.”<sup>7</sup> Managed grazing will continue to be used to reduce the cover of invasive, non-native species that damage the ecological function of some landscapes.<sup>8</sup> Therefore, the large preservation of vernal pool complex and grassland communities, can be assumed to also represent the conservation of agricultural uses through the continuation of grazing operations that are compatible with the long-term species conservation goals of the PCCP. It is reasonably foreseeable that some of the land preserved through the protection of vernal pool complex and grassland communities would be Important Farmland, providing additional mitigation for the conversion of Important Farmland to non-agricultural uses, in combination with the agricultural and open space protection included in the PCCP.

## Section 3.4, Biological Resources

### Changes in Response to Comments

Mitigation Measure 3.4-2, subsection a) is revised to read:

#### **Mitigation Measure 3.4-2**

- a) *The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.*

*For species that are not directly covered by the PCCP, the project applicant shall implement the following avoidance and minimization measures:*

- 1) The project applicant shall implement Mitigation Measure 3.4-6, subsection c).*

<sup>5</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-18.

<sup>6</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 3-66.

<sup>7</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 4-100.

<sup>8</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-16.



2) For the protection of American badgers, the project applicant, for each project phase, shall retain a qualified biologist to conduct a preconstruction American badger den survey within the project site. The results of the survey shall be provided to the City of Lincoln. If dens or burrows determined to be potential American badger dens are found within the project site or off-site improvement areas during the preconstruction surveys, consultation with the California Department of Fish and Wildlife (CDFW) shall occur prior to the initiation of any construction activities to determine an appropriate burrow excavation and/or relocation method. If American badger burrows are not found, further measures are not necessary. All survey results shall be submitted to the City of Lincoln prior to the initiation of any construction activities.

The Impact Significance After Mitigation discussion on page 3.4-64 of the DPREIR is revised to read:

**Impact Significance After Mitigation:** If the PCCP is operational, compliance with it would satisfy all legal requirements to mitigate impacts to special-status species because the PCCP or the species-specific survey measures for non-covered species would identify all ~~covered~~ special-status species and ratios for protecting them. If the PCCP is not operational (i.e., take authorization pursuant to the PCCP has not been issued) when permitting for the Project occurs, consultation with the Corps, CDFW, and USFWS, and the development of a Project-Level Open Space, Agricultural Land and Biological Resources Mitigation Plan would ensure that habitat modification and potential impacts to special-status species are mitigated on a system-wide level, ensuring the conservation of large, contiguous tracts of land to maintain species habitat. This plan would both comply with the PCCP, and would provide a framework for habitat and species preservation should the PCCP not be operational. Therefore, with the implementation of Mitigation Measure 3.4-2, the impact to special-status species would be **less than significant**.

Mitigation Measure 3.4-6, on page 3.4-70 of the DPREIR is revised to read:

#### **Mitigation Measure 3.4-6**

- a) *The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b) and/or (c), below, as applicable.*

*For special-status bird species that are not covered under the PCCP, the mitigation measures for nesting habitat in Mitigation Measure 3.4-6(c) shall be implemented.*

The Impact Significance After Mitigation discussion on page 3.4-73 of the DPREIR is revised to read:

**Impact Significance After Mitigation:** Compliance with the PCCP and species-specific avoidance and minimization measures for non-covered species would mitigate all impacts to foraging and nesting habitats for special-status birds because this measure would ensure the avoidance and/or preservation of such habitat in excess of 1:1 ratios, and ensuring active nesting habitat is not disturbed. If, however, the PCCP is not operational by the time project applicant(s) seek permits to construct, the mitigation measures listed above would mimic those in the PCCP. Therefore, this impact would be reduced to a **less-than-significant** level.

## Section 3.15, Transportation and Circulation

### Changes in Response to Comments

There are no text changes in response to comments in this section.

### Changes to Figures

There are no revised figures in the DPREIR.

### Changes to Appendices

There are no revised appendices to the DPREIR.

# CHAPTER 3

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## Comments and Responses

# California Department of Transportation

DISTRICT 3  
703 B STREET | MARYSVILLE, CA 95901-5556  
(530) 513-0584 | FAX (530) 741-4245 TTY 711  
[www.dot.ca.gov/dist3](http://www.dot.ca.gov/dist3)



June 22, 2021

GTS# 03-PLA-2016-0774  
03-PLA-65-R17.446  
SCH #2014052071

Steve Prosser  
City of Lincoln  
Development Services Department  
600 Sixth Street  
Lincoln, CA 95648

## Village 5 Special Use District Recirculated EIR

Dear Mr. Prosser:

Thank you for including the California Department of Transportation (Caltrans) in the Initial Consultation review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

The partial recirculation of the Village 5 & Special use district EIR assessed the potential environmental impact of development and annexation of the 4,775 acre plan area into the City of Lincoln, pursuant to the Village 5 Specific Plan. The final EIR was approved in December of 2017. In January of 2018, the project was petitioned alleging violations of CEQA and now the City is recirculating this EIR with only changes to the specific sections that were litigated; Agriculture and Biological Resources relating to Mitigation Measures 3.2-1(b) and 3.4-2(b) and transit Analysis in Transportation. Highway Operations, Transportation Planning (Forecasting & Modeling and HQ LD-IGR) and Hydraulics have reviewed the provided documents. Please see comments below.

A1-1

**Highway Operations**

Caltrans supports Mitigation Measure 3.15-6 – to provide a Project Study Report to determine when improvements are needed due to reaching capacity or due to potential safety issues.

A1-2

Right-of-way preservation should be discussed for the future need of interchanges at SR 65/Nicolaus Road and SR 65/Nelson Lane.

A1-3

**Transportation Planning**

If the transportation-traffic analysis for SR-65 -Nelson Lane interchange has not been complete, please use VMT analysis as a CEQA requirement. This analysis is to be performed based on the interchange design requirements and as part of the mitigation identified in the FEIR.

A1-4

**Hydraulics**

Please provide drainage calculations verifying that there is no additional flow (Q) of water going into Caltrans' existing drainage system for the 100-year storm event, provide spread and depth calculations for the curb and gutter to be constructed with respect to the 10-year design storm (see HDM 831.3) and please use the 2018 version of the Caltrans Standard Plans for Curbs & Driveways.

A1-5

A1-6

A1-7

If you have any questions regarding these comments or require additional information, please contact Fallon Cox, Intergovernmental Review Coordinator for Placer County, by phone (530) 812-5964 or via email to [Fallon.Cox@dot.ca.gov](mailto:Fallon.Cox@dot.ca.gov).

Sincerely,



KEVIN YOUNT, Branch Chief  
Office of Transportation Planning  
Regional Planning Branch—East

**Letter A1      California Department of Transportation**  
**Response      June 22, 2021**

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- A1-1            The Caltrans commenter’s brief summary of the proposed project is correct. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- A1-2            The commenter provides support for Mitigation Measure 3.15-6. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- A1-3            The V5SP includes consideration for the right of way necessary for the future construction of the SR-65 interchanges at Nelson Road and Nicolaus Road, as shown in Exhibit 4.1: Land Use Plan, on page 4-2 of the V5SP. Further, the V5SP is consistent with City policies that call for the support of the SR-65 Bypass through future development of interchanges along SR-65 at both Nelson Road and Nicolaus Road (General Plan Policy T-2.9). The 2017 EIR includes Mitigation Measure 3.15-6 (2017 EIR pages 3.15-85 to 86 and DPREIR, pages 3.15-95 to 97), which identifies lane configurations necessary to provide acceptable operations at the interchange ramp terminal intersections, demonstrating an adequate level of consideration for anticipated future design requirements for the construction of each of the planned interchanges. Thus, right-of-way would be available for the future construction of the interchanges identified in the comment. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- A1-4            The EIR analyzed vehicle-miles-traveled (VMT) impacts from implementation of the Village 5 Specific Plan in Section 3.7, *Energy Resources*, of the EIR. The EIR assumed construction of the SR-65-Nelson-Lane interchange in the development assumptions utilized in the VMT analysis.
- A1-5            The comment does not specify issues with the Recirculated portions of the EIR. The project has been designed to comply with all local, state, and federal water

quality requirements. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.

A1-6 The comment does not specify issues with the Recirculated portions of the EIR. The project has been designed to comply with all local, state, and federal water quality requirements. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.

A1-7 The comment does not specify issues with the Recirculated portions of the EIR. The project has been designed to comply with all local, state, and federal water quality requirements. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.



## Central Valley Regional Water Quality Control Board

22 June 2021

Steve Prosser  
City of Lincoln  
600 Sixth Street  
Lincoln, CA 95648

### **COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT PARTIALLY RECIRCULATED ENVIRONMENTAL IMPACT REPORT, VILLAGE 5 & SPECIAL USE DISTRICT B PROJECT, SCH#2014052071, PLACER COUNTY**

Pursuant to the State Clearinghouse’s 7 May 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Partially Recirculated Environmental Impact Report* for the Village 5 & Special Use District B Project, located in Placer County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State’s water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

A2-1



Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

A2-1  
cont.

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.



A2-1  
cont.

General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)



A2-1  
cont.

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4709 or [Greg.Hendricks@waterboards.ca.gov](mailto:Greg.Hendricks@waterboards.ca.gov).



Greg Hendricks  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

A2-1  
cont.

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**Letter A2**      **Central Valley Regional Water Quality Control Board**  
**Response**      June 22, 2021

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- A2-1            The comment does not specify issues with the recirculated EIR. The comment describes applicable Water Board plans and considerations that the proposed projects must comply with including the applicable Basin Plan and the State Water Board Antidegradation Policy. The comment identifies potential types of permits that could be required from the Central Valley Regional Water Quality Control Board (CVRWQCB). Such permits could include a Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, an Industrial Storm Water General Permit, a Clean Water Act Section 404 Permit, a Clean Water Act Section 401 Permit, a Waste Discharge Requirement (WDR) permit, a dewatering permit, a permit for commercially irrigated agriculture, a Low or Limited Threat General NPDES Permit, or meeting Waste Discharge Requirements. As discussed in Section 3, Comments and Responses, of the 2017 FEIR, the Water quality permit requirements for the proposed project are detailed in Section 3.10, Hydrology and Water Quality. As described in Impact 3.10-1, the proposed project would be required to comply with both state and local regulations designed to reduce or eliminate construction-related water quality effects.

**Jonathan Teofilo**

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**From:** Steve Prosser <Steve.Prosser@lincolnca.gov>  
**Sent:** Monday, May 17, 2021 9:35 AM  
**To:** Jonathan Teofilo  
**Subject:** FW: Wednesday, May 19, 2021 Planning Commission Meeting Public Comment via email

First Comment.

**Steve Prosser, AICP**  
**Community Development Director**  
**600 6<sup>th</sup> Street**  
**Lincoln, CA 95648**  
[Steve.Prosser@lincolnca.gov](mailto:Steve.Prosser@lincolnca.gov)  
**(916)434-3241**



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**From:** Angela Alloway  
**Sent:** Monday, May 17, 2021 9:01 AM  
**To:** Steve Prosser <Steve.Prosser@lincolnca.gov>  
**Cc:** Kristine Mollenkopf <kristine.mollenkopf@lincolnca.gov>  
**Subject:** FW: Wednesday, May 19, 2021 Planning Commission Meeting Public Comment via email

Steve,

I received this yesterday as a public comment to the agenda that was posted.

Thanks,  
Angela

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**From:** Michael/Becky LaSpina <[2016cardicorgi@gmail.com](mailto:2016cardicorgi@gmail.com)>  
**Sent:** Sunday, May 16, 2021 3:43 PM  
**To:** Angela Alloway <[angela.alloway@lincolnca.gov](mailto:angela.alloway@lincolnca.gov)>  
**Subject:** Wednesday, May 19, 2021 Planning Commission Meeting Public Comment via email

9 GENERAL BUSINESS

9A. VILLAGE 5 and SPECIAL USE DISTRICT - B (SUD-B) SPECIFIC DEVELOPMENT DRAFT PARTIALLY  
RECIRCULATED ENVIRONMENTAL IMPACT REPORT  
SCH #2014052071

"Several portions of the May 2021 report note potentially significant cumulative impact to the City of Lincoln residents in regards to traffic and pedestrian flow even if recommended mitigation is utilized. Portions of the May 2021 report note that funding is not available to implement the mitigation recommended in all areas of the proposed Village 5; as impact goes far beyond the City of Lincoln and Village 5, ie, affecting traffic flow into the cities of Roseville and Rocklin.

I1-1

WATER : The May 2021 impact report notes the city will connect to existing city water system(s) for the proposed Village 5 development. One specific water line will be proposed to connect at Moore Road / OLD Nelson Lane. When Eco-Logic built the city well on the south side of Moore Road east of current Nelson Lane; the well was named an EMERGENCY WELL. Eco-Logic tested the resident well on Nelson Lane as being affected by the City of Lincoln, CA Emergency well. The test showed the resident well depth was affected by the city well in that the resident's well lost water when the city well was in use.

11-2

It appears The City of Lincoln, California has failed to look very far into the future per water availability for Village 5. Drought impact is forecast to be ongoing and the water table cannot support 8,000 plus new residents.

Michael and Becky LaSpina OPPOSE annexation of VILLAGE 5 and SPECIAL USE DISTRICT B SPECIFIC DEVELOPMENT into THE CITY OF LINCOLN, CALIFORNIA 95648 due to the proposed project(s) being unsustainable land use.

Thank You.

Michael and Becky LaSpina  
950 Nelson lane  
Lincoln, CA 95648

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Letter I1**      **Michael and Becky LaSpina**  
**Response**      **May 16, 2021**

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- I1-1              The commenter summarized the potentially significant cumulative impacts in regard to traffic. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I1-2              The commenter expressed opinions regarding future water availability as it relates to project effects on the existing residential well on Nelson Lane. The comment does not address the recirculated materials. As a result, no further response is required pursuant to CEQA Guidelines section 15088. However, as is noted in Chapter 2, *Project Description*, Page 2-33, the City’s water system would be extended into the Specific Plan area, to serve proposed development. The extension of the City’s water system would be designed to integrate with existing transmission mains and complete a looped connection through the Plan Area. The 2017 EIR analyzed the potential water supply for the Project and the potential impact of supplying that water, and determined the Project would not adversely affect groundwater levels.



May 21, 2021

Michael P & Becky L LaSpina  
950 Nelson Lane  
Lincoln, CA 95648-9598  
(916) 601-1191  
2016cardicorgi@gmail.com

City of Lincoln  
Building Department

MAY 26 2021

Steve Prosser AICE  
Community Development Director  
City of Lincoln, CA 95648  
Steve.prosser@lincoln.ca.gov

**VILLAGE 5 and SPECIAL USE DISTRICT - B (SUD-B)  
SPECIFIC DEVELOPMENT PARTIALLY RECIRCULATED ENVIRONMENTAL  
IMPACT REPORT SCH#2014052**

**COMMENT(s):**

- A. Traffic
- B. Water
- C. Delayed Project of Annexation Plan

**Michael and Becky LaSpina are only one of many landholders in the City of Lincoln, CA General Plan Sphere of Influence, ie, proposed Village 5 and Special Use District B. The LaSpina's attended nearly all of the in-person public meetings in regards to the annexation of the properties within the City of Lincoln's Sphere of Influence area designated as Village 5 and Special Use District B. The LaSpina's did sign our names as attendees. We politely spoke out against the annexation and development proposals specifically due to the impacts of traffic and impact on an already diminished water table.**

12-1

**A. TRAFFIC: The Laspina's are opposed to having to change their mailing address due to the name change of Nelson Lane to OLD Nelson Lane. The LaSpina's are opposed to the widening of Moore Road which will create a loss of our peace, privacy, and property.**

12-2

12-3

**Several portions of the May 2021 REPORT state that the recommended mitigation on traffic issues actually lack the funding to even implement mitigations required.**

12-4

**B. WATER:** The May 2021 impact report states that if the annexation does occur and the Village 5 development were to proceed; the City of Lincoln plans to connect the Village 5 to existing City Water System(s). However, the May 2021 impact report failed to denote the fact of the already diminished water table that exists in the area of proposed annexation for the development of proposed Village 5. The City of Lincoln built an Emergency Well located on Moore Road southeast of Nelson Lane using a company named Eco-Logic. Eco-Logic set up a test on the LaSpina's well at 950 Nelson Lane. The Eco-Logic test noted the City of Lincoln's new emergency well when being in use did drop the water table lowering the depth of the water table at the 950 Nelson Lane water well.

12-5

There is not enough water in the aquifer to serve the proposed development of the Village 5. California is in a perpetual state of drought. A fact that cannot be denied.

**C. DELAYED DEVELOPMENT PROJECT DATES:** The May 2021 impact report states the initial project was planned to begin implementation in the year 2025. The new projected date of implementation is projected to begin in the year 2035. The LaSpina's are opposed to any annexation of the area planned for the future development of Village 5 due to both issues of the impact traffic and lack of available water to service additional large population.

12-6

Thank You.

  
Michael P LaSpina

  
Becky L LaSpina

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**Letter I2**      **Michael and Becky LaSpina**  
**Response**      **May 21, 2021**

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- I2-1            The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I2-2            The commenter testified that they do not want to change their mailing address due to the Nelson Lane name change. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I2-3            The commenter expressed opposition to the widening of Moore Road. Impacts related to road widening are not the subject of the recirculated portions of the EIR. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I2-4            The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I2-5            The commenter expressed opinions regarding future water availability as it relates to project effects on the existing residential well on Nelson Lane. The 2017 EIR analyzed the potential water supply for the Project and the potential impact to aquifers of supplying water to the project and cumulative development, and determined the Project would not adversely affect groundwater levels or result in a cumulative significant impact to groundwater supply. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.

As is noted in Chapter 2, *Project Description*, Page 2-33, the City's water system would be extended into the Specific Plan area, to serve proposed development. The extension of the City's water system would be designed to integrate with existing transmission mains and complete a looped connection through the Plan Area.

The EIR examined existing and future water supplies and the infrastructure to convey water to the City of Lincoln in Section 3.16, *Utilities and Infrastructure*, which relies on a Water Supply Assessment, prepared for the City of Lincoln in June 2015, and included in the EIR in Appendix H. The discussion for Impact 3.16-7 is the analysis of the potential for the Village 5 Specific Plan to contribute to cumulative increases in demand for water supply that could result in the need for new or expanded treatment, storage, or conveyance facilities (see page 3.16-54 through 3.16-57).

- I2-6            The commenter expressed opposition to the proposed project. The comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.



tel: 916.455.7300 • fax: 916.244.7300  
510 8th Street • Sacramento, CA 95814

June 21, 2021

VIA EMAIL: ([Steve.prosser@lincolnca.gov](mailto:Steve.prosser@lincolnca.gov))

Steve Prosser, Community Development Director  
City of Lincoln, Community Development Department  
600 Sixth Street  
Lincoln, California 95648

**RE: Village 5 Specific Plan Draft Partially Recirculated Environmental Impact Report**

Dear Mr. Prosser:

This firm, along with the Law Offices of Matthew Emrick, represents Albert Scheiber and Scheiber Ranch Properties, LP. (collectively, the “Scheibers”). This letter provides comments regarding the proposed Village 5 Specific Plan (“V5SP”) and its Draft Partially Recirculated Environmental Impact Report (“DPREIR”) that is necessitated by the Scheibers’ success in invalidating several aspects of the original V5SP EIR.

I3-1

As described more fully below, however, the DPREIR contains numerous flaws that render it fatally flawed as an informational document. In order to comply with California Environmental Quality Act (“CEQA”), the City must revise and recirculate the DPREIR in accordance with the comments below.

**A. The DPREIR improperly incorporates the Placer County Conservation Plan**

As the City proposes to rely so heavily, and even exclusively, on compliance with the Placer County Conservation Plan (“PCCP”) to analyze and mitigate V5SP impacts, it is surprising that the DPREIR did not circulate the PCCP as an appendix, or even an executive summary of the PCCP, as provided by CEQA Guidelines section 15147. This prevents adequate public disclosure regarding the V5SP’s analysis of impacts and mitigation.

I3-2

Instead, the City appears to incorporate the PCCP by reference as set forth in CEQA Guidelines section 15150. This procedure is inadequate here. The CEQA Guidelines state, “Incorporation by reference is most appropriate for long, descriptive, or technical materials that provide background but do not contribute directly to the analysis

of the problem at hand.” (Cal. Code Regs., tit. 14, § 15150, subd. (f) [CEQA Guidelines].) Additionally, incorporated materials must be summarized or described, and the relationship between the incorporated part of the referenced document and the DPREIR must be described. (*Id.* at subd. (c).) The City fails to comply with these sections of the Guidelines.

13-2  
cont.

The DPREIR relies on the PCCP for more than background information, the PCCP is relied upon to provide mitigation measures for several impacts. However, the specific information relied upon in the PCCP is not indicated, making it nearly impossible to determine how mitigation measures will be implemented. For example, several mitigation measures rely on language similar to that found in Mitigation Measure 3.4-1 “The project applicant shall comply with the PCCP and that participation shall satisfy all mitigation requirements for this impact. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.” (DPREIR, p. 3.4-57.) Reliance on bare language like this does not comply with the standards of CEQA. This language lacks either a brief summarization or description of the data or information being relied upon. (CEQA Guidelines, § 15150, subd. (c).) Without this information the public is deprived of the meaningful opportunity to comment on feasible mitigation of several impacts.

13-3

**B. The DPREIR fails to adequately mitigate for loss of agricultural production**

Analysis of farmland conversion and the need for farmland mitigation, is flawed. The analysis is flawed in several ways. The DPREIR identifies multiple agricultural impacts, and is attempting to mitigate them all with non-agricultural mitigation.

13-4

First, the mitigation is not based on mitigating conversion of farmland to non-agricultural use; the mitigation measure addresses species habitat, not agricultural production. Mitigation Measure 3.2-1 states mitigation will be achieved through the PCCP and the PCCP’s mitigation ratios will be equal to or greater than those listed in Mitigation Measures 3.4-1(b) and 3.4-2(b). Both 3.4-1(b) and 3.4-2(b) create ratios to mitigate species habitat, not agricultural land. Therefore, there are no agricultural impact mitigation requirements in these mitigation measures.

13-5

Second, the DPREIR states implementation of mitigation measure 3.2-1 would “ensure agricultural land that is similar in character to that which would be lost in the Plan Area would be preserved at a ratio consistent with the PCCP, particularly since agricultural land provides foraging habitat for many species.” (DPREIR, p. 3.2-25.) The DPREIR attempts to roll agricultural mitigation into biological resources mitigation

13-6

through the “conservation strategy” that houses landscape-level biological goals and objectives. The Court of Appeal has rejected the idea that imposing conservation easements on agricultural operations was acceptable. (*County of Colusa v. California Wildlife Conservation Bd.* (2006) 145 Cal.App.4th 637, 652-654.) Noting without judicial intervention that the State would have felt it had the green light to convert agricultural land to wildlife preserves, and over time this would have an adverse effect on agriculture in the state. (*Ibid.*) This is precisely the strategy the DPREIR is attempting to use.

13-6  
cont.

1. No agricultural production is required to be mitigated and mitigation ratios are for biological resources.

Preventing significant, avoidable, and negative environmental impacts by requiring feasible mitigation measures is one of CEQA’s primary purposes. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15002. subd. (a)(3), 15021, subd. (a)(1).) Mitigation included in Mitigation Measure 3.2-1 potentially does nothing to lessen the impacts to agricultural production, and farmland conversion impacts of the Project.

13-7

In the summary of Mitigation Measure 3.2-1, the DPREIR lists several ways agricultural acreage will be mitigated. (DPREIR, p. 3.2.25 – 26.) First, the amount of acreage being protected is unclear, it states the PCCP will acquire 10,050 acres of agricultural land, 2,000 will be rice and 8,050 will be dedicated to other agricultural uses, but the numbers to be protected are 8,240 total, 2,000 of which will be rice land. (PCCP, p. 5-63.) The DPREIR also confuses what will and will not be included by noting the 8,240 and 2,000 acre numbers later in the paragraph. Is the PCCP protecting 2,000 acres of rice land and 8,050 acres of other agricultural uses, or is it protecting 8,240 total acres of agriculture, 2,000 of which are rice land? As written, it is unclear how much agricultural land could be protected to mitigate the impacts of V5SP.

13-8

Regardless of these numbers the agricultural impacts are still not addressed. Objective AO-1.1 *Protect Agricultural Lands and Other Open Space*, requires protection of 8,240 acres of agricultural lands or natural communities. (PCCP, p. 5-33.) The 8,240 acres will be comprised of 2,000 acres of rice land, and 6,240 acres of other agricultural land. (*Ibid.*) However, the 2,000 acres is not being protected for rice land, but for giant garter snake habitat, and can be substituted for “wetland equivalent.” (*Ibid.*) Therefore, there are potentially zero acres of rice being protected or mitigated, this is not an adequate mitigation measure for agricultural impacts. Additionally, the other 6,240 acres are not required to be put to agricultural use either, “it may be **substituted by any**

13-9

13-10



**natural community.**” (PCCP, p. 5-59.) The PCCP defines natural community as “a collection of species that co-occur in the same habitat or area that interact through trophic and spatial relationships. For purposes of the Plan, communities are typically characterized by reference to one or more dominant species, vegetation, or characteristic wetland feature. The Plan recognizes six natural communities in the Plan Area.” (PCCP, p. 3-28.) None of the six natural communities include agriculture. (PCCP, p. 3-25.) The PCCP goes on to admit the goal is not to protect agricultural resources, but to protect natural communities. “Protecting agricultural land will preclude future development from permanently fragmenting the landscape in the Valley RAA. An advantage of preventing development on agricultural lands is that these lands, unlike developed lands, will be available for potential conversion to natural communities in the future.” (PCCP, p. 5-34.) Even if agricultural lands were protected the purpose is to convert them into natural communities.

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I3-10  
cont.

Mitigation Measure 3.2-1 relies on the mitigation ratios put forth in Mitigation Measures 3.4-1 and 3.4-2. However, the DPREIR fails to identify how these ratios will be fulfilled. The PCCP covers over 260,000 acres, 116,802 acres is agricultural land (7,804 acres field/orchard, 89,418 acres rangeland, and 19,580 acres rice land). (PCCP, p. 2-3.) The mitigation ratios only attach to vernal pools, wetlands, and open water. (DPREIR, pp. 3.2-19 – 20.) Therefore, it is unclear what Mitigation Measure 3.2-1 requires, other than perhaps rice land is equivalent to wetlands, and therefore rice falls under the mitigation ratios.

I3-11

## 2. Mitigation Measure 3.2-1 PCCP Objectives.

The DPREIR also relies on various PCCP objectives to show agricultural impacts will be mitigated. As noted below, each of these Objectives is not dedicated to agriculture, much like Mitigation Measure 3.2-1.

I3-12

Objective L-1.1 establishes an interconnected “Reserve System of at least 47,300 acres of natural communities, agricultural habitat, and Covered Species’ habitat.” (PCCP, p. 5-12.) First, this Objective falls under the “Landscape-level Biological Goals and Objectives” section, as previously noted, mitigation of biological resources does not mitigate agricultural impacts. The DPREIR includes this Objective in the summary of Mitigation Measure 3.2-1, ostensibly for the purpose it uses the words “agricultural habitat,” however, the rationale of the Objective has nothing to do with agriculture, and instead, “is intended to protect the highest quality natural communities and Covered Species’ habitat in the Plan Area to optimize the ecological value of the Reserve System

I3-13  
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for conserving Covered Species and native biodiversity.” (PCCP, p. 5-13.) Though the City would like to connect this Objective to agricultural mitigation, this pursuit is faulty.

13-13  
cont.

Objective L-2.4 is to provide connectivity from Yuba County to Nevada County. (PCCP, p. 5-14.) Again, this Objective falls under the “Landscape-level Biological Goals and Objectives” section. The purpose of the Objective is to maintain connectivity and though it is presumed some of the lands will be agricultural lands, it does not specifically provide any protections or mitigation for agricultural impacts.

13-14

Objective AO-1.1 and Objective GGS-1.1 have been discussed above. Though the DPREIR suggests these two objectives provide protection of 8,240 acres of agricultural lands, this simply is not true. The 2,000 acres protected under GGS-1.1 can be rice or wetlands, and the other 6,240 can be any natural community. Much like the other Objectives listed in Mitigation Measure 3.2-1, these have potentially no agricultural impact mitigation value.

13-15

It is unclear whether Mitigation Measure 3.2-1 is a mitigation measure for agricultural impacts. The DPREIR and the PCCP convolute what lands will be preserved, and for what reason. There are several instances in the Mitigation Measure, where the City has seemingly added every PCCP Objective that hints to agricultural lands. However, the bottom line is the DPREIR fails as an informational document.

13-16

CEQA requires an EIR to inform the public of significant environmental effects of the project, and possible ways to minimize those effects. (CEQA Guidelines, § 15121, subd. (a).) Additionally, the DPREIR fails to do this. “Mitigation measures must be “roughly proportional” to the impacts of the project,” here there is simply no proportion because none of the actions required in the mitigation measure are directly linked to agricultural impacts. (CEQA Guidelines, § 15126.4, subd. (a)(4)(B).) Therefore, the City has described an impact that will be significant, and has provided essentially no mitigation measures to combat the impact.

13-17

**C. The DPREIR fails to adequately analyze and mitigate impacts to biological resources**

Impact 3.4-2 considers whether “Implementation of the proposed project could result in adverse impacts to special-status species, either directly or through habitat modifications.” (DPREIR, p. 3.4-60.) Reliance on the PCCP fails to adequately mitigate this impact.

13-18

As a threshold matter, bare reliance on regulatory compliance is inadequate to mitigate an impact where, the agency fails to adequately analyze the impacts. “A

determination that regulatory compliance will be sufficient to present significant adverse impacts must be based on a project-specific analysis of potential impacts and the effect of regulatory compliance.” (Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* (Cont.Ed.Bar. 2d ed. 2020) § 14.15, p. 14-20.3.) The record reveals there has been no such project-specific analysis here. The DPREIR provides, “No surveys have been conducted in the Plan area” - including Area A that is purportedly analyzed on a project level – for the following species that have a “high” or “medium” potential to occur: western pond turtle, western spadefoot toad, tricolored blackbird, grasshopper sparrow, short-eared owl, burrowing owl, ferruginous hawk, Swainson’s hawk, northern harrier, western yellow-billed cuckoo, white-tailed kite, snowy egret, prairie falcon, loggerhead shrike, long-billed curlew, black-crowned night heron, purple martin, pallid bat, Townsend’s big-eared bat, American badger . (DPREIR, pp. 3.4-17 – 21.) The fact that a few species were surveyed in Area A demonstrates the feasibility of doing similar surveys for other species prior to preparing the DPREIR. (*Save the Agoura Cornell Knoll v. City of Agoura Hills* (2020) 46 Cal.App.5th 665, 692.) No explanation is provided as to why such surveys were not performed.

13-18  
cont.

Bare reliance on compliance with the PCCP is inadequate since the City has not performed the minimum studies necessary to inform itself and the public regarding presence of special-status species. Since its actual surveys were limited to “brachiopod dry season surveys” performed in 2014, the DPREIR instead expressly relies on three databases, including the California Natural Diversity Database (“CNDDDB”), to identify the species that have the potential to occur within the V5SP. (DPREIR, p. 3.4-23.) This is improper since these databases are not intended to be used as substantial evidence that species are not present. In fact, the CNDDDB’s license agreement includes a specific admonition to this effect:

13-19

DFW does not portray its databases as an exhaustive or comprehensive inventory of all rare species and natural communities statewide. For any given location in California, a lack of species occurrences or records in no way indicates or implies that the species do not occur there. Field observations by qualified persons and using the proper protocols at appropriate times are necessary to support negative findings. Much of the state has never been surveyed for plant and animal species.

(Exhibit 1, CNDDDB License Agreement, ¶ 6.)

While mere reliance on database searches is never adequate, it is certainly inadequate to rely on such searches that are between five and six years old. (DPREIR, p. 3.4-23.)

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I3-19  
cont.

Setting aside the DPREIR’s failure to perform an adequate investigation, exclusive reliance on the PCCP to mitigate impacts to sensitive species is facially inadequate. The PCCP is limited in its application to only 14 species. (DPEIR, p. 3.4-51.) As set forth above, however, many other special-status species have a high to medium potential for occurring in the V5SP area. The PCCP itself makes clear that it simply does not address impacts to these other species:

In addition to complying with the terms and conditions of the Plan for take of Covered Species, project applicants must comply with all other applicable laws and regulations related to species protection, including, but not limited to, the Bald and Golden Eagle Protection Act; California Fish and Game Code Sections 3503 (eggs and nests of birds), 3503.5 (birds of prey), 3505 (specified birds), and 1900 et seq. (rare plants); and any California Fully Protected species or CESA-listed species not addressed by this Plan.

I3-20

(PCCP, p. 6-18.)

Therefore, if the PCCP is “in operation” and therefore the City relies on mitigation measure 3.4-2(a) to address impacts to all special-status species,<sup>1</sup> there is literally no identifiable mitigation for direct or indirect impacts to western spadefoot toad, grasshopper sparrow, short-eared owl, northern harrier, white-tailed kite, loggerhead shrike, purple martin, pallid bat, Townsend’s big-eared bat or American badger.

#### **D. The DPREIR Fails as an informational document regarding transit impacts**

##### **1. The City cannot refuse to address potential impacts to transit capacity.**

The DPREIR correctly notes, “The Court also ruled that the 2017 EIR did not provide an adequate discussion or analysis of the Project’s impacts to transit, rendering that portion of the 2017 EIR inadequate as an informational document.” In doing so, the Court agreed with the Scheibers that the original EIR “never identifies – quantitatively or

I3-21  
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<sup>1</sup> The DPREIR provides no information about what is meant by “the County and City processes for designating project impacts as covered under the PCCP have not been established.”

even qualitatively – the ‘demand for mass transit services’ created by the V5SP or the additional ‘capacity’ that the V5SP would create. . . . Thus, there is no information informing the public whether the V5SP will create demand for transit that is above the capacity that it will provide.”

13-21  
cont.

Incredibly, rather than simply comply with the Court’s judgment by providing the omitted analysis, the City actually eliminated the significance standard requiring the analysis in the first place. (DPREIR, 3.15-42.) However, case law does not allow such transparent manipulation of an agency’s significance standards to avoid analysis of potentially significant impacts. (CEQA Guidelines, § 15064, subd. (b)(2) [“Compliance with the threshold does not relieve a lead agency of the obligation to consider substantial evidence indicating that the project’s environmental effects may still be significant”]; see also *East Sacramento Partnership for a Livable City v. City of Sacramento* (2016); 5 Cal.App.5th 281, 300; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109 (*Amador Waterways*) [“[I]n preparing an EIR, the agency must consider and resolve every fair argument that can be made about the possible significant environmental effects of a project”].) This is particularly true where, as here, an agency affirmatively eliminates a previously-used significance standard for no other reason than to avoid addressing a potentially significant impact.

13-22

While not explained in the DPREIR itself, buried in a technical report is a consultant’s assertion that the significance standard was eliminated “to reflect updates to the CEQA Guidelines in response to SB 743, and in light of guidance released after the Final EIR in the Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018).” (Appendix M, pp. 1-2.)<sup>2</sup> The OPR Guidance does not support elimination of transit capacity as a CEQA issue.

13-23

CEQA Guidelines section 15064.3, subdivision (a) states, “Other relevant considerations may include the effects of the project on transit.” Subdivision (b)(3) of that same Guideline states that even a qualitative analysis of transportation impacts “would evaluate factors such as the availability of transit, proximity to other destinations, etc.” OPR’s Guidance, upon which the DPREIR purports to follow, includes a section entitled “Impacts to Transit” and states in relevant part:

13-24

Because criteria for determining the significance of transportation impacts must promote “the development of multimodal transportation networks” pursuant to Public Resources Code section 21099, subd. (b)(1), lead

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<sup>2</sup> The DPREIR claim that elimination of the transit capacity significance standard is justified by subsequent revision to the CEQA Guidelines is addressed immediately above.

agencies should consider project impacts to transit systems and bicycle and pedestrian networks.

13-24  
cont.

(OPR Guidance, p. 19.)

While it is true that the OPR Guidance states, “Lead agencies generally should not treat the addition of new transit users as an adverse impact,” the mere addition of riders is not the same as overwhelming transit capacity.<sup>3</sup> Confirming this interpretation, the OPR Guidance further states, “Increased demand throughout a region may, however, cause a cumulative impact by requiring new or additional transit infrastructure.” In other words, OPR Guidance provides that increasing demand above capacity is at least a cumulative impact. The DPREIR does not address cumulative transit capacity.

13-25

2. The City’s alternative attempt to address transit capacity fails even under substantial evidence.

Implicitly acknowledging that it may not simply disregard the Court’s direction to prepare a transit analysis, the City purports to provide some information in this regard under undefined “near-term” and “long-term” conditions. (DPREIR, pp. 3.15-62 – 66, 3.15-100 – 103.) However, this cursory analysis is fatally flawed.

The DPREIR’s undefined “near-term” analysis defies simple logic. The critical analysis is contained in a section entitled “Initial V5SP Transit Passenger Demand,” but conspicuously fails to actually analyze transit demand in favor of transit availability. The DPREIR states, “[B]ecause the V5SP does not identify fixed-route transit service expansion into the V5SP area, transit options for V5SP residents, employees, and visitors would initially be limited.” (DPREIR, 3.15-64.) This is nonsensical. Applying the same argument, constructing homes without running water or toilets would also result in “nominal” demand for potable water and sewage treatment. The DPREIR’s misapplication of the Transit Capacity and Quality of Service Manual, 3<sup>rd</sup> Edition

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<sup>3</sup> The OPR Guidance also supports its statement that “lead agencies generally should not treat the addition of new transit users as an adverse impact” with subsequent reference “[a]n infill development” that “may add riders to transit systems and the additional boarding and alighting may slow transit vehicles, but it also adds destinations, improving proximity and accessibility.” The V5SP is not an infill development.

(“Transit Manual”) on this point is inexcusable,<sup>4</sup> and does not constitute a serious, much less expert, analysis of the V5SP’s “near-term” demand for transit.

That said, the DPREIR’s citation to the Transit Manual actually further supports the need for a bus line under near-term conditions. Area A, which is the first phase of the V5SP, includes 2,417 residential dwellings within 432.4 acres. (DPREIR, p. 108.) This translates to a density of 5.59 units per net acre, which is individually well above the Transit Manual’s threshold of 4.5 units per acre<sup>5</sup> - in addition to 1,094,000 square feet of non-residential. Thus, Area A, viewed in isolation, requires a dedicated local bus line with one bus per hour under “near term” conditions according to the DPREIR’s own cited authority.

The DPREIR also misapplies the Transit Manual with respect to “long-term” conditions. The fact that “[l]ocal and regional transit plans and policies do not establish what are referred to as ‘new service warrants’” is not an excuse to inadequately address the issue. (CEQA Guidelines, § 15064, subd. (b)(2); *Amador Waterways, supra*, 116 Cal.App.4th at p. 1106-1109.) While it is established above that the Transit Manual does not even purport to be a “ridership forecasting model, even that document squarely demonstrates the need for one or two dedicated bus lines under “full buildout” conditions.

DPREIR Table 1-1 clarifies that V5SP full buildout is 8,188 dwellings within 2093.94 net acres, or 3.9 dwellings per acre. While this might individually appear less than the threshold of 4.5 dwellings per acre, the V5SP also includes 4,599,400 square feet of non-residential space, which in isolation is very close to the Transit Manual’s 5 million square foot threshold. The combination of 3.9 dwellings per acre and 4,599,400

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<sup>4</sup> Fehr & Peers asserts, with no citation to authority whatsoever, “Transit passenger demand is determined by the transit service characteristics (e.g., service levels, quality, access, etc.) within a given service area and its underlying land use, socioeconomic and travel patterns.” (Appendix M, p. 16.) One must speculate that this is unsupported assertion a strained interpretation of Transit Manual page 3-18. Setting aside its obvious logical failure, the Transit Manual itself plainly states, “[T]he TCQSM is not a ridership forecasting manual” and only provides “a high-level overview of some of the external factors that influence transit demand.” The Transit Manual provides no support for Fehr & Peer’s purportedly expert opinion that failing to provide transit infrastructure means that transit demand is therefore nominal.

<sup>5</sup> The Transit Manual clarifies that it uses “*net acres*, which count only the land actually developed as residential use” as opposed to “*gross acres*, which represent total land area, including that used for streets or not developed.” (Transit Manual, p. 3-19.)

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easily puts V5SP full buildout well over the threshold for requiring a dedicated local bus line according to the Transit Manual, and perhaps two lines.

3. Transit mitigation is required by CEQA and the City’s General Plan.

Despite the City’s own authority squarely demonstrating the need for at least one dedicated bus line to the V5SP, the DPREIR finds the impact to be less than significant without the need for any mitigation. The DPREIR purports to justify this conclusion by suggesting that the V5SP’s transit demand could perhaps be met by various regional transit programs that may or may not actually be implemented. CEQA prohibits reliance on such speculation to the exclusion of feasible and enforceable mitigation. (CEQA Guidelines, § 15126.4.)

The City’s failure to require specific dedicated transit for the V5SP also violates its General Plan, to wit:

LU-15.5 Connectivity. New villages shall provide connectivity to other Villages and the developed portions of the City. This connectivity shall be in the form of roadways, transit connections, and bicycle and pedestrian linkages.

T-4.4 Funding for Public Transit. The City shall . . .require that new employment-generating, large-scale commercial, office, and residential development be adequately served by transit.

T-4.6 Expansion of Transit Service Areas. The City shall expand fixed route transit service to serve new development areas, including direct connections to employment and commercial areas.

The City’s hope that regional programs might someday provide adequate transit service to the V5SP violates the above mandates in its own General Plan. This is particularly true regarding Area A, which is by far the densest portion of the V5SP and purports to be analyzed on a project level in the DPREIR.

**E. The DPREIR has failed to analyze the V5SP’s impact on Vehicle Miles Traveled**

Fehr & Peers notes, “The significance criteria used in the Draft PREIR is updated from that included in the Village 5 Specific Plan Final EIR (July 2017) to reflect updates to the CEQA Guidelines in response to SB 743.” But this is not the only revision in response to SB 743. CEQA Guidelines Appendix G also now includes the question: “Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3,

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subdivision (b).” This significance criteria requires an analysis of the V5SP’s impact on vehicle miles traveled (“VMT”). Neither the City nor Fehr & Peers explains why it analyzed the V5SP based on one revision to the significance criteria but not the other.

13-30

The City cannot rely on updated thresholds only when doing so eliminates consideration of environmental impacts. Having purported to base its revised analysis of transportation on the current version of Guidelines Appendix G Section XVII, it must address all issues set forth in that section. This is particularly true in light of the new revelation that the V5SP does not include transit infrastructure required to meet its demand for transit – under both “near term” and “full buildout” conditions – that will, in turn, result in greater vehicle use than initially contemplated.

13-31

The City cannot avoid its lawful duty to analyze the V5SP’s impact on VMT by pointing to the fact that the DPREIR is being prepared on remand from the superior court. (*Citizens for Open Government v. City of Lodi* (2012) 205 Cal.App.4th 296, 324-327; *Ione Valley Land, Air, & Water Defense Alliance, LLC v. County of Amador* (2019) 33 Cal.App.5th 165, 170). The City’s failure to adequately address the V5SP’s VMT impacts could not have been raised earlier since CEQA Guidelines section 15064.3 was not applicable to the V5SP until July 1, 2020, long after the statute of limitations for a challenge to the original approval had expired.

\* \* \*

The DPREIR fails to adequately address the informational deficiencies identified by the superior court and also violates CEQA as well as the City’s General Plan. A new DPREIR will need to be prepared and circulated for public review and comment.

13-32

Very truly yours,

**SOLURI MESERVE**

A Law Corporation

By:

Patrick M. Soluri

Attachments:

Exhibit 1: CNDDDB License Agreement



# **EXHIBIT 1**



## License Agreement for the California Natural Diversity Database

June 2018

The following terms and conditions govern the use of data from the Department of Fish and Wildlife's (DFW) California Natural Diversity Database (CNDDDB). By using the CNDDDB applications, associated CNDDDB Geographic Information Systems (GIS) data, and/or the Spotted Owl Database, the user agrees to the following:

1. The CNDDDB and Spotted Owl Database are proprietary databases owned by the California Department of Fish and Wildlife.
  - a) The user may not resell, redistribute, or repackage CNDDDB or Spotted Owl data, except as allowed by this agreement.
  - b) The user may make copies of the CNDDDB and Spotted Owl data in digital or hardcopy form for use or distribution within the local office of the user's department, agency, business, or corporation. This copy privilege does not extend to professional organizations, associations, or affiliations.<sup>1</sup>
  - c) Subcontractors may have access to these data during the course of any given project, but they must not be given a copy, or access, for use on subsequent, unrelated work.<sup>2</sup>
  - d) The CNDDDB and Spotted Owl data may be shared freely between current subscribers, but should not be released to the public or non-subscribers.
2. The CNDDDB is dynamic. DFW adds, modifies, and updates records daily, and the CNDDDB data in our web applications are updated on a regular basis. It is the user's responsibility to update their copy of the CNDDDB GIS data from the CNDDDB webpage. Check the [Updates page](#) and log in to download the current version.
3. When creating maps for public viewing, please refer to our [Data Use Guidelines](#) document to answer questions regarding the appropriate ways to depict CNDDDB data in user products. Correct interpretation of the CNDDDB GIS data relies on utilizing the biological attribute data embedded in the GIS polygon features. For information on interpreting the data within the Spotted Owl Database, please refer to the [Spotted Owl Information page](#).
4. When creating static or interactive maps or products for public viewing in print or over the internet, care must be taken not to violate our "no redistribution or repackage" clause (see 1.a. above). The information within these databases may not be displayed over the internet except with DFW's express permission. DFW understands there are situations where an organization may need to display CNDDDB and Spotted Owl data on its website for business purposes. In those cases, the user must contact the CNDDDB program for guidance and written permission on how to properly display CNDDDB data on the website. As a general rule, data from the CNDDDB and Spotted Owl Database may only be displayed at such a scale (no larger than a scale of 1:350,000), or in such a way that the viewers/users cannot determine exact location information of the elements mapped in the system. The CNDDDB

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<sup>1</sup> Such groups may not purchase one subscription for distribution to all members of the group.

<sup>2</sup> Consulting firms that subcontract work on portions of a project to another contractor that is not a subscriber may share the CNDDDB data for that project. However, the subcontractor must relinquish access to the data when that work is completed. Counties that subscribe to the CNDDDB may not share their subscription copy of RareFind with all consultants that develop EIRs for their Planning Office; those consultants must subscribe individually to the CNDDDB.

and Spotted Owl data include location information for the state's most imperiled species, and these are sensitive resources.

5. Data within the CNDDDB and Spotted Owl Database require biological expertise for proper analysis, interpretation, and application. It is the user's responsibility to ensure that the data obtained from DFW are used correctly. DFW staff are available by phone to advise users in the technical aspects of the data. In addition, DFW has tutorials and videos online to help interpret the CNDDDB and Spotted Owl data. DFW periodically offers CNDDDB training. Visit the [CNDDDB's training page](#) for information on these resources.
6. DFW does not portray its databases as an exhaustive or comprehensive inventory of all rare species and natural communities statewide. For any given location in California, a lack of species occurrences or records in no way indicates or implies that the species do not occur there. Field observations by qualified persons and using the proper protocols at appropriate times are necessary to support negative findings. Much of the state has never been surveyed for plant and animal species.
7. The user's contribution of data to the CNDDDB and Spotted Owl Database is important and encouraged. DFW accepts data in many formats. For the CNDDDB, please visit our reference webpage [Submitting Data to the CNDDDB](#) for guidance on data submissions. For Spotted Owl data submissions, please contact the Spotted Owl Data Manager ([OwlObs@wildlife.ca.gov](mailto:OwlObs@wildlife.ca.gov)).
8. Citations to the CNDDDB and/or Spotted Owl Database shall be made in the user's reports, papers, publications, internet products, and maps that incorporate CNDDDB or Spotted Owl data.<sup>3</sup>

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<sup>3</sup> Citations should include the version of the database used (government or commercial, month and year), as well as the platform (e.g. Rarefind, BIOS, CDFW Data Portal) and date accessed. Version information can be found in the Metadata for GIS datasets, or in the margins of reports (lower left corner of CNDDDB RareFind reports, upper left corner of Spotted Owl reports).

Examples:

California Department of Fish and Wildlife. (2018). California Natural Diversity Database (CNDDDB) – Government version dated June 1, 2018. Retrieved June 08, 2018 from <https://map.dfg.ca.gov/rarefind/view/RareFind.aspx>.

California Department of Fish and Wildlife. (2018). Spotted Owl Observations [ds704] – version updated May 31, 2018. Retrieved June 8, 2018, from <http://bios.dfg.ca.gov>.

**Letter I3  
Response**

**Patrick Soluri, Soluri Meserve Law Corporation**  
June 21, 2021

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I3-1

The comment asserts that the DPREIR is “fatally flawed” as an informational document. The commenter provides five overall arguments to substantiate this assertion, to include the following:

A. “The DPREIR improperly incorporates the Placer County Conservation Plan;

Please see Responses to Comments I3-2 and I3-3 which describe how the use and reference to the Placer County Conservation Program (PCCP) in the DPREIR is correct under CEQA;

B. “The DPREIR fails to adequately mitigate for loss of agricultural production;”

Please see Responses to Comments I3-4 through I3-11 which describe how the mitigation presented in the DPREIR correctly identifies compliance with the PCCP as mitigation for the conversion of agricultural lands to non-agricultural uses; and

Please also see Responses to Comments I3-12 through I3-17 that describe the applicability of compliance with the PCCP as mitigation for impacts to agricultural resources despite the objectives of the PCCP prioritizing the protection of habitat over the preservation of agricultural lands;

C. “The DPREIR fails to adequately analyze and mitigate impacts to biological resources;”

Please see Responses to Comments I3-18 through I3-19 which describe how the DPREIR identifies special-status species that may occur within the V5SP area, and assumes the presence of their habitat within their respective natural communities, thereby avoiding the need to survey to verify the presence of such species;

Please also see Response to Comment I3-20, which describes how compliance with the PCCP would provide mitigation for impacts to habitat for all sensitive species identified as having the potential to occur within the V5SP area; identifies that the DPREIR provides the option of equivalent mitigation for impacts to sensitive species, that does not rely on the PCCP; and describes how compliance with the PCCP would also provide mitigation for species that are not identified as covered species under the PCCP.

- D. “The DPREIR Fails as an informational document regarding transit impacts;”  
and

Please see Responses to Comments I3-22 through I3-28 which describe the City's reasons for updating the description of how it interprets the threshold of significance for impacts related to transit, and describes the City's approach to the DPREIR analysis of future transit capacity;

Please also see Response to Comment I3-29 which describes how the DPR addresses the transit-related policies identified in the comment.

- E. “The DPREIR has failed to analyze the V5SP’s impact on Vehicle Miles Traveled.”

Please see Response to Comment I3-30 which describes why the City is not required to include a VMT analysis in the DPREIR, but also identifies that the City chose to prepare an analysis of VMT impacts, which is in Section 3.7, of the EIR, Energy Resources.

The City addresses each of the commenters’ specific concerns in Responses to Comments I3-2 through I3-33, which refute the assertion that the DPREIR is “fatally-flawed”. As is shown in the responses to Comment Letter I3, the DPREIR complies with CEQA and revises the V5SP EIR, to address the inadequacies in the V5SP EIR, which the Court directed the City to bring into compliance with CEQA.

- I3-2 The comment asserts that the City has improperly incorporated by reference materials from the Placer County Conservation Program (PCCP). The assertion is incorrect, and confuses the recognition and appropriate citation of the PCCP with the process of incorporation by reference pursuant to CEQA Guidelines section 15150.

Under CEQA, when a document is incorporated by reference, “the incorporated language shall be considered to be set forth in full as part of the text of the EIR.”<sup>1</sup> As described more fully below, the DPREIR recognizes the existence of the PCCP as a regulatory instrument through which mitigation can appropriately be accomplished. Because the DPREIR does not attempt to incorporate the PCCP by reference, the provisions of CEQA Guideline section 15150 are not relevant to the adequacy of the DPREIR.

Rather than incorporating the PCCP by reference, the DPREIR appropriately cites the PCCP in Sections 3.2, *Agriculture and Forestry Resources*, and

<sup>1</sup> California Code of Regulations, Title 14, Natural Resources, Division 6, Resources Agency, Chapter 3: Guidelines for Implementation of the California Environmental Quality Act, Section 15150(a).

3.4, *Biological Resources*, of the Draft Partially Recirculated EIR, including the provision of links to the PCCP (see page 3.2-15). The citation of the PCCP as a source of information for these sections is consistent with the provisions of CEQA Guidelines section 15148, which directs that “[t]he EIR shall cite all documents used in its preparation,…” The recirculated text of those sections updates references to the PCCP to reflect that the PCCP has been adopted.

In Section 3.2, *Agriculture and Forestry Resources*, the DPREIR provides an updated description of the regulatory framework of the PCCP in the Regulatory Setting (see pages 3.2-15 to 3.2-16). In Section 3.2.3, *Analysis, Impacts, and Mitigation Measures*, the PCCP is analyzed as a potential source of mitigation for project-specific and cumulative impacts related to the conversion of Important Farmland to non-agricultural use and the conversion of agricultural land to non-agricultural use.

The recirculated materials in Section 3.4, *Biological Resources*, update Section 3.4.2, *Regulatory Setting*, to describe the approved PCCP and provides the public with adequate information on how compliance with the PCCP will mitigate impacts. Section 3.4.2 summarizes the process and function of the PCCP and the relevance of the PCCP to the Village 5 Specific Plan. The discussion of the PCCP in Section 3.4.3, *Analysis, Impacts, and Mitigation*, identifies implementation of the Village 5 Specific Plan as a covered activity under the PCCP (page 3.4-53), and describes the ways in which participation in the PCCP, as mitigation, would affect potential impacts to each of the protected biological resources discussed in the chapter (see pages 3.2-25 to 3.2-27, 3.4-60, 3.4-64, 3.4-66, 3.4-73, 3.4-75, 3.4-78, 3.4-79, 3.4-83 84, and 3.4-93).

I3-3 Please see Response to Comment I3-2.

I3-4 The comment asserts that mitigation proposed in the DPREIR for mitigation of farmland is “non-agricultural mitigation.” Section 15370(e) of the CEQA Guidelines identifies mitigation as including compensating for an impact by “replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.” The CEQA Guidelines do not categorize mitigation measures by issue or prevent mitigation that may mitigate for more than one type of impact from being applied wherever feasible and beneficial for the purpose of mitigating environmental effects. For example, it is common that mitigation measures that reduce transportation impacts also have a correlative mitigating effect on otherwise significant air quality, GHG, and/or noise impacts.

Mitigation for the loss of agricultural land will be provided in the form of land cover mitigation and protection of upland habitat for vernal pools (grasslands and

grazing lands), either through participation in the PCCP if it is implemented, or through Mitigation Measures 3.4-1(b) and 3.4-2(b). In either case, land of similar character to the agricultural land in the Village 5 Specific Plan Area will be preserved at a ratio of 1:35 acres preserved to 1:00 acres developed.

As explained in the DPREIR, not all areas classified as Important Farmland are currently farmed in the Plan Area. Likewise, agricultural operations within the Plan Area occur on soils that are not formally designated as Important Farmland. Other areas of the Plan Area that could be used for agricultural production are not currently being farmed (DPREIR, page 3.2-17).

According to USDA crop data, roughly 66% of the V5SP area is grassland, and roughly 25% is rice land (DPREIR 3.2-2). At the same time, only 3,640 acres of the plan area (about 76%) is classified as farmland according to the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). (DPREIR 3.2-8.) The land use within the plan area does not directly relate to the FMMP classification, as some farmed areas are not officially classified as farmlands, and some classified farmlands sit fallow (DPREIR, page 3.2-17).

The PCCP and the DPREIR categorize agricultural-types of land cover differently. The DPREIR categorizes land based on its FMMP designation as Important Farmland and also considers impacts to areas that are not designated as Important Farmland, but that include agricultural uses, such as grassland that is available for grazing. The PCCP, on the other hand, divides land uses by community types. The PCCP uses a more narrow definition of Agricultural use relative to the DPREIR: it includes only rice, irrigated crops, and orchards. But the PCCP Vernal Pool Complex and Natural Grasslands community types includes grasslands and pasture similar to those in the Village 5 Specific Plan area.

The PCCP ultimately commits to preserving 41,080 acres, which will include 8,240 acres of preserved agricultural land.<sup>2</sup> Thus it is anticipated that, agricultural lands, as defined by the PCCP, could comprise up to 20% of the Reserve System established pursuant to the PCCP, within the Reserve Acquisition Area (RAA). **Figure 3-1** shows the Important Farmland classifications within the approximately 68,000-acre RAA. As shown in Figure 3-1, the RAA contains approximately 5,586 acres of Prime Farmland, 1,404 acres of Farmland of Statewide Importance, and 43,011 acres of Farmland of Local importance, accounting for approximately 73-percent of the RAA. Further, the Important Farmland within the RAA is interspersed with Important Farmland within existing preserves.

<sup>2</sup> This does not include pastures, but does include rice, field crops, orchards, and vineyards. Other natural communities may be preserved in lieu of agricultural lands.

Of the preserved agricultural lands, approximately 2,000 acres are intended to be set aside for rice, specifically, to be protected as giant garter snake habitat (PCCP, Table 5-3). However, the PCCP allows for some of those acres dedicated to rice within the RAA, to be fresh emergent marsh equivalent, as an alternative, which would not contribute to the preservation of agricultural lands. While the PCCP specifies a minimum number of acres for preservation of rice, the remaining acres committed for preservation of “any agriculture” can include additional rice preservation (PCCP, Table 5-3). Further, the PCCP suggests that additional rice lands may be acquired as not all fields will be flooded and planted in rice every year:

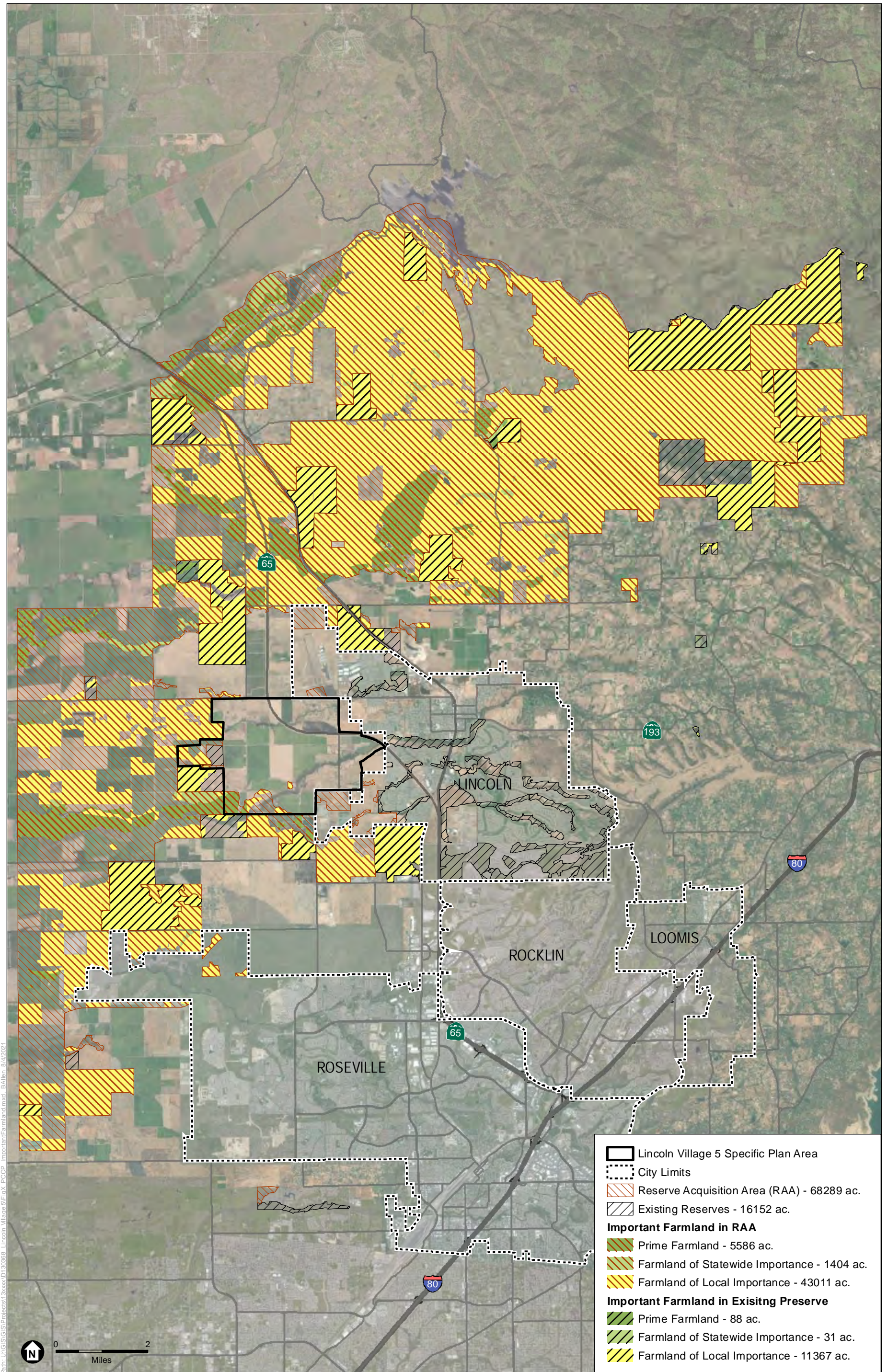
*“The PCCP will acquire a surplus large enough to ensure that at least 2,000 acres of rice are planted and managed for giant garter snake annually. The actual location of the 2,000 acres of fields planted in rice may vary slightly from year to year (e.g., to allow fields to fallow).”* (PCCP, page 5-45)

The DPREIR also includes both pasture and vernal pool complex within its grassland classification. (DPREIR 3.4-6, compare Table 3.2-1 with Table 3.4-1.) Additionally, the DPREIR acknowledges grazing as an agricultural activity. By contrast, the PCCP’s definition of grassland (which is not included in the agricultural land category) includes only pasture and annual grassland. (PCCP 3-54.) However, the PCCP explains that “vernal pool complex lands are also grasslands” that are treated as a distinct community due to the presence of unique vernal pool species. (*Id.*)

The PCCP commits to preserving 2,740 acres of grasslands and 17,000 acres of vernal pool complex. (*Id.*) The RAA will ultimately include 19,740 acres of preserved grasslands and vernal pool complex. This will constitute nearly half of the reserve area. Thus, participation in the PCCP will result in preservation of land that is similar in agricultural character as the agricultural land that exists in the Village 5 Specific Plan area.

The PCCP acknowledges that grazing is beneficial to grasslands, including vernal pool complexes, and identifies moderate grazing as the primary method for managing these lands within the RAA. (PCCP, 3-65, 4-56, 4-58, 5-16, 5-105.) Lands to be acquired for vernal pool protection must be compatible with grazing or an equivalent management method (PCCP, 5-82), and management plans for each reserve unit must include livestock stocking rates and specify individual sites (“sensitive habitats ... that would be adversely affected by grazing”) where grazing would be restricted. (PCCP, 5-98.) To that end, the PCA has the





SOURCE: MAXAR, 2020; Placer Co., 2020; City of Lincoln, 2020; ESA, 2021

Village 5 and Special Use District b (SUD-B) Specific Plan

**Figure 3-1**  
Important Farmland in the Placer County Conservation Program Reserve Acquisition Area



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authority to grant grazing leases or licenses throughout the reserve.<sup>3</sup> (PCCP 8-42–43.) Given that “[g]razing is the primary agricultural activity” within the V5SP area (DPREIR, 3.2-1), the protection commitments specified in the PCCP will ultimately mitigate impacts to the plan area’s “primary agricultural activity” through its grassland and vernal pool complex preservation, beyond the immediately apparent mitigation to agricultural lands (as specifically defined by the PCCP).

While compliance with the PCCP will provide mitigation for impacts to agricultural lands in the form of conservation of agricultural lands, as demonstrated above, the DPREIR makes clear that “it is not possible at this point to guarantee that comparable amounts of Important Farmland that would have the same soil characteristics as those in the Plan Area would be preserved.” (Page 3.2-26.) The PCCP Preserve System will be a willing-seller program, which prevents the City from concluding that compliance by project applicants with the PCCP will sufficiently mitigate for all significant impacts to Important Farmland. Therefore, while participation in the PCCP will provide mitigation for impacts to Important Farmland, this impact would remain significant and unavoidable for project-specific impacts to Important Farmland, and cumulatively significant and unavoidable for cumulative impacts to Important Farmland and the conversion of agricultural land to non-agricultural use, as concluded for Impacts 3.2-1, 3.2-4, and 3.2-5 of the DPREIR (see pages 3.2-17 to 3.2-27 and 3.2-30 to 3.2-31).

I3-5

Fundamentally, the PCCP is a land conservation strategy that seeks to protect species through the acquisition and preservation of agricultural land, grasslands, and other natural community types. The description of impact significance after mitigation on pages 3.2-25 and 3.2-26 of the DPREIR, describes how the conservation strategy of the PCCP includes the preservation of agricultural land. As stated in that discussion, “Objective GGS-1.1 ensures that 2,000 of the 8,240 acres will be rice land (or wetland equivalent).”

The PCCP also includes the protection of vernal pool complex and grassland natural communities, which are considered in the conservation strategy of the PCCP to be “key natural communities that define the major biological values of the Plan Area and are most strongly representative of Covered Species’ habitats.” (see PCCP, page 5-7). The PCCP intends to meet its natural community-level goal of establishing interconnected vernal pool complex and grassland natural communities with functional ecological processes that sustain native species (Goal VPCGH-1), through a number of objectives, one of which includes the

<sup>3</sup> In addition to acknowledging the importance of grazing for grasslands and vernal pool complexes, the PCCP states that grazing will be the primary method of vegetation management throughout the reserve. (PCCP 5-102.) It acknowledges that grazing benefits some covered species (PCCP 8-42–43) and that it will be used in “nearly all natural communities,” including riparian communities and oak woodlands. (PCCP 4-53–54, 4-91.)

protection of 17,000 acres of existing vernal pool complex, including 790 wetted acres of vernal pool constituent habitat, primarily in the Valley Reserve Acquisition Area (Objective VPCG-1.1). The PCCP describes relationship between grasslands and vernal pool complex communities in the following way:

*“In the Valley, grasslands are interspersed with vernal pool complexes (vernal pool complexes comprise vernal pool constituent habitats and upland grasslands; see Chapter 3, Physical and Biological Resources, for descriptions of communities) and other natural communities. Most grasslands within the Valley have vernal pool constituent habitats interspersed within them, and will therefore be protected as vernal pool complexes. The grassland protection commitment, in conjunction with Objectives VPCG 1.1 and VPCG 1.2, is intended to connect vernal pool complexes within a large, interconnected Reserve System of grassland and vernal pool complexes that will support grassland-dependent Covered Species and other native species.” (PCCP, page 5-18)*

The PCCP relies on the relationship between grassland and vernal pool complexes as its rationale for Objective VPCG-1.3, *Protect Grasslands*, which will protect 2,740 acres of grassland natural community (i.e., non-vernal pool complex grassland), including 350 acres in the Valley RAA.

The biological setting of the PCCP (page 3-66) notes that “virtually all of the existing vernal pool complexes and annual grasslands in the Valley have been managed for various forms of agriculture, primarily grazing and dry pasture.” The Natural Community-level biological goals of the PCCP include the continuation of agricultural activity through the use of grazing as a management tool for vernal pool complex and grassland communities. According to the PCCP (page 4-100), “ranching activities, such as pond maintenance and moderate livestock grazing, are essential to the long-term survival of some Covered Species, such as California red-legged frog and vernal pool species.” Managed grazing will continue to be used to reduce the cover of invasive, non-native species that damage the ecological function of some landscapes (see PCCP, page 5-16). Therefore, the large preservation of vernal pool complex and grassland communities, can be assumed to also represent the conservation of agricultural uses through the continuation of grazing operations that are compatible with the long-term species conservation goals of the PCCP.

To enhance the discussion of the implementation of the PCCP to agricultural resources, the Impact Significance After Mitigation discussion on page 3.2-25 and continuing on page 3.2-26, after the second paragraph, is revised to include the following text addition:

The commitment for agriculture and other open space protection is sufficient to assemble an interconnected reserve system of natural

communities and agricultural land in the Valley RAA. Objective GGS-1.1 ensures that at least 2,000 of the 8,240 acres will be rice land (or wetland equivalent). As summarized above, PCCP conservation strategy includes requirements for the conservation of agricultural lands as a critical component of provision of breeding and foraging habitat, dispersal habitat, and continuity across a large landscape.

In addition to the commitment for agriculture and other open space protection, the PCCP also intends to meet its natural community-level goal of establishing interconnected vernal pool complex and grassland natural communities with functional ecological processes that sustain native species (Goal VPCGH-1), through a number of objectives, one of which includes the protection of 17,000 acres of existing vernal pool complex, including 790 wetted acres of vernal pool constituent habitat, primarily in the Valley RAA.<sup>4</sup> The PCCP relies on the relationship between grassland and vernal pool complexes as its rationale for Objective VPCG-1.3, *Protect Grasslands*, which will protect 2,740 acres of grassland natural community (i.e., non-vernal pool complex grassland), including 350 acres in the Valley RAA.<sup>5</sup>

The biological setting of the PCCP notes that “virtually all of the existing vernal pool complexes and annual grasslands in the Valley have been managed for various forms of agriculture, primarily grazing and dry pasture.”<sup>6</sup> The Natural Community-level biological goals of the PCCP include the continuation of agricultural activity through the use of grazing as a management tool for vernal pool complex and grassland communities. According to the PCCP, “ranching activities, such as pond maintenance and moderate livestock grazing, are essential to the long-term survival of some Covered Species, such as California red-legged frog and vernal pool species.”<sup>7</sup> Managed grazing will continue to be used to reduce the cover of invasive, non-native species that damage the ecological function of some landscapes.<sup>8</sup> Therefore, the large preservation of vernal pool complex and grassland communities, can be assumed to also represent the conservation of agricultural uses through the continuation of grazing operations that are compatible with the long-

<sup>4</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-17.

<sup>5</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-18.

<sup>6</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 3-66.

<sup>7</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 4-100.

<sup>8</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-16.

term species conservation goals of the PCCP. It is reasonably foreseeable that some of the land preserved through the protection of vernal pool complex and grassland communities would be Important Farmland, providing additional mitigation for the conversion of Important Farmland to non-agricultural uses, in combination with the agricultural and open space protection included in the PCCP.

Although the land preserved and restored would have similar physical characteristics and may be used for similar agricultural production as those lands converted to urban in the Plan Area, it is not possible at this point to guarantee that comparable amounts of Important Farmland that would have the same soil characteristics as those areas in the Plan Area would be preserved. Furthermore, there is no viable way to recreate new farmland in the amount converted, and while conservation easements to protect remaining farmland from conversion is helpful, such easements cannot save the lands being converted. Therefore, the impact to Important Farmland would remain **significant and unavoidable**.

The incorporation of the discussion regarding the conservation of vernal pool complex and grasslands communities demonstrates how additional agricultural lands would be preserved pursuant to implementation of the PCCP. However, the conclusion in the DPREIR that there is no viable way to recreate new farmland in the amount converted, and while conservation easements to protect remaining farmland from conversion is helpful, such easements cannot save the lands being converted, remains valid, and the impact to Important Farmland would remain significant and unavoidable.

Section 5.3.1.5.6 (page 5-86) of the PCCP addresses the conservation strategy as it relates to agricultural land and other open space protection. In that discussion, the PCCP notes that much of the easements for agricultural lands acquired pursuant to the PCCP are expected to be used for crops that provide habitat for covered species, such as rice land, and grains, but other than the 2,000 acres required to be maintained as rice, the agricultural land protection will not count toward the covered species' habitat commitments. The acquisition of agricultural lands will be focused on areas that will link patches of vernal pool complexes, grasslands, stream systems, and other natural community types. However, the PCCP further notes that opportunities to protect lands containing or connecting vernal pool complexes or other natural communities that are available for protection beyond the acre commitments for those natural communities, would be prioritized in lieu of protecting agricultural land.

Compliance with the PCCP for impacts to protected species habitat and sensitive natural communities, as would be implemented under Mitigation Measure 3.4-1

and 3.4-2, would have the effect of preserving agricultural land similar to that within the Village 5 Specific Plan area, as impact fees would implement the PCCP conservation strategy summarized above. Mitigation Measure 3.2-1 requires the project applicant to comply with the PCCP, meeting or exceeding the mitigation ratios and requirements prescribed for the protection of covered species under the PCCP as implemented through Mitigation Measure 3.4-1 and 3.4-2. For this reason, the language of Mitigation Measure 3.2-1 is adequate and no changes to the DPREIR are proposed in response to this comment.

Mitigation Measure 3.2-1 would function differently for the preservation of rice lands. As noted in Table 3.4-3 of the EIR, rice fields are habitat for giant garter snake, a covered species under the PCCP. The discussion in the EIR of impacts to special-status species (page 3.4-60) identifies the transformation of rice fields to urbanized uses as a potentially significant impact to special-status species. The implementation of Mitigation Measure 3.4-2(a) in the DPREIR prescribes compliance with the PCCP as sufficient to satisfy all legal requirements to mitigate impacts to special-status species because the PCCP would identify all covered species and ratios for protecting them (see page 3.4-64). As described above, the conservation strategy of the PCCP includes a minimum of 2,000 acres to be maintained as rice lands. The implementation of Mitigation Measure 3.2-1, as it relates to rice lands, requires compliance with the PCCP and for mitigation achieved through implementation of the PCCP to meet or exceed the mitigation acreage ratios prescribed in Mitigation Measure 3.4-1 in the DPREIR. Thus, implementation of Mitigation Measure 3.2-1 would provide mitigation for the conversion of rice lands to non-agricultural uses. For this reason, the language of Mitigation Measure 3.2-1 is adequate and no changes to the DPREIR are necessary.

- I3-6 Please see Response to Comment I3-5. In addition to the portion of the comment addressed by the Response to Comment I3-5. The comment cites the *County of Colusa v. California Wildlife Conservation Bd.* (2006), asserting that the Court of Appeal has rejected the idea that imposing conservation easements on agricultural operations was acceptable. However, the cited case is not applicable to the V5SP or the DPREIR. On the subject of preservation of agricultural land, the trial court properly ruled that the County of Colusa was the successful party in an action brought by the County against state agencies (DFW [now CDFW], and WCB) to challenge a proposed conversion of agricultural land into wildlife habitat because the state agencies and the landowner modified a conservation easement to permit agricultural uses. The county's legal actions were responsible for transforming the prelitigation agricultural prohibition into an agreement allowing grazing on the property in perpetuity. In this instance, the subject property was under an active farmland security zone contract (Super Williamson Act Contract) with the County, which specifically limited use of the property to

“production of food and fiber for commercial purposes and uses compatible thereto.” The contract included a list of all compatible uses, which did not include the use of the property as a wildlife refuge or managed wetlands. A detail of the ruling from the trial court in the case, which was upheld by the court of appeal, was that the state agencies failed to comply with the requirements of the Williamson Act (Government Code [section] 51292). The Court of Appeal further states:

*“The focus of the Williamson Act is on agricultural land, including agricultural land as open space. (See, e.g., § 51220, subd. (d).) A city or county may choose to also include within an agricultural preserve other open spaces as defined in the Williamson Act (§§ 51201, subd. (o), 51205, 51230), but the act does not contemplate another public agency converting agricultural land in a city or county’s agricultural preserve into an open space use, even wildlife habitat or managed wetlands, without compliance with the requirements of the Williamson Act.*

According to the Court of Appeal, the procedures and requirements outlined in the Williamson Act must be followed, if agricultural lands that are under an active Williamson Act contract are to be converted to non-agricultural uses, including wildlife habitat and wetlands. The ruling does not pertain to the conversion of agricultural lands that are not under Active Williamson Act contract to wildlife habitat or wetlands.

Contrary to the comment, the PCCP will not “convert agricultural land to wildlife preserves” in a manner that would reduce agricultural function. For example, the PCCP acknowledges that grazing is beneficial to grasslands, including vernal pool complexes, and identifies moderate grazing as the primary method for managing these lands within the RAA. (PCCP, 3-65, 4-56, 4-58, 5-16, 5-105.) Lands to be acquired for vernal pool protection must be able to allow grazing or an equivalent management method for reducing thatch and controlling invasive species (PCCP, 5-82).

I3-7

The comment asserts that Mitigation Measure 3.2-1 does not meet the CEQA requirements for mitigation to avoid or reduce the severity of the significant impacts to agricultural production and farmland conversion. Response to Comment I3-4 demonstrates that Mitigation Measure 3.2-1, for which subpart (a) would require compliance with the PCCP through developer fees for individual projects within the coverage area and range of covered projects under the PCCP, would meet the criteria, identified in Section 15370(e) of the CEQA Guidelines, to be considered mitigation for impacts to farmlands. Response to Comment I3-5 describes the applicability and relevance of Mitigation Measure 3.2-1, as appropriate mitigation for the conversion of farmland to non-agricultural uses.



I3-8 The comment identifies an inconsistency in Section 3.2, Agriculture and Forestry Resources, of the DPREIR, related to the acres of agricultural lands to be protected under the PCCP. According to Table 5-3 of the PCCP, Natural Community and Constituent Habitat Protection Commitments, the PCCP would preserve an estimated 8,240 acres of agricultural land, at least 2,000 acres of which would be required to be rice lands and the estimated remaining 6,240 acres would be flexible protection acres, designated as “Any Agriculture,” which can include rice, field crops, orchards, and vineyards, and may be substituted by any natural community.<sup>9</sup> The PCCP describes the flexible protection as “an estimate of the area of community or constituent habitats that will be protected in reserves incidental to and as part of the land acquired as the protection commitment.”<sup>10</sup> Thus, anticipated protection of flexible protection acres would be up to 6,240 acres of Any Agriculture. However, that number could be less, depending on the availability of opportunities to preserve more acres than the protection commitments of natural communities, which are considered by the PCCP to be of higher priority.

The DPREIR is revised to reflect the correct agricultural preservation goals of the PCCP, as described below. The first paragraph of the Placer County Conservation Program description on page 3.2-15 is revised to read:

The County has developed and adopted the Placer County Conservation Program (PCCP) to coordinate and streamline the state and federal natural resources regulatory permitting processes. The City of Lincoln is a participating jurisdiction in the proposed PCCP or a Permittee. The PCCP is a Habitat Conservation Plan (HCP) pursuant to Section 10 of the Federal Endangered Species Act and a Natural Community Conservation Plan (NCCP) under the California Natural Community Conservation Planning Act. Agricultural lands are considered under the PCCP. For instance, rice is mapped as a community because of its large extent and relationship to historic vernal pool complex lands, as well as its potential for wetland restoration. Orchards and vineyards are considered agricultural lands, but are treated as a separate agricultural community due to their value to Covered Species (e.g., birds).<sup>11</sup> It is anticipated that the PCCP will protect up to 8,240 acres of agricultural

<sup>9</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Pp. 5-58. Available: <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>. Accessed January 20, 2021.

<sup>10</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Pp. 5-59. Available: <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>. Accessed January 20, 2021.

<sup>11</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Pp. 1-11, 2-62, 2-71, 3-30, 3-59, 3-107, 4-26, 4-54. Etc. Available: <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>. Accessed January 20, 2021.

lands (compared to the 601 acres currently protected).<sup>12</sup> Additional details regarding the PCCP can be found in Section 3.4, *Biological Resources*, of this DPREIR.

The first sentence of the first paragraph on page 3.2-26 is modified as follows:

The adopted PCCP includes a commitment for acquisition of fee title or conservation easements on up to approximately ~~10,050~~8,240 acres of agricultural land, including 2,000 acres of rice agriculture and up to ~~8,050~~6,240 acres of land dedicated to other agricultural uses.<sup>13</sup>

The second sentence of the second paragraph on page 3.2-26 is modified as follows:

Objective GGS-1.1 ensures that at least 2,000 of the up to 8,240 acres will be rice land (or wetland equivalent).

These changes clarify inaccuracies in the DPREIR regarding acreage numbers from the PCCP. They do not change the conclusions of the DPREIR, as to the severity or significance of potential impacts or the efficacy of any proposed mitigation.

I3-9

The comment interprets the flexible conservation objectives of the PCCP to have the potential for no rice lands to be preserved by the PCCP. As inferred by the comment, the PCCP does have flexible objectives for the preservation of agricultural lands. PCCP Objective AO-1.1 promotes the protection of agricultural lands or natural communities, allowing for the preservation of up to 6,240 acres of natural communities, in place of agricultural lands. Similarly, PCCP Objective GGS-1.1 allows for the preservation of at least 2,000 acres that are to be rice land or wetland equivalent to meet the 2,000-acre requirement with wetland equivalent acres, without preserving rice land.<sup>14</sup> However, as stated on page 5-34, of the PCCP, in the *Breeding and Foraging Habitat* discussion in support of PCCP Objective AO-1.1, a large percentage of the 8,240 acres of protected agricultural lands are expected to remain in rice. While the above objectives provide flexible policy language that could allow for the preservation of natural communities and wetlands, in place of agricultural lands or rice lands, to meet the agricultural preservation requirements of the PCCP, it is feasible that rice lands will be preserved through implementation of the PCCP. For this

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<sup>12</sup> Placer County, 2018. Placer County Conservation Program, Executive Summary, p. 18. September 2018.

<sup>13</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Page 5-30.

<sup>14</sup> Placer County Conservation Program, 2020. Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan. February 2020. Pp. 5-45. Available: <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>. Accessed January 20, 2021.

reason, compliance with the PCCP would be anticipated to provide mitigation for impacts to rice lands or agricultural lands.

I3-10 Please see Response to Comments I3-4 and I3-9. The comment is incorrect in stating that “None of the six natural communities include agriculture.” As noted previously the DPREIR and the PCCP define “Agriculture” differently. The Vernal Pool Complex and Natural Grasslands community would, in fact, include agricultural land cover and uses similar to those in the Village 5 Specific Plan, which is mostly grassland, pasture, and grazing land.

The comment is also incorrect in assuming that the purpose of protecting agricultural lands is the eventual conversion of those lands to natural communities. The PCCP provides clear direction regarding the establishment of conservation easements on agricultural lands, stating:

“Plan conservation easements on agricultural lands are expected to protect working landscapes in the Plan Area and allow farms and ranches to thrive. Activities that would otherwise be prohibited by a habitat conservation easement (see Section 8.4.9.2, *Prohibited Uses*) may be allowed in conservation easements on agricultural lands, if the activities directly support an allowable existing agricultural operation. Allowable existing agricultural operations could include cropland, crop rotations, pasture, light to moderate livestock grazing, and others.” (PCCP, page 8-41.)

Based on the willing-seller format of the PCCP reserve system, and the plan for conservation easements on agricultural lands, such easements established pursuant to implementation of the PCCP can be expected to preserve agricultural lands in perpetuity, through allowing for existing uses on those lands to be incorporated into the easement agreements.

I3-11 The comment asserts that the DPREIR fails to identify how the mitigation ratios identified in Mitigation Measures 3.4-1 and 3.4-2, as referenced by Mitigation Measure 3.2-1, will be fulfilled. Please see Response to Comment I3-5 which describes the applicability and relevance of Mitigation Measure 3.2-1, as appropriate mitigation for the conversion of farmland to non-agricultural uses.

I3-12 Please see Response to Comment I3-4 which describes how compliance with the PCCP as mitigation for the conversion of agricultural lands to non-agricultural uses, is valid under CEQA; and Response to Comment I3-5 which describes the applicability and relevance of Mitigation Measure 3.2-1, as appropriate mitigation for the conversion of farmland to non-agricultural uses.

I3-13 Please see Responses to Comments I3-5 and I3-9 that describe the applicability of compliance with the PCCP as mitigation for impacts to agricultural resources

despite the objectives of the PCCP prioritizing the protection of habitat over the preservation of agricultural lands;

- I3-14 Please see Responses to Comments I3-5 and I3-9 that describe the applicability of compliance with the PCCP as mitigation for impacts to agricultural resources despite the objectives of the PCCP prioritizing the protection of habitat over the preservation of agricultural lands;
- I3-15 Please see Responses to Comments I3-9 which discusses how the PCCP would mitigation for the conversion of agricultural lands and rice lands, despite the flexibility of PCCP objectives, which allows for preservation of other lands in place of agricultural lands.
- I3-16 Please see Responses to Comments I3-4 which describes how compliance with the PCCP as mitigation for the conversion of agricultural lands to non-agricultural uses, is valid under CEQA; and I3-5 which describes the applicability and relevance of Mitigation Measure 3.2-1, as appropriate mitigation for the conversion of farmland to non-agricultural uses.
- I3-17 Please see Responses to Comments I3-4 which describes how compliance with the PCCP as mitigation for the conversion of agricultural lands to non-agricultural uses, is valid under CEQA; and I3-5 which describes the applicability and relevance of Mitigation Measure 3.2-1, as appropriate mitigation for the conversion of farmland to non-agricultural uses.
- I3-18 The comment argues that the DPREIR's reliance on the PCCP fails to adequately mitigate for adverse impacts to special-status species. However, the DPREIR does not rely solely on the PCCP to mitigate for adverse impacts to special status species. Mitigation Measures 3.4-1 and 3.4-2 include a subpart b), which prescribes specific measures requiring habitat preservation, compensatory mitigation, and impact avoidance and minimization, if the PCCP is not in operation. Mitigation Measure 3.4-2.

The comment also asserts that sufficient surveys were not conducted as part of the analysis of impacts to special status species. As described on page 3.4-14 of the EIR and DPREIR, the potential occurrence of special-status plant and animal species within the Plan Area and surrounding area has been determined through a review of the CDFW's *Natural Diversity Data Base (CNDDDB)*,<sup>15</sup> the U.S. Fish

<sup>15</sup> California Department of Fish and Wildlife, 2015. California Natural Diversity Database (CNDDDB) RareFind 4 personal computer program. Available: <http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp>. Accessed April 16, 2015.

and Wildlife Service’s (USFWS) online species list database,<sup>16</sup> the CNPS Inventory of Rare and Endangered Plants,<sup>17</sup> and reconnaissance level field surveys. Using information from the CNDDDB, USFWS, CNPS, the literature review, supplemented by observations by professional biologists in the field, a list of special-status plant and animal species that have the potential to occur in the Plan Area was generated and shown in Table 3.4-3 of the EIR and recirculated on page 3.4-16 of the DPREIR. Contrary to the suggestion of the comment, the CNDDDB was not used “as substantial evidence that species are not present.” Rather, the CNDDDB was one source of evidence, among the several described above, used to evaluate the potential presence of special-status species. Of the special-status animals listed in Table 3.4-3, species classified as having a medium or high potential for occurrence in the Plan Area were considered in the impact analysis. Those species are assumed to be present within the areas of the Plan Area that contain their respective habitat types, as described in Table 3.4-3. This approach – assuming that species are present when there is a medium to high potential for their occurrence, and their habitat-type is present on site – is a common, conservative approach in the analysis of biological resources in environmental documents. It assumes the presence of and impacts to species with the *potential* to be present, rather than relying on surveys to actually detect species. Therefore, the level of survey asserted to be “required” in the comment, is not necessary to identify the presence of habitat for special-status species, as the presence of their habitat is assumed in the natural communities within the Plan Area, where they would have the potential to occur. It is not necessary or reasonable to survey the thousands of acres in the Village 5 Specific Plan – many of which are private property to which surveyors may not have access – to determine the presence of special-status species, when the analysis assumes their presence and provides mitigation accordingly.

I3-19 Please see Response to Comment I3-18.

I3-20 The comment identifies that the PCCP list of covered species does not include all of the special-status species, identified in Table 3.4-3 of the EIR and DPRIER as having medium to high potential to occur within the Plan Area. The comment also asserts that the DPREIR relies exclusively on the PCCP to mitigate impacts to sensitive species. The Response to Comment I3-18 describes how the DPREIR also includes specific mitigation that does not rely on the PCCP and can be implemented if the PCCP is not in operation.

<sup>16</sup> U.S. Fish and Wildlife Service, 2015. List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project. Consultation Code: 08ESMF00-2015-SLI-0329. Available: <http://ecos.fws.gov/ipac/>. Accessed April 16, 2015.

<sup>17</sup> California Native Plant Society, 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). Available: <http://www.rareplants.cnps.org/>. Accessed April 16, 2015.

The comment incorrectly asserts that “there is literally no identifiable mitigation for direct or indirect impacts” to various special-status species. This assertion improperly equates the take authorization for listed species that the PCCP provides with actual mitigation for impacts to special-status species. In fact, by protecting and preserving large, interconnected areas of habitat for the species listed in the comment, compliance with the PCCP will mitigate impacts to these species.

Moreover, the comment ignores the fact that the PCCP is not just an HCP that authorizes incidental take of listed species, it is also a Natural Community Conservation Plan. In accordance with the NCCP Act, the PCCP will protect native biological diversity, habitat for native species, natural communities, and local ecosystems. This broad scope will conserve a wide range of natural resources, including habitat for Covered Species and other special-status species. (PCCP, p. 1-10.) As explained in the PCCP, the NCCP Act was enacted to implement broad-based planning to provide for effective protection and conservation of California’s wildlife heritage while continuing to accommodate growth. The NCCP Act does not focus only on listed species and is broader in its orientation and objectives than the ESA or CESA. The NCCP Act encourages local, state, and federal agencies to prepare comprehensive conservation plans that maintain the continued viability of species and biological communities affected by human changes to the landscape. The primary objective of the NCCP program is to conserve natural communities at the ecosystem scale while accommodating compatible land use. (PCCP, p. 1-24.)

The PCCP’s biological goals are addressed at three levels of planning:

- 1) Landscape. Landscape-level conservation aims to acquire and manage large interconnected blocks of land in which optimal conditions for ecological sustainability can be maintained, including hydrologic function and land-cover diversity, while minimizing land use incompatibility.
- 2) Community. This level of conservation addresses natural and semi-natural communities primarily through the protection, management, enhancement, restoration, and creation of community types, particularly as habitat for Covered Species. The Reserve System will encompass viable units of the various natural and semi-natural communities.
- 3) Species. Covered Species may need protection for individuals and enhancement of populations and groups of populations. These needs may not be fully addressed at the landscape or community level and thus species-level goals, objectives, and conservation measures are also developed for some Covered Species. They will be incorporated into the management plans for conservation reserves and will be included as conditions on Covered Activities. (PCCP, p. 5-1.)

The first two levels of planning focus on assembling large inter-connected blocks of land and protecting, managing, enhancing, restoring and creating natural and semi-natural community types. These planning and conservation efforts focus on habitat, and will therefore benefit special-status species beyond those that are Covered Species.

The landscape-level Conservation Strategy contains Goals and Objectives that focus on overall protections for native species, habitat, and communities—not just protections for Covered Species. For example:

Goal L-1. A Reserve System with representative natural communities along a range of environmental gradients large enough to support ecosystem function, sustain populations of Covered Species, maintain or increase biological diversity of native species, and accommodate changing environmental conditions.

Objective L-1.1. Establish a Large, Interconnected Reserve System. Establish a large, interconnected Reserve System of at least 47,300 acres of natural communities, agricultural habitat, and Covered Species' habitat, with all natural communities in the Plan Area represented, primarily within the RAA, irrespective of amount of natural communities and Covered Species lost as a result of Covered Activities, including at least 33,000 acres in the Valley and at least 14,300 acres in the Foothills.

Goal L-2. Reserve System connectivity to sustain the effective movement and genetic interchange of organisms between natural communities in a manner that maintains the ecological integrity of the natural communities within the Plan Area.

Objective L-2.1. Protect Habitat Linkages. Protect habitat linkages that allow native and Covered Species.

Objective L-2.3. Establish East–West Corridors. Establish corridors for east-west movement by Covered Species and other native species along the Stream System by protecting and restoring interconnected riverine and riparian natural communities.

Objective L-2.4. Conserve North–South Connectivity. Protect and restore north-south connectivity in the Valley RAA through an interconnected network of vernal pool complex, grassland, rice land, and, to a lesser extent, agricultural reserves extending from the border of the Plan Area A with Sutter County, east and north to the border of Yuba and Nevada Counties.

Goal L-3. Ecological processes and conditions that sustain and reestablish natural communities and native species.

The community-level Conservation Strategy includes Goals and Objectives to protect natural community types, such as vernal pool complex and grasslands, aquatic/wetlands complex, riverine and riparian complex, and agriculture and other open space, which will help to protect special-status species in addition to Covered Species.

The analysis of impacts to special-status species in Section 3.4, *Biological Resources*, of the DPREIR, includes mitigation for each of the species identified in the comment, as summarized below.

#### **Western Spadefoot Toad**

Western spadefoot habitat is described in Table 3.4-3 of the EIR (page 3.4-18), and on page 3.4-35, as grassland and prairie in and around wet sites, and as including temporary rain pools such as vernal pools and seasonal wetlands as breeding sites. Impacts to western spadefoot and vernal pool crustacean habitat are described and analyzed in the Impact 3.4-3 discussion (pages 3.4-62 to 3.4-66 of the DPREIR), which addresses the potential loss and/or degradation of vernal pool habitat and loss of vernal pool crustaceans and amphibians. The western spadefoot toad is expressly identified in Impact 3.4-3 (page 3.4-62, 3.4-63). The DPREIR prescribes the implementation of Mitigation Measure 3.4-3, which includes participation in the PCCP or achieving equivalent levels of mitigation through implementation of Mitigation Measure 3.4-1, subsection b) and Mitigation Measure 3.4-2. In addition, Mitigation Measure 3.4-3 prescribes specific avoidance and minimization measures for western spadefoot toad, such as establishing exclusionary fencing around avoided vernal pool habitat.

Implementation of the PCCP will preserve vast areas of suitable habitat for western spadefoot toad. Protection of vernal pool complex and grassland natural communities is a key component of the Conservation Strategy. Section 5.2.6.1 of the PCCP describes Goals and Objectives of the PCCP aimed at protecting these land cover types.

Goal VPCG-1. Interconnected vernal pool complex and grassland natural communities with functional ecological processes that sustain native species.

Goal VPCG-2. Vernal pool complex and grassland communities managed and enhanced to promote regeneration and recruitment of Covered Species and support native biodiversity.

Both of these goals are supported by numerous objectives that will result in preservation and restoration of thousands of acres vernal pool and grassland native communities. For example:



Objective VPCG-1.1. Protect Existing Vernal Pool Complexes. Protect 17,000 acres of existing vernal pool complex, including 790 wetted acres of vernal pool constituent habitat<sup>5</sup> (Table 5-3), to build a vernal pool Reserve System in large, contiguous blocks based on reserve units (minimum size of 200 acres unless agreed to by the Wildlife Agencies), primarily in the Valley RAA.

Objective VPCG 1.2. Restore/Create Vernal Pool Complexes. In addition to the protection of 17,000 acres of existing vernal pool complex, restore/create 3,000 acres of vernal pool complex in the Reserve System by Year 35, independent of effects. Within the 20,000 acres of protected and restored/created vernal pool complex, restore/create vernal pool constituent habitats to provide habitat for covered vernal pool branchiopods (Table 5-5). At least 30 wetted acres of vernal pools will be restored/created independent of effects (Table 5-4). Assuming all effects occur, an additional 870 acres of vernal pool constituent habitat will be restored as mitigation (Table 5-4). If the proposed maximum allowable effect occurs, restoration totals will be 900 acres of vernal pool constituent habitat, of which a minimum of 326 acres would be delineated as vernal pool wetlands (Table 5-4). At least 34 percent of 5 Vernal pool constituent habitat includes delineated vernal pools, seasonal wetlands, and seasonal swales when seasonal wetlands and seasonal swales are a component of vernal pool complex. Placer County Conservation Strategy Placer County Conservation Program Western Placer County HCP/NCCP 5-18 February 2020 ICF 506.10 all effects on vernal pool constituent habitat will be mitigated as vernal pool wetlands (up to 290 acres). The proportion of vernal pool wetlands to seasonal wetlands that will be restored/created will be equal to or greater than the proportion lost as a result of Covered Activities.

Objective VPCG-1.3. Protect Grasslands. Protect 2,740 acres of grassland natural community (i.e., non-vernal pool complex grassland), including 350 acres in the Valley RAA and 2,390 acres in the Foothills RAA (Tables 5-3).

Objective VPCG-1.4. Restore Grasslands. In addition to the protection of 2,740 acres of existing grassland natural community, restore 1,000 acres of grassland in the Reserve System in the Valley, independent of effects (Table 5-4).

Moreover, western spadefoot toad shares the same habitat with several species covered under the PCCP: vernal pool crustaceans, including conservancy fairy shrimp, vernal pool fairy shrimp, and vernal pool tadpole shrimp. Therefore, western spadefoot toad breeding habitat would be preserved through implementation of the PCCP due to its shared habitat with the habitat of covered species under the PCCP. Thus, the western spadefoot toad would be co-beneficiary of the habitat protections and preservation provided to vernal pool crustaceans by the PCCP, as administered by Mitigation Measures 3.4-1 through

3.4-3, and those measures are adequate mitigation for impacts to western spadefoot toad.

### **Grasshopper Sparrow, Northern Harrier, White-Tailed Kite, and American Badger**

As described in the DPREIR, habitat for grasshopper sparrow includes prairie, cultivated grasslands, weedy fallow fields, and alfalfa fields. (Page 3.4-18.) The species generally inhabits moderately open grasslands and prairies. (Page 3.4-37.) Northern harrier forages in meadows, grasslands, and open rangelands, and nests in emergent wetland/marsh, open grasslands, or savannah communities. (Pages 3.4-19, 3.4-39.) White-tailed kite forages in open plains, grasslands, and prairies, and nests in trees within riparian, oak woodland, savannah, and agricultural communities that are in or near foraging areas. (Pages 3.4-19, 3.4-39.) As relevant to the Plan Area, the American badger prefers grasslands with friable soil. (Pages 3.4-21,3.4-40.)

In addition to the landscape-level goals discussed above, the PCCP's Conservation Strategy includes goals and objectives to protect and preserve the natural communities that provide habitat for these species.

Goal VPCG-1. Interconnected vernal pool complex and grassland natural communities with functional ecological processes that sustain native species.

Objective VPCG-1.1. Protect Existing Vernal Pool Complexes. Protect 17,000 acres of existing vernal pool complex, including 790 wetted acres of vernal pool constituent habitat<sup>5</sup> (Table 5-3), to build a vernal pool Reserve System in large, contiguous blocks based on reserve units (minimum size of 200 acres unless agreed to by the Wildlife Agencies), primarily in the Valley RAA, and provide for the conservation of the covered vernal pool branchiopods in the Plan Area.

Objective VPCG 1.2. Restore/Create Vernal Pool Complexes. In addition to the protection of 17,000 acres of existing vernal pool complex, restore/create 3,000 acres of vernal pool complex in the Reserve System by Year 35, independent of effects. Within the 20,000 acres of protected and restored/created vernal pool complex, restore/create vernal pool constituent habitats to provide habitat for covered vernal pool branchiopods (Table 5-5). At least 30 wetted acres of vernal pools will be restored/created independent of effects (Table 5-4). Assuming all effects occur, an additional 870 acres of vernal pool constituent habitat will be restored as mitigation (Table 5-4). If the proposed maximum allowable effect occurs, restoration totals will be 900 acres of vernal pool constituent habitat, of which a minimum of 326 acres would be delineated as vernal pool wetlands (Table 5-4). At least 34 percent of all effects on vernal pool constituent habitat will be mitigated as vernal pool wetlands (up to 290 acres). The proportion of

vernal pool wetlands to seasonal wetlands that will be restored/created will be equal to or greater than the proportion lost as a result of Covered Activities.

Objective VPCG-1.3. Protect Grasslands. Protect 2,740 acres of grassland natural community (i.e., non-vernal pool complex grassland), including 350 acres in the Valley RAA and 2,390 acres in the Foothills RAA (Tables 5-3).

Objective VPCG-1.4. Restore Grasslands. In addition to the protection of 2,740 acres of existing grassland natural community, restore 1,000 acres of grassland in the Reserve System in the Valley, independent of effects (Table 5-4).

Goal VPCG-2. Vernal pool complex and grassland communities managed and enhanced to promote regeneration and recruitment of Covered Species and support native biodiversity.

Goal RAR 1. Functional riverine and riparian communities that benefit Covered Species and promote native biodiversity in the Plan Area.

Objective RAR-1.1. Protect Riverine/Riparian Complex. Protect 2,200 acres of riverine/riparian complex natural community, which will include at least 1,410 acres of riparian constituent habitat (960 acres in the Valley and 451 acres in the Foothills). This portion of the Reserve System will include 88.6 linear miles of streams (riverine).

Objective RAR-1.2. Protect Riverine Constituent Habitat. Protect at least 88.6 linear stream miles of riverine within the riverine/riparian complex natural community.

Objective RAR-1.3. Restore Riverine/Riparian Complex. A minimum of 32 acres of riparian constituent habitat will be restored, independent of effects. In addition, impacts on riverine/riparian constituent habitat and the Stream System will be mitigated by restoration of riverine and riparian constituent habitat at ratio of 1.52:1. If the proposed maximum allowable effects on riverine/riparian complex and the Stream System occur (490 acres and 426 acres, respectively, for a total estimated effect of 916 acres), up to an additional 1,425 acres of riverine/riparian complex will be restored. 7 Of the 1,425 acres of riverine and riparian constituent habitat restoration, 1,250 acres must be restored as riparian constituent habitat. Also see Table 5-4. Effects on salmonid habitat (i.e., spawning or migrating) will be mitigated in kind. Other natural communities interspersed within riverine/riparian complex may be restored as part of riverine/riparian upland complex (e.g., valley oak woodland, fresh emergent wetlands).

Objective RAR-1.4. Enhance Riparian Vegetation. Enhance the cover, structural diversity, and native species diversity of the riparian constituent habitat in the Reserve System.

Goal OW-1. Functional oak woodland communities, including the oak woodland community and valley oak woodland community<sup>8</sup> that benefit Covered Species and promote native biodiversity.

Objective OW-1.1. Protect Oak Woodlands. Protect 10,110 acres of a diversity of oak woodland land-cover types (e.g., mixed-oak woodland, blue oak woodland, interior live oak woodland) (Table 5-3).

Objective OW-1.3. Maintain and Enhance Oak Woodlands. Maintain and enhance all oak woodlands within the Reserve System by promoting regeneration and recruitment of representative species and managing vegetation and invasive plants.

Covered species under the PCCP associated with the grassland community are Swainson's hawk, western burrowing owl, tricolored blackbird, giant garter snake, western pond turtle, and California red-legged frog. As with western spadefoot, above, grasshopper sparrow, northern harrier, white-tailed kite, and American badger would be co-beneficiaries of the habitat protections and preservation provided to covered species under the PCCP, as administered by Mitigation Measures 3.4-1, 3.4-2, and 3.4-6 and those measures are adequate mitigation for impacts to grasshopper sparrow, northern harrier, and white-tailed kite.

However, in the instance that the PCCP is in operation, the DPREIR does not expressly extend mitigation measures for the identification and avoidance of special status species that are not provided direct coverage under the PCCP. Therefore, the City has made the following revisions to the DPREIR:

Mitigation Measure 3.4-2, subsection a), on page 3.4-61 of the DPREIR, is revised to read:

**Mitigation Measure 3.4-2**

- a) *The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.*

For species that are not directly covered by the PCCP, the project applicant shall implement the following avoidance and minimization measures:

- 1) The project applicant shall implement Mitigation Measure 3.4-6, subsection c).
- 2) For the protection of American badgers, the project applicant, for each project phase, shall retain a qualified biologist to conduct a preconstruction American badger den survey within the project site. The results of the survey shall be provided to the City of Lincoln. If dens or burrows determined to be potential American badger dens are found within the project site or off-site improvement areas during the preconstruction surveys, consultation with the California Department of Fish and Wildlife (CDFW) shall occur prior to the initiation of any construction activities to determine an appropriate burrow excavation and/or relocation method. If American badger burrows are not found, further measures are not necessary. All survey results shall be submitted to the City of Lincoln prior to the initiation of any construction activities.

The Impact Significance After Mitigation discussion on page 3.4-64 of the DPREIR is revised to read:

**Impact Significance After Mitigation:** If the PCCP is operational, compliance with it would satisfy all legal requirements to mitigate impacts to special-status species because the PCCP or the species-specific survey measures for non-covered species would identify all ~~covered~~ special-status species and ratios for protecting them. If the PCCP is not operational (i.e., take authorization pursuant to the PCCP has not been issued) when permitting for the Project occurs, consultation with the Corps, CDFW, and USFWS, and the development of a Project-Level Open Space, Agricultural Land and Biological Resources Mitigation Plan would ensure that habitat modification and potential impacts to special-status species are mitigated on a system-wide level, ensuring the conservation of large, contiguous tracts of land to maintain species habitat. This plan would both comply with the PCCP, and would provide a framework for habitat and species preservation should the PCCP not be operational. Therefore, with the implementation of Mitigation Measure 3.4-2, the impact to special-status species would be **less than significant**.

Mitigation Measure 3.4-6, on page 3.4-70 of the DPREIR is revised to read:

#### **Mitigation Measure 3.4-6**

- a) *The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this*

*impact. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b) and/or (c), below, as applicable.*

*For special-status bird species that are not covered under the PCCP, the mitigation measures for nesting habitat in Mitigation Measure 3.4-6(c) shall be implemented.*

The Impact Significance After Mitigation discussion on page 3.4-73 of the DPREIR is revised to read:

**Impact Significance After Mitigation:** Compliance with the PCCP and species-specific avoidance and minimization measures for non-covered species would mitigate all impacts to foraging and nesting habitats for special-status birds because this measure would ensure the avoidance and/or preservation of such habitat in excess of 1:1 ratios, and ensuring active nesting habitat is not disturbed. If, however, the PCCP is not operational by the time project applicant(s) seek permits to construct, the mitigation measures listed above would mimic those in the PCCP. Therefore, this impact would be reduced to a **less-than-significant** level.

#### **White-tailed kite, Loggerhead Shrike, Purple Martin, Pallid Bat, and Townsend's Big-Eared Bat**

White-tailed kite (page 3.4-39), loggerhead shrike (page 3.4-39), and purple martin (page 3.4-40) are described in the DPREIR as utilizing the on-site ravines, within the Plan Area, classified as Riparian/Riparian Complex community in the PCCP,<sup>18</sup> as nesting habitat. Pallid bat and Townsend's big-eared bat are described in the DPREIR (page 3.4-41) as having potential roosting habitat within the Plan Area including large trees along Markham and Auburn Ravines and the rural residence-associated dilapidated barn and trees in the Plan Area. As described above, the PCCP Conservation Strategy includes several Goals and Objectives that will preserve, restore, enhance and maintain riverine and riparian habitat.

Covered species under the PCCP associated with riverine or riparian habitats include Chinook salmon, Central Valley steelhead, foothill yellow-legged frog, giant garter snake, western pond turtle, Swainson's hawk, and valley elderberry longhorn beetle, which utilize varying parts of the riparian complex community as habitat. As with the species discussed above, white-tailed kite, loggerhead shrike, purple martin, pallid bat, and Townsend's big-eared bat would be co-beneficiaries of the habitat protections and preservation provided to the covered species under the PCCP, as administered by Mitigation Measures 3.4-1 and

<sup>18</sup> Placer County, 2020. Placer County Conservation Program. Page 3-76.

3.4-2, and those measures are adequate mitigation for impacts to white-tailed kite, loggerhead shrike, purple martin, pallid bat, and Townsend’s big-eared bat.

### **Short-Eared Owl**

Short-eared owl is described on page 3.4-40 of the DPREIR as a wintering special-status bird, that may forage within the Plan Area during the non-nesting season. The PCCP (page 3-107) describes the likely occurrence of short-eared owl as being attracted by rodent populations in the fields, when rice fields are not flooded. Giant garter snake is the species covered under the PCCP, for which impacts to this habitat would be mitigated for through compliance with the PCCP. Thus, the short-eared owl population would be co-beneficiary of the habitat protections and preservation provided to giant garter snake by the PCCP, and administered by Mitigation Measures 3.4-1 and 3.4-2, and those measures are adequate mitigation for impacts to short-eared owl.

As demonstrated above, the DPREIR identifies effective mitigation for adverse impacts to western spadefoot toad, grasshopper sparrow, short-eared owl, northern harrier, white-tailed kite, loggerhead shrike, purple martin, pallid bat, Townsend’s big-eared bat, or American badger habitat. This would be achieved through compliance with the PCCP or through the implementation of equivalent habitat-specific mitigation (Mitigation Measure 3.4-1(b) and 3.4-2(b)). For these reasons, the DPREIR would provide adequate mitigation for all special-status species anticipated to occur in the Plan Area, and the DPREIR meets the CEQA standards for mitigation for these species.

I3-21 The comment reiterates the court ruling regarding transit impacts described in Chapter 1, Introduction, of the DPREIR. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.

I3-22 The comment asserts that the City inappropriately “eliminated” the threshold of significance for transit-related impacts in the DPREIR, relative to the threshold of significance used in the 2017 EIR, suggesting it was done so to avoid analyzing a significant impact. This is incorrect. As is shown on page 3.14-42 of the DPREIR, the City made minor updates to the language of the significance:

*Impacts to transit are considered significant if the proposed project would conflict with adopted plans, policies, or program regarding transit facilities. Conflicts with adopted plans, policies, or programs would include interference with existing or planned transit facilities.*

The threshold of significance for transit-related impacts, utilized by the City, is consistent with Appendix G of the current CEQA Guidelines. As described in the DPREIR, Appendix M, Transit Considerations for the Lincoln Village 5 Specific Plan Draft PREIR, the significance criteria used in the DPREIR is updated from that included in the V5SP Final EIR (July 2017) to reflect updates to the CEQA Guidelines in response to SB743, and in light of guidance released after the Final EIR in OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018). Those changes were made to eliminate the concept that additional people taking transit would, necessarily, be an adverse effect. Moreover, the City's decision to update the description of how it interprets the stated threshold of significance is within its discretion as lead agency under CEQA.

As is noted in CEQA Guidelines 15064(b)(1), "[a]n ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." The City did not update the threshold to "avoid" analyzing any significant impacts, and in fact, the updated threshold more properly aligns with the CEQA Guidelines and OPR's Technical Advisory than the previous threshold. The City has taken the setting of the proposed project into consideration in updating the language clarifying the criteria that constitutes a conflict with existing plans, policies, or programs regarding transit, as there is no existing transit service and little existing demand for transit service within the Plan Area (see DPREIR, pages 3.15-20 to 3.14-22), and near-term planned transit services and facilities are focused on existing developed areas.

I3-23 The comment asserts that transit capacity is a relevant CEQA issue and that the City buried its reasoning for updating the ways in which it describes what constitutes a conflict with existing plans, policies, or programs regarding transit. The comment is incorrect in asserting that the analysis has eliminated the concept of capacity. The transit analysis in the DPREIR addresses transit capacity through discussion of anticipated future transit demand (see page 3.14-64 to 3.14-66) and the reasons why the multi-stakeholder process, by which transit would be expanded into the Plan Area and surrounding development, would be anticipated to be adequate to serve anticipated demand, but make quantifying future transit capacity highly speculative (see pages 3.15-62 to 3.15-64 and 3.15-100 to 103).

The format of the DPREIR makes clear what text has been updated in the recirculated technical sections included in the DPREIR, relative to the previously circulated versions of those technical sections in the 2017 EIR. DPREIR



Chapter 1, *Introduction*, provides a clear description of how updates to the 2017 EIR technical sections are reflected in the DPREIR, stating:

Changes to the 2017 EIR text are identified by double underline for additions and ~~strikeout~~ for deletions.

The updated text in DPREIR Section 3.15, Transportation and Circulation, clearly shows that the City has updated the significance criteria related to transit (see page 3.15-42). The CEQA Guidelines do not require a lead agency to provide rationale for using an updated significance criteria in a recirculated EIR. As stated in the Response to Comment I3-22, the City’s decision to update the description of how it interprets the stated threshold of significance is within its discretion as lead agency under CEQA.

- I3-24 The comment refers to CEQA Guidelines Section 15064.3(a), *Purpose*, and the *Technical Advisory on Evaluating Transportation Impacts in CEQA* prepared by the Governor’s Office of Planning and Research’s (OPR), which identify vehicle miles traveled (VMT) as the most appropriate measure of transportation impacts. The full text of the section includes the following:

*This section describes specific considerations for evaluating a project’s transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, “vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) [of Section 15064.3] below (regarding roadway capacity), a project’s effect on automobile delay shall not constitute a significant environmental effect.*

The comment also cites subdivision (b)(3) of Section 15064.3 to suggest that an EIR requires a specific evaluation of the “availability of transit.” That subdivision of the Guideline, however, is describing how to perform a qualitative analysis of VMT. It is not describing a separate transit analysis. And in any event, the DPREIR *does* describe, in detail, the present and future availability of transit.

- I3-25 The comment refers to page 19 of OPR’s guidance *Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory)*, which discusses impacts to transit. The comment interprets the OPR guidance to provide that increasing transit demand above capacity is at least a cumulative impact, and states that the DPREIR does not address cumulative transit capacity. The comment seems to interpret the Guidelines and *Technical Advisory* to suggest that any “demand” that is not served by existing capacity would be a

significant impact. This interpretation is not supported by CEQA as discussed below. Furthermore, to the degree that the comment suggests that the Village 5 Project has the potential to “overwhelm” the transit system, there is no evidence to support that assertion.

As is further stated on page 19 of the *Technical Advisory*, “Increased demand throughout a region may, however, cause a cumulative impact by requiring new or additional transit infrastructure.” As is stated in the Response to Comment I3-23, the transit analysis in the DPREIR addresses transit capacity through discussion of anticipated future transit demand (see page 3.14-64 to 3.14-66) and the reasons why the multi-stakeholder process, by which transit would be expanded into the Plan Area and surrounding development, would be anticipated to be adequate to serve anticipated demand, but makes quantifying future transit capacity highly speculative (see pages 3.15-62 to 3.15-64 and 3.15-100 to 103). Page 19 of the *Technical Advisory* clarifies, that the potential cumulative impact identified above can be “adequately addressed through a fee program that fairly allocates the cost of improvements not just to projects that happen to locate near transit, but rather across a region to all projects that impose burdens on the entire transportation system, since transit can broadly improve the function of the transportation system.” The DPREIR provides discussion of the potential ways in which the City and other transit stakeholders in the area may work jointly to expand transit service into the plan area and the rest of the West Lincoln Annexation area (see pages 3.15-62 to 3.15-64), to meet anticipated future transit demand. In addition, the V5SP will provide transit facilities that are determined in the analysis in the DPREIR (pages 3.15-103 and 3.15-125) to be adequate to support future transit demand.

I3-26            The comment is critical of the City’s approach to transit analysis in the DPREIR, arguing that the transit analysis does not provide an adequate analysis of transit capacity and demand. The DPREIR provides an extensive transit analysis, including a discussion of existing and planned transit services and facilities in and near the Plan Area (see pages 3.15-20 to 3.15-22, pages 3.15-28 to 3.15-30, and pages 3.15-63 to 3.15-64), estimates of the potential near- and long-term transit passenger demand that could be generated by the V5SP and the manner in which potential V5SP passenger demand could be served by existing and planned transit services (see pages 3.15-64 to 3.15-66), and a description of the local and regional transit planning and funding processes that would influence the timing and nature of transit service expansion in and near the Plan Area (see Appendix M pages 19 through 22). This information is provided as evidence to support the transit impact analysis determination (see pages 3.15-100 to 3.15-103) with respect to the established transit significance criteria.

The transit passenger demand estimates presented in the DPREIR were derived using widely accepted methods established in numerous industry and academic tools and publications. These methods recognize that transit passenger demand is influenced by a variety of factors, including but not limited to transit service characteristics (e.g., service levels, quality, access, etc.) within a given service area and its underlying land use, socioeconomic, and travel pattern characteristics. For example, the Simplified Trips-on-Project Software (STOPS) transit ridership forecasting model prepared by the Federal Transit Administration (FTA) incorporates highway supply, travel demand (e.g., demographics, travel flows, and mode choice) and transit supply variables to yield transit ridership estimates (see image below). Specific to the DPREIR, the transit passenger demand estimates for the V5SP were derived based upon the land use characteristics of the Plan Area, existing and planned transit services in and near the Plan Area, existing local transit service performance in comparable transit markets in South Placer County (i.e., areas that exhibit comparable land use, socioeconomic, and travel pattern characteristics), and American Community Survey (ACS) journey to work transit mode splits in comparable transit markets in South Placer County. Thus, the comment’s assertion that the transit analysis “conspicuously fails to actually analyze transit demand in favor of transit availability” ignores conventional transit passenger demand estimation methods and oversimplifies the complex nature of transit markets and service performance. In fact, the DPREIR correctly acknowledges that transit demand and transit availability are interrelated, among a multitude of other variables.

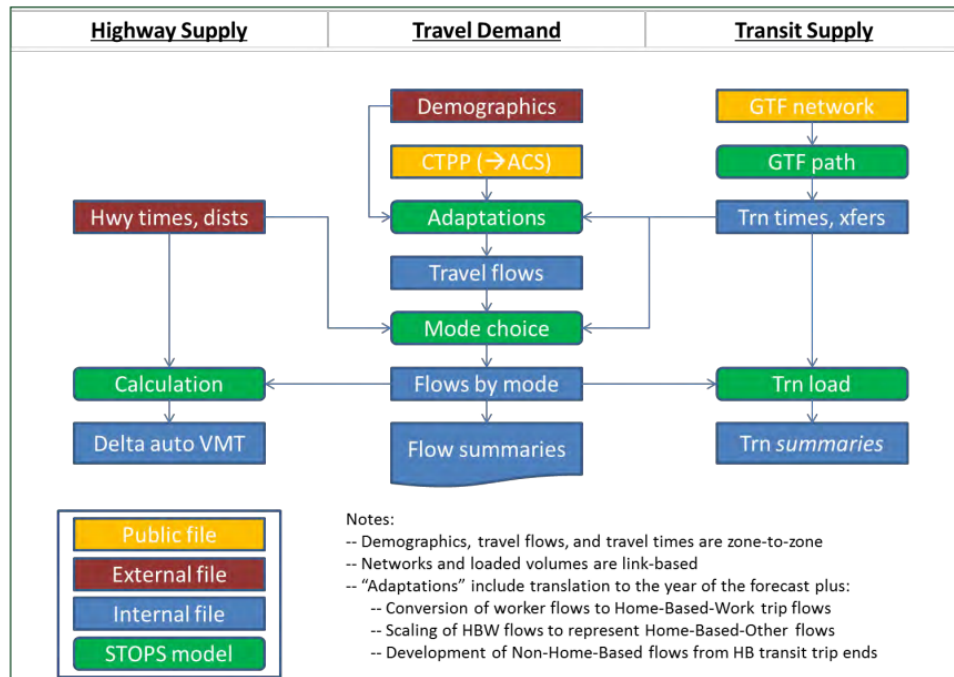


Figure 1. STOPS Application Flow Chart

Source: STOPS User Guide Version 1.50, Federal Transit Administration, April 2015.

The comment asserts that the DPREIR inappropriately applied the Transit Capacity and Quality of Service Manual, 3<sup>rd</sup> Edition (TCQSM) for the purposes of estimating V5SP transit passenger demand. The comment mischaracterizes the DPREIR's reference to the TCQSM and conflates the transit planning concepts of new service warrants and transit passenger demand. New service warrants are commonly used by transit operators to identify areas that exhibit land use characteristics that could support basic levels of transit service investment. The TCQSM provides guidance on a variety of minimum residential and commercial density thresholds that should be met in order to support different types and frequencies of transit service. The DPREIR references the TCQSM guidance when assessing the residential land use characteristics of the Plan Area and their propensity to support baseline levels of local transit service (see page 3.15-66). The DPREIR does not utilize the TCQSM to estimate potential V5SP transit passenger demand, as incorrectly asserted by the comment, but rather other widely accepted analysis methods as described previously in this response.

The TCQSM guidance does not state that certain types or frequencies of transit service are required to be provided in instances where the suggested density warrants are met, as interpreted by the comment. Rather, the density warrants (or other comparable new service warrants) are one of many tools available to transit operators when assessing the viability of potential transit service modifications and transit markets. Ultimately, the decision to implement transit service modifications is at the discretion of the transit operator and would be determined based on a variety of factors. Therefore, the comment's assertion that "Area A, viewed in isolation, requires a dedicated local bus line with one bus per hour under "near term" conditions" mischaracterizes the TCQSM guidance on minimum density thresholds and ignores other factors that would influence the decision to expand transit service into the Plan Area. The comment is correct that the buildout of Part A on its own would meet minimum residential density warrant identified in the TCQSM. As described in the DPREIR, the City and its partner agencies would evaluate transit market conditions and other relevant factors when determining the precise nature and timing of transit service expansion into the Plan Area over the 15- to 25-year buildout of the V5SP, including Part A. Please see Response to Comment I3-25 for more information regarding this planning process.

While the City anticipates that existing processes for long range transit planning will provide adequate transit to the Plan Area (see pages 3.15-62 to 3.15-64), it does not speculate about the specifics of the timing and nature of fixed-route transit service expansion into the Plan Area, as a number of variables that inform such an expansion are not known. While the City expects transit service to be expanded into the Plan Area, the specific ways in which transit providers would extend service through the Plan Area is subject to future planning, and is

anticipated to evolve as the V5SP is built out and transit ridership patterns emerge. The DPREIR (page 3.15-63) cites the *Transit Master Plan for South Placer County*, which anticipates that transit operating resources would increase at a rate commensurate with the growth in population and employment in Placer County.

Moreover, the existing transit operating agreement between the City of Lincoln and Placer County provides a mechanism for which the City could expand transit service coverage and/or increase transit service levels in the Plan Area. The existing transit operating agreement establishes the transit operating and funding relationship between the two entities. Placer County Transit (PCT) is the contract transit operator for fixed-route and demand-response transit services in Lincoln. The City provides funding for PCT operations in Lincoln through the City's Local Transportation Fund (LTF) and State Transit Assistance (STA) claims as established by the State Transportation Development Act (TDA). The City has the discretion to modify PCT service in the City, subject to funding availability, transit market potential, and coordination with the County. As described in the DPREIR, based on current and reasonably foreseeable formula-based State transit funding programs (e.g., the LTF and the STA under the TDA), population growth that would result from the V5SP, and cumulative development in other parts of the West Lincoln annexation area, could increase the City's available funding for transit services, which could in turn be allocated towards future transit service expansion in and around the V5SP area. Under such circumstances, the City could consider the potential for transit service expansion into the V5SP area through the annual unmet transit needs process (pursuant to the TDA) and make a determination regarding the viability of service expansion at that time based on factors such as funding availability and adherence to applicable transit performance standards (e.g., farebox recovery ratio).

The underlying suggestion of the comment is that because build out of Area A of the Project could justify the extension of a bus route to the Project, that latent demand for transit is an environmental impact to be mitigated under CEQA. Creation of latent demand for transit use, however, is not an environmental impact. To the degree that future residents and visitors will drive because transit is not available, the impacts of that driving have already been accounted for in the EIR's analysis of energy, greenhouse gas emissions, air quality, and VMT. The reality of the transit planning process is that some level of latent demand will always exist before new transit capacity is provided, not the other way around. The existence of this latent demand is not a significant environmental impact.

Further, as has been defined in CEQA case law (*California Building Industry Associates v. Bay Area Air Quality Management District (2015) Cal.4<sup>th</sup> Case No. S213478*), agencies subject to CEQA generally are not required to analyze

the impact of existing environmental conditions on a project's future users or residents. The comment's concerns regarding the existing lack of transit in the V5SP area, as they will impact the future project residents and users (and their asserted preference to use transit), is an impact of the existing environment on the project and not a CEQA issue.

- I3-27 At buildout, the DPREIR acknowledges that the V5SP would generate approximately 70 to 120 passenger boardings per day in local transit demand and 300 to 800 passenger boardings per day in commute transit demand (see page 3.15-66). Transit passenger demand would grow to these levels over the 15- to 25-year time period during which the V5SP would build out. The DPREIR describes that this transit passenger demand would be served by the planned transit services to and near the Plan Area that are expected to be implemented over the 15- to 25-year buildout of the V5SP. Please see Response to Comment I3-25 for more information regarding the anticipated transit planning process related to the V5SP and Response to Comment I3-26 for more information regarding guidance on new service warrants in the TCQSM.
- I3-28 Please see Response to Comment I3-25 for more information regarding the anticipated transit planning process related to the V5SP. Please see Response to Comment I3-26 for more information regarding guidance on new service warrants in the TCQSM. Please see Response to Comment I3-27 for more information regarding estimated V5SP transit passenger demand at buildout.
- I3-29 Please see Response to Comment I3-25 and I3-26. As noted above, the fact that the Project could develop enough density to justify a bus line after a certain level of development does not mean the Project will cause a significant impact requiring mitigation. The Comment argues that the City's transit analysis in the DPREIR is in conflict with the City's General Plan policies related to transit. The transit-related policies identified in the comment are identified and addressed on page 3.15-103 of the DPREIR. The transit analysis in the DPREIR identifies the processes through which transit could expand into the Plan Area and the rest of the West Lincoln Expansion area. Those processes would involve multiple stakeholders and would be triggered by increasing demand for transit and use of existing transit services and facilities, as explained in the DPREIR, pages 3.15-62 to 3.15-64. The comment is incorrect in asserting that the transit policies in the City's General Plan require the City to "require specific dedicated transit to the V5SP." The cited policies reflect the City's overall goals and policies to provide, promote, and support alternative modes of transportation. The policies are applied Citywide, and do not require the City to provide transit service to every new development as part of the planning and approval process for each individual project. The City's policies do not specify that adequate transit service is to be planned and provided for during the planning and approval process for

individual development projects. Instead, the DPREIR explains, as described above, how the City would provide a funding mechanism for community transit services in the Plan Area, as well as how the residential and other uses developed pursuant to the V5SP would be adequately served by transit over time. Thus, the V5SP's plans are consistent with the City's policy.

- I3-30            The comment asserts that the PRDEIR does not explain why the City chose to update the threshold for transit analysis in light of SB 743 and the updated CEQA Guidelines, but failed to analyze the Project's VMT impacts. The comment is incorrect; the 2017 EIR included an analysis of VMT. VMT impacts from the V5SP were analyzed in Chapter 3.7, *Energy Resources* at pages 3.7-15 to 3.7-19 of the 2017 EIR. That VMT analysis was not challenged in litigation. The City was therefore not required to revisit that analysis.
- I3-31            Please see Response to Comment I3-30.
- I3-32            This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.

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Public Hearing  
Planning Commission of the City of Lincoln

Moderated by Vice Chair Bill Lyons  
Wednesday, May 19, 2021  
6:01 p.m.

Remote Proceeding - CA  
Los Angeles, California 90017

Job no. 4586461  
Reported by: Oliver Goodman-Waters  
Pages 1 - 75



A P P E A R A N C E S

List of Attendees:

Bill Lyons, Vice Chair (by videoconference)

Tony Manning, Commissioner (by videoconference)

Eric Johnson, Commissioner (by videoconference)

Michele Hutchinson, Commissioner (by videoconference)

Gerald Harner, Commissioner (by videoconference)

Gwen Scanlon, Secretary (by videoconference)

Kristine Mollenkopf, City Attorney (by

videoconference)

Angela Alloway, Secretary (by videoconference)

Escarlet Mar, Presenter (by videoconference)

Jonathan Teofilo, Presenter/Environmental Consultant

(by videoconference)

Jennifer Brown, Panelist (by videoconference)

Montana Maurer, Panelist (by videoconference)

Steve Prosser, Community Development Director (by

videoconference)

Lindy Childers, Panelist (by videoconference)

William Heartman, Panelist (by videoconference)

Ken Topper, Presenter/Applicant (by videoconference)

Brian Boxer, Panelist (by videoconference)

Kate Hart, Panelist (by videoconference)

Tiffany Wright, Esq., Panelist (by videoconference)

Albert Scheiber, Public Speaker (by videoconference)

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A P P E A R A N C E S (Cont'd)

- Dan Catania, Public Speaker (by videoconference)
- Weller Carlton, Public Speaker (by videoconference)
- Byron Chapman, Public Speaker (by videoconference)
- Mike Garabedian, Public Speaker (by videoconference)
- Stan Nader, Public Speaker (by videoconference)
- Gene Thorpe, Public Speaker (by videoconference)
- Shari Thorpe, Public Speaker (by videoconference)

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P R O C E E D I N G S

MR. LYONS: Welcome to the May 19, 2021, regular meeting of the Planning Commission of the City of Lincoln, California. We will be conducting tonight's meeting in a virtual setting using Zoom. Commissioners and staff are participating from remote locations. Members of the public may view and listen to the meeting live tonight on channel 18 cable and online through the city's website, as noted on the agenda.

The city clerk will read your public comment, if you left one via e-mail or voicemail, at the appropriate time. Note, public comments are limited to three minutes. Refer to the agenda for instructions.

Secretary, may we have a roll call, please.

MS. ALLOWAY: Commissioner Hutchinson  
Commissioner Harner.

MR. LYONS: You're muted.

MS. ALLOWAY: Commissioner Hutchinson.

MS. HUTCHINSON: Here.

MS. ALLOWAY: Commissioner Manning.

MR. MANNING: Here.

1 MS. ALLOWAY: Commissioner Johnson.

2 MR. JOHNSON: Here.

3 MS. ALLOWAY: Vice Chair Lyons.

4 MR. LYONS: I am present.

5 All right. Item 3 on the agenda is the  
6 pledge of allegiance.

7 Commissioner Hutchinson, would you lead  
8 us in the pledge of allegiance, please.

9 MS. HUTCHINSON: It would be my  
10 pleasure.

11 I pledge allegiance to the flag of the  
12 United States of America and to the republic for which  
13 it stands, one nation under God, indivisible, with  
14 liberty and justice for all.

15 MR. LYONS: Thank you very much.

16 Item 4 is agenda modification. Would  
17 any of the commission or staff wish to modify the  
18 agenda at this time? I'm not seeing any --

19 MR. JOHNSON: No.

20 MR. LYONS: I'm not seeing any waves.  
21 I will take that as a no.

22 Item 5 is residents addressing the  
23 commission.

24 Secretary, do we have any public  
25 comments?

1 MS. SCANLON: Yes, we do have a hand  
2 raised.

3 Mr. Scheiber, please go ahead.

4 MR. LYONS: Now, this is for items that  
5 are not on the agenda -- just as a reminder.

6 MR. SCHEIBER: Yeah. Albert Scheiber.  
7 So it's in regards to the agenda. So you have on the  
8 agenda, item no. 9A. And the public notice that was  
9 sent out in the mail, it's very clear that it's a  
10 public hearing, and yet, on the agenda, it's very  
11 clear that it's not a public hearing. So a little bit  
12 of confusion there on that item.

13 So I just wanted to point that out,  
14 that this isn't the first time this has happened with  
15 this Village, and it seems kind of ironic that it's  
16 happening again. Thank you.

17 MS. SCANLON: Thank you --

18 MR. LYONS: Thank you.

19 MS. SCANLON: No other hands are  
20 raised.

21 MR. LYONS: All right. I've got too  
22 many screens open here. Sorry. Where am I? I  
23 apologize for being confused. All right.

24 The next item on the agenda is  
25 disclosure of ex parte communication. I will ask each

1 commissioner individually.

2 Is Commissioner Cross on yet? I don't  
3 see him.

4 Commissioner Harner, any ex parte  
5 communication to report? We're still not hearing you.  
6 Your mute mic is not showing, but we're not hearing  
7 you at this point. You're okay. Please try to get  
8 that fixed. That's going to come in really important  
9 later in the meeting.

10 Commissioner Hutchinson, any ex parte  
11 communication to report?

12 MS. HUTCHINSON: None.

13 MR. LYONS: Commissioner Johnson?

14 MR. JOHNSON: None.

15 MR. LYONS: Commissioner Manning.

16 MR. MANNING: None for me.

17 MR. LYONS: And I do not have any  
18 myself.

19 Also, commissioners, please leave your  
20 cameras on because this is a public meeting, and we  
21 are public servants; we are accountable to the public.

22 Item 7, the consent agenda. All  
23 matters on the consent agenda are considered routine  
24 business and will be enacted by one motion. There  
25 will be no separate discussion of these items unless a

1 member of the City Council -- or, well, of the  
2 Planning Commissioner -- so the script needs to be  
3 adjusted there -- or a resident's request to a  
4 specific item to be removed from the consent agenda  
5 per a separate action. Any items removed will be  
6 considered after the remainder of the consent agenda.

7 Do any of my colleagues wish to remove  
8 an item from the consent agenda? Seeing none. How  
9 about the public?

10 Secretary, is there any hands raised  
11 from the public, who would like an item removed from  
12 the consent agenda?

13 MS. SCANLON: No, Chair Lyons, no hands  
14 are raised.

15 MR. LYONS: Thank you.

16 So there is one minor adjustment to the  
17 minutes, and that is the correction of the person who  
18 called the meeting to order. With that one  
19 modification, I would be welcoming a motion to approve  
20 the consent agenda.

21 UNIDENTIFIED SPEAKER: So moved --

22 MS. MOLLENKOPF: Thank you. And, Chair  
23 Lyons, could you please just for the record identify  
24 what the modification is?

25 MR. LYONS: Oh, it had -- I had myself



1 as calling the meeting to order, and it was done by  
2 Chair McKinney.

3 MS. MOLLENKOPF: Perfect. With that  
4 amendment and clarification, I am comfortable with the  
5 motion.

6 MR. LYONS: All right. I guess I heard  
7 a motion. Was there a second?

8 MR. JOHNSON: I'll second.

9 MR. LYONS: All right. Roll call,  
10 please.

11 MS. ALLOWAY: Commissioner Hutchinson.

12 MS. HUTCHINSON: Yes.

13 MS. ALLOWAY: Commissioner Johnson.

14 MR. JOHNSON: Yes.

15 MS. ALLOWAY: Commissioner Cross.  
16 Commissioner Harner.

17 MR. LYONS: It looks like he dropped  
18 off.

19 MS. ALLOWAY: Okay. Commissioner  
20 Manning.

21 MR. LYONS: I saw a mouth move, but I  
22 didn't hear anything from Commissioner Manning --

23 MS. ALLOWAY: And Vice Chair Lyons.

24 MR. LYONS: Yes.

25 All right. Item 8, public hearing,

1 Twelve Bridges Village 27, high-density residential.  
2 Public hearing to consider a large lot, tentative  
3 parcel map to subdivide Twelve Bridges Village 27 into  
4 three large parcels, and a tentative subdivision map  
5 to subdivide Twelve Bridges Village 27 into 184  
6 single-family lots.

7 Escarlet Mar will be giving our report.

8 MS. MAR: Thank you, Chair Lyons.

9 I will now begin sharing my screen  
10 momentarily. Can everyone see my screen?

11 MR. LYONS: Yes.

12 MS. MAR: Perfect. Okay. So thank you  
13 once again, Chair Lyons, and good evening, members of  
14 the Planning Commissioner.

15 The item before you tonight is the  
16 Twelve Bridges Village 27 project. Before I begin my  
17 presentation, I wanted to provide everyone an overview  
18 of what to expect tonight. So I will begin by  
19 presenting some background information on the project,  
20 followed by a project description, and then close with  
21 the requested entitlements tonight.

22 And like always, at the conclusion of  
23 my presentation, myself and the applicant are online  
24 to answer any of your questions you may have for us  
25 tonight. With that, let us begin.

1           So the project site is located within  
2 the Twelve Bridges Specific Plan area. The Twelve  
3 Bridges Specific Plan was adopted by City Council in  
4 1994. The Twelve Bridges Master Planned Community  
5 includes a mix of land uses, including single-family  
6 residential, to medium and high-density residential,  
7 as well as some commercial, open space, some parkland,  
8 and school.

9           Subsequently thereafter, the City  
10 Council also approved the Twelve Bridges General  
11 Development Plan and Zoning Regulations for the  
12 planned area A. It's commonly known and referred as  
13 the Twelve Bridges General Development Plan or GDP.  
14 And since its approval and implementation of both of  
15 these documents, the city has seen development taking  
16 place.

17           I apologize. It went ahead of me.

18           The city has seen development taking  
19 place throughout the Twelve Bridges area.

20           So as I zoom in on this screen, you'll  
21 notice the aerial. And outlined in red is the  
22 proposed project location of the Twelve Bridges  
23 Village 27 project. So the Twelve Bridges Village 27  
24 project is located within the Main Village area of the  
25 Twelve Bridges area, and it's within the Bella Breeze

1 Loop development.

2 The city recently received an  
3 application to develop Village 27, and it is the last  
4 high-density residential parcel within the Main  
5 Village area. So Village 27 is located north of the  
6 existing Kaiser facility, west of Village 3, and east  
7 of the highway -- of Highway 65.

8 So the project is approximately 29  
9 acres in size. And like I previously mentioned, it's  
10 within the Main Village area. It's also zoned  
11 high-density residential. And once again, this is the  
12 last project site within the Twelve Bridges area zoned  
13 high density or HDR.

14 The other two parcels were recently  
15 approved by City Council in the last couple of years  
16 and came before this commission as well. And they're  
17 referred to as Village 3 and Village 4.

18 So the application before you tonight,  
19 the applicant is proposing to subdivide the project  
20 site into 184 single-family residential dwelling units  
21 or residential lots between phases 1 and phase 2 of  
22 Village 27.

23 Currently, and as proposed, the project  
24 does meet the minimum dwelling units per acre for an  
25 HDR parcel. So once again, just to reiterate, the

1 applicant is meeting that 13 dwelling units per acre  
2 for Village 27.

3 So the requested entitlements before  
4 you tonight are two. We have a large-lot tentative  
5 parcel map, as well as a small-lot tentative  
6 subdivision map -- also fairly common for subdivisions  
7 within the city.

8 So the first entitlement, like I  
9 mentioned, is the parcel map. The parcel -- the  
10 proposed application would subdivide the 29-acre  
11 parcel into three parcels. They're labeled as 27A,  
12 27B, and 27C. Once again, within the project site,  
13 meeting the dwelling units per acre requirement.

14 And the second and last entitlement  
15 before you tonight is the small-lot tentative  
16 subdivision map. Just to reiterate, they are  
17 proposing 184 single-family residential dwelling units  
18 within the phases 1 and 2 or 27A and 27B.

19 So as proposed, the project does  
20 adequately meet both the -- meet the parking within  
21 each lot. Each lot has a two-car garage, as well as  
22 ample driveway space. There is sufficient off --  
23 on-street parking throughout the entire subdivision to  
24 accommodate any visitors, as well as the residents.

25 In addition to the subdivision, the

1 applicant, during the entitlement stages, worked with  
2 staff to ensure that the future park to the north  
3 would not be privatized. So by doing so, they  
4 actually redesigned the project and had -- and are  
5 proposing a street along the northern portion of the  
6 property adjacent to that future park site.

7 Our goal and intent of that was to  
8 ensure that a community amenity isn't privatized. So  
9 the applicant took our consideration and redesigned  
10 the project, and it's actually the project you see  
11 before you tonight.

12 And then lastly, like -- once again,  
13 these are single-family residential lots. The lots  
14 all propose a minimum 10-foot rear or setback, which  
15 is similar and what we've seen in our one zoning  
16 districts without -- throughout the city.

17 And then lastly, there are two access  
18 points into the project site off of Bella Breeze Drive  
19 -- once again, just connecting to the Bella Breeze  
20 Loop and having internal circulation throughout the  
21 project site.

22 So in conclusion, staff respectfully  
23 recommends that Planning Commission conduct a virtual  
24 hearing, take any public comment and testimony of the  
25 public, and take the following options.

1           The first one is to recommend that the  
2 City Council determine that the project does not  
3 require any further California Environmental Quality  
4 Act analysis pursuant to Government Code Section  
5 65457(a), as well as CEQA Guidelines Section 15182,  
6 and then adopt a resolution recommending that the City  
7 Council approve a large-lot tenant parcel map, and a  
8 second resolution recommending that the City Council  
9 approve the tentative subdivision map.

10           With that, that does conclude my  
11 presentation. And once again, I'm available to answer  
12 any of your questions.

13           MR. LYONS: Did I understand that the  
14 applicant wanted to say something as well?

15           MS. MAR: I believe so, and they are  
16 online. Yes.

17           MR. LYONS: I would be open to hearing  
18 from the applicant at this time.

19           MR. TOPPER: Good evening, Planning  
20 Commission. This is Ken Topper. I'm the planning  
21 manager at Morton & Pitalo.

22           It's been a little bit of a road  
23 getting here. And I wanted to thank staff for their  
24 help, especially Escarlet and S.P. and Lindy, where  
25 there's been, obviously, multiple plans to get to

1 where we are today. I think Escarlet touched on the  
2 edge of the park condition that we worked with staff  
3 to resolve. That's evolved, and I think it's -- the  
4 project has improved over the time.

5 I did want to make reference that we  
6 did get a -- our Conditions of Approval and Staff  
7 Report last week. We did review those, and we're in  
8 agreement with most of them. There were some  
9 clarifications, and there's a couple of conditions  
10 that are still somewhat outstanding in the sense of  
11 resolution for.

12 We submitted a letter a few days ago as  
13 we were getting prepped for this meeting. I just  
14 wanted to make sure that that was known, that there  
15 was a letter with some conditions that we are going to  
16 continue to work through with staff and engineering.

17 But with regard to the rest of the  
18 conditions, we were supportive of where we are today,  
19 and where we're looking forward to answer any  
20 questions you may have, and hopefully, getting a  
21 recommendation for your approval to the planning -- or  
22 to City Council.

23 MR. LYONS: Okay. We'll then turn to  
24 the commission to see if any of you have any questions  
25 for the applicant or for staff. I still do not see



1 Commissioner Cross at this time.

2 Commissioner Harner, do you have any  
3 questions for staff or the applicant? I'm not hearing  
4 you, but I see your head shaking no.

5 Commissioner Johnson.

6 MR. JOHNSON: Yes, thanks. I do have a  
7 few that I guess I'll take the opportunity now before  
8 we hear public comments. So I'm just curious. You  
9 all mentioned about the park on the top of it. I'm  
10 just curious if you're able to go back to that one  
11 slide that kind of shows the outline where the park  
12 would be placed -- and maybe a little bit more about  
13 that.

14 MS. MAR: Yeah. Of course. Let me  
15 just begin sharing my screen again.

16 MR. JOHNSON: Thanks.

17 MS. MAR: Can everyone see my screen?

18 UNIDENTIFIED SPEAKER: No.

19 UNIDENTIFIED SPEAKER\_1: No.

20 UNIDENTIFIED SPEAKER\_2: Negative --

21 MS. MAR: Okay. And I want to make  
22 sure. And you're referring to the aerial, correct?

23 MR. JOHNSON: Yeah. You just mentioned  
24 that there's going to be a park to the -- somewhere in  
25 there, and how there's a road, so that it's still

1 accessible to the public.

2 MS. MAR: Yeah. Let me go back to the  
3 screen. So the north side on this side. It's a --

4 MR. JOHNSON: Okay.

5 MS. MAR: So the future park, it's an  
6 18-acre park, and it's north of this. So this is the  
7 street that I was referring to that would be adjacent  
8 to that future park.

9 MR. JOHNSON: Got it. Okay. And so  
10 that would be -- if I remember right. So you said  
11 that would be the access point right there -- to the  
12 community?

13 MS. MAR: Where my cursor is, that is  
14 correct. Yeah.

15 MR. JOHNSON: Okay. That's one of the  
16 two.

17 MS. MAR: That is correct. Yes.

18 MR. JOHNSON: Okay. And then I guess  
19 to the west, I can't read what street that is. I  
20 guess on the top part -- yeah, up there. What does  
21 that border up there?

22 MS. MAR: The order?

23 MR. JOHNSON: The border. Sorry --

24 MS. MAR: Oh.

25 MR. JOHNSON: Yeah. What would be to

1 the, I guess, west of that road?

2 MS. MAR: Yes. So that is open space,  
3 designated land.

4 MR. JOHNSON: Okay.

5 MS. MAR: So this buffer is open space,  
6 but then further west is open space as well.

7 MR. JOHNSON: Okay. And then to the  
8 south, that's proposed multi-family units?

9 MS. MAR: It's a 181 dwelling units.

10 MR. JOHNSON: Okay.

11 MS. MAR: A hundred and eighty -- I  
12 apologize.

13 MR. JOHNSON: Okay. And then while  
14 we're on this, do you -- so you said there's ample  
15 parking. How does this differ from the other  
16 high-density lots that we've seen? I know that  
17 parking seemed kind of limited on those. So are these  
18 streets wider? Is there parking on both sides?

19 I know this is kind of like a common  
20 theme that we bring up, but I'm curious how the  
21 parking works here.

22 MS. MAR: Certainly. All the streets,  
23 the internal streets are 45 foot in width and would  
24 allow parking on both sides. And then the street  
25 adjacent to the park is actually 50 foot in width,

1 which also allows for parking on both sides.

2 MR. JOHNSON: Okay.

3 MS. MAR: And it's similar to the  
4 subdivisions we've seen as well. I know Village 3,  
5 the project that I brought forward had some areas  
6 where there was no parking allowed.

7 MR. JOHNSON: Okay. And then how about  
8 sidewalks on there?

9 MS. MAR: Yeah, there are sidewalks  
10 throughout the subdivision.

11 MR. JOHNSON: Now, is that on, like,  
12 both sides of the street, one side of the street?

13 MS. MAR: It's both sides of the  
14 street.

15 MR. JOHNSON: Okay. And then as far  
16 as, like, trash day, you know, how does it work in  
17 this community? I don't see alleys or anything. So I  
18 assume you're able to just put your trashcan out in  
19 front.

20 MS. MAR: That is correct.

21 MR. JOHNSON: Okay. All right. And  
22 then these proposed single-family dwellings, would the  
23 current size of the lot -- each lot -- how -- can you  
24 give an idea of, like, how big the garage would be.  
25 Is it like a single-car garage, like, you know, one

1 wide? Is it like a double car?

2 MS. MAR: There's ample space for a  
3 two-car garage.

4 MR. JOHNSON: Okay. If I remember, you  
5 said there's a 10-foot minimum setback from the  
6 street. Is it likely that they would all be in  
7 that -- I guess, in that range, or would it be further  
8 back than 10 feet?

9 MS. MAR: The 10 foot is a rear yard  
10 setback. That's what I was mentioning. I mean, it's  
11 what we've seen in -- like I said, in single-family  
12 residential lots -- our ones throughout the city. So  
13 it's the rear --

14 MR. JOHNSON: Okay. The rear.

15 MS. MAR: Uh-huh.

16 MR. JOHNSON: Okay. And I'm just  
17 trying to get an idea, so just kind of like a standard  
18 household, like, how big the driveways would be. Is  
19 there an idea of how long the driveways are? Like, if  
20 I'm able to park, you know, my car on the driveway  
21 too, or is it going to be pretty short?

22 MS. MAR: The driveway would allow for  
23 parking.

24 MR. JOHNSON: Okay. And there's no  
25 idea of like how much -- how many feet that is?

1 MS. MAR: I wish I would have taken a  
2 screenshot. But we're looking at --

3 MR. JOHNSON: I'm not sure if the  
4 applicant might have that number.

5 MS. MAR: It's an 18-foot front yard.

6 MR. JOHNSON: The front yard. So  
7 that's like an 18-foot driveway?

8 MS. MAR: Correct.

9 MR. JOHNSON: Okay. All right. I  
10 think those are all the questions that I have at this  
11 time. Thanks, Escarlet.

12 MS. MAR: Thank you.

13 MR. LYONS: Thank you, Commissioner  
14 Johnson.

15 Commissioner Hutchinson.

16 MS. HUTCHINSON: Thank you,  
17 Commissioner Lyon.

18 I believe that Commissioner Johnson  
19 addressed the questions that I had, which also dealt  
20 with the parking and side of streets.

21 And again, just to confirm that even  
22 with the 44-foot street and with people parking on  
23 both sides, there was still room for emergency  
24 vehicles to get through. And I believe I read that in  
25 the Staff Report, that there -- that that would not be

1 an issue for public safety vehicles to also come  
2 through should there be people, you know, parked on  
3 both sides of the street. That's always a concern.

4 So I am fine at this time.

5 MR. LYONS: Okay. Commissioner  
6 Manning.

7 MR. MANNING: I did have one -- Mr.  
8 Johnson. The 18-foot driveway, does that include the  
9 width of the sidewalks, or is that in addition to the  
10 --

11 MS. MAR: Commissioner Manning, thank  
12 you for your question. That is in addition to the  
13 sidewalk.

14 MR. MANNING: So the measurement -- the  
15 inside of the lot of the sidewalk, there is a portion  
16 of that -- of the -- correct?

17 REPORTER: Yeah. The court reporter --  
18 I know I haven't spoken yet. I'm having a very, very  
19 hard time hearing the commissioner speaking. It keeps  
20 cutting out. There seems to be a feedback issue with  
21 somebody's -- someone's microphone that's turned on.

22 MS. MOLLENKOPF: So this is the city  
23 attorney. I think I can perhaps clarify the question.  
24 Maybe I have a better connection, hopefully.  
25 Commissioner Manning was asking for clarification,

1 that the 18-foot driveway is in addition to the  
2 sidewalk.

3 Escarlet, can you answer that question?

4 MS. MAR: Yes. Can everyone hear me?

5 MS. MOLLENKOPF: Yes.

6 MS. MAR: Yes. Thank you. That is  
7 correct, Kristine.

8 MR. MANNING: Okay. Thank you. Can  
9 you hear me? I have one more question about the park.  
10 Is that a future site for a park, or are there plans  
11 for that park to be built?

12 MR. PROSSER: Escarlet, I can answer  
13 that if you'd like.

14 MS. MAR: Thank you, Steve.

15 MR. PROSSER: This is Steve Prosser,  
16 Community Development Director. That park site was  
17 identified per the Twelve Bridges Specific Plan area.  
18 And per the development -- the Specific Plan and the  
19 Development Agreement that created the Twelve Bridges  
20 area.

21 The development community was to  
22 provide the land for future parks, but not an active  
23 site. So that area was identified to be dedicated to  
24 the city as part of another project, which is Twelve  
25 Bridges Village 1, the KB Homes and Beazer project --



1 that created those final maps, and put an IOD on that  
2 approximately 13-acre site for a future park. It has  
3 not been planned at this time.

4 MR. MANNING: Thank you, Steve. Who  
5 would then be responsible to build that park?

6 MR. PROSSER: The city -- once  
7 sufficient park impact fees have been collected.

8 MR. MANNING: Okay. And do we have any  
9 parks in -- I mean, do -- funds or any future plans  
10 for funds to build out these parks that have  
11 designated park locations?

12 MR. PROSSER: Our PFE program does have  
13 a park impact fee that we've been collecting for each  
14 new residential development, which will be updated  
15 again shortly. But that is how we collect those fees.

16 We have modified our approval process  
17 for newer projects, where we are requiring the  
18 developer to provide us not only the land dedication,  
19 but also an active park -- but we see that  
20 traditionally in the neighborhood parks. You'll see  
21 that in Meadow Lands, Independence, Turkey Creek, and  
22 Village 1.

23 We moved away from the land dedication  
24 only and have had to do requirements for active parks.  
25 Since this was originally approved -- the Specific

1 Plan in '94 and the Development Agreement in '98 --  
2 they are only required to provide the land dedication.

3 MR. MANNING: Steve, in your opinion  
4 with where things are right now, when do you think the  
5 city would be able to build that park?

6 MR. PROSSER: If I was going to be  
7 optimistic, we'd be looking around 10 years.

8 MR. MANNING: That would be optimistic?

9 MR. PROSSER: Yes.

10 MR. MANNING: Okay. Thanks, Steve.  
11 Thanks for answering that. That concludes my  
12 questions. Thank you.

13 MR. LYONS: Thank you very much. I  
14 have no further questions to add beyond those things.

15 Actually, I do want to ask our city  
16 attorney just for clarification. We have two  
17 resolutions, and there are -- so there are only two  
18 actions. This was originally zoned back in 1994, I  
19 believe. And all we're acting on are these  
20 applications for the large-lot parcel map and the  
21 small-lot tentative map. Is that correct?

22 We're not approving parks. That's  
23 already done. We're not doing other things. Those  
24 are not up for our vote. Is that correct?

25 MS. MOLLENKOPF: That is accurate.

1 MR. LYONS: Thank you very much. All  
2 right.

3 MS. MOLLENKOPF: So it would be time, I  
4 think, to open the public hearing unless the  
5 commissioners have further questions.

6 MR. LYONS: Correct. So any other  
7 questions from the commission? Seeing no hands  
8 raised, we will open now for a public hearing.

9 Secretary, do we have anyone raising a  
10 hand or having a card or something to speak?

11 MS. SCANLON: Yes, Chair Lyons. So we  
12 did receive an e-mail in opposition from the Garcias,  
13 which will be added to the meeting minutes. And I do  
14 have a few hands raised.

15 Dan Catania, please go ahead.

16 MR. CATANIA: Okay. Can you hear me?

17 MS. SCANLON: Yes.

18 MR. CATANIA: All right. Listen, I  
19 bought here in 2003. I moved here from the Bay Area.  
20 Had I known that these houses were going in, I would  
21 have never bought here.

22 I wrote a letter, and I submitted it to  
23 the city, and I also submitted it to the police  
24 department. I lived this when I was a child in the  
25 City of Chicago. I see a Cabrini-Green being built.

1 And, yes, they had parks. It was supposed to be a  
2 wonderful area. The people moving in were supposed to  
3 meet a certain standard.

4 That standard lasted just for a few  
5 months, and then they realized that nobody wanted to  
6 buy those units. No millionaires wanted to buy it.  
7 No hardworking, taxpayers wanted to buy that unit. So  
8 eventually those units went to the criminals. And  
9 this is what I see going here.

10 I also worked at Palo Alto -- at the  
11 treatment plan, and we were warned continuously. Even  
12 though they built new houses there -- low-income  
13 houses, whatever you want to call it, the criminals  
14 still occupied those houses. And we were warned not  
15 to go to the treatment plan early in the morning by  
16 our self.

17 We were to caravan in and meet our  
18 other coworkers because the dealings of drugs,  
19 switching of guns, and so forth and so on was being --  
20 right in front of the treatment plant on the bay.  
21 They go to the parks and so forth. Chicago, Illinois  
22 is the largest city in the United States with the most  
23 amount of parks, and those parks are the most  
24 dangerous places in the world.

25 The City of Chicago was a beautiful

1 place when I was a child. Within three years my  
2 grandparents were forced to leave the area because  
3 their home was constantly being vandalized or  
4 burglarized, and their life was at stake. They had to  
5 close their business down.

6 And I remember in 1958, my grandparents  
7 were so scared to go home that my father had to bring  
8 them inside. The reason I know it was 1958 is because  
9 my father bought a brand-new -- but in 1955, that was  
10 a beautiful neighborhood, and I was playing with kids  
11 out in the park. We used to have an Italian feast and  
12 everything. That all shut down inside of two or three  
13 years and became the most dangerous place on Earth.

14 This is what you're doing here. You're  
15 bringing crime into this area. You may have good  
16 intentions, but it's the wrong place. You don't put  
17 this next to potential victims right across the street  
18 and down -- which are retirement people, or people  
19 right in that area that have young kids and families.

20 You're going to be asking to bring in a  
21 lot of criminals, drugs, all kinds of problems.  
22 You'll never have enough money or enough police to  
23 ever take care of it.

24 So with that, I'm down to 12 seconds.  
25 I could go on for hours about this. This is the wrong

1 place, the wrong time, and you're setting yourselves  
2 up to build the slums. And you're setting yourself up  
3 for people to flee Lincoln.

4 MR. LYONS: Thank you.

5 MS. SCANLON: Thank you.

6 Weller Carlton, please go ahead.

7 MR. CARLTON: Yeah. I did kind of just  
8 want to go back to the park situation. So currently,  
9 could you let me know how much money we have in funds  
10 towards --

11 MS. SCANLON: Sir, sir, excuse me.

12 This is not question and answer. It's for your  
13 testimony to be taken. So you have two minutes to  
14 have your comments heard.

15 MR. CARLTON: Okay. I guess my main  
16 concern is that so many homes are coming in without  
17 the tax dollars being back invested to the city.

18 Kind of going back to what the last  
19 gentleman said about the police officers, didn't we  
20 just have to take out a loan from Placer County to  
21 help fund more police officers? And so that's one  
22 thing that really frustrates me.

23 I'm just concerned about this whole  
24 area, and where it's going to come to. You know, we  
25 have this brand-new grass in the area, and it's not

1 even being taken care of. We have weeds. We have  
2 trash everywhere. The landscaping is not good. And  
3 our tax dollars are going towards this, and it's just  
4 a little bit concerning. And I just wanted to put my  
5 two cents in. Thank you for the time.

6 MS. SCANLON: Thank you.

7 Next, we have Byron. Please go ahead.

8 MR. CHAPMAN: Thank you to the  
9 commissioner and commissioners.

10 A couple of questions on this property.  
11 One, I'd like to know -- it looks like there are two  
12 entrance and exits that extend into or onto Bella  
13 Breeze.

14 A hundred and eighty-four homes --  
15 nowadays, it seems like families have a minimum of two  
16 vehicles. That works out roughly to 368 vehicles for  
17 184 homes. And you've got these two exits that are  
18 coming onto Bella Breeze.

19 So are there going to be stop signs  
20 there? Are traffic lights going to be needed any time  
21 in the future?

22 I'm also concerned about whether the  
23 curbs around the houses and the sidewalks are rounded  
24 versus square. Sometimes I think we take it for  
25 granted that they're always round and sloped. I want

1 to make sure that doesn't happen.

2 Also, the parking, literally -- we just  
3 want to make sure that this doesn't take place  
4 where -- we're looking at the Joiner Ranch, and  
5 parking there is just horrible. I don't even know how  
6 it got passed, but that's another issue.

7 I just wanted to make sure that I heard  
8 that the widths of the street were 45, if not more.  
9 And basically, my biggest concern is indeed coming  
10 around from those homes and coming out to that Bella  
11 Breeze Loop.

12 You know, you've got those two, and  
13 you're looking at -- like I said, almost 400 vehicles  
14 traveling through and -- there. So I think that needs  
15 to be addressed as well. Thank you very much.

16 MS. SCANLON: Thank you.

17 Next, we have Mike Garabedian. Please  
18 go ahead.

19 MR. GARABEDIAN: Thank you. Good  
20 evening, commissioners. Mike Garabedian. I live here  
21 in Lincoln. I'm speaking for Placer County tomorrow.

22 I think it's pretty embarrassing that  
23 we can't ask questions. And in my case, I didn't have  
24 time to get in to planning to ask the questions yet.  
25 But I do want to thank you for this opportunity to get



1 some familiarity with this proposal and the wider  
2 Specific Plan that it's part of.

3 So my first nonquestion is an  
4 observation that I -- this is -- the purpose is  
5 economic development. So I don't see anything  
6 explaining, for example, how this development would  
7 pay for itself, and I will look for that.

8 There's a history of significant plan  
9 changes over time for this, and one of those was the  
10 loss of a park. So I will have to ask that question,  
11 I guess, at the planning department. But there's so  
12 many changes over time, that that raises a question  
13 about the park proposal. I think the planning  
14 commissioners asked the same questions I had about  
15 that. I think they did cover that pretty well.

16 The other question I have -- well, let  
17 me put it this way. Are there wetlands and vernal  
18 pool prairie in this site? In the material that was  
19 e-mailed to me, I didn't find information about that.  
20 So that is something else that I think is really  
21 critical to look into.

22 There is an awful lot of development in  
23 Lincoln. There's so much development. In fact,  
24 looking at the current project list, it's hard to see  
25 how anybody could keep track of what's being proposed.

1 And I wonder if -- well, I'd better not ask any more  
2 questions.

3 I am extremely concerned about the fact  
4 that hearing this -- hearing the hearing up until now,  
5 we've learned about at least three letters; one from  
6 the applicant that -- I have not seen that or had any  
7 chance to look at that before this hearing, one from  
8 the Garcias, and one from someone else.

9 Not having seen those letters, I think  
10 that you should continue this hearing until the public  
11 has had a chance to see those hearings. Otherwise,  
12 how can we comment on this project without the city  
13 having made these comments available to us? That  
14 seems actually pretty absurd and not taking seriously  
15 -- potentially not taking seriously, the public's  
16 participation because we do not know what facts in at  
17 least three letters are before you.

18 So I look forward to finding those out  
19 and hopefully having a chance to address the Planning  
20 Commission again on this. But I do thank you for this  
21 opportunity because it has served to be an  
22 introduction to this, and also to the broader planning  
23 process --

24 MR. LYONS: Thank you.

25 MS. SCANLON: Thank you.

1                   We do have one other hand raised.  
2   Albert Scheiber, please go ahead.

3                   MR. SCHEIBER:  Yeah.  Thank you.  
4   Albert Scheiber -- kind of piggybacking off of Mr.  
5   Garabedian's comment.  When Mr. Lyons opened up the  
6   meeting, I was pretty sure he said that any letters  
7   that were received would be read.  So I know I can't  
8   ask a question, but it seems kind of odd that the  
9   letters weren't read.  Thank you.

10                  MS. SCANLON:  Thank you.

11                  Chair, no other hands are raised.

12                  MR. LYONS:  And to be clear, the script  
13   that I was reading doesn't say any letters will be  
14   read.  It would say, any e-mails or voicemails that  
15   were left would be read.

16                  All right.  So hearing that there are  
17   no other hands raised, we will conclude the public  
18   hearing and bring it back to the commission.

19                  Does anyone on the commission have any  
20   further question or comment at this point?  Wave at  
21   the camera, and I will acknowledge you, and we can do  
22   it that way.  Seeing none, I --

23                  MS. MOLLENKOPF:  Chair, it looks like  
24   Mister -- Commissioner Johnson was waving his hand.

25                  MR. LYONS:  Oh, I'm sorry.  I didn't

1 see you. I apologize --

2 MR. JOHNSON: I'm sorry. I did it so  
3 quick, or I was a little too late.

4 Just getting back to -- I know there  
5 was a comment that letters weren't provided or, you  
6 know, sufficient documentation to the public. I just  
7 want to confirm with the city that, you know, anything  
8 that was provided ahead of time was actually available  
9 to people.

10 I know sometimes we run out of time to  
11 look at stuff and don't see it. But I just wanted to  
12 confirm that things were available for the public --

13 MS. MOLLENKOPF: So, Commissioner  
14 Johnson, to clarify, so when the city receives public  
15 letters or e-mails, whatever it is, the clerk does her  
16 best job to circulate it to all of the commissioners  
17 for your consideration, and that has absolutely  
18 occurred.

19 There is no requirement at this point  
20 in time that those be circulated to the broader public  
21 in some form and format. They will be attached to the  
22 minutes. But there's no way that city staff can know  
23 who wants to receive generic, you know, letters of  
24 public comment -- that we can be responsive to that  
25 and make sure that the broader public at large have

1 that.

2 So you are the decisionmakers. Those  
3 letters were forwarded to you. And it is incumbent  
4 upon you to review those documents. And if you feel  
5 that there is information in those that you want to  
6 share with the public, you know, that's your right and  
7 privilege as a commissioner.

8 But there is not really a mechanism for  
9 our city clerk to take in e-mails and do a broader  
10 dissemination to the public about those at this point  
11 in time.

12 MR. JOHNSON: Okay. Yeah. Thanks for  
13 clarifying that.

14 And I guess just for, I guess, public  
15 knowledge, the letters that I did see are -- pretty  
16 much reflect the comments that were made from those on  
17 the call tonight. So I just wanted to point that out,  
18 I guess.

19 That's all I have. Thank you.

20 MR. LYONS: Thank you. I was going to  
21 make the same comment. I appreciate that.

22 MR. PROSSER: And, Chair Lyons, if I  
23 may?

24 MR. LYONS: Yes.

25 MR. PROSSER: This is Steve Prosser

1 again. Just for clarification, the one letter we  
2 received from the applicant was directed to staff. It  
3 was not addressed or directed to the Planning  
4 Commissioner -- that letter received yesterday. But  
5 it was not to the Planning Commission.

6 MR. LYONS: Thank you for that  
7 clarification.

8 Commissioner Manning, I saw your hand.

9 MR. MANNING: Yes. Thank you, Chair  
10 Lyons.

11 I just wanted to thank all the folks  
12 who jumped on the call tonight and gave their public  
13 comments. In this new age right now with these online  
14 meetings, we don't get to hear from much of the  
15 public. I think it's not as -- a welcoming  
16 environment. And so I wanted to thank them for  
17 stepping on, on it.

18 And I did want to comment too and say  
19 that I appreciate their comments. I feel similar in a  
20 lot of ways to the way they do. And, you know,  
21 sometimes you look at what we're doing in our city,  
22 and you recognize we have challenges with public  
23 safety, and we have challenges with some of our  
24 budgets, and we have challenges with -- loans and some  
25 of the loans we have like at the airport.

1           And if you look at fiscally --  
2 situations where it -- you question, where is the  
3 money going to come from in the future? And we see  
4 these future parks and stuff.

5           So I want to thank them. I want to  
6 encourage them to continue to participate in our  
7 meetings. And I feel the same way. Sometimes it's  
8 like we have our mouth full, and we keep taking a  
9 bite.

10           But what I want to tell them is, some  
11 of those issues aren't really issues at the Planning  
12 Commission. They need to take a lot of that up with  
13 the City Council. We're here to look at the projects,  
14 and see how they meet our general plan and to go from  
15 there.

16           But I did want to encourage them to  
17 continue to step up and voice their opinions. Thank  
18 you.

19           MR. LYONS: Thank you. Do any other  
20 commissioners have comments?

21           I want to echo what Commissioner  
22 Manning said. Things like the finances for parks,  
23 where mistakes made by the City Council 25 years  
24 ago -- most of whom are long since dead.  
25 Unfortunately, we still have to pay the price and --

1 but that is not a Planning Commission issue.

2 The Environmental Impact Report covered  
3 the questions about vernal pools and so forth. That  
4 was passed and approved in the early '90s. That was  
5 not an issue before us today, and we have no power to  
6 do anything about what did or did not get included in  
7 that.

8 So we have two resolutions before us  
9 now. And the first one is Resolution 2020-16, a  
10 resolution recommending approval by the Planning  
11 Commission to the City of Lincoln, City Council of a  
12 -- of a tentative parcel map to subdivide Twelve  
13 Bridges Village 27 into three parcels on Assessor's  
14 Parcel Map 329010031.

15 Do I hear a motion?

16 MS. HUTCHINSON: So moved.

17 MR. LYONS: I saw Commissioner Harner's  
18 mouth move. Can you unmute yourself --

19 MS. HUTCHINSON: I moved it.

20 MR. LYONS: Yeah. Commissioner  
21 Hutchinson --

22 MS. HUTCHINSON: Second it --

23 MR. LYONS: -- made the motion.

24 MR. HARNER: Can you hear me now?

25 MR. LYONS: Yes, I can hear you now --



1 MS. HUTCHINSON: Yes, yes.

2 MR. HARNER: I will second Michele's  
3 motion.

4 MR. LYONS: Okay. It's been moved and  
5 seconded.

6 Roll call, please.

7 MS. ALLOWAY: Commissioner Hutchinson.

8 MS. HUTCHINSON: Yes.

9 MS. ALLOWAY: Commissioner Harner.

10 MR. HARNER: Yes.

11 MS. ALLOWAY: Commissioner Johnson.

12 MR. JOHNSON: No.

13 MS. ALLOWAY: Commissioner Manning.

14 MR. MANNING: No.

15 MS. ALLOWAY: And Vice Chair Lyons.

16 MR. LYONS: Yes.

17 The motion was carried three to two.

18 The next resolution before us is  
19 Resolution 2021-17, a resolution recommending approval  
20 by the Planning Commission to the City of Lincoln,  
21 City Council of a small-lot tentative subdivision map  
22 to subdivide Twelve Bridges Village 27 into 184  
23 high-density residential parcels on Assessor's Parcel  
24 No. 329010031.

25 Is there a motion?

1 UNIDENTIFIED SPEAKER: I'd move for the  
2 adoption of that issue.

3 UNIDENTIFIED SPEAKER\_1: I'll second  
4 it.

5 MR. LYONS: It's been moved and  
6 seconded.

7 Roll call, please.

8 MS. ALLOWAY: Commissioner Harner.

9 MR. HARNER: Aye.

10 MS. ALLOWAY: Commissioner Hutchinson.

11 MS. HUTCHINSON: Yes.

12 MS. ALLOWAY: Commissioner Johnson.

13 MR. JOHNSON: No.

14 MS. ALLOWAY: Commissioner Manning.

15 MR. MANNING: No.

16 MS. ALLOWAY: And Vice Chair Lyons.

17 MR. LYONS: Yes.

18 All right. That brings us to item 9,  
19 general business. Item 9A is a public workshop to  
20 solicit public comment directly related to the  
21 Partially Recirculated Draft EIR associated with the  
22 Village 5 project.

23 This is technically not a public  
24 hearing, and no decision will be made at this time.  
25 The city is inviting any interested party to

1 participate -- to provide comment on the environmental  
2 document.

3 Steve Prosser, Community Development  
4 Director, will introduce this item, and turn it over  
5 to the consulting team. I'm not sure which order I'm  
6 supposed to do all of these comments.

7 MR. PROSSER: That's okay. Thank you,  
8 Chair Lyons.

9 So the item again before you is a  
10 public meeting or a public workshop to solicit  
11 comments for the Partially Recirculated Environmental  
12 Impact Report for the Village 5, Special Use District  
13 B project, originally approved in December of 2018.

14 What I will be doing is handing this  
15 over to our Consultant, Jonathan Teofilo, from ESA to  
16 provide a short presentation.

17 We do have a court reporter in  
18 attendance. It is vitally important for us to  
19 accurately record the public's comments in association  
20 with this draft document, so that we can provide a  
21 written response to all applicable and relevant  
22 environmental comments.

23 This is not the forum to discuss the  
24 project or the benefits or cost of the project or  
25 opposition of the project itself. This is

1 specifically to solicit comments on the three  
2 subsections of the Draft EIR that have been revised  
3 and recirculated.

4 And so at this time, I would like to  
5 turn it over to Jonathan from ESA, the city's  
6 environmental consultant.

7 MR. TEOFILO: Good evening. Can you  
8 folks confirm that you can hear me.

9 MS. MOLLENKOPF: Yes, we can --

10 REPORTER: Yes.

11 MR. TEOFILO: Thank you very much.

12 So my name is Jon Teofilo. I am  
13 project manager with the environmental consultant team  
14 that has assisted the city with preparation of the  
15 Draft Partially Recirculated EIR for the Village 5  
16 Specific Plan.

17 This presentation will include an  
18 overview of the CEQA process, the Village 5 Specific  
19 Plan, project background, directions from the court  
20 regarding the Village 5 Specific Plan EIR, a  
21 description of the Draft Partially Recirculated EIR,  
22 the purpose of this public comment meeting, and a  
23 description of the remaining CEQA process.

24 So to begin with the CEQA EIR process,  
25 the purpose of CEQA is to disclose to the public the

1 significant environmental effects of a proposed  
2 discretionary project, prevent or minimize damage to  
3 the environment through development of project  
4 alternatives, mitigation measures and mitigation  
5 monitoring, disclose to the public the agency  
6 decision-making process utilized to approve  
7 discretionary projects, enhance public participation  
8 in the environmental review process, and improve  
9 interagency coordination through early consultation.

10 This slide shows an overview of the  
11 CEQA Environmental Impact Report process, which is  
12 broken down into three processes; the initial scoping  
13 process, which includes the publishing of a Notice of  
14 Preparation that an EIR is being prepared; the  
15 preparation of an EIR, which results in the publishing  
16 of a draft EIR; and the preparation of a response to  
17 comments, which results in the publishing of a final  
18 EIR.

19 Moving on to the background of the  
20 Village 5 Specific Plan, the project area is located  
21 in Unincorporated Placer County within the city's  
22 sphere of influence. The city's adopted General Plan  
23 identifies this area as a village designated for  
24 future development as part of a Specific Plan.

25 The Village 5 Specific Plan proposes a

1 mix of master-planned residential, retail, and office  
2 uses, and public/semipublic facilities, including a  
3 high school, a junior high school, and three  
4 elementary schools, parks, and open space land uses.  
5 Implementation of the Village 5 Specific Plan would  
6 require annexation to the City of Lincoln of 4,775  
7 acres in an unincorporated area of western Placer  
8 County, which is situated along the southwestern  
9 boundary of the City of Lincoln.

10 The Village 5 Specific Plan would  
11 include the development of approximately 2,290 gross  
12 acres of residential uses, 443 acres of commercial  
13 uses, 1,558 acres of parks and open space, and 118  
14 acres of public uses. This slide shows a map of the  
15 proposed uses included in the Village 5 Specific Plan  
16 as approved by the City Council.

17 The timeline of the CEQA process for  
18 the Village 5 Specific Plan reaches back to 2014. The  
19 city released a Notice of Preparation for the Village  
20 5 Specific Plan EIR on May 22nd of 2014. In response,  
21 the city received 29 NOP comment letters regarding the  
22 scope of the environmental analysis of the EIR.

23 On August 26th of 2016, the Draft EIR  
24 was completed and circulated for public review and  
25 comment for a period of 45 days that ended on October

1 11th of 2016. During that period, the city received  
2 25 comment letters on the draft EIR.

3 On December 5th of 2017, the city  
4 certified the final EIR and approved the Village 5  
5 Specific Plan. On January 12th of 2018, a Petition  
6 for Writ of Mandate was filed in the Superior Court of  
7 California, in the County of Placer, alleging  
8 violations of the California Environmental Quality  
9 Act.

10 The court issued a Preemptory Writ of  
11 Mandate on April 13th of 2020, upholding two of the  
12 petitioner's arguments related to mitigation of the  
13 potentially significant impacts to agricultural and  
14 biological resources, and the level of analysis  
15 conducted for potential project impacts related to  
16 transit. A final judgment was filed on June 25th of  
17 2020.

18 The decision regarding impacts to  
19 agricultural resources and biological resources stated  
20 that the EIR improperly deferred mitigation for  
21 agricultural impacts and impacts to biological  
22 resources in relying on the draft Placer County  
23 Conservation Program.

24 And the judgment for the reiterated --  
25 the finding from the ruling that the alternative

1 mitigation measures required in the event -- the  
2 Placer County Conservation Plan is not adopted or  
3 determined to be adequate.

4 The decision stated in relation to  
5 transit, that the EIR fails to adequately analyze  
6 impacts to transit. The decision also specified the  
7 severability of the findings, stating that the  
8 certification of the EIR and the adoption of the  
9 Findings of Fact and the Statement of Overriding  
10 Considerations, as they relate specifically to  
11 reliance on the Placer County Conservation Plan -- as  
12 mitigation and impacts to transit are severable from  
13 the remaining project approvals.

14 Therefore, other parts of the EIR and  
15 approvals that are not relevant or covered by the  
16 court findings remain valid, and no further action is  
17 required pursuant to the court findings.

18 Thus, the court directed the city to  
19 make appropriate corrections to the EIR, but stated  
20 that all other project approvals were based on  
21 portions of the EIR that are not affected by the  
22 court's decision, and no remedial action is required  
23 unless compliance with the writ changes or affects the  
24 other project approvals.

25 The ruling directed the city to take



1 corrective actions that brings the agricultural and  
2 biological resources, mitigation measures into  
3 compliance with CEQA, and prepares an analysis that  
4 adequately discusses transit. The city's response is  
5 to revise and recirculate relevant sections of the  
6 Village 5 Specific Plan, EIR in the form of a  
7 Partially Recirculated EIR.

8 To begin this process, the city  
9 initiated the corrective action identified by the  
10 court, by passing Resolution 2020-122, which  
11 decertified portions of the Village 5 Specific Plan,  
12 EIR and portions of the city's Findings of Fact and  
13 Statement of Overriding Considerations, all as they  
14 relate to, one, reliance on the Placer County  
15 Conservation Plan as the mitigation for agricultural  
16 resources impacts and biological resource impacts,  
17 and, two, impacts to transit.

18 The city then began preparation of the  
19 Partially Recirculated EIR, which revises and  
20 recirculates the following sections of the 2017 EIR --  
21 the section 3.2, which addresses agriculture and  
22 forestry resources, section 3.4, which addresses  
23 biological resources, and section 3.15, which  
24 addresses transportation and circulation.

25 To recall the previous CEQA process

1 slide, the portions of the EIR that are recirculated  
2 as part of the draft EIR are now in the 45-day public  
3 review and comment period, which began on May 7th and  
4 will conclude on June 21st.

5 The Draft Partially Recirculated EIR is  
6 formatted to show changes to the text of the 2017 EIR.  
7 All text additions have a double underline, as shown  
8 in the slide. All deletions of the text are shown as  
9 strikethrough text, which has a line through it and  
10 appears crossed out.

11 Full sections are included with the  
12 Draft Partially Recirculated EIR, so unedited text,  
13 which has neither double underline, nor strikethrough is  
14 to be considered certified under the city's December  
15 5, 2017, approval and is not subject to the court  
16 ruling and is not considered to be available for  
17 public comment.

18 Next, I will provide a brief overview  
19 of the revisions and conclusion presented in the Draft  
20 Partially Recirculated EIR, beginning with  
21 agricultural resources.

22 The Placer County Conservation Plan is  
23 now approved and in the process of becoming  
24 operational. Further, the Placer County Conservation  
25 Plan's conservation strategy includes landscape level

1 biological goals and objectives that require and would  
2 result in conservation of an agricultural land.

3 And mitigation measures 3.2-1 and  
4 3.2 -- 4-1 and 3.4-2, which include reliance on the  
5 Placer County Conservation Plan or similar  
6 conservation measures, are applicable and would  
7 mitigate for impacts to important farmland.

8 It is not possible at this point to  
9 guarantee that comparable amounts of important  
10 farmland, that would have the same soil  
11 characteristics as those areas in the plan area, would  
12 be preserved; therefore, the project impacts to  
13 important farmland remain significant and unavoidable,  
14 as was concluded in the 2017 EIR approval.

15 To summarize the revisions and  
16 conclusions in the biological resources section, if  
17 the Placer County Conservation Plan is operational,  
18 compliance with the Placer County Conservation Plan  
19 would mitigate for project specific and cumulative  
20 impacts to wetlands, special status species, vernal  
21 pool habitats, special status vernal pool crustaceans  
22 or amphibians, western pond turtle, nesting or special  
23 status birds, valley elderberry longhorn beetle,  
24 Central Valley steelhead, Chinook salmon, and riparian  
25 habitat or other sensitive natural communities.

1                   With compliance with the now approved  
2 Placer County Conservation Plan or implementation of  
3 equivalent mitigation in the 2017 EIR, impacts to  
4 biological resources would be less than significant,  
5 as was concluded in the 2017 EIR.

6                   To summarize revisions and conclusions  
7 in the transit analysis, the project would not  
8 conflict with adopted plans, policies, or programs  
9 regarding transit facilities and would not interfere  
10 with existing or planned transit facilities. The  
11 project is consistent with and will not conflict with  
12 any plans, policies, or programs related to transit.

13                   Because transit facilities do not  
14 currently exist in the Village 5 Specific Plan area,  
15 the implementation of the Village 5 Specific Plan  
16 would not interfere with any existing transit  
17 facilities. There are no physical attributes of the  
18 Village 5 Specific Plan that would interfere with  
19 existing or planned transit. And the project would  
20 have a less than significant project specific and  
21 cumulative impact related to transit.

22                   This brings us to the present. The  
23 purpose of this public comment meeting is to receive  
24 public comments on the Draft Partially Recirculated  
25 EIR. The city will respond to public comments in the

1 Final Partially Recirculated EIR.

2 From here, the CEQA process will  
3 proceed as follows. The Draft Partially Recirculated  
4 EIR is available for public comment until June 21st of  
5 2021, which will conclude the 45-day public review  
6 period. After the public comment period, the city  
7 will prepare a Final Partially Recirculated EIR, which  
8 will include responses to public and agency comments  
9 related to recirculated materials in the Draft  
10 Partially Recirculated EIR, revisions to the Draft  
11 Partially Recirculated EIR, and an updated mitigation  
12 and monitoring plan.

13 At that conclusion, the city will post  
14 the Final Partially Recirculated EIR for publication,  
15 and announce the date of a Planning Commission hearing  
16 for recommendation of approval of the Final Partially  
17 Recirculated EIR. The Planning Commission will hold a  
18 hearing to consider a recommendation of approval of  
19 the Partially Recirculated EIR.

20 Following that approval, the city will  
21 post the Final Partially Recirculated EIR for  
22 publication, and announce the date of a City Counsel  
23 decision hearing on certification of the Final  
24 Partially Recirculated EIR, and also will consider a  
25 Revised Findings of Fact and Statement of Overriding

1 Considerations specific to the recirculated materials.

2 The City Council will hold a decision  
3 hearing to consider certification of the Partially  
4 Recirculated EIR and adoption of findings and a  
5 Statement of Overriding Considerations.

6 This concludes my presentation. I will  
7 handily -- back to the city team to facilitate  
8 questions and comments. Thank you.

9 MR. PROSSER: Thank you, Jonathan.

10 And just I wanted to reiterate to those  
11 in attendance and who would be watching in the future,  
12 this is a 45-day comment period. We will be  
13 soliciting comments up until 5:00 p.m., Monday, June  
14 21st. There will be multiple opportunities to provide  
15 us those comments, not only tonight, but again, at  
16 city hall or by -- in writing up until 5:00 p.m.,  
17 Monday, June 21st.

18 And, Chair Lyons, at this time, we  
19 would suggest that we reach out to any interested  
20 party for comment.

21 MR. LYONS: Thank you very much. In  
22 looking at the script that I was given, almost  
23 everything was covered. The only thing that I note  
24 that might be helpful to the public, that wasn't  
25 mentioned, is that the Draft Partially Recirculated

1 EIR is available for review at the Lincoln Public  
2 Library on Twelve Bridges Drive. So if you would like  
3 to see it there, you can do it there, as well as on  
4 the website.

5 All right. So we will open it for  
6 comments.

7 MS. SCANLON: Chair, yes, we do have a  
8 hand raised.

9 Mike Garabedian, please go ahead.

10 MR. GARABEDIAN: Thank you. And again,  
11 thanks for the introduction to this project. I have  
12 not been familiar with it, its facts and so forth on  
13 the ground.

14 And my first observation was that the  
15 Staff Report does not say how to access the project.  
16 I guess a person is supposed to look online or sort of  
17 ask somebody -- I guess.

18 It's just shocking to me that you  
19 aren't putting information about letters received and  
20 so forth. Doing the minimum required by law is not  
21 particularly exercising your ability -- your  
22 responsibility to deal with the public, health,  
23 safety, and welfare.

24 There are two false statements that  
25 were made -- false or so misleading as to be urging on

14-1

14-2

1 false. It was repeated that the purpose of CEQA is to  
2 inform the public. Well, that's true, but it's only  
3 partly true. The purpose is to inform the  
4 decisionmakers, like yourselves.

5 At a recent meeting, at least three, or  
6 maybe even four people, felt that this commission did  
7 not have to look at the CEQA documents, and that was  
8 the responsibility of the City Council. Well, it's to  
9 disclose it to you and other decisionmakers, and that  
10 is probably the -- ultimately the most important  
11 thing, in addition to the public.

12 And the Placer County Conservation Plan  
13 was said to be approved. Well, it has been approved  
14 by the county, and they've created a Placer  
15 Conservation Authority. But as far as -- no, it  
16 doesn't have one or two or maybe even other -- of its  
17 other authority. So it is not approved and not final  
18 as far as my information goes.

19 So the two major issues that I will be  
20 addressing in the future to the -- the best I can --  
21 first is the proximity of this project to Auburn  
22 Ravine, which must have been addressed in the  
23 environmental documents that I haven't reviewed.

24 This is a salmon habitat. Steelhead  
25 and salmon are critical issues that are -- we're

I4-2  
cont.

I4-3

I4-4



1 trying to restore and bring back to this area as much  
2 as we can. So that really has to be addressed -- this  
3 project affecting the stormwater and runoff from  
4 there.

5 And I will point out that the urban  
6 runoff mortality syndrome that's killing salmon in the  
7 Puget Sound and Portland area, there is a study now  
8 that suggests that that may be affecting the steelhead  
9 in this area -- or components of tires and other  
10 things in runoff that affect water quality.

11 And then the other critical issue are  
12 loss of wetlands and vernal pool. Vernal pools, for  
13 instance, are ultimately -- entirely compatible with  
14 agriculture. So this project not only affects  
15 agriculture, but negatively -- it also has terrible  
16 effects -- potential effects and will need -- it's a  
17 401 Water Quality Certification Permit from the  
18 regional -- region 5, Central Valley, Regional Water  
19 Quality Control Board.

20 So these are some issues that I'll be  
21 looking at. And I just have the gravest concern that  
22 -- I hope that this commission will change its  
23 practices and require that the public be made -- if  
24 comments are submitted, they be noted in the agenda  
25 and linked through the agenda -- if they're admitted

14-4  
cont.

14-5

14-6

1 at a certain time before you meet.

2 The public is entitled to know those  
3 things. And the fact that the law isn't telling your  
4 council that they have to do it is beside the point  
5 because you should be exercising your discretion to  
6 make sure the public is well-informed.

7 Anyway, thank you for this opportunity.  
8 I appreciate it.

9 MS. SCANLON: Thank you. Next, we have  
10 Albert Scheiber. Please go ahead.

11 MR. SCHEIBER: Yeah. Albert Scheiber.  
12 Good evening again.

13 My opinion is, this item should have  
14 been pulled from the agenda. As I said earlier it was  
15 noticed in snail mail as a public hearing, which is  
16 not what you've said it is tonight.

17 As Mr. Garabedian pointed out, there is  
18 no Staff Report or link to anything to go look at this  
19 on the agenda. When you pull up the report, it is  
20 different. The cover page is different than what was  
21 shown tonight.

22 On the environmental reports, it says,  
23 Village 5 and Special Use District B -- SUD B, in  
24 parenthesis, Specific Plan, and that's not what was  
25 shown tonight. So it's kind of a bait and switch.

14-6  
cont.

14-7

1           There's a lot of other stuff that was  
2       said by Mr. Prosser, that it wasn't -- tonight wasn't  
3       for people that were opposed to the project. Well,  
4       I'm sorry -- if all you want is everybody to be happy  
5       and rubberstamp everything, then, you know, I'm sorry,  
6       Mr. Prosser, too bad.

7           But in looking at the agendas coming  
8       forward, there will be no format for people to ask  
9       questions because you can't do it tonight, and we  
10      can't do it during the public hearing. So that's  
11      unfortunate that, you know, the public can't ask and  
12      get questions answered.

13          The other thing that was not mentioned  
14      in this whole spiel is that it's still in appeal.  
15      It's still going on. There was nothing in this  
16      presentation that showed that it's going to appeal.

17          And my opinion is, this shouldn't even  
18      be before the commission, you know. All I hear about  
19      at council meetings is how staff is overloaded, and  
20      they've got too much to do, so on and so forth -- wah,  
21      wah, wah. And here you are working on this project,  
22      trying to shove it forward again -- that it is still  
23      in the court's hands. Nothing was mentioned about  
24      that tonight.

25          And I'm running out of time, so that's

14-7  
cont.

1 it for now, right?

2 MS. SCANLON: Thank you.

3 Next, we have Byron. Please go ahead.

4 MR. CHAPMAN: Thank you.

5 Commissioners, Byron Chapman, Twelve  
6 Bridges area. I too have been following this  
7 particular process, and it seems that the information  
8 comes out literally in bits and pieces and slivers.

9 Tonight's presentation of people like  
10 myself -- and to hold us into a category of -- you  
11 want to hear our comments, but yet, we can't ask  
12 questions, it's kind of like putting duct tape across  
13 our faces, put our hands behind our back, and we will  
14 mumble as much as possible to have you hear us.  
15 Essentially, that's what is happening. It's happened  
16 with this project from -- it seems like, day one.

17 I don't see any, again, movement of the  
18 city to move on this particular project. I would hope  
19 that all of you commissioners are asking yourselves,  
20 well, why in the world is this going so quickly? Why  
21 is there litigation against this particular issue?  
22 You need to be asking yourselves, this project, is it  
23 actually viable? Who's pushing it? What's going on?

24 Any of you on the commission, if you  
25 were sitting in your family's home for decades, if not

14-8

1 three or four lifetimes, and someone comes along and  
2 says, we need to take your land because we can put  
3 houses on it, we can put roads, we can do this -- if  
4 you look at what America is coming to when you do  
5 this, you're circumventing things. We have more homes  
6 going in, in Lincoln right now than I can possibly  
7 count.

8 I think we need to look around. If  
9 we're looking at a project that's taking in 4,000  
10 acres and -- just the solidity of bypassing everyone  
11 that lives out there and annexing them into a location  
12 where they don't want to be. They were really far  
13 away years and years ago -- from Lincoln. Lincoln's  
14 caught up to them. It's a shame that they can't take  
15 their property and move it somewhere else, but  
16 unfortunately, they can't.

17 But what's going on, I think this  
18 commission needs to know. It's not just an issue of  
19 meeting the EIR. It's also an issue of people and  
20 their homes and their heritage being where it is.  
21 This project from the very beginning stinks.

22 And I think if any one of you or all of  
23 you who are on the commission and -- you go out and  
24 talk to the people who are out there, I think you will  
25 find, it's a very heartbreaking scenario. And I think

14-8  
cont.

1 it's a very dark day for Lincoln for doing such a  
2 thing.



14-8  
cont.

3 Thank you very much.

4 MS. SCANLON: Chair, I have no other  
5 hands raised. We did receive one additional e-mail  
6 that was forwarded to the consultant -- from Becky and  
7 Michael Laspina.

8 And I'm sorry -- a couple more hands  
9 did pop up. Stan Nader, please go ahead.

10 MR. NADER: Thank you, Chairman and  
11 commissioners. My name is Stan Nader.

12 I want to make sure that the commission  
13 is aware that the Local Agency Formation Commission is  
14 needing to do a municipal service review of the City  
15 of Lincoln. And as we all know, we are -- the City of  
16 Lincoln is rated the lowest for police and fire levels  
17 in the state.

18 I think it's out of order to be  
19 considering anything -- moving any additional land  
20 towards annexation until that municipal service review  
21 is completed, and the City of Lincoln demonstrating  
22 that it is providing municipal services of all levels  
23 to a sufficient level for its citizens.

24 Thank you.

25 MS. SCANLON: Thank you.

14-9

1                   Next, we have Gene and Shari Thorpe.  
2                   Please go ahead.

3                   MR. THORPE: Unmuted. Okay. This is  
4                   Gene and Shari Thorpe, residents of Lincoln 37 years.  
5                   We think this project is not completely ready to go.  
6                   It definitely needs to get out of court. And you've  
7                   got to watch taking the property away from people --  
8                   their agricultural uses.

9                   The people that came out into this land  
10                  a long time ago want to continue to be in an  
11                  agricultural area, and we want to make sure that we  
12                  can stay in an agricultural area.

13                  MS. THORPE: Yes. We've lived at 2781  
14                  Heather Brook Lane for 37 years. And our biggest  
15                  concern is that the planning is going too fast. It's  
16                  been in the courts and still has not been completed  
17                  out of the courts.

18                  And we would just like you to slow  
19                  down, and just really look at all of the facts, and  
20                  let the, you know, the environmental -- come in and --  
21                  so we can have the facts, and we can make sure that we  
22                  get everything covered from the police department --  
23                  and that we don't get -- our agricultural rights be  
24                  taken away.

25                  So we'd just ask you, please put more

14-10

14-11

1 thought into this before you --

2 MR. THORPE: Go forward.

3 MS. THORPE: -- go forward.

4 Thank you.

5 MS. SCANLON: Thank you.

6 Chair Lyons, no other hands.

7 MR. LYONS: Thank you very much. That  
8 concludes the public comment on the Partially  
9 Recirculated Draft EIR.

10 So I guess that brings us to item 10,  
11 commissioner comments. Since we are in a virtual  
12 setting, I will ask my colleagues individually if they  
13 have any comments.

14 Commissioner Harner.

15 MR. HARNER: No comment.

16 MR. LYONS: Commissioner Hutchinson.

17 You're --

18 MS. HUTCHINSON: No comment.

19 MR. LYONS: Commissioner Johnson.

20 MR. JOHNSON: I just want to thank  
21 everyone who participated today. Kind of echoing  
22 Commissioner Manning's and Vice Chair Lyons', you  
23 know, sentiments, we appreciate people joining these  
24 virtual meetings. I know it's a little more difficult  
25 than, you know, being in person. Hopefully, sometime



1 soon we'll all be able to be inside the same room  
2 again. I know I look forward to that.

3 And I appreciate the staff's time and  
4 efforts that always go into these. So I appreciate  
5 all that. And I hope everyone is staying safe and  
6 healthy back home.

7 MR. LYONS: Thank you.

8 Commissioner Manning. Commissioner  
9 Manning, you're -- I'm not hearing anything. There we  
10 go.

11 MR. MANNING: Thank you.

12 And thank all the people from the  
13 public who joined our meeting and -- their public  
14 comments. If they're still listening -- that we do  
15 hear it. And some of you, I could hear -- was just in  
16 your voice --

17 MR. LYONS: Commissioner Manning,  
18 you're cutting out. Can you either speak louder or  
19 get closer to your microphone?

20 MR. MANNING: I don't know if I can get  
21 much closer. Oh, wait. How's that? Is that better?  
22 That might work.

23 MR. LYONS: Yeah, that's a lot better.

24 MR. MANNING: Yeah. I had it sitting  
25 down. Thank you for letting me know.

1           So the folks of the public, thank you  
2 for stepping in and voicing your opinions and giving  
3 your comments. I do appreciate that. I think the  
4 commission does appreciate it. I'm sure I speak for  
5 everybody. If you can hear -- if you're still  
6 listening and can hear, what you say does matter, and  
7 we do hear it. In fact, in some of you, I could hear  
8 the emotion in your voice, and I appreciate that. It  
9 does help shape our opinions.

10           I don't know if we can ask any  
11 questions as commissioners right now, but I do have a  
12 couple of questions if I can ask.

13           MR. LYONS: If it's --

14           MS. MOLLENKOPF: This is the city  
15 attorney. That is not appropriate at this time. So  
16 this is part of the CEQA process, where we are  
17 soliciting public input, basically to give to our  
18 consultants to inform the environmental document.

19           And they will take the information that  
20 they've received tonight, and they will propose  
21 revisions to the draft EIR. And that will come before  
22 you as a formal public hearing item, at which you will  
23 then be asked to take action.

24           And just for purposes of the public, I  
25 also want to encourage civic engagement because when

1 these drafts are circulated, they should feel free to  
2 pick up the phone and contact staff. We're happy to  
3 listen to their concerns and answer any questions that  
4 they may have at any time. And so staff is here.  
5 We're readily available. We're at the office five,  
6 six, sometimes seven days a week. And we're more than  
7 happy to respond to their questions and answer any  
8 concerns that they may have.

9 MR. MANNING: Thanks for that,  
10 Kristine.

11 And if I can't answer a question -- or  
12 ask any questions, I'll make some comments.

13 One, I do echo the comments around --  
14 if there is no public hearing where the public can ask  
15 questions, that's concerning to me. At the same time,  
16 if it still is in the courts, I don't know that. And  
17 if there was -- that's concerning to me.

18 These are comments I'll make since I  
19 can't ask questions. If there's a current -- there  
20 was a comment about a current service -- the service  
21 review that's going on in our city. I'm not sure how  
22 that applies to this. But I think all those things  
23 are concerning.

24 But I would sure hope that we give our  
25 citizens an opportunity to ask questions in front of

1 citizens in the city, so that they can hear it, rather  
2 than behind closed doors. And that's the comment I'll  
3 make.

4 Thank you.

5 MS. MOLLENKOPF: And, Commissioner  
6 Manning, there will be an opportunity for the public  
7 comments on these environmental documents going  
8 forward -- both at the Planning Commission level and  
9 also at the City Council level.

10 MR. MANNING: Thank you. I think what  
11 my comment was directed at was around asking  
12 questions, not necessarily just comments. So thank  
13 you.

14 MR. LYONS: Okay. Kristine, did you  
15 have any further comment? I saw your mic go off  
16 there.

17 MS. MOLLENKOPF: No. I'm fine. I  
18 think tonight's -- the purpose of tonight's commentary  
19 was so that the company that's working on our draft  
20 document can take the public input and go back and  
21 address those. And so that the next revision that you  
22 see will address the comments that were received  
23 tonight -- and the questions that were received  
24 tonight.

25 So while we're not in a position to be

1 able to answer those questions, we will take those  
2 questions back and investigate them. We're not going  
3 to answer questions impromptu. But we'll take those  
4 questions back and come back with a revised draft  
5 being responsive to those questions. And I think the  
6 next version of the document that you will see will be  
7 even better because of this public input.

8 MR. LYONS: Thank you.

9 And I would add that this isn't the  
10 only time you can make those comments. The comment  
11 period is open until 5:00 p.m., June 21. And I'm sure  
12 they'd be happy to take your comments and include them  
13 to the consulting firm.

14 I'm the only one left on commissioner  
15 comments in general. I only have one thing to say,  
16 and that was, I appreciate the opportunity to be a  
17 part of the Planning Commission Academy this year.

18 First, the irony -- I've been a  
19 planning commissioner for -- I think it's 10 or 12  
20 years now. I'd hard to remember now exactly. And  
21 this is the first opportunity I've had to attend it.  
22 And I wish I had done it a long, long time ago, and I  
23 strongly would encourage all of the other  
24 commissioners to do so.

25 Probably the biggest thing I learned is

1 the clarity of the two roles of a Planning Commission.  
2 One is the quasi-legislative role, which is related to  
3 zoning and general plan. And then the quasi -- excuse  
4 me, quasi-judicial role, which is related to things  
5 like the EIRs, the different entitlements and so  
6 forth, where our job is not to push our agency; it's  
7 merely to judge-- did they meet the requirements of  
8 the law?

9           And that was so clearly stated in that  
10 section, that it really amazed me that -- and I would  
11 love to have that recited before every commission  
12 meeting just to remind us of our role is not to push  
13 our own personal agenda; it's to judge that it meet  
14 the requirements and so forth.

15           So anyway, it was a great time. I also  
16 saw some other entertaining things. Sometimes we  
17 think things that happen around here -- we get  
18 aggravated at each other. But when you see the --  
19 what goes on in the worst of the worst, which they  
20 exaggerate it for comedic effect, it was pretty good.  
21 So anyway, that's all I have to say.

22           Is there any information items from the  
23 staff?

24           MR. PROSSER: Yes, Chair Lyons,  
25 unfortunately, there is one. I believe tonight will

1 be the last meeting of Commissioner Harner. We are  
2 very sad to see his resignation from the Planning  
3 Commission and appreciate and respect his years of  
4 service to the City of Lincoln as the treasurer in  
5 these few months -- as a planning commissioner. And  
6 we wish you the best of -- for your future relocation.

7 MR. HARNER: Thank you very much. I  
8 was hesitant to make any comment, but unfortunately,  
9 life gets in the way of our plans, and we will be  
10 moving to an assisted living community out of the  
11 State of California.

12 And so I've enjoyed being with you.  
13 I'm sorry it was such a short tenure.

14 MR. LYONS: Yeah, I'm very sorry to see  
15 you go as well, and I'm especially sorry for you  
16 having to make that choice. But it was good having  
17 you on for a couple of months.

18 MR. HARNER: Thank you.

19 MR. LYONS: All right. That brings us  
20 to item 12, adjournment, so we are adjourned.

21 MS. MOLLENKOPF: Thanks, everyone. And  
22 thank you, Gerry, for your service.

23 MR. LYONS: Thank you.

24 UNIDENTIFIED SPEAKER: Thank you.

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(Whereupon, the meeting concluded at  
7:27 p.m.)

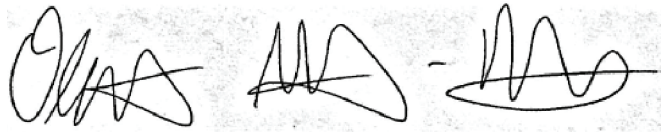


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CERTIFICATE OF NOTARY PUBLIC

I, OLIVER GOODMAN-WATERS, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Dated: June 3, 2021



OLIVER GOODMAN-WATERS

Notary Public in and for the  
State of California

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CERTIFICATE OF TRANSCRIBER

I, KATIA LAZARRE, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Dated: June 3, 2021



KATIA LAZARRE

[& - additional]

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[additions - attendance]

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[attendees - challenges]

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[department - everybody]

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[michele's - originally]

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[outcome - portions]

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[sure - two]

<p>63:12 64:11,21 67:4 68:21,24 70:11 <b>switch</b> 59:25 <b>switching</b> 29:19 <b>sworn</b> 74:5 <b>syndrome</b> 58:6</p>	<p>11:12 16:23 23:12 23:13,16 24:11 25:6,8,14 26:4 27:12,13 28:1 31:4,5 32:5,6,8 33:15,16,19,25 35:20,24,25 36:3,9 36:10 38:19,20 39:6,9,11,16 40:5 40:17,19 44:7 45:11 55:8,9,21 56:10 59:7,9 61:2 61:4 63:3,10,24,25 65:4,5,7,20 66:7 66:11,12,25 67:1 69:4,10,12 70:8 72:7,18,22,23,24 <b>thanks</b> 18:6,16 23:11 27:10,11 38:12 56:11 68:9 72:21 <b>theme</b> 20:20 <b>thing</b> 31:22 55:23 57:11 60:13 63:2 70:15,25 <b>things</b> 27:4,14,23 37:12 40:22 58:10 59:3 62:5 68:22 71:4,16,17 <b>think</b> 17:1,3 23:10 24:23 27:4 28:4 32:24 33:14,22 34:13,15,20 35:9 39:15 62:8,17,22 62:24,25 63:18 64:5 67:3 68:22 69:10,18 70:5,19 71:17 <b>thorpe</b> 3:7,8 64:1 64:3,4,13 65:2,3</p>	<p><b>thought</b> 65:1 <b>three</b> 5:15 11:4 14:11 30:1,12 35:5,17 41:13 42:17 45:1 46:12 47:3 57:5 62:1 <b>tiffany</b> 2:24 <b>time</b> 5:14 6:18 7:14 16:18 17:4 18:1 23:11 24:4 24:19 26:3 28:3 31:1 32:5,20 33:24 34:9,12 37:8,10,20 38:11 43:24 45:4 55:18 59:1 60:25 64:10 66:3 67:15 68:4 68:15 70:10,22 71:15 <b>timeline</b> 47:17 <b>tires</b> 58:9 <b>today</b> 17:1,18 41:5 65:21 <b>tomorrow</b> 33:21 <b>tonight</b> 5:9 11:15 11:18,21,25 13:18 14:4,15 15:11 38:17 39:12 55:15 59:16,21,25 60:2,9 60:24 67:20 69:23 69:24 71:25 <b>tonight's</b> 5:6 61:9 69:18,18 <b>tony</b> 2:4 <b>top</b> 18:9 19:20 <b>topper</b> 2:21 4:4 16:19,20 <b>touched</b> 17:1 <b>track</b> 34:25 <b>traditionally</b> 26:20</p>	<p><b>traffic</b> 32:20 <b>transcriber</b> 75:1 <b>transcript</b> 75:3,5 <b>transcriptionist</b> 74:8 <b>transit</b> 48:16 49:5 49:6,12 50:4,17 53:7,9,10,12,13,16 53:19,21 <b>transportation</b> 50:24 <b>trash</b> 21:16 32:2 <b>trashcan</b> 21:18 <b>traveling</b> 33:14 <b>treasurer</b> 72:4 <b>treatment</b> 29:11 29:15,20 <b>true</b> 57:2,3 74:9 75:5 <b>try</b> 8:7 <b>trying</b> 22:17 58:1 60:22 <b>turkey</b> 26:21 <b>turn</b> 17:23 44:4 45:5 <b>turned</b> 24:21 <b>turtle</b> 52:22 <b>twelve</b> 11:1,3,5,16 12:2,2,4,10,13,19 12:22,23,25 13:12 25:17,19,24 41:12 42:22 56:2 61:5 <b>two</b> 13:14 14:4,21 15:17 19:16 22:3 27:16,17 30:12 31:13 32:5,11,15 32:17 33:12 41:8 42:17 48:11 50:17 56:24 57:16,19 71:1</p>
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<p><b>t</b> 4:1,1 <b>take</b> 6:21 15:24,25 18:7 30:23 31:20 32:24 33:3 38:9 40:12 49:25 62:2 62:14 67:19,23 69:20 70:1,3,12 <b>taken</b> 23:1 31:13 32:1 64:24 74:3 74:12 75:9 <b>talk</b> 62:24 <b>tape</b> 61:12 <b>tax</b> 31:17 32:3 <b>taxpayers</b> 29:7 <b>team</b> 44:5 45:13 55:7 <b>technically</b> 43:23 <b>tell</b> 40:10 <b>telling</b> 59:3 <b>tenant</b> 16:7 <b>tentative</b> 11:2,4 14:4,5,15 16:9 27:21 41:12 42:21 <b>tenure</b> 72:13 <b>teofilo</b> 2:13 4:6 44:15 45:7,11,12 <b>terrible</b> 58:15 <b>testifying</b> 74:5 <b>testimony</b> 15:24 31:13 <b>text</b> 51:6,7,8,9,12 <b>thank</b> 6:15 7:16,17 7:18 9:15,22 11:8</p>			

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**Letter I4  
Response**      **Multiple Commenters, City of Lincoln Planning Commission  
Meeting**  
May 19, 2021

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- I4-1            The commenter expressed concern about accessing the recirculated EIR. On May 7, 2021, the City issued the joint Notice of Public Hearing and Notice of Availability (NOA) for the DPREIR, which included details regarding the date and time of the hearing, ways to access the virtual meeting, and information regarding online and in-person access to the DPREIR. The notices were posted to the City’s website and the OPR website. The DPREIR was made available on the City’s website at <http://www.lincolncalifornia.gov/city-hall/departments-divisions/community-development/planning/environmental-documents> and has been available for review on the OPR website at <https://ceqanet.opr.ca.gov/Project/2014052071>, since the beginning of the public comment period (May 7, 2021 to June 21, 2021). Print copies of the DPREIR have been available for public review at the City of Lincoln Community Development Department and at the Lincoln Public Library.
- I4-2            The comment provides an interpretation of the purposes of CEQA. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I4-3            The commenter expressed issues with the status of the Placer County Conservation Program approval. As described in the recirculated EIR Section 3.2.2, in the summer/fall of 2020, the County, City and other agencies all certified the Final EIR/FEIS and adopted the PCCP. On October 27, 2020, the City Council passed Ordinance Number 1019B, through which the PCCP incorporated the Habitat Conservation Program (HCP)/Natural Community Conservation Plan (NCCP) into a comprehensive local program. The Final EIR/EIS for the PCCP can be accessed on the Placer County website at <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>.
- The PCCP is a local program administered by Placer County (County) and other participating local agencies (City of Lincoln, South Placer Regional Transportation Authority, and Placer County Water Agency). The PCCP is composed of the HCP/NCCP, Western Placer County Aquatic Resources Program (CARP), and In-Lieu Fee Program, all of which are jointly implemented by participating local agencies, as an integrated local program. As described on page 8-1 of the PCCP, the HCP/NCCP is intended to meet state and federal permit issuance criteria under the Endangered Species Act (ESA) and the California Natural Community and Conservation Planning Act (NCCP Act), and the CARP and In-lieu Fee Program are

intended to meet permit issuance criteria under Sections 404 and 401 of the federal Clean Water Act and the standards of the California Porter-Cologne Water Quality Act, as well as local aquatic resource protection requirements and standards. The HCP/NCCP, the CARP, and the In-lieu Fee Program, are each independently viable and designed to meet relevant state and federal permit issuance criteria fully.

The wildlife agencies (U.S. Fish and Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], and California Department of Fish and Wildlife [CDFW]) are the Permitors — the agencies responsible for issuing permits under the HCP/NCCP. Placer County, the City of Lincoln, the PCWA, the SPRTA, and the Placer Conservation Authority (PCA) will be the Permittees. Implementation of the HCP/NCCP will begin when the Implementing Agreement is fully executed, the Section 10(a)(1)(B) incidental take permits and NCCP Act permit are issued, and the local implementing ordinances take effect.

Implementation of the CARP will begin concurrent with implementation of the HCP/NCCP, after the local participating agencies have adopted the CARP and related implementing ordinances or resolutions. Primary responsibility for CARP implementation will rest with the participating local agencies, with the PCA assuming primary responsibility for implementation on behalf of the other local agencies. However, like the HCP/NCCP, successful implementation of the CARP will require coordinated actions among the local participating agencies, Water Resource Agencies (U.S. Army Corps of Engineers [USACE], U.S. Environmental Protection Agency [USEPA], Regional Water Quality Control Board [RWQCB]), public land managers, and the private sector.

USACE will take the HCP/NCCP and CARP requirements into consideration in its Section 404 permitting approach for Covered Activities. Covered Activities are expected to meet Section 404 mitigation requirements by incorporating required HCP/NCCP mitigation measures. For HCP/NCCP Covered Activities that require Section 404 permits, USACE will review permit applications and make permit decisions based on a multi-tiered approach and abbreviated procedures established specifically for such Covered Activities. USACE will also be responsible for issuing and enforcing programmatic Clean Water Act Section 404 permits for HCP/NCCP Covered Activities that will have minimal effects on aquatic resources.

The Central Valley RWQCB issues Water Quality Certifications pursuant to Section 401 of the Clean Water Act and also regulates activities that impact waters of the state pursuant to the Porter-Cologne Water Quality Act, including waters not regulated by USACE. The Central Valley RWQCB will be responsible for issuing and enforcing the programmatic Section 401 certification for the programmatic general permit issued pursuant to Section 404 of the Clean Water Act.

The PCA, County of Placer, City, SPRTA, and PCWA are responsible for implementing the CARP and the In-lieu Fee Program.

At present, local participating agencies have issued their implementing ordinances, including the City adopting Ordinance No. 1019B, the “Placer County Conservation Program (PCCP) ordinance.” The wildlife permitting agencies have adopted or are in process of adopting the EIS/EIR for the PCCP and issuing relevant permits in support of the PCCP. Table 3-1 shows the status of the implementing permits for the PCCP.

**TABLE 3-1  
PCCP PERMIT STATUS**

<b>Agency</b>	<b>Permit</b>	<b>Issuance</b>
California Department of Fish and Wildlife (CDFW)	California Fish and Game Code Section 1602 Lake and Streambed Alteration	Not issued yet
California Department of Fish and Wildlife (CDFW)	NCCP Permit	April 2021
Central Valley Regional Water Quality Control Board (RWQCB)	Clean Water Act (CWA) Section 401	August 2020
U.S. Army Corps of Engineers (USACE)	Clean Water Act (CWA) Section 404 Regional General Permit	May 2021
NMFS	Endangered Species Act (ESA) Section 10(a)(1)(B) Incidental Take Permit	May 2021

As demonstrated above, the PCCP has been developed in coordination with all relevant local, state, and federal implementing agencies and is in the final stages of approval of implementing actions, the vast majority of which area already completed, and the remainder of which will be completed soon.

I4-4

The commenter expressed concern regarding salmon habitat in the Auburn Ravine. The 2017 EIR analyzed impacts to salmon and salmon habitat within the Village 5 Specific Plan Area. The DPREIR was prepared to respond to the peremptory writ of mandate issued by Placer County Superior Court in response to litigation challenging the 2017 EIR. The court in that litigation found that the EIR’s consideration of impacts to Auburn and Markham Ravines and salmonids within those ravines was adequate. There have been no changes in the Project or its circumstances that would require further analysis. The DPREIR was therefore not required to re-assess these impacts. The 2017 EIR (Table 3.4-3 on page 3.4-17) identified Auburn Ravine as having high potential for the occurrence of Central Valley steelhead and medium potential for the occurrence of Chinook salmon, assuming presence of both species in Auburn Ravine. The 2017 EIR analyzed impacts to salmon habitat in the discussion of impacts and mitigation measures, under Impact 3.4-1, 3.4-2, 3.4-8, 3.4-9, 3.4-12, and 3.4-19. As described in the description of the PCCP of the DPREIR, within Section 3.4.2, Regulatory Setting, page 3.4-51, both Central Valley steelhead and chinook salmon are covered species under the PCCP. Therefore, compliance with the PCCP or equivalent mitigation through implementation of Mitigation Measures



3.4-1, 3.4-2, and 3.4-8, was determined to be sufficient to reduce impacts to salmon habitat to less than significant.

- I4-5 The commenter expressed concern regarding loss of wetlands and vernal pools. The DPREIR analyzed the project and cumulative effects related to the loss of wetlands and vernal pools in Section 3.4, *Biological Resources*. More specifically, the loss or degradation of vernal pools is analyzed in the Impacts 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.4-9 discussions. Because vernal pools are habitat for vernal pool crustaceans, vernal pool habitat within the Plan Area is covered habitat under the PCCP. Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.4-8 would allow the project applicant(s) to achieve mitigation through implementation of the PCCP or equivalent mitigation, which was determined to be sufficient to reduce impacts to vernal pool habitat to less than significant.
- I4-6 The commenter expressed his desire to be notified of public comments that are submitted. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I4-7 The comment was critical of the City’s administrative processes related to the public comment meeting held on May 19, 2021. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I4-8 The comment was critical of the City’s administrative processes related to the public comment meeting held on May 19, 2021 and critical of the V5SP. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.
- I4-9 The commenter expressed concern regarding the City of Lincoln’s municipal services. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.

I4-10 The comment expresses a concern about taking agricultural uses away from people and an interest in remaining in agricultural areas. The Village 5 General Development Plan (GDP) addresses the concerns of the comment through the application of an Agricultural Overlay (AO) Zone, as defined in Section 3.4.13 of the GDP (pages 3-21 through 3-22). The GDP describes the AO Zone as follows:

The Agricultural Overlay Zone allows for the continuation of agricultural uses and agricultural support uses as defined herein. The AO Zone is intended to establish alternative land development requirements for the underlying zoning for properties that continue the existing agricultural and rural residential uses within the Plan Area after annexation by the City. The agricultural overlay zone is superimposed over the urban zoning assigned by the Specific Plan Land Use diagram. It is the intent of the AO Zone to allow existing, compatible agricultural uses to continue, on an interim basis or in perpetuity, with development of the Specific Plan land uses by requiring buffers on the adjacent zoned parcels. Buffer requirements for properties which pursue development in accordance with the Specific Plan and which abut agricultural activity, operation or facility are addressed in the Development Standards of each applicable zone [...]. The buffers apply to all property boundaries of the Zoned Parcel where the parcel abuts an existing agricultural activity, operation or facility within the Plan Area.

As defined in the GDP, the application of the AO Zone District will allow for individual property owners to continue existing or compatible agricultural uses in perpetuity. Thus, the implementation of V5SP, including annexation to the City of Lincoln, would not result in the taking away of agricultural uses from individual property owners. As further described in the GDP, the AO Zone also places requirements on development pursuant to the V5SP to develop a buffer between proposed development and an existing agricultural use within the Plan Area. Therefore, property owners within, and directly adjacent to the Plan Area, who wish to continue agricultural activity on their properties, would not be subject to the placement of urban development directly adjacent to their operations, as developments would be required to include buffers to agricultural uses in their development plans.

I4-11 The commenter expressed a concern about the review process for the Project. Please see Response to Comment I4-1, which provides a description of the City's actions to provide notice of the Public Comment Hearing for the DPREIR and the availability of the DPREIR for public review and comment. This comment raises neither significant environmental issues nor specific questions about the analyses or information in the DPREIR that would require response pursuant to CEQA Guidelines section 15088. The comment will be included as a part of the record and made available to the decision makers prior to a final decision on the Proposed Project.

# CHAPTER 4

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## Mitigation Monitoring Plan

### Introduction

Section 15097 of the California Environmental Quality Act (CEQA) Guidelines requires public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

The following is the updated Mitigation Monitoring Plan (MMP) for the Village 5 Specific Plan. The intent of the MMP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures identified within the Draft Partially Recirculated Environmental Impact Report (DPREIR) and the Village 5 & Special Use District b (SUD-B) Specific Plan EIR (2017 EIR) and updated in the Draft Partially Recirculated EIR (DPREIR) for this project.

### Mitigation Measures

The mitigation measures are taken from the 2017 EIR and DPREIR and are assigned the same number as in the 2017 EIR and updated in the DPREIR. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

### MMP Components

The components of the attached table, which contains applicable mitigation measures, are addressed briefly, below.

#### Impact

This column summarizes the impact stated in the 2017 EIR, or as updated and stated DPREIR.

#### Mitigation Measure

All mitigation measures that were identified in the 2017 EIR are presented, as revised in the DPREIR and updated in the Final EIR, and numbered accordingly.

## Action(s)

For every mitigation measure, one or more actions are described. The actions delineate the means by which the mitigation measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

## Component

This column identifies the relevant component of the proposed projects to which the mitigation measure applies. The mitigation measure may apply to the Full Specific Plan, Area A, or Windsor Cove. More than one project component may be identified.

## Implementing Party

This item identifies the entity that will undertake the required action.

## Timing

Implementation of the action must occur prior to or during some part of project approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

## Monitoring Party

The City of Lincoln is primarily responsible for ensuring that mitigation measures are successfully implemented. Within the City, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project. Other agencies, such as the Placer County Air Quality Management District, may also be responsible for monitoring the implementation of mitigation measures. As a result, more than one monitoring party may be identified.

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
<b>3.1 Aesthetics and Visual Quality</b>						
3.1-4: Implementation of the proposed project would introduce light and glare into the project area.	<p><b>3.1-4:</b> <i>During the design review process, the applicant shall adhere to the following measures to reduce impacts from light and glare:</i></p> <ul style="list-style-type: none"> <li>a) <i>All light standards shall be shielded and directed downward so that light shall not emit higher than a horizontal level.</i></li> <li>b) <i>Reflective surfaces of multi-story buildings facing streets, open spaces, parks, and residential neighborhoods shall be oriented to avoid generating glare that could create a nuisance or safety hazard.</i></li> <li>c) <i>For parks or other facilities anticipated to include nighttime activities, the site and placement of overhead lighting shall be designed to minimize exposure of adjacent properties to spillover light and minimize the amount of light that would be visible above the horizontal plane of the light fixture.</i></li> <li>d) <i>Normal operating hours for lighting related to nighttime recreational activities shall be until 10:00 p.m. Sunday through Thursday, and on Friday and Saturday until 11:00 p.m. to reduce the disruption to adjacent properties. Special events that would require lighting beyond normal operating hours would be subject to a permit to be issued by the City.</i></li> <li>e) <i>All light standards shall be the minimum height possible to achieve necessary lighting goals, subject to approval by the Public Services Director.</i></li> </ul>	<p>Shield and direct light downward. Orient buildings to minimize glare. Minimize light spillover for all parks and recreational facilities. Limit lighting for nighttime recreational activities to 10pm Sunday through Thursday and 11pm on Friday and Saturday, requiring specially timed events to obtain a City permit. Require light standards that achieve lighting goals and meet Public Services Director approval.</p>	Full Specific Plan/Area A	Project applicant	During design review process	City of Lincoln Community Development Department, City of Lincoln Public Services Department
3.1-8: Implementation of the proposed project would contribute to a cumulative increase in light and glare in the vicinity of the Plan Area.	<p><b>3.1-8:</b> <i>Implement Mitigation Measure 3.1-4.</i></p>	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.
<b>3.2 Agriculture and Forestry Services</b>						
3.2-1: Implementation of the proposed project would result in conversion of Important Farmland to non-agricultural use.	<p><b>3.2-1(a):</b> a) <del><i>If the PCCP has been approved and adopted, the The project applicant shall comply with the PCCP to mitigate impacts of converting Prime Farmland, Farmland of Statewide Importance, or Unique Farmland agricultural lands., most specifically rice lands. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in Mitigation Measure 3.4-1(b) and 3.4-2(b), shown below.</i></del> b) <del><i>The project applicant shall implement Mitigation Measures 3.4-1(b) and 3.4-2(b) in Section 3.4, Biological Resources, of this Draft EIR, shown below.</i></del></p> <p><b>3.4-1</b> b) <del><i>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies, the following mitigation measures shall apply:</i></del></p> <ul style="list-style-type: none"> <li>1) <del><i>The project applicant for each project phase shall retain a qualified biologist to delineate all wetlands and waters of the U.S. or other protected waters within the proposed development. The delineation(s) shall be submitted to the USACE for verification as part of the formal Section 404 wetland delineation process. If no wetlands are determined to be present, or if wetlands would be avoided, no further mitigation would be required. Prior to fill of any wetlands, or hydrologic interruption of the wetland, the applicant must obtain a Section 404 permit and obtain Section 401 certification from the Central Valley Regional Water Quality Control Board.</i></del></li> <li>2) <del><i>For each 1.0 wetted acre of vernal pools impacted, 1.35 acres of vernal pools shall be preserved. For purposes of calculating impact and mitigation requirements, seasonal depression wetlands shall be considered vernal pools. For each 1.0 acres of impact of any other wetland type, the preservation requirement may be met by preserving 1.35 acres of any wetland type without regard for in-kind mitigation. The preservation requirement for open water may be met through preservation of 1.0 acres of open water or any wetland type for each 1.0 acres of impact. The total amount of required wetland preservation under this strategy will be automatically reduced by any and all wetland preservation required by any permitting agency.</i></del></li> </ul>	<p>Comply with PCCP vis-à-vis agricultural lands. Implement Mitigation Measure 3.4-1.</p> <p>Implement Mitigation Measures 3.4-1(b) and 3.4-2(b).</p>	Full Specific Plan	Project applicant	During the permitting process	City of Lincoln Community Development Department
			Full Specific Plan	Project applicant	During the permitting process	City of Lincoln Community Development Department

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>For each 1.0 acres of vernal pool impact, 1.25 acres of compensatory wetlands shall be restored, enhanced or created including a minimum of 0.75 acres of vernal pool and no more than 0.5 acres of other wetlands. For each 1.0 acres of impact of any other wetland type, the restoration, enhancement, or creation requirement may be met by restoring, enhancing, and/or creating 1.25 acres of any wetland type without regard for in-kind mitigation. The compensatory requirement for open-water may be met through restoration, enhancement, and/or creation of 1.25 acres of open water or any wetland type for each 1.0 acres of impact. The total amount of required compensatory wetland restoration, enhancement, or creation under this measure will be automatically reduced by any and all wetland restoration, enhancement, and creation required by any permitting agency as well as any wetland preservation required by a permitting agency greater than the wetland preservation amount required by this mitigation. The compensatory requirement shall not be reduced below 1.0 by excess preservation.</i></p> <p><i>Approximately 715 acres of land within the PCCP Reserve Acquisition Area that would serve as suitable mitigation land for impacts on habitat within Area A have been identified and acquired by the applicant. All mitigation lands would be located within the Upper Coon-Upper Auburn watershed north of Auburn Ravine. Soil types at these mitigation lands would consist primarily of San Joaquin-Cometa sandy loams soils, with some occasionally flooded Xerofluvents soils, frequently flooded Xerofluvents soils, Cometa sandy loam soils, and Cometa-Fiddymont complex soils. Some of these soils have impervious soil layers and support vernal pool complexes or could be restored to vernal pool or seasonal swale habitats. If the entire mitigation area is not needed for mitigation of Area A impacts, impacts to vernal pool habitats and species within other areas could be mitigated on these lands.</i></p> <p><i>The mitigation lands are currently used as mostly grassland/pasture and fallow/idle cropland, with some areas used to grow winter wheat, hay/non-alfalfa, and other crops. The mitigation lands are largely surrounded by fallow/idle cropland, rice fields, hay/non-alfalfa fields, and active cropland used for growing clover/wildflowers, rye, corn, and other rotational crops. Management of the mitigation lands could be modified to provide greater benefit to special-status plant and wildlife species.</i></p> <p>3) <i>Wetland preservation, restoration, enhancement and creation shall be accompanied by the associated uplands and hydrology necessary to sustain long-term viability in a natural or restored environmental setting.</i></p> <p>4) <i>It is anticipated that most wetland preservation, restoration, enhancement and creation may be accomplished on land conserved to meet the land cover mitigation requirement and will be subject to the required conservation easements and management plans. If additional lands are conserved to meet the wetland mitigation requirement, the same requirements for conservation easements and management plans shall apply.</i></p> <p>5) <i>Project applicants may use credits from approved conservation or mitigation banks to meet all or a part of the wetland mitigation required by this strategy.</i></p> <p>6) <i>The density of wetlands on land conserved to meet the land cover mitigation requirement in some projects within the V5SP may provide wetland mitigation in excess of the acreage required by this strategy. Excess mitigation may be freely assigned by private agreement between projects within the City of Lincoln and Lincoln Sphere of Influence. Such assignment shall be documented and tracked by the City. Project applicants may apply excess mitigation assigned from other projects in the Plan Area to meet all or a part of the wetland mitigation required by this measure provided proof of assignment can be demonstrated to the satisfaction of the City.</i></p> <p>7) <i>The City may allow mitigation located outside of Placer County that advances the City's conservation goals and meets the biological intent of this mitigation strategy. In addition, the City may accept credits from out-of-county conservation or mitigation banks towards full or partial compliance with this strategy if the project is within the agency-approved service area for the credits.</i></p>					

**TABLE 4-1**  
**VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<b>Avoidance and Minimization Measures</b>					
	8) <i>Prior to any construction activities that could impact protected waters, a protective fence shall be erected around the boundaries of avoided wetlands, including a protective buffer as dictated in the 401, 404, or 1600 permits as described in section 9) below. This fence shall remain in place until all construction activity in the immediate area is completed. No activity shall be permitted within the protected areas except for those expressly permitted by the USACE and/or CDFW.</i>					
	9) <i>A construction buffer shall be provided along all avoided wetlands in accordance with the Section 404 permit, and Section 401 Water Quality Certification. Only those uses allowed in the Section 404 permit and Section 401 Water Quality Certification and/or the Streambed Alteration Agreements shall be permitted in the wetlands preserve and its buffer.</i>					
	10) <i>Water quality in the avoided wetlands shall be protected during construction in the watershed by using erosion control techniques including (as appropriate), but not necessarily limited to, preservation of existing vegetation, mulches (e.g., hydraulic, straw, wood), and geotextiles and mats. Additionally, urban runoff shall be managed to protect water quality in the wetlands preserve using techniques such as velocity dissipation devices, sediment basins and pollution collection devices.</i>					
	<b>3.4-2</b>					
	b) <i>If the PCCP <u>is not in operation or has not been adopted</u> by the County and City <u>processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies</u>, the following mitigation measures shall apply:</i>					
	1) <i>The project applicant shall obtain a Biological Opinion and any applicable incidental take authorization from USFWS and comply with the conditions and requirements therein.</i>					
	2) <i>The project applicant shall prepare and submit to the City, a Project-Level Open Space, Agricultural Land and Biological Resources Mitigation Plan that implements the open space, agricultural land and biological resources strategy and includes the following elements:</i>					
	i. <i>Identification and quantification of land cover and wetland removal and applicable mitigation requirements set forth below in subsection (5).</i>					
	ii. <i>Identification and quantification of proposed mitigation lands and/or resources with sufficient detail to allow for City evaluation, including plans for restoration, enhancement and/or creation of wetlands.</i>					
	iii. <i>Identification of any conservation or mitigation bank credits or assignment of excess mitigation from other projects in the V5SP.</i>					
	iv. <i>Draft conservation easements and draft management and monitoring plans, if applicable.</i>					
	v. <i>An endowment for long-term management of the proposed mitigation lands.</i>					
	3) <i>Any Project-Level Open Space, Agricultural Land and Biological Resource Mitigation Plan must be approved by the City, in its sole discretion, at the time of the approval of any improvement plans for subdivision improvements or off-site infrastructure, recordation of a final map (not including a large lot final map that results in no disturbance of any existing natural condition), or issuance of any project-level discretionary approval for non-residential land uses that does not require a tentative subdivision map. A Project-Level Open Space, Agricultural Land and Biological Resource Mitigation Plan may cover a development project or group of projects and must include any required off-site infrastructure unless covered by a separate project-level mitigation plan for that infrastructure improvement. The City may require the applicant to provide a conceptual plan for the Project-Level Open Space, Agricultural Land and Biological Resources Mitigation Plan that includes a calculation of acres of impact and acres of required mitigation prior to approval of a General Development Program or tentative map. A tentative map may have more than one Project-Level Open Space, Agricultural Land and Biological Resource Mitigation Plan if the development authorized by the map is owned by separate owners.</i>					

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>4) <i>Each project (including off-site infrastructure) must demonstrate compliance with an approved Open Space, Agricultural Land and Biological Resources Mitigation Plan prior to approval of a grading permit that results in land cover or wetland impact. Such compliance may be phased with the actual development of the project. Demonstration of compliance shall include:</i></p> <ul style="list-style-type: none"> <li><i>i. Demonstrate recordation of required easements for land conservation.</i></li> <li><i>ii. Demonstrate ownership of applicable credits and/or assignment of any applicable excess mitigation from other projects in the V5SP.</i></li> <li><i>iii. Demonstrate implementation of an endowment for the management of all mitigation lands.</i></li> <li><i>iv. Demonstrate approval of construction and monitoring plans for any required restoration, enhancement, or creation of wetlands. Provide proof of executed contracts and initiation of construction.</i></li> <li><i>v. Documentation and approval of any mitigation credits eligible for future use or assignment.</i></li> </ul> <p>5) <i>An Open Space, Agricultural Land and Biological Resources Mitigation Plan shall require that for every 1.0 acres of land cover impacted, 1.35 acres of land will be conserved in perpetuity. The impact area shall be calculated to the nearest one-tenth (0.10) acre. The total amount of required acreage will be automatically reduced by any and all off-site conservation or mitigation land required by any permitting agency, specifically including upland areas required in association with wetland mitigation, whether acquired through mitigation bank credits or other means. The mitigation land to be conserved may be located in the Reserve Acquisition Areas, or elsewhere as determined by the City and regulatory agencies. No additional land mitigation will be required beyond the 1.35 to 1.0 requirement for the removal of land cover.</i></p> <p>6) <i>To determine the acreage of land cover impact, all land within the V5SP shall be considered to be "land cover," except for land that is already developed with infrastructure, such as roadways, and homes and related development such as accessory structures, driveways, improved roadways, and landscaped areas. Any land cover that will be maintained in or restored to a natural or semi-natural condition as required by the City and/or any state or federal permitting agency shall not be included in the land cover impacted acreage. Any wetland area required to be avoided, restored, and/or enhanced on site by the City and/or any permitting agency shall be automatically excluded from the removal calculation.</i></p> <p>7) <i>Land conserved under this measure shall, to the extent feasible, as determined by the City, be located within the Reserve Acquisition Area, but may be included in other areas deemed adequate by the regulatory agencies. Impacts to annual grassland, vernal pool grassland, and pasture lands cover shall be mitigated on existing or restorable grassland. All other land cover impacts may be mitigated on any natural or semi-natural land within the Reserve Acquisition Areas, specifically including agricultural land. Vernal pool grassland will be mitigated by any grassland without regard to wetted area density.</i></p> <p>8) <i>Conservation sites shall be subject to recorded conservation easements and management plans with an identified funding source for long-term management of conserved lands. The conservation easements and management plans are subject to approval by the City and shall provide for the long-term maintenance of biological functions and values while, whenever feasible, also providing for compatible agricultural use. The City shall accept as satisfactory mitigation any conservation easement and/or management plan required and approved by the terms and conditions of any permit issued by a state or federal resource agency.</i></p> <p>9) <i>Project applicants may use credits from approved conservation or mitigation banks to meet all or a part of the conservation required by this strategy. Specifically, the uplands associated with any bank wetland preservation, restoration, enhancement or creation may be applied towards the land cover mitigation requirement provided that the uplands are subject to an appropriate conservation easement and the applicant can demonstrate that the approved mitigation credits include both wetland and upland land cover to the satisfaction of the City. Mitigation and conservation banks must be approved by the USFWS, USACE, or the CDFW. Credits can count toward mitigation obligations if the banks are consistent with the requirements of state and federal natural resources agencies, as accepted by the City.</i></p>					



**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>10) It is anticipated that, depending on the availability and relative parcel size of potential conservation sites, some projects within the V5SP may provide land cover mitigation in excess of the acreage required by this strategy. Excess mitigation may be freely assigned by private agreement between projects within the City of Lincoln and the Lincoln Sphere of Influence. Such assignment will be documented and tracked by the City. Project applicants may apply excess mitigation assigned from other projects in the V5SP to meet all or a part of the land cover mitigation required by this measure provided proof of assignment can be provided to the satisfaction of the City.</p> <p>11) Because of their particular regulatory status and their biological importance, wetlands shall be accounted for separately through mitigation ratios requiring preservation and or restoration of a set amount of wetted area calculated as a proportion of wetland impact as set forth in Mitigation Measure 3.4-1. These wetted acres, along with any upland area that is conserved in association with the wetted acres, will be fully credited towards the required land cover mitigation. It is intended that all of the wetland mitigation shall be counted towards land cover mitigation requirements. Likewise, all wetted acres contained within land cover mitigation shall be counted towards wetland mitigation.</p> <p><b>3.2-1(b):</b> Concurrent with development of Area A, the project applicant shall preserve mitigation lands at ratios identified in Mitigation Measures 3.4-1(b) and 3.4-2. The preserved land should be of similar agricultural productivity, soil classifications, and farmland type (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) as the land proposed for development in Area A. Conservation Easements for agricultural and biological resources may be stacked, meaning that areas preserved to mitigate for biological resources can <u>may</u> also serve as mitigation for agricultural impacts.</p>	Preserve mitigation lands at ratios identified in Mitigation Measures 3.4-1(b) and 3.4-2	Area A	Project applicant	During development of Area A	City of Lincoln Community Development Department
<b>3.3 Air Quality</b>						
3.3-2: Construction of land uses under the proposed project would generate criteria pollutant emissions that could substantially contribute to a potential violation of applicable air quality standards or to nonattainment conditions.	<p><b>3.3-2a:</b> The applicant(s) shall implement the following mitigation measures for each phase of development in the time frames provided:</p> <p>a) Prior to approval of grading or improvement plans, (whichever occurs first), on project sites greater than one acre, the applicant shall submit a Construction Emission/Dust Control Plan to the Placer County Air Pollution Control District. The applicant shall provide written evidence to the City of Lincoln that the plan has been submitted to the District. It is the responsibility of the applicant to deliver the approved plan to the local jurisdiction. The applicant shall not break ground prior to receiving District approval of the Construction Emission/Dust Control Plan and delivering that approval to the City of Lincoln. The Construction Emission/Dust Control Plan shall include, but not be limited, to the following measures:</p> <p>i. In order to control dust, an operational watering truck shall be on site during construction hours. In addition, dry chemical sweeping is prohibited. Watering at the construction site shall be carried out in the compliance with operating APCD rules and City of Lincoln requirements.</p> <p>ii. Fugitive dust shall not exceed 40% opacity and not go beyond the project boundary at any time as required by District Rule 228 Fugitive Dust (Section 300). If lime or other drying agents are used to dry out wet grading areas, they shall be controlled so as to not exceed District Rule 228 Fugitive Dust limitations. The prime contractor shall be responsible for having an individual, certified by CARB to perform Visible Emissions Evaluations (VEE), who shall routinely evaluate compliance to Rule 228, Fugitive Dust on a weekly basis.</p> <p>iii. The track-out of bulk material onto public paved roadways as a result of operations, or erosion, shall be minimized by the use of track-out and erosion control, minimization, and preventative measures. Specifically, the prime contractor shall apply water or use other methods to control dust track out so construction vehicles leaving the site shall reduce dust, silt, mud, and dirt from being released or tracked off-site. Also, the prime contractor "wet broom" the streets (or use another method to control dust as approved by the City) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares within one hour from adjacent streets anytime such material track-out extends for a cumulative distance of greater than 50 feet onto any paved public road during active operations.</p>	Submit a Construction Emission/Dust Control Plan.	V5SP and Area A	Project applicant	Prior to approval of grading or improvement plans	City of Lincoln Community Development Department, Placer County Air Pollution Control District

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>iv. Traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.</p> <p>v. To control dust once grading is complete, the prime contractor shall apply methods such as surface stabilization, establishment of the vegetative cover, paving, or other methods approved by the City.</p> <p>vi. The prime contractor shall suspend all grading activities when wind speeds (including instantaneous gusts) are high (typically winds greater than 25 miles per hour), and dust is traveling offsite.</p> <p>vii. Stockpiles of dirt shall be covered when not being used or otherwise controlled to prevent erosion and/or dust.</p>					
	<p>b) The prime contractor shall submit to the District a comprehensive inventory (i.e., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the District prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.</p> <p>Prior to approval of grading or improvement plans, (whichever occurs first), the applicant(s) shall provide a written calculation to the District for approval demonstrating that the heavy-duty (&gt; 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will meet Tier 4 emission standards or the equivalent Tier standards established by the State in place at the time of construction. If Tier 4 equipment is unavailable for any equipment type, the prime contractor shall notify the PCAPCD that Tier 3 off-road equipment will be utilized.</p>	Provide comprehensive construction equipment inventory and anticipated construction timeline.	V5SP and Area A	Prime Contractor	Prior to construction	City of Lincoln Community Development Department, Placer County Air Pollution Control District
	<p>c) During construction, the contractor shall utilize existing power sources (e.g., electricity) or clean fuel (e.g., propane, gasoline, biodiesel, and/or natural gas) generators rather than temporary diesel power generators, to the degree feasible.</p>	Use existing or cleaner fuels and power sources, where possible.	V5SP and Area A	Prime Contractor	During construction	City of Lincoln Community Development Department, Placer County Air Pollution Control District
	<p>d) During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel-powered equipment.</p>	Minimize engine idling time to a five-minute maximum.	V5SP and Area A	Prime Contractor	During construction	City of Lincoln Community Development Department, Placer County Air Pollution Control District
	<p>e) Signs shall be posted in the designated queuing areas of the construction site to limit idling to a maximum of 5 minutes.</p>	Provide signage indicating five-minute maximum time for engine idling.	V5SP and Area A	Prime Contractor	During construction	City of Lincoln Community Development Department, Placer County Air Pollution Control District
	<p>f) No open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetation material shall either be chipped on site or taken to an appropriate recycling site, or if a recycling site is not available, a licensed disposal site.</p>	Remove vegetation through chipping or at an appropriate recycling or disposal site.	V5SP and Area A	Prime Contractor	During construction	City of Lincoln Community Development Department, Placer County Air Pollution Control District
	<p>g) A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions of Rule 217.</p>	Avoid discharging VOCs into the atmosphere.	V5SP and Area A	Prime Contractor	During construction	City of Lincoln Community Development Department, Placer County Air Pollution Control District
	<p>h) Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.</p>	Maintain proper working condition for all construction equipment.	V5SP and Area A	Prime Contractor	During construction	City of Lincoln Community Development Department, Placer County Air Pollution Control District

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.3-3: Operational activities associated with development under the proposed project would result in emissions of criteria air pollutants at levels that would substantially contribute to a potential violation of applicable air quality standards or to nonattainment conditions.	<p><b>3.3-3:</b> <i>To reduce operational emissions of ROG, NOx, PM10, and PM2.5, the following PCAPCD Standard Operational Air Quality Mitigation Measures shall be implemented as part of the project's final design:</i></p> <p>a) <i>Diesel trucks shall be prohibited from idling more than five minutes. Prior to the issuance of a Building Permit, the applicant shall show on the submitted building elevations that all truck loading and unloading docks shall be equipped with one 110/208 volt power outlet for every two dock doors. Diesel Trucks idling for more than the allotted time shall be required to connect to the 110/208 volt power to run any auxiliary equipment. A minimum 2'x3' signage which indicates "Diesel engine idling limited to a maximum of five minutes" shall be included with the submittal of building plans.</i></p> <p>b) <i>Prior to Design Review approval, the Site Plan shall show that the applicant has provided the number of preferential parking spaces for employees that carpool/vanpool/rideshare as required by the District. Such stalls shall be clearly demarcated with signage as approved by the Design Review Board.</i></p> <p>c) <i>Prior to Design Review approval, the applicant shall show that on-site bicycle racks will be provided as required by the District.</i></p>	Implement PCAPCD Standard Operational Air Quality Mitigation Measures.	V5SP and Area A	Prime Contractor	Prior to Building Permit issuance	City of Lincoln Community Development Department, Placer County Air Pollution Control District
		Provide preferential parking for employees that carpool/vanpool/rideshare.	V5SP and Area A	Project applicant	Prior to Design Review approval	City of Lincoln Community Development Department, Placer County Air Pollution Control District
		Demonstrate provision of on-site bicycle racks.	V5SP and Area A	Project applicant	Prior to Design Review approval	City of Lincoln Community Development Department, Placer County Air Pollution Control District
3.3-5: Development under the proposed project would locate sensitive residential receptors in close proximity to SR 65, which would result in the exposure of persons to substantial toxic air contaminant concentrations.	<p><b>3.3-5:</b></p> <p>a) <i>The Specific Plan design guidelines and development standards shall incorporate the following measures to reduce or avoid exposure of sensitive receptors to TACs:</i></p> <p>i. <i>New sensitive land uses shall not be permitted within 300 feet of a large gasoline station (defined as a facility with a throughput of 3.6 million gallons per year or greater). Require a 50-foot separation between gasoline stations with a throughput less than 3.6 million gallons per year.</i></p> <p>ii. <i>Only non-perchloroethylene dry-cleaning facilities shall be permitted within the Plan Area.</i></p> <p>b) <i>Residential units shall not be constructed at distances less than 100 feet of the edge of the SR 65 right-of-way.</i></p>	Reduce TAC exposure by placing new sensitive lands uses no closer than 300 feet of a large gasoline station and only permit non-perchloroethylene dry-cleaning facilities.	Full Specific Plan and Area A	Project applicant	Prior to Design Guidelines approval	City of Lincoln Community Development Department
		Construct residential units at least 100 feet from the edge of the SR 65 ROW.	Full Specific Plan and Area A	Project applicant	Prior to Design Guidelines approval	City of Lincoln Community Development Department
3.3-7: The proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).	<p><b>3.3-7:</b> <i>The applicant(s) shall implement Mitigation Measure 3.3-3 to reduce operational ROG, NOx and PM10 emissions.</i></p>	See Mitigation Measure 3.3-3.	See Mitigation Measure 3.3-3.	See Mitigation Measure 3.3-3.	See Mitigation Measure 3.3-3.	See Mitigation Measure 3.3-3.
<b>3.4 Biological Resources</b>						
3.4-1: Implementation of the proposed project could have a substantial adverse effect on federally protected wetlands defined by Section 404 of the Clean Water Act through direct removal, placement of fill, hydrological interruption, or by other means and would result in fill of jurisdictional wetlands or other protected waters.	<p><b>3.4-1:</b></p> <p>a) <del><i>If the PCCP has been adopted by the County, the City, and approved by the agencies, the</i></del> <i>The project applicant shall comply with the PCCP and that participation shall satisfy all mitigation requirements for this impact. <u>Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.</u></i></p> <p>b) <del><i>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies, the following mitigation measures shall apply:</i></del></p> <p>1) <i>The project applicant for each project phase shall retain a qualified biologist to delineate all wetlands and waters of the U.S. or other protected waters within the proposed development. The delineation(s) shall be submitted to the USACE for verification as part of the formal Section 404 wetland delineation process. If no wetlands are determined to be present, or if wetlands would be avoided, no further mitigation would be required. Prior to fill of any wetlands, or hydrologic interruption of the wetland, the applicant must obtain a Section 404 permit and</i></p>	Use PCCP to satisfy all biological mitigation measures under CEQA.	Full Specific Plan, Area A, and Windsor Cove	Project applicant	Following PCCP adoption and approval	City of Lincoln Community Development Department
		Provide mitigation at specified ratios.	Full Specific Plan, Area A, and Windsor Cove	Project applicant	During construction of each project phase.	City of Lincoln Community Development Department, United States Army Corps of Engineers

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>obtain Section 401 certification from the Central Valley Regional Water Quality Control Board.</i></p> <p><i>2) For each 1.0 wetted acre of vernal pools impacted, 1.35 acres of vernal pools shall be preserved. For purposes of calculating impact and mitigation requirements, seasonal depressional wetlands shall be considered vernal pools. For each 1.0 acres of impact of any other wetland type, the preservation requirement may be met by preserving 1.35 acres of any wetland type without regard for in-kind mitigation. The preservation requirement for open water may be met through preservation of 1.0 acres of open water or any wetland type for each 1.0 acres of impact. The total amount of required wetland preservation under this strategy will be automatically reduced by any and all wetland preservation required by any permitting agency.</i></p> <p><i>For each 1.0 acres of vernal pool impact, 1.25 acres of compensatory wetlands shall be restored, enhanced or created including a minimum of 0.75 acres of vernal pool and no more than 0.5 acres of other wetlands. For each 1.0 acres of impact of any other wetland type, the restoration, enhancement, or creation requirement may be met by restoring, enhancing, and/or creating 1.25 acres of any wetland type without regard for in-kind mitigation. The compensatory requirement for open-water may be met through restoration, enhancement, and/or creation of 1.25 acres of open water or any wetland type for each 1.0 acres of impact. The total amount of required compensatory wetland restoration, enhancement, or creation under this measure will be automatically reduced by any and all wetland restoration, enhancement, and creation required by any permitting agency as well as any wetland preservation required by a permitting agency greater than the wetland preservation amount required by this mitigation. The compensatory requirement shall not be reduced below 1.0 by excess preservation.</i></p> <p><i>Approximately 715 acres of land within the PCCP Reserve Acquisition Area that would serve as suitable mitigation land for impacts on habitat within Area A have been identified and acquired by the applicant. All mitigation lands would be located within the Upper Coon-Upper Auburn watershed north of Auburn Ravine. Soil types at these mitigation lands would consist primarily of San Joaquin-Cometa sandy loams soils, with some occasionally flooded Xerofluvents soils, frequently flooded Xerofluvents soils, Cometa sandy loam soils, and Cometa-Fiddymet complex soils. Some of these soils have impervious soil layers and support vernal pool complexes or could be restored to vernal pool or seasonal swale habitats. If the entire mitigation area is not needed for mitigation of Area A impacts, impacts to vernal pool habitats and species within other areas could be mitigated on these lands.</i></p> <p><i>The mitigation lands are currently used as mostly grassland/pasture and fallow/idle cropland, with some areas used to grow winter wheat, hay/non-alfalfa, and other crops. The mitigation lands are largely surrounded by fallow/idle cropland, rice fields, hay/non-alfalfa fields, and active cropland used for growing clover/wildflowers, rye, corn, and other rotational crops. Management of the mitigation lands could be modified to provide greater benefit to special-status plant and wildlife species.</i></p> <p><i>3) Wetland preservation, restoration, enhancement and creation shall be accompanied by the associated uplands and hydrology necessary to sustain long-term viability in a natural or restored environmental setting.</i></p> <p><i>4) It is anticipated that most wetland preservation, restoration, enhancement and creation may be accomplished on land conserved to meet the land cover mitigation requirement and will be subject to the required conservation easements and management plans. If additional lands are conserved to meet the wetland mitigation requirement, the same requirements for conservation easements and management plans shall apply.</i></p> <p><i>5) Project applicants may use credits from approved conservation or mitigation banks to meet all or a part of the wetland mitigation required by this strategy.</i></p> <p><i>6) The density of wetlands on land conserved to meet the land cover mitigation requirement in some projects within the V5SP may provide wetland mitigation in excess of the acreage required by this strategy. Excess mitigation may be freely assigned by private agreement between projects within the City of Lincoln and Lincoln Sphere of Influence. Such assignment shall be documented and tracked by the City. Project applicants may apply excess mitigation assigned from other</i></p>					

**TABLE 4-1  
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>projects in the Plan Area to meet all or a part of the wetland mitigation required by this measure provided proof of assignment can be demonstrated to the satisfaction of the City.</p> <p>7) The City may allow mitigation located outside of Placer County that advances the City's conservation goals and meets the biological intent of this mitigation strategy. In addition, the City may accept credits from out-of-county conservation or mitigation banks towards full or partial compliance with this strategy if the project is within the agency-approved service area for the credits.</p> <p><b>Avoidance and Minimization Measures</b></p> <p>8) Prior to any construction activities that could impact protected waters, a protective fence shall be erected around the boundaries of avoided wetlands, including a protective buffer as dictated in the 401, 404, or 1600 permits as described in section 9) below. This fence shall remain in place until all construction activity in the immediate area is completed. No activity shall be permitted within the protected areas except for those expressly permitted by the USACE and/or CDFW.</p> <p>9) A construction buffer shall be provided along all avoided wetlands in accordance with the Section 404 permit, and Section 401 Water Quality Certification. Only those uses allowed in the Section 404 permit and Section 401 Water Quality Certification and/or the Streambed Alteration Agreements shall be permitted in the wetlands preserve and its buffer.</p> <p>10) Water quality in the avoided wetlands shall be protected during construction in the watershed by using erosion control techniques including (as appropriate), but not necessarily limited to, preservation of existing vegetation, mulches (e.g., hydraulic, straw, wood), and geotextiles and mats. Additionally, urban runoff shall be managed to protect water quality in the wetlands preserve using techniques such as velocity dissipation devices, sediment basins and pollution collection devices.</p>					
3.4-2: Implementation of the proposed project could result in adverse impacts to special-status species, either directly or through habitat modifications.	<p><b>3.4-2:</b></p> <p>a) <del>If the PCCP has been adopted by the County, the City, and approved by the agencies, the</del> The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. <u>Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.</u></p> <p><u>For species that are not directly covered by the PCCP, the project applicant shall implement the following avoidance and minimization measures:</u></p> <p>1) <u>The project applicant shall implement Mitigation Measure 3.4-6.</u></p> <p>2) <u>For the protection of American badger, the project applicant, for each project phase, shall retain a qualified biologist to conduct a preconstruction American badger den survey within the project site. The results of the survey shall be provided to the City of Lincoln. If dens or burrows determined to be potential American badger dens are found within the project site or off-site improvement areas during the preconstruction surveys, consultation with the California Department of Fish and Wildlife (CDFW) shall occur prior to the initiation of any construction activities to determine an appropriate burrow excavation and/or relocation method. If American badger burrows are not found, further measures are not necessary. All survey results shall be submitted to the City of Lincoln prior to the initiation of any construction activities.</u></p> <p>b) <del>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies, the following mitigation measures shall apply:</del></p> <p>1) <u>The project applicant shall obtain a Biological Opinion and any applicable incidental take authorization from USFWS and comply with the conditions and requirements therein.</u></p> <p>2) <u>The project applicant shall prepare and submit to the City, a Project-Level Open Space, Agricultural Land and Biological Resources Mitigation Plan that implements the open space, agricultural land and biological resources strategy and includes the following elements:</u></p>	<p>Implement PCCP measures related to habitat preservation.</p> <p><u>Implement avoidance and minimization measures for impacts to special status species that are not covered by the PCCP.</u></p>	Full Specific Plan	Project applicant	Prior to construction	City of Lincoln Community Development Department, United States Fish and Wildlife Service
		Implement habitat preservation at identified ratios.	Full Specific Plan	Project applicant	Prior to construction	City of Lincoln Community Development Department, United States Fish and Wildlife Service

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> <li>i. Identification and quantification of land cover and wetland removal and applicable mitigation requirements set forth below in subsection (5).</li> <li>ii. Identification and quantification of proposed mitigation lands and/or resources with sufficient detail to allow for City evaluation, including plans for restoration, enhancement and/or creation of wetlands.</li> <li>iii. Identification of any conservation or mitigation bank credits or assignment of excess mitigation from other projects in the V5SP.</li> <li>iv. Draft conservation easements and draft management and monitoring plans, if applicable.</li> <li>v. An endowment for long-term management of the proposed mitigation lands.</li> </ul> <p>3) Any Project-Level Open Space, Agricultural Land and Biological Resource Mitigation Plan must be approved by the City, in its sole discretion, at the time of the approval of any improvement plans for subdivision improvements or off-site infrastructure, recordation of a final map (not including a large lot final map that results in no disturbance of any existing natural condition), or issuance of any project-level discretionary approval for non-residential land uses that does not require a tentative subdivision map. A Project-Level Open Space, Agricultural Land and Biological Resource Mitigation Plan may cover a development project or group of projects and must include any required off-site infrastructure unless covered by a separate project-level mitigation plan for that infrastructure improvement. The City may require the applicant to provide a conceptual plan for the Project-Level Open Space, Agricultural Land and Biological Resources Mitigation Plan that includes a calculation of acres of impact and acres of required mitigation prior to approval of a General Development Program or tentative map. A tentative map may have more than one Project-Level Open Space, Agricultural Land and Biological Resource Mitigation Plan if the development authorized by the map is owned by separate owners.</p> <p>4) Each project (including off-site infrastructure) must demonstrate compliance with an approved Open Space, Agricultural Land and Biological Resources Mitigation Plan prior to approval of a grading permit that results in land cover or wetland impact. Such compliance may be phased with the actual development of the project. Demonstration of compliance shall include:</p> <ul style="list-style-type: none"> <li>i. Demonstrate recordation of required easements for land conservation.</li> <li>ii. Demonstrate ownership of applicable credits and/or assignment of any applicable excess mitigation from other projects in the V5SP.</li> <li>iii. Demonstrate implementation of an endowment for the management of all mitigation lands.</li> <li>iv. Demonstrate approval of construction and monitoring plans for any required restoration, enhancement, or creation of wetlands. Provide proof of executed contracts and initiation of construction.</li> <li>v. Documentation and approval of any mitigation credits eligible for future use or assignment.</li> </ul> <p>5) An Open Space, Agricultural Land and Biological Resources Mitigation Plan shall require that for every 1.0 acres of land cover impacted, 1.35 acres of land will be conserved in perpetuity. The impact area shall be calculated to the nearest one-tenth (0.10) acre. The total amount of required acreage will be automatically reduced by any and all off-site conservation or mitigation land required by any permitting agency, specifically including upland areas required in association with wetland mitigation, whether acquired through mitigation bank credits or other means. The mitigation land to be conserved may be located in the Reserve Acquisition Areas, or elsewhere as determined by the City and regulatory agencies. No additional land mitigation will be required beyond the 1.35 to 1.0 requirement for the removal of land cover.</p> <p>6) To determine the acreage of land cover impact, all land within the V5SP shall be considered to be "land cover," except for land that is already developed with infrastructure, such as roadways, and homes and related development such as accessory structures, driveways, improved roadways, and landscaped areas. Any land cover that will be maintained in or restored to a natural or semi-natural condition as required by the City and/or any state or federal permitting agency shall not be included in the land cover impacted acreage. Any wetland area required to be avoided, restored, and/or enhanced on site by the City and/or any permitting agency shall be automatically excluded from the removal calculation.</p>					

**TABLE 4-1  
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>7) Land conserved under this measure shall, to the extent feasible, as determined by the City, be located within the Reserve Acquisition Area, but may be included in other areas deemed adequate by the regulatory agencies. Impacts to annual grassland, vernal pool grassland, and pasture lands cover shall be mitigated on existing or restorable grassland. All other land cover impacts may be mitigated on any natural or semi-natural land within the Reserve Acquisition Areas, specifically including agricultural land. Vernal pool grassland will be mitigated by any grassland without regard to wetted area density.</p> <p>8) Conservation sites shall be subject to recorded conservation easements and management plans with an identified funding source for long-term management of conserved lands. The conservation easements and management plans are subject to approval by the City and shall provide for the long-term maintenance of biological functions and values while, whenever feasible, also providing for compatible agricultural use. The City shall accept as satisfactory mitigation any conservation easement and/or management plan required and approved by the terms and conditions of any permit issued by a state or federal resource agency.</p> <p>9) Project applicants may use credits from approved conservation or mitigation banks to meet all or a part of the conservation required by this strategy. Specifically, the uplands associated with any bank wetland preservation, restoration, enhancement or creation may be applied towards the land cover mitigation requirement provided that the uplands are subject to an appropriate conservation easement and the applicant can demonstrate that the approved mitigation credits include both wetland and upland land cover to the satisfaction of the City. Mitigation and conservation banks must be approved by the USFWS, USACE, or the CDFW. Credits can count toward mitigation obligations if the banks are consistent with the requirements of state and federal natural resources agencies, as accepted by the City.</p> <p>10) It is anticipated that, depending on the availability and relative parcel size of potential conservation sites, some projects within the V5SP may provide land cover mitigation in excess of the acreage required by this strategy. Excess mitigation may be freely assigned by private agreement between projects within the City of Lincoln and the Lincoln Sphere of Influence. Such assignment will be documented and tracked by the City. Project applicants may apply excess mitigation assigned from other projects in the V5SP to meet all or a part of the land cover mitigation required by this measure provided proof of assignment can be provided to the satisfaction of the City.</p> <p>11) Because of their particular regulatory status and their biological importance, wetlands shall be accounted for separately through mitigation ratios requiring preservation and or restoration of a set amount of wetted area calculated as a proportion of wetland impact as set forth in Mitigation Measure 3.4-1. These wetted acres, along with any upland area that is conserved in association with the wetted acres, will be fully credited towards the required land cover mitigation. It is intended that all of the wetland mitigation shall be counted towards land cover mitigation requirements. Likewise, all wetted acres contained within land cover mitigation shall be counted towards wetland mitigation.3.2-1(b) (Area A)</p>					
3.4-3: Implementation of the proposed project could result in the loss and/or degradation of vernal pool habitat, and the loss of special-status vernal pool crustaceans or amphibians.	<p><b>3.4-3:</b></p> <p>a) <del>If the PCCP has been adopted by the County, the City, and approved the agencies, the</del> <u>The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.</u></p> <p>b) <del>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies, the following mitigation measures shall apply:</del></p> <p>1) <del>The project applicant shall implement Mitigation Measure 3.4-1, subsection b) and Mitigation Measure 3.4-2.</del></p>	<p>Use PCCP to satisfy all biological mitigation measures under CEQA.</p> <p>See Mitigation Measures 3.4-1 and 3.4-2.</p>	<p>Full Specific Plan, Area A, and Windsor Cove</p> <p>See Mitigation Measures 3.4-1 and 3.4-2.</p>	<p>Project applicant</p> <p>See Mitigation Measures 3.4-1 and 3.4-2.</p>	<p>Following PCCP adoption and approval</p> <p>See Mitigation Measures 3.4-1 and 3.4-2.</p>	<p>City of Lincoln Community Development Department</p> <p>See Mitigation Measures 3.4-1 and 3.4-2.</p>

**TABLE 4-1  
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<b>Avoidance and Minimization Measures</b>					
	c) <i>Orange exclusionary fencing shall be placed, and a buffer area of 250 feet (or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS) maintained, around any avoided (preserved) vernal pool crustacean or western spadefoot toad habitat during construction to prevent impacts from construction vehicles and equipment. This fencing shall be inspected by a qualified biologist throughout the construction period to ensure that it is in good functional condition.</i>	Provide fenced buffer area of 250 feet.	Full Specific Plan, Area A, and Windsor Cove	Project applicant	Prior to construction	City of Lincoln Community Development Department
	d) <i>Prior to beginning work on a project site, all on-site construction personnel shall receive instruction regarding the presence of listed species and the importance of avoiding impacts to these species and their habitat.</i>	Instruct construction personnel about listed species and avoiding impacts.	Full Specific Plan, Area A, and Windsor Cove	Project applicant	Prior to construction	City of Lincoln Community Development Department
3.4-4: Implementation of the proposed project could result in the loss and/or degradation of rare plant populations.	<b>3.4-4:</b> a) <i>For Areas B through J, the project applicant(s) for each phase shall retain a qualified biologist to conduct focused botanical surveys in vernal pool complexes, fresh emergent marsh, seasonal wetlands and nonnative annual grassland habitats within the Plan Area for special-status plant species including, but not limited to, pincushion navaretia, dwarf downingia, slender Orcutt grass, Sanford's arrowhead, and big-scale balsamroot during the appropriate time of year to detect each of these species. In order to determine the appropriate survey window, the qualified biologist shall visit reference populations when such populations are available and accessible. If no special-status plants are located during the surveys, no mitigation would be required.</i>	Conduct botanical surveys to determine presence of special status plant species.	Areas B through J	Project applicant	Prior to construction	City of Lincoln Community Development Department, California Department of Fish and Wildlife
	b) <i>If special-status plant species are located during surveys in areas proposed for ground disturbance, the project applicant for each project shall mitigate for impacts to vernal pool wetlands and complexes as described in Mitigation Measure 3.4-3, for impacts to grasslands as described in Mitigation Measure 3.4-2, and for wetlands as described in Mitigation Measure 3.4-1. The applicant shall also report the plant survey results to CDFW using a CNDDDB field survey form. In addition, the applicant shall retain a qualified biologist to develop and implement a special-status plant salvage and transplantation plan that shall be approved by CDFW. The plan shall provide for the salvage of seeds of the impacted special-status plants and soil from the site surrounding those plants. The salvaged seeds and soil shall be transplanted to a protected site with appropriate habitat. To ensure the success of transplantation and the species, the applicant shall monitor the protected site for three years from the date of transplantation.</i>	If special-status plant species are found, implement Mitigation Measure 3.4-3 for vernal pool wetlands, Mitigation Measure 3.4-2 for grasslands, and Mitigation Measure 3.4-1 for wetlands. Use a CNDDDB survey form to report results to CDFW.	Areas B through J	Project applicant	Prior to construction	City of Lincoln Community Development Department, California Department of Fish and Wildlife
	c) <i>If state or federally-listed plants are found during surveys, project applicant for each project phase shall consult with CDFW to obtain an Incidental Take Permit under Section 2081 of the CESA and comply with the conditions and requirements therein, and/or USFWS to obtain a Biological Opinion under Section 7 of FESA and comply with the conditions and requirements.</i>	If state or federally-listed species are found, obtain Incidental Take Permit from CDFW and comply with USFWS requirements.	Areas B through J	Project applicant	Prior to construction	City of Lincoln Community Development Department, California Department of Fish and Wildlife, United States Fish and Wildlife Service
3.4-5: Implementation of the proposed project could result in the loss of western pond turtle and/or degradation of potential habitat.	<b>3.4-5:</b> a) <i><del>If the PCCP has been adopted by the County, the City, and approved by the agencies, the</del> The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. <u>Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.</u></i>	Use PCCP to satisfy all biological mitigation measures under CEQA.	Full Specific Plan, Area A, and Windsor Cove	Project applicant	Following PCCP adoption and approval	City of Lincoln Community Development Department
	b) <i>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies, the following mitigation measures shall apply:</i> 1) <i>Prior to project construction for each phase that would disturb any potential habitat for western pond turtle, the project applicant(s) for such phase shall retain a qualified biologist to conduct preconstruction surveys of potential habitat and the vicinity (250 feet) within 30 days prior to project construction. If no western pond turtles are located, no mitigation would be required and construction could proceed.</i> 2) <i>If western pond turtles are determined to be present, and potential habitat is not proposed for modification due to development of the site, then exclusionary fencing shall be used to prevent the turtle(s) from entering the construction area. The location of the fence shall be determined by a qualified biologist. Retained habitat shall also be protected through implementation of water quality and</i>	Implement habitat preservation at identified ratios	Full Specific Plan	Project applicant	Prior to construction	City of Lincoln Community Development Department



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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>hydrology measures that ensure habitat remains viable post-construction as required for Clean Water Act Sections 401 and 404 permits and would be consistent with the Draft PCCP.</p> <p>3) If occupied habitat would be impacted or lost, the project applicant(s) for each phase shall retain a qualified biologist approved by the CDFW to relocate all potentially affected western pond turtles into suitable habitat. Lost habitat would be mitigated through the Sections 401 and 404 permitting process, and would be consistent with the Draft PCCP.</p>					
3.4-6: Implementation of the proposed project could result in the loss or disturbance of nesting birds and the loss or degradation of special-status bird nesting and foraging habitat.	<p><b>3.4-6:</b></p> <p>a) <del>If the PCCP has been adopted by the County, the City, and approved by the agencies, the</del> The project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. <u>Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b) and/or (c), below, as applicable.</u></p> <p><u>For special-status bird species that are not covered under the PCCP, the mitigation measures for nesting habitat in Mitigation Measure 3.4-6(c) shall be implemented.</u></p> <p>b) <del>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies, the following mitigation measures for foraging habitat shall apply:</del></p> <p>1) The project applicant shall comply with Mitigation Measure 3.4-2(b)(2)-(10).</p> <p>c) <del>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and/or has not been approved by the agencies, the following mitigation measures for nesting habitat shall apply:</del></p> <p>1) If construction activity that may disturb nesting birds (according to a qualified biologist) occurs during the nesting season (February 15 - September 1), the project applicant(s) for each project phase shall retain a qualified biologist to conduct a pre-construction breeding-season survey of the project site at least 30 days prior to onset of construction. Surveys for nesting raptors shall be conducted within ¼ mile of proposed construction activities. A survey for nesting birds shall be conducted within 500 feet of construction areas to determine if any birds are nesting on or within 500 feet of the project site. The results of the survey shall be valid only for the season when it is conducted. New surveys shall be conducted if construction of the surveyed area extends into the following season or if construction is suspended for more than 14 days during the nesting season, or if there is a substantial change in the level of disturbance at the site, unless all the potential nesting trees or other habitat have been removed.</p> <p>2) If the pre-construction survey does not identify any protected raptor or bird nests on or within the buffers to the project site, no mitigation shall be required. However, should any active nests be located within 500 feet of a proposed construction area at any time throughout the construction, the project applicant(s) for each project phase, in consultation with CDFW, shall avoid all bird nest sites located in the project site disturbance area(s) during the breeding season (approximately February 15 - September 1) while the nest is occupied with adults and/or young. This avoidance could consist of delaying construction in close proximity to the nest during the nesting season or establishing a non-disturbance buffer zone around the nest site. The size of the buffer zone shall be determined in consultation with CDFW. The buffer zone shall be delineated by orange temporary construction fencing. Any occupied nest shall be monitored by a qualified biologist to determine when the nest is no longer in use. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then a qualified biologist should identify an increased exclusionary buffer such that activities are far enough from the nest to stop this agitated behavior.</p> <p><b>Additional Measures for Swainson's Hawk</b></p> <p>3) The project applicant(s) for each project phase shall retain a qualified biologist to conduct a Swainson's hawk nesting survey within the area to be disturbed, extending out to one-half mile. The survey shall be conducted during the nesting season of the same calendar year that construction is expected to begin, and</p>	<p>Use PCCP to satisfy all biological mitigation measures under CEQA.</p> <p><u>Implement avoidance and minimization measures for impacts to special status species that are not covered by the PCCP.</u></p> <p>See Mitigation Measure 3.4-2(b)(2)-(10).</p> <p>Conduct any tree removal and construction activities according to the protocol described in Mitigation Measure 3.4-6(c).</p>	<p>Full Specific Plan, Area A, and Windsor Cove</p> <p>See Mitigation Measure 3.4-2(b)(2)-(10).</p> <p>Full Specific Plan</p>	<p>Project applicant</p> <p>See Mitigation Measure 3.4-2(b)(2)-(10).</p> <p>Project applicant</p>	<p>Following PCCP adoption and approval</p> <p>See Mitigation Measure 3.4-2(b)(2)-(10).</p> <p>During construction per the time frames described in Mitigation Measure 3.4-6(c) for tree removal and construction activities between March 15 and August 30.</p>	<p>City of Lincoln Community Development Department</p> <p>See Mitigation Measure 3.4-2(b)(2)-(10).</p> <p>City of Lincoln Community Development Department</p>

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>prior to the issuance of any grading permits. If this survey does not identify any nesting Swainson's hawk in the area within the project site that will be disturbed plus the one-half mile radius, no mitigation would be required.</p> <p>4) Should any active Swainson's hawk nests be located within one-half mile of the disturbance area, no project-related activities that could cause nest abandonment or forced fledging (such as heavy equipment operation), shall be initiated within the one-quarter mile (buffer zone) of an active nest between March 1 and September 15. If high quality Swainson's hawk foraging habitat would be removed (i.e., alfalfa fields and pasture), then the applicant shall purchase mitigation credits for Swainson's hawk foraging habitat at a CDFW-approved mitigation bank at a ratio of 1.35:1 or protect similar value agricultural land at a ratio of 1.35:1 with a conservation easement that maintains the land in high-value Swainson's hawk foraging habitat in perpetuity, consistent with Mitigation Measure 3.4-2(b)(2)-(10).</p> <p><b>Additional Measures for Burrowing Owl</b></p> <p>5) Prior to project construction the project applicant(s) for each project phase shall hire a qualified biologist to conduct both nesting and wintering season surveys for burrowing owl to determine if potential habitat within 500 feet of ground disturbance is used by this species. The timing and methodology for the surveys shall be based on the 2012 Staff Report on Burrowing Owl Mitigation. A qualified biologist will conduct four survey visits: 1) at least one visit between February 15 and April 15, and 2) a minimum of three survey visits, at least three weeks apart between April 15 and July 1. If feasible, at least one visit will occur after June 15. Surveys will be conducted within areas that, according to the qualified biologist, could support burrowing owl nesting habitat at the project site and within 150 meters of areas that will be directly or indirectly impacted by the project, if feasible.</p> <p>6) If burrowing owls are discovered during the surveys, the project applicant shall notify the CDFW. A qualified biologist shall monitor the owls and establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion buffer zone until such time that the burrows are determined to be unoccupied by a qualified biologist. The buffer zones shall be a minimum of 150 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of 250 feet from an occupied burrow during the breeding season (February 1 through August 31).</p> <p>7) If complete avoidance is not feasible, the CDFW shall be consulted regarding a Burrowing Owl Exclusion Plan. All activities that will result in a disturbance to burrows shall be approved by CDFW prior to implementation.</p> <p><b>Additional Measures for Tricolored Blackbird</b></p> <p>8) Prior to project construction the project applicant(s) for each project phase shall hire a qualified biologist to conduct a tricolored blackbird nesting survey within the area to be disturbed, targeting potential breeding habitat such as emergent marsh, riparian thickets, and blackberry brambles. Two surveys shall be conducted at least three weeks apart between March 15 and September 1 within 500 feet of the area subject to ground disturbance. If a nesting colony is found within the survey area the project applicant(s) shall consult with CDFW to develop a Tricolored Blackbird Mitigation Plan to avoid, minimize and compensate for impacts to occupied nesting habitat and adjacent foraging habitat. Mitigation measures may include work windows (March 15 to September 1) to avoid impacting an active on-site nesting colony, purchasing conservation easements to protect occupied nesting and foraging habitat, or other measures mutually agreed upon by the applicant(s) and CDFW.</p>					
3.4-7: Implementation of the proposed project could result in the loss of valley elderberry longhorn beetle and/or loss or degradation of potential habitat.	<p><b>3.4-7:</b></p> <p>a) <del>If the PCCP has been adopted by the County and City and approved by the agencies, the</del> The project applicant shall comply with the PCCP, which shall be deemed to mitigate for impacts to the VELB. <u>Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (c)-(e), below.</u></p> <p>b) <del>If the PCCP is not in operation or has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established and approved by the agencies,</del> the project applicant shall comply with mitigation measures c) through e).</p>	<p>Use PCCP to satisfy all biological mitigation measures under CEQA.</p> <p>Protect elderberry shrubs as described in Mitigation Measures 3.4-7(c) through 3.4-7(e).</p>	<p>Full Specific Plan, Area A, and Windsor Cove</p> <p>Full Specific Plan, Area A, and Windsor Cove</p>	<p>Project applicant</p> <p>Project applicant</p>	<p>Following PCCP adoption and approval</p> <p>Prior to construction</p>	<p>City of Lincoln Community Development Department</p> <p>City of Lincoln Community Development Department</p>

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>c) For construction requiring consultation under Section 7 of the FESA, the project applicant shall obtain incidental take authorization and comply with the requirements therein. If no Section 7 consultation is required (because no federal permit is required), the applicant shall comply with mitigation measures (d) through (f).</p> <p>d) The removal of elderberry shrubs or their stems measuring one inch or greater (removal or trimming) shall be compensated for by salvaging and planting the affected elderberry shrubs and planting additional elderberry shrubs and associated native riparian plants at a 1:1 ratio. Mitigation planting shall occur, to the maximum extent practicable, in areas adjacent to the impact area and/or located to fill in existing gaps in riparian corridors. If the plants to be removed show recent boring holes, the project applicants shall consult with the USFWS and obtain incidental take authorization prior to removal.</p> <p>e) Elderberry shrubs with stems measuring one inch or greater in diameter at ground level that are not proposed to be removed shall be protected as follows during construction:</p> <ol style="list-style-type: none"> <li>1. Any ground disturbing activities within 100 feet of elderberry plants containing stems measuring one inch or greater in diameter at ground level shall provide a minimum setback of at least 20 feet from the drip line of each elderberry plant containing stems measuring one inch or greater in diameter at ground level. The setbacks shall be fenced and flagged to prohibit equipment and materials encroachment into the setback zone. Fire fuel breaks (disked land) may not be included within the 20-foot setback.</li> <li>2. The project applicant shall brief the construction foreman on the need to avoid damaging the elderberry plants (unless the proper take authorization is obtained) and the possible penalties for not complying with these requirements. A copy of these mitigation measures shall be provided to the construction foreman for his distribution to his crews by the project applicant.</li> <li>3. No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant shall be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring one inch or greater in diameter at ground level.</li> <li>4. No mowing shall occur closer than five feet to elderberry plant stems. Mowing shall be done in a manner that avoids damaging elderberry plants (e.g., avoid stripping away bark through careless use of mowing/trimming equipment).</li> <li>5. Trimming of elderberry stems less than one inch in diameter may occur between September 1 and March 14. The elderberry plants shall only be trimmed between November through the first two weeks in February, or when the plants are dormant and after they have lost their leaves.</li> </ol>					
3.4-8: Implementation of the proposed project could result in changes to surface water quality in Auburn Ravine that could affect Central Valley Steelhead and Chinook salmon due to the reconstruction and/or widening of various bridges within the Plan Area.	<p><b>3.4-8:</b></p> <p>a) <del>If the PCCP has been adopted and approved prior to the start of construction in the V5SP area in question, the</del> The project applicant(s) (be they the City, County, or another agency) shall comply with the PCCP and mitigate for impacts to Central Valley steelhead and Chinook salmon as stated in the PCCP. <u>Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.</u></p> <p>b) <del>If the PCCP is not in operation has not been adopted and approved prior to the start of construction in the V5SP area in question, the</del> project applicant(s) (be they the City, County, or another agency) shall comply with the following mitigation measures:</p> <ol style="list-style-type: none"> <li>1) Obtain a Biological Opinion and incidental take authorization for Central Valley steelhead and winter-run and spring-run Chinook salmon from NMFS and comply with the conditions and requirements therein.</li> <li>2) Obtain any necessary permits from the USACE, CDFW, and the RWQCB. Dewatering plans and the specific temporary impacts to Auburn Ravine associated with bridge construction shall be discussed in the permit applications and avoidance and minimization measures shall be proposed, including timing of construction to avoid presence of steelhead and Chinook salmon, fish rescue and relocation, as well as specific BMPs to avoid impacts to these species and their habitat. The permit requirements shall include the following elements: <ul style="list-style-type: none"> <li>• In-water construction work windows shall be observed in consultation with NMFS and CDFW, and as specified in the permits issued.</li> </ul> </li> </ol>	Use PCCP to satisfy all biological mitigation measures under CEQA.	Full Specific Plan, Area A, and Windsor Cove	Project applicant	Following PCCP adoption and approval	City of Lincoln Community Development Department
		Protect Central Valley steelhead and winter-run and spring-run Chinook salmon as described in Mitigation Measures 3.4-8(b).	Full Specific Plan, Area A, and Windsor Cove	Project applicant	Prior to construction	City of Lincoln Community Development Department

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> <li>Applicant(s) shall implement a pile driving, dewatering and fish rescue plan. The plan shall include specific measures to avoid and minimize impacts to salmonids and their habitats during bridge construction, and shall be approved by NMFS and CDFW.</li> </ul> <p>3) Install Environmentally Sensitive Area (ESA) fences within 200 feet of work along Auburn Ravine, as indicated in the 401 or 404 permits. The ESA fencing shall be delineated on the final plans for each project phase and the fence shall be installed and remain on-site until construction within 200 feet of the Auburn Ravine preserve area is completed.</p> <p>4) Implement Mitigation Measure 3.10-1 and construction best management practices (BMPs) as prescribed in the project's Storm Water Pollution Prevention Plan (SWPPP) prepared in accordance with the California National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (Construction General Permit) (Order No. 2009-0009-DWQ, NPDES No. CAR000002). These BMPs shall be in place throughout the construction for each project phase. The SWPPP shall include specific measures for water conservation; vehicle and equipment cleaning, fueling and maintenance; dewatering; paving and grinding; concrete finishing and curing; directing water away from work areas; use of attachments on construction equipment to catch debris; use of approved covers or platforms to collect debris; stockpiling of accumulated debris and waste generated during demolition away from watercourses; and ensuring safe passage of wildlife, as necessary.</p>					
3.4-9: Implementation of the proposed project could have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local, state, or federal plans, policies, or regulations.	<p><b>3.4-9:</b></p> <p>a) <del>If the PCCP has been adopted and approved prior to the start of construction in the V5SP area in question, the</del> The project applicant(s) shall comply with the PCCP and mitigate for impacts to and loss of sensitive natural communities as stated in the PCCP. <u>Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.</u></p> <p>b) <del>If the PCCP is not in operation has not been adopted and approved prior to the start of construction in the V5SP area in question, the project applicant(s) shall comply with Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.</del></p>	<p>Use PCCP to satisfy all biological mitigation measures under CEQA.</p> <p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.</p>	<p>Full Specific Plan, Area A, and Windsor Cove</p> <p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.</p>	<p>Project applicant</p> <p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.</p>	<p>Following PCCP adoption and approval</p> <p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.</p>	<p>City of Lincoln Community Development Department</p> <p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.</p>
3.4-11: Implementation of the proposed project could conflict with the provisions of approved local, regional or state policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<p><b>3.4-11:</b></p> <p>a) For impacts to threatened or endangered vegetation, the project applicant(s) shall implement Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, 3.4-5, 3.4-6, 3.4-7, 3.4-8, 3.4-9, and 3.10-1 as applicable.</p> <p>b) For impacts to heritage oak trees, the project applicant(s) shall first make every reasonable attempt to avoid any heritage oak tree by designing around it. If a heritage oak tree cannot be avoided due to health, safety, and welfare risks, the project applicant(s) shall provide the following mitigation:</p> <p>i. Submit a justification statement as to why the heritage tree(s) cannot be preserved in place to the City's Community Development Director.</p> <p>ii. Provide a Site Plan with proposed development which also identifies the location of the heritage tree(s) to be removed.</p> <p>iii. If the Community Development Director deems the justification statement to be valid, the project applicant(s) shall mitigate the loss of heritage oak trees on an inch for inch basis. Specifically, for every inch of heritage oak tree removed, an inch of oak tree shall be planted. All new plantings shall be plantings in a minimum of 15 gallon pots, and shall be of the same species of oak as was being removed and replaced, and shall, if feasible, be located on the property from which the heritage oak tree was removed. Project applicant(s) shall submit to the City's Community Development Director a revegetation plan for his/her review and approval. The project applicant(s) shall irrigate and maintain the new plantings for a minimum of three years, at which time a licensed arborist shall opine as to whether the trees are sufficiently established to release the project applicant(s) from continuing to irrigate and maintain the plantings. Any replacement trees which die before the end of the irrigation and maintenance obligations shall be replaced at a 1:1 ratio.</p>	<p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, 3.4-5, 3.4-6, 3.4-7, 3.4-8, 3.4-9, and 3.10-1.</p> <p>Protect heritage oak trees by making every reasonable attempt, and if inevitable, submit a justification statement to the City's Community Development Director, identify oak trees to be removed on the site plan, and replace oak trees inch by inch.</p>	<p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, 3.4-5, 3.4-6, 3.4-7, 3.4-8, 3.4-9, and 3.10-1.</p> <p>Full Specific Plan, Area A, and Windsor Cove</p>	<p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, 3.4-5, 3.4-6, 3.4-7, 3.4-8, 3.4-9, and 3.10-1.</p> <p>Project applicant</p>	<p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, 3.4-5, 3.4-6, 3.4-7, 3.4-8, 3.4-9, and 3.10-1.</p> <p>Prior to construction</p>	<p>See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, 3.4-5, 3.4-6, 3.4-7, 3.4-8, 3.4-9, and 3.10-1.</p> <p>City of Lincoln Community Development Department</p>

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Component</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
3.4-13: Implementation of the proposed project could contribute to a cumulative substantial adverse effect on federally protected wetlands defined by Section 404 of the Clean Water Act through direct removal, placement of fill, hydrological interruption, or by other means and would result in fill of jurisdictional wetlands or other protected waters.	<b>3.4-13:</b> <i>The project applicant shall implement Mitigation Measure 3.4-1.</i>	See Mitigation Measure 3.4-1.	See Mitigation Measure 3.4-1.	See Mitigation Measure 3.4-1.	See Mitigation Measure 3.4-1.	See Mitigation Measure 3.4-1.
3.4-14: Implementation of the proposed project could contribute to cumulative loss and/or degradation of vernal pool habitat, and the loss of special-status vernal pool crustaceans or amphibians.	<b>3.4-14:</b> <i>The project applicant shall implement Mitigation Measures 3.4-1, 3.4-2, and 3.4-3.</i>	See Mitigation Measures 3.4-1, 3.4-2, and 3.4-3.	See Mitigation Measures 3.4-1, 3.4-2, and 3.4-3.	See Mitigation Measures 3.4-1, 3.4-2, and 3.4-3.	See Mitigation Measures 3.4-1, 3.4-2, and 3.4-3.	See Mitigation Measures 3.4-1, 3.4-2, and 3.4-3.
3.4-15: Implementation of the proposed project could contribute to cumulative loss and/or degradation of rare plant populations.	<b>3.4-15:</b> <i>The project applicant shall implement Mitigation Measures 3.4-1, 3.4-2, 3.4-3, and 3.4-4.</i>	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, and 3.4-4.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, and 3.4-4.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, and 3.4-4.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, and 3.4-4.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, and 3.4-4.
3.4-16: Implementation of the proposed project could contribute to cumulative loss of western pond turtle and/or degradation of potential habitat.	<b>3.4-16:</b> <i>The project applicant shall implement Mitigation Measure 3.4-5.</i>	See Mitigation Measure 3.4-5.	See Mitigation Measure 3.4-5.	See Mitigation Measure 3.4-5.	See Mitigation Measure 3.4-5.	See Mitigation Measure 3.4-5.
3.4-17: Implementation of the proposed project could contribute to cumulative loss or disturbance of nesting birds and the loss or degradation of special-status bird habitat.	<b>3.4-17:</b> <i>The project applicant shall implement Mitigation Measures 3.4-2 and 3.4-6.</i>	See Mitigation Measures 3.4-2 and 3.4-6.	See Mitigation Measures 3.4-2 and 3.4-6.	See Mitigation Measures 3.4-2 and 3.4-6.	See Mitigation Measures 3.4-2 and 3.4-6.	See Mitigation Measures 3.4-2 and 3.4-6.
3.4-18: Implementation of the proposed project could contribute to cumulative loss of valley elderberry longhorn beetle and/or degradation of potential habitat.	<b>3.4-18:</b> <i>The project applicant shall implement Mitigation Measure 3.4-7.</i>	See Mitigation Measure 3.4-7.	See Mitigation Measure 3.4-7.	See Mitigation Measure 3.4-7.	See Mitigation Measure 3.4-7.	See Mitigation Measure 3.4-7.
3.4-19: Implementation of the proposed project could contribute to cumulative changes to surface water quality in Auburn Ravine that could affect Central Valley steelhead and Chinook salmon due to the widening or construction of bridges within western Placer County.	<b>3.4-19:</b> <i>The project applicant shall implement Mitigation Measure 3.4-8.</i>	See Mitigation Measure 3.4-8.	See Mitigation Measure 3.4-8.	See Mitigation Measure 3.4-8.	See Mitigation Measure 3.4-8.	See Mitigation Measure 3.4-8.
3.4-20: Implementation of the proposed project could contribute to a cumulative substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations or by CDFW or USFWS.	<b>3.4-20:</b> <i>The project applicant shall implement Mitigation Measures 3.4-2 and 3.4-9.</i>	See Mitigation Measures 3.4-2 and 3.4-9.	See Mitigation Measures 3.4-2 and 3.4-9.	See Mitigation Measures 3.4-2 and 3.4-9.	See Mitigation Measures 3.4-2 and 3.4-9.	See Mitigation Measures 3.4-2 and 3.4-9.

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
<b>3.5 Climate Change</b>						
<p>3.5-1: Construction and operation of the proposed project would result in a cumulatively considerable increase in greenhouse gas (GHG) emissions that could conflict with an applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing GHG emissions.</p>	<p><b>3.5-1:</b>  <i>The following mitigation measures are based on measures identified by the project applicant, by the PCAPCD, by the California Attorney General, and by CAPCOA. The following measures focus primarily on non-transportation energy efficiency. Measures associated with reducing transportation emissions have already been incorporated into the GHG emission estimates shown in Table 3.5-1. The following measures will ensure that all Title 24 requirements are met and will further reduce GHG emissions through energy efficiency improvements.</i></p> <p><i>All residential buildings shall:</i></p> <ul style="list-style-type: none"> <li>• <i>Meet or exceed CalGreen Tier 2 requirements in place at the time of Building Permit issuance.</i></li> <li>• <i>Be pre-plumbed and structurally engineered for the future installation of a complete solar energy system.</i></li> <li>• <i>Include a tankless water heating system, a whole house ceiling fan, and “Energy Star” appliances (stoves, dishwashers, and any other appliances typically included within the initial installation by the builder).</i></li> <li>• <i>Include an energy efficient air conditioning unit(s) that exceeds the SEER ratio by a minimum of two points at the time of building permit issuance.</i></li> <li>• <i>Include programmable thermostat timers.</i></li> <li>• <i>Include exterior outlets on all single-family and multi-family buildings to allow the use of electrically-powered landscape equipment.</i></li> <li>• <i>Include wiring for at least one electric car charging station.</i></li> <li>• <i>Meet the 2016 Plumbing Code on all residences to reduce indoor and outdoor water use in installing low-flow bathroom faucets, kitchen faucets, toilets, and showers, and landscaping that uses water-efficient, drought resistant plants, and water-saving irrigation systems. Additionally, all residential units shall be pre-plumbed to enable the reuse of graywater systems.</i></li> <li>• <i>Not include wood-burning fireplaces, woodstoves, and other similar wood-burning devices. This prohibition shall be included in any covenants, conditions, and restrictions (CC&amp;Rs) that are established.</i></li> <li>• <i>Provide covered storage facilities for securing bicycles for 15 percent or more of building occupants (multi-family housing units).</i></li> <li>• <i>Prior to issuance of an occupancy permit, the applicant shall establish tree planting guidelines that require residents to plant trees to shade buildings primarily on the west and south sides of buildings. Recommended use of deciduous trees (to allow solar gain during the winter) and direct shading of air conditioning systems shall be included in the guidelines.</i></li> </ul> <p><i>All non-residential structures within the Plan Area shall:</i></p> <ul style="list-style-type: none"> <li>• <i>Be pre-plumbed and structurally engineered for the future installation of a complete solar energy system.</i></li> <li>• <i>Install photovoltaic rooftop energy systems on all community buildings and any commercial buildings over 100,000 square feet.</i></li> <li>• <i>Use “Energy Star” rated (or greater) roofing materials.</i></li> <li>• <i>Use both indoor and outdoor energy efficient lighting that meets or exceeds Title 24 requirements.</i></li> <li>• <i>Include an energy efficient heating system and an air conditioning system that exceeds the SEER ratio by a minimum of two points at the time of building permit issuance.</i></li> <li>• <i>Only use low flow water fixtures such as low flow toilets, faucets, showers, etc.</i></li> <li>• <i>Only use programmable thermostat timers.</i></li> <li>• <i>Include enough bike parking facilities to meet peak demand. Bike parking shall also be included near all transit locations that are developed during the course of this Plan. This will include providing secure bicycle racks and/or storage within 200 yards of a building entrance for five percent or more of all Full Time Equivalent (FTE) staff (measured at peak periods) and provide showers and changing facilities in the</i></li> </ul>	<p>Meet all Title 24 requirements.</p>	<p>Full Specific Plan</p>	<p>Project applicant</p>	<p>Prior to construction</p>	<p>Placer County Air Pollution District, City of Lincoln Community Development Department</p>

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><i>building, or within 200 yards of a primary staff building entrance, for 0.5 percent of FTE staff (measured at peak periods), or</i></p> <ul style="list-style-type: none"> <li>• <i>Provide secure bike racks and/or storage within 200 yards of a public building entrance according to the following guidelines based on project square footage:</i></li> <li>• <i>Up to 5,000 square feet, two or more bicycle racks,</i></li> <li>• <i>5,001 – 20,000 square feet, three or more bicycle racks,</i></li> <li>• <i>20,001 – 50,000 square feet, six or more bicycle racks,</i></li> <li>• <i>More than 50,000 square feet, ten or more bicycle racks.</i></li> <li>• <i>Install two 110/208 volt power outlets for every two loading docks.</i></li> <li>• <i>Reserve a minimum of five percent of the total customer parking spaces within commercial and retail parking lots for electric vehicles, hybrid vehicles, alternative fueled vehicles, and carpools.</i></li> <li>• <i>Install electric vehicle charging stations for a minimum of three percent of the total vehicle parking capacity of the site.</i></li> <li>• <i>Include pedestrian-friendly paths and cross walks in all parking lots.</i></li> <li>• <i>Pave all parking lots with reflective coatings (albedo = 0.30 or better). This measure is considered feasible if the additional cost is less than 10 percent of the cost of applying a standard asphalt product.</i></li> </ul> <p><i>In addition to the above measures, the following shall also be incorporated:</i></p> <ul style="list-style-type: none"> <li>• <i>Prior to project approval, the applicant shall only show energy efficient lighting for all street, parking, and area lighting associated with the V5SP. The applicant shall also work to limit the hours of operation of outdoor lights through the use of timers and/or motion sensors, to the extent that these strategies do not compromise public safety.</i></li> <li>• <i>Any new park areas within the Plan Area shall include bicycle racks at appropriate locations and a community notice board and information kiosk within information about community events, ridesharing, and commute alternatives.</i></li> <li>• <i>Prior to issue of an occupancy permit within the Plan Area, the applicant shall create informational materials informing occupants of the alternative travel amenities provided, including ridesharing and public transit availability schedules and the Plan Area's pedestrian bicycle, and equestrian paths to community centers, shopping areas, employment areas, schools, parks, and recreation areas.</i></li> <li>• <i>Maximize the amount of drought tolerant landscaping by minimizing the amount of turf in all areas where this option is feasible.</i></li> </ul>					
<b>3.6 Cultural Resources</b>						
<p>3.6-1: Implementation of the proposed project would adversely impact historic architectural resources directly through demolition or substantial alteration, or indirectly through changes to historical setting.</p>	<p><b>3.6-1:</b> <i>When project-level development plans outside of Area A or Windsor Cove are submitted to the City of Lincoln for approval, the project proponent shall be required to complete a cultural resources investigation for review and approval by the City that includes, at a minimum:</i></p> <ul style="list-style-type: none"> <li>• <i>An updated records search at the North Central Information Center;</i></li> <li>• <i>An intensive cultural resources survey, documenting and evaluating resources 45 years or older within and adjacent to the project footprint for listing in the California or National Registers;</i></li> <li>• <i>A report disseminating the results of this research; and,</i></li> <li>• <i>Recommendations for additional mitigation to resolve adverse impacts to recorded cultural resources.</i></li> </ul> <p><i>The survey shall be carried out by a qualified historian or architectural historian meeting the Secretary of the Interior's Standards for Architectural History, and can be compiled in the same document as Mitigation Measure 3.6-2(a). Demolition or substantial alteration of all previously recorded historic resources, including significant historic resources encountered during the survey and evaluation efforts, shall be avoided. Any alterations, including relocation, to historic buildings or structures shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. If avoidance of identified historic resources is deemed infeasible, the City shall prepare a treatment</i></p>	<p>Complete a cultural resources investigation.</p>	<p>Full Specific Plan, apart from Area A and Windsor Cove</p>	<p>Project applicant</p>	<p>Prior to project-level development plan submittal</p>	<p>City of Lincoln Community Development Department</p>

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.6-2: Implementation of the proposed project could result in damage or destruction of known or previously unidentified unique archaeological resources.	<p><i>plan to include, but not limited to, adaptive reuse, photo-documentation and public interpretation of the resource.</i></p> <p><i>If avoidance, adaptive reuse, or relocation of an historic resource is determined infeasible, a qualified architectural historian shall be retained to document the affected historic resource in accordance with the National Park Service's Historic American Buildings Survey (HABS) and/or Historic American Engineering Record (HAER) standards. Such standards typically include large format photography using (4x5) negatives, written data, and copies of original plans if available. The HABS/HAER documentation packages shall be archived at local libraries and historical repositories, as well as the Northwest Information Center of the California Historical Resources Information System. Public interpretation of historic resources at their original site shall also occur in the form of a plaque, kiosk or other method of describing the building's historic or architectural importance to the general public. These mitigation actions will be undertaken at the developer's expense.</i></p>	Complete a cultural resources investigation.	Full Specific Plan, apart from Area A and Windsor Cove	Project applicant	During plan submittal	City of Lincoln Community Development Department
	<p><b>3.6-2(a):</b> <i>When project-level development plans outside of Area A or Windsor Cove are submitted to the City of Lincoln for approval, the project proponent shall be required to complete a cultural resources investigation for review and approval by the City that includes, at a minimum:</i></p> <ul style="list-style-type: none"> <li><i>• An updated records search at the North Central Information Center;</i></li> <li><i>• An intensive cultural resources survey, including subsurface presence/absence studies as appropriate;</i></li> <li><i>• Contact and coordination with the Native American Heritage Commission and interested and involved local tribes;</i></li> <li><i>• A report disseminating the results of this research that evaluates the eligibility of recorded resources for inclusion in the National and California Registers; and,</i></li> <li><i>• Recommendations for additional cultural resources investigations necessary to mitigate adverse impacts to recorded and/or undiscovered archaeological resources.</i></li> </ul> <p><i>Additional cultural resources investigations may include testing and evaluation of archaeological resources, as well as data recovery efforts. If a significant unique archaeological resource is present that could be adversely impacted by a project, the project proponent shall:</i></p> <p><i>a) In consultation with the lead agency and archaeologist, determine if preservation in place is feasible. Consistent with State CEQA Guidelines section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement; or</i></p> <p><i>b) Design and implement an Archaeological Research Design and Treatment Plan (ARDTP). If avoidance is not feasible, the project proponent shall hire a Secretary of the Interior-qualified archaeological consultant who shall prepare a draft ARDTP that shall be submitted to the City of Lincoln for review and approval. The ARDTP shall identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. Treatment of unique archaeological resources shall follow the applicable requirements of Public Resources Code Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The ARDTP shall include provisions for analysis of data in a regional context, reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative before being finalized, curation of artifacts and data at a local facility acceptable to the appropriate Native American representative, and dissemination of final confidential reports to the appropriate Native American representative, the Northwest Information Center of the California Historical Resources Information System, the City, and interested professionals.</i></p>					



**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p><b>3.6-2(b):</b>  <i>Before the start of grading or excavation activities, construction personnel involved with earth-moving activities shall be informed of the possibility of encountering archaeological resources, the appearance and types of resources likely to be seen during construction activities, and the proper notification procedures to follow should archaeological resources be encountered. This worker training shall be prepared and presented by a qualified archaeologist.</i></p> <p><i>If archaeological resources are discovered during earth-moving activities, the requirements of General Plan Policy OSC-6.7 (Discovery of Archaeological/Paleontological Resources) shall be followed, as described herein. In the event of accidental discovery during construction, all work must halt within a 100-foot radius of the discovery if subsurface deposits believed to be cultural or human in origin are discovered during construction. A qualified professional archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. A Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the NAHC, will be required if the nature of the unanticipated discovery is prehistoric.</i></p> <p><i>Work cannot continue within the no-work radius 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 California or National Registers.</i></p> <p><i>If a potentially eligible resource is encountered, then the lead agency shall require the project proponent to arrange for either 1) total avoidance of the resource, if feasible or 2) test excavations to evaluate eligibility and, if eligible, potentially data recovery as mitigation. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met. Curation of any identified resources would be determined through consultation between the archaeologist, project proponent, and lead agency during the course of analysis.</i></p>	Inform construction personnel about the possibility of archaeological resource discovery during construction.	Full Specific Plan	Project applicant	Before grading or excavation	City of Lincoln Community Development Department
3.6-3: Ground-disturbing construction associated with implementation of the proposed project could result in disturbance or destruction of a paleontological resource.	<p><b>3.6-3:</b>  <i>Before the start of grading or excavation activities, construction personnel involved with earth-moving activities shall be informed of the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction activities, and the proper notification procedures to follow should fossils be encountered. This worker training shall be prepared and presented by a qualified paleontologist.</i></p> <p><i>If paleontological resources are discovered during earth-moving activities the following requirements of General Plan Policy OSC-6.7 (Discovery of Archaeological/Paleontological Resources) will be followed: the construction crew shall immediately cease work and the Planning Department shall be notified immediately if any paleontological resources (e.g., fossils) are uncovered during construction. All construction must stop in within 100 feet of the find and a paleontologist shall be retained to evaluate the resource and prepare and implement a proposed mitigation plan, including curation, in accordance with Society of Vertebrate Paleontology guidelines.</i></p>	Inform construction personnel about the possibility of fossil discovery during construction.	Full Specific Plan, Area A, Windsor Cove	Project applicant	Before grading or excavation	City of Lincoln Community Development Department
3.6-4: Ground-disturbing activities associated with construction of the proposed project could result in damage to previously unidentified human remains.	<p><b>3.6-4:</b>                      a) <i>Implement Mitigation Measure 3.6-2(b).</i>                      b) <i>In the event that evidence of human remains is discovered, the following requirements of General Plan Policy OSC-6.10 (Discovery of Human Remains) shall be followed. Construction activities within any area reasonably suspected to overlie adjacent human remains shall be halted or diverted. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code (PRC), and Assembly Bill (AB) 2641 shall be implemented. Specifically, the discovery shall be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641). If the Coroner determines the remains are Native American, the Coroner will notify the NAHC which will then designates a Native American Most Likely Descendant (MLD) for the project (Section 5097.98 of the PRC). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with</i></p>	<p>See Mitigation Measure 3.6-2(b).</p> <p>Follow Lincoln General Plan Policy OSC-6.10 in the event of discovery of human remains.</p>	<p>See Mitigation Measure 3.6-2(b).</p> <p>Full Specific Plan</p>	<p>See Mitigation Measure 3.6-2(b).</p> <p>Project applicant</p>	<p>See Mitigation Measure 3.6-2(b).</p> <p>During construction</p>	<p>See Mitigation Measure 3.6-2(b).</p> <p>Native American Heritage Commission, City of Lincoln Community Development Department</p>

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<i>the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB 2641). The United Auburn Indian Community (UAIC) Tribal Council shall be solicited their input as part of the mitigation process.</i>					
3.6-5: The proposed project, in conjunction with past, present, and reasonably foreseeable future projects, would result in significant cumulative impacts on historic architectural resources.	<b>3.6-5:</b> <i>Implement Mitigation Measure 3.6-1.</i>	See Mitigation Measure 3.6-1.	See Mitigation Measure 3.6-1.	See Mitigation Measure 3.6-1.	See Mitigation Measure 3.6-1.	See Mitigation Measure 3.6-1.
3.6-6: The proposed project, in conjunction with past, present, and reasonably foreseeable future projects, would not result in significant cumulative impacts on unique archaeological resources.	<b>3.6-6:</b> <i>Implement Mitigation Measures 3.6-2(a) and (b).</i>	See Mitigation Measures 3.6-2(a) and 3.6-2(b).	See Mitigation Measures 3.6-2(a) and 3.6-2(b).	See Mitigation Measures 3.6-2(a) and 3.6-2(b).	See Mitigation Measures 3.6-2(a) and 3.6-2(b).	See Mitigation Measures 3.6-2(a) and 3.6-2(b).
3.6-7: The proposed project, in conjunction with past, present, and reasonably foreseeable future projects, would not result in significant cumulative impacts on paleontological resources.	<b>3.6-7:</b> <i>Implement Mitigation Measure 3.6-3.</i>	See Mitigation Measure 3.6-3.	See Mitigation Measure 3.6-3.	See Mitigation Measure 3.6-3.	See Mitigation Measure 3.6-3.	See Mitigation Measure 3.6-3.
3.6-8: The proposed project, in conjunction with past, present, and reasonably foreseeable future projects, would not result in significant cumulative impacts on human remains.	<b>3.6-8:</b> <i>Implement Mitigation Measure 3.6-2(b) and Mitigation Measure 3.6-4(a) and (b).</i>	See Mitigation Measure 3.6-2(b) and Mitigation Measure 3.6-4(a) and (b).	See Mitigation Measure 3.6-2(b) and Mitigation Measure 3.6-4(a) and (b).	See Mitigation Measure 3.6-2(b) and Mitigation Measure 3.6-4(a) and (b).	See Mitigation Measure 3.6-2(b) and Mitigation Measure 3.6-4(a) and (b).	See Mitigation Measure 3.6-2(b) and Mitigation Measure 3.6-4(a) and (b).
<b>3.7 Energy</b>						
3.7-1: Construction of the proposed project would not use fuel and energy in an unnecessary, wasteful, or inefficient manner during project construction.	<b>3.7-1:</b> <i>The applicant(s) shall implement the following mitigation measures for each phase of development in the time frames provided:</i>  a) <i>The prime contractor shall submit to the District a comprehensive inventory (i.e., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the District prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.</i>  <i>Prior to approval of grading or improvement plans, (whichever occurs first), the applicant(s) shall provide a written calculation to the District for approval demonstrating that the heavy-duty (&gt; 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will meet Tier 4 emission standards or the equivalent Tier standards established by the State in place at the time of construction. If Tier 4 equipment is unavailable for any equipment type, the prime contractor shall notify the PCAPCD that Tier 3 off-road equipment will be utilized.</i>  c) <i>During construction, the contractor shall utilize existing power sources (e.g., electricity) or clean fuel (e.g., propane, gasoline, biodiesel, and/or natural gas) generators rather than temporary diesel power generators, to the degree feasible.</i>  d) <i>During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel-powered equipment.</i>	Provide inventory of construction vehicles and equipment and calculations, utilize existing power sources and clean fuel to the degree feasible, minimize idling time to five minutes, provide sign indicating idle time limit, and maintain all construction equipment in working condition.	V5SP and Area A	Project applicant	During each corresponding phase of development	Placer County Air Pollution District, City of Lincoln Community Development Department

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> <li>e) <i>Signs shall be posted in the designated queuing areas of the construction site to limit idling to a maximum of 5 minutes.</i></li> <li>f) <i>Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated</i></li> </ul>					
<b>3.8 Geology, Soils, and Seismicity</b>						
3.8-2: The proposed project would not result in substantial soil erosion or the loss of topsoil.	<p><b>3.8-2(a):</b> <i>Implement Mitigation Measure 3.10-1(a) and (b).</i></p> <ul style="list-style-type: none"> <li>a) <i>Prior to the issuance of grading permits, the project applicant shall prepare and submit to the City Public Works Department and CVRWQB, a Storm Water Pollution Prevention Plan (SWPPP) detailing measures to control soil erosion and waste discharges during construction. The SWPPP shall include an erosion control and restoration plan, a water quality monitoring plan, a hazardous materials management plan, and post-construction BMPs. The BMPs shall be maintained until all areas disturbed during maintenance have been adequately stabilized.</i>  <i>Prior to the commencement of any construction activities (as they are phased), including grading, the project applicant shall submit of a Notice of Intent (NOI) to the State Water Resources Control Board for coverage under the 2012-0006-DWQ Permit.</i></li> <li>i. <i>The specific BMPs that would be incorporated into the SWPPP shall be determined during the final stages of the proposed Project design. The SWPPP shall include specific practices to minimize the potential that pollutants will leave the site during construction. Such practices include establishing designated equipment staging areas, minimizing disturbance of soils and existing vegetation, protection of spoils and soil stockpile areas, and equipment exclusion zones prior to the commencement of any construction activity; designating equipment washout areas; and establishing proper vehicle fuel and maintenance practices.</i></li> <li>ii. <i>The applicant shall require contractors using and/or storing hazardous materials, such as vehicle fuels and lubricants, to do so in designated staging areas located away from surface waters according to local, state, and federal regulations as applicable.</i></li> <li>iii. <i>All contractors conducting maintenance-related work shall be required to prepare and implement a SWPPP to control soil erosion and waste discharges of other maintenance-related contaminants. The general contractor and subcontractor(s) conducting the work shall be responsible for preparing or implementing the SWPPP, regularly inspecting measures, and maintaining the BMPs in good working order. Maintenance vehicles and equipment shall be checked daily for leaks and shall be properly maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease.</i></li> <li>iv. <i>Methods and materials used for herbicide and pesticide application shall be in accordance with label directions, DWR's most current guidelines on herbicide and pesticide use, and with laws and regulations administered by the Department of Pesticide Regulation.</i></li> <li>v. <i>Prior to approval of a grading or building permit, the applicant shall cause the preparation of and implementation of a Spill Prevention and Control Plan (SPCP). The SPCP shall be accessible on site at all times prior to initiation of maintenance activities, and throughout the activities. The SPCP shall identify the spill control materials that must be fully stocked on site at all times and include a plan for the emergency cleanup of any spills of fuel or other materials that may be released. Maintenance Yard staff shall be provided the necessary information from the SPCP to prevent or reduce the discharge of pollutants to waters prior to commencement of construction activities and provide all necessary protocols to contain any spill that might occur. Any such spills, and the cleanup efforts, shall be reported by the on site contractor in an incident report to Placer County Environmental Health as the Certified Unified Program Agency or as directed by Environmental Health.</i></li> <li>vi. <i>Any in-water work shall be conducted in accordance with requirements as contained in the Clean Water Act Section 401 and 404 permits, California Fish and Game Code section 1602 Streambed Alteration Agreement, and any other applicable regulatory permits or agreements.</i></li> </ul>	See Mitigation Measure 3.10-1(a) and (b).	See Mitigation Measure 3.10-1(a) and (b).	See Mitigation Measure 3.10-1(a) and (b).	See Mitigation Measure 3.10-1(a) and (b).	See Mitigation Measure 3.10-1(a) and (b).

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>b) <i>Prior to approval of final improvement plans, the project applicant shall prepare a Water Quality Management Plan that meets all the requirements described below.</i></p> <p>i. <i>The Water Quality Management Plan shall include the proposed water quality facilities and shall be prepared in accordance with Section 8.60.400 of the City's Municipal Code for City review and approval. The Water Quality Management Plan shall be consistent with goals and standards established under federal and state non-point source National Pollutant Discharge Elimination System regulations, the Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin water quality objectives, the City's Post-Construction Stormwater Runoff Control Ordinance, and Low-Impact Development (LID) alternatives for stormwater quality control per Public Facilities and Services Implementation Measure 3.0 of the adopted 2050 General Plan.</i></p> <p>ii. <i>The Water Quality Management Plan shall include a description of all non-structural BMPs and include Covenants, Codes, and Restrictions (CC&amp;Rs), or similar regulatory mechanism, to enforce implementation of non-structural BMPs. Non-structural BMPs shall include, but not be limited to, "good housekeeping" practices for materials storage and waste management, storm drain system stenciling, landscape chemical use guidelines, and street sweeping.</i></p> <p>iii. <i>The Water Quality Management Plan shall also include the method or methods for funding the long-term maintenance of the proposed water quality facilities during project operation, which the City shall consider and implement.</i></p> <p>iv. <i>All BMPs for water quality protection, source control, and treatment control shall be developed in accordance with the Stormwater Quality Design Manual adopted by the City for the project. The BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff. Flow or volume based post-construction BMPs shall be included for long-term maintenance of BMPs and shall be designed at a minimum in accordance with the Section 10, Drainage, of the City of Lincoln Design Criteria and Procedures Manual and the Placer County Flood Control and Water Conservation District's Stormwater Management Manual. All BMPs shall reflect the Best Available Technologies (BAT) available at the time of implementation and shall reflect site-specific limitations. The City shall make the final determinations as to the appropriateness of the BMPs proposed for the proposed project and the City shall ensure future implementation, operation, and maintenance of the BMPs.</i></p> <p>v. <i>To comply with the requirements of the Placer County Mosquito and Vector Control District, all BMPs shall be designed to discharge all waters within 96 hours of the completion of runoff from a storm event. All graded areas must drain so that no standing water can accumulate for more than 96 hours within water quality facilities.</i></p> <p>vi. <i>Stormwater runoff from the proposed project's impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (i.e. sediment, oil/grease, etc.), as approved by the City. Examples of these BMPs include, but are not limited to, grass strips, bioretention, bioswales, composite/treatment train BMPs, detention basins (surface/grass-lined), media filters (mostly sand filters), porous pavement, retention ponds (surface pond with a permanent pool), wetland basins (basins with open water surface), a combined category including both retention ponds and wetland basins, and wetland channels (swales and channels with wetland vegetation). The Water Quality Plan shall include plans for the maintenance of proposed BMPs. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.</i></p>					

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
<b>3.9 Hazards and Hazardous Materials</b>						
3.9-2: The proposed project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	<b>3.9-2:</b>	Conduct a Phase I ESA for all other areas not yet evaluated.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Community Development Department
	a) <i>Prior to final project design or if none is required, any earth-disturbing activities at the project site, the City shall require that the applicant conduct a Phase I Environmental Site Assessment (Phase I ESA) areas that are not already evaluated in an existing Phase I ESA. The Phase I ESA shall be prepared by a Registered Environmental Assessor (REA) or other qualified professional to assess the potential for contaminated soil or groundwater conditions at the project site. The Phase I ESA shall include a review of appropriate federal and State hazardous materials databases, as well as relevant local hazardous material site databases for hazardous waste on-site and off-site locations within a one-quarter mile radius of the area of analysis. The Phase I ESA shall also include a review of existing or past land uses and aerial photographs, summary of results of reconnaissance site visit(s), and review of other relevant existing information that could identify the potential existence of contaminated soil or groundwater. If no contaminated soil or groundwater is identified, or the Phase I ESA does not recommend any further investigation, then no further action is required.</i>	Conduct a follow-up study in the event that further review is needed.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Community Development Department
	b) <i>If existing hazardous materials contamination is identified during the execution of Mitigation Measure 3.9-2(a), and the future Phase I ESA recommends further review, the applicant shall retain an REA to conduct follow-up sampling to characterize the contamination and to identify any required remediation that shall be conducted, consistent with applicable regulations prior to any earth-disturbing activities. The environmental professional shall prepare a report that includes, but is not limited to, activities performed for the assessment, a summary of anticipated contaminants and contaminant concentrations at the proposed construction site, and recommendations for appropriate handling of any contaminated materials during construction. These recommendations shall be implemented and the site shall be deemed remediated by the appropriate agency (e.g., DTSC, PCDEHS) or the County shall issue a No Further Action (NFA) letter prior to earth disturbance continuing in the vicinity of the contamination.</i>	Stop work in the event hazardous materials are found.	Full Specific Plan and Area A	Project contractor	During construction	City of Lincoln Community Development Department
c) <i>If unidentified or suspected contaminated soil or groundwater (stained soil, noxious odors) is encountered during site preparation or construction activities, work shall stop in the area of potential contamination, and the type and extent of contamination shall be identified by an REA or qualified professional. The REA or qualified professional shall prepare a report that includes, but is not limited to, activities performed for the assessment, summary of anticipated contaminants and contaminant concentrations, and recommendations for appropriate handling and disposal. Site preparation or construction activities shall not recommence within the contaminated areas until remediation is complete and a "no further action" letter is obtained from the applicable regulatory agency.</i>						
3.9-4: The proposed project could be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List) and, as a result, create a significant hazard to the public or the environment.	<b>3.9-4(a):</b> <i>During construction, the contractor shall cease any earthwork activities upon discovery of any suspect soils or groundwater (e.g., petroleum odor and/or discoloration) during construction in accordance with a Soil and Groundwater Management Plan prepared for the project by a qualified environmental consultant and approved by the Placer County Department of Environmental Health Services (PCDEHS). The contractor shall notify the PCDEHS upon discovery of suspect soils or groundwater and retain a qualified environmental firm to collect soil and/or groundwater samples to confirm the level of contamination that may be present. If contamination is found to be present, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a California state licensed professional. Any contaminants identified as exceeding human health risk levels, shall be delineated, removed, and disposed of offsite in compliance with the receiving facilities requirements under the direction of PCDEHS. The contractor shall follow all procedural direction given by PCDEHS and in accordance with the Soil and Groundwater Management Plan prepared for the site to ensure that suspect soils are isolated, protected from runoff, and disposed of in accordance with Section 31303 of the California Vehicle Code and the requirements of the licensed receiving facility.</i>	Stop work in the event suspect soils or groundwater is found.	Full Specific Plan, Area A, and Windsor Cove	Project contractor	During construction	City of Lincoln Community Development Department

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Component</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<b>3.9-4(b):</b> <i>Conduct a Phase II Environmental Site Assessment on the Morse Property at 200 South Dowd Road (APN 021-081-008) in order to sample the underlying soil beneath a concrete saddle that formerly supported an above ground diesel tank and the footprint of a former barn that included an above ground gasoline tank. Follow the recommendations in the Phase II ESA.</i>	Conduct a Phase II ESA.	Windsor Cove	Project applicant	Prior to construction	City of Lincoln Community Development Department
3.9-6: The proposed project would not result in a safety hazard for people residing or working in the project area for a project within the vicinity of a private airstrip.	<b>3.9-6:</b> <i>Prior to issuance of the first building permit within 500 feet of the airstrip, the project applicant shall purchase and/or relocate the easement and upon purchase or relocation, abandon the airstrip by filing the appropriate documentation with the Placer County Recorder's Office.</i>	Purchase and/or relocate airstrip easement.	Full Specific Plan and Area A	Project applicant	Prior to building permit issuance	Placer County Recorder's Office, City of Lincoln Community Development Department
3.9-7: The proposed project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	<b>3.9-7:</b> <i>Prior to construction, the applicant for any phase of construction shall require the construction contractor(s) to prepare and enforce a traffic control plan to minimize traffic impacts on all roadways at and near the work site affected by construction activities. This traffic control plan shall reduce potential traffic safety hazards and ensure adequate access for emergency responders. The applicant and construction contractor(s) shall coordinate development and implementation of this traffic control plan with the City of Lincoln, as appropriate. To the extent applicable, this traffic control plan shall conform to the 2014 California Manual on Uniform Traffic Control Devices (MUTCD), Part 6 (Temporary Traffic Control). The traffic control plan shall provide, but not be limited to, the following elements:</i>  <ul style="list-style-type: none"> <li>• <i>Circulation and detour plans to minimize impacts on local road circulation during road and lane closures. Flaggers and/or signage shall be used to guide vehicles through and/or around the construction zone.</i></li> <li>• <i>Identifying truck routes designated by Placer County, where applicable. Haul routes that minimize truck traffic on local roadways shall be utilized to the extent possible.</i></li> <li>• <i>Sufficient staging areas for trucks accessing construction zones to minimize the disruption of access to adjacent existing public right-of-ways.</i></li> <li>• <i>Controlling and monitoring construction vehicle movement through the enforcement of standard construction specifications by onsite inspectors.</i></li> <li>• <i>Scheduling truck trips outside the peak morning and evening commute hours to the extent possible.</i></li> <li>• <i>Limiting the duration of road and lane closures to the extent possible.</i></li> <li>• <i>Storing all equipment and materials in designated contractor staging areas on or adjacent to the worksite, such that traffic obstruction is minimized.</i></li> <li>• <i>Implementing roadside safety protocols. Advance "Road Work Ahead" warning and speed control signs (including those informing drivers of State legislated double fines for speed infractions in a construction zone) shall be posted to reduce speeds and provide safe traffic flow through the work zone.</i></li> <li>• <i>Coordinating construction administrators of police and fire stations (including all fire protection agencies). Operators shall be notified in advance of the timing, location, and duration of construction activities and the locations of detours and lane closures, where applicable.</i></li> <li>• <i>Repairing and restoring affected roadway rights-of way to their original condition after construction is completed.</i></li> </ul>	Prepare and enforce a traffic control plan.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Community Development Department
3.9-14: The proposed project, combined with other cumulative development, could impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	<b>3.9-14:</b> <i>Implement Mitigation Measure 3.9-7.</i>	See Mitigation Measure 3.9-7.	See Mitigation Measure 3.9-7.	See Mitigation Measure 3.9-7.	See Mitigation Measure 3.9-7.	See Mitigation Measure 3.9-7.

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
<b>3.10 Hydrology</b>						
3.10-1: Implementation of the proposed project could violate water quality standards or waste discharge requirements.	<p><b>3.10-1(a):</b>  <i>Storm Water Pollution Prevention Plan – Project Construction</i>  <i>Prior to the issuance of grading permits, the project applicant shall prepare and submit to the City Public Works Department and CVRWQCB, a Storm Water Pollution Prevention Plan (SWPPP) detailing measures to control soil erosion and waste discharges during construction. The SWPPP shall include an erosion control and restoration plan, a water quality monitoring plan, a hazardous materials management plan, and post-construction BMPs. The BMPs shall be maintained until all areas disturbed during maintenance have been adequately stabilized.</i></p> <p><i>Prior to the commencement of any construction activities (as they are phased), including grading, the project applicant shall submit of a Notice of Intent (NOI) to the State Water Resources Control Board for coverage under the 2012-0006-DWQ Permit.</i></p> <p><i>i. The specific BMPs that would be incorporated into the SWPPP shall be determined during the final stages of the proposed Project design. The SWPPP shall include specific practices to minimize the potential that pollutants will leave the site during construction. Such practices include establishing designated equipment staging areas, minimizing disturbance of soils and existing vegetation, protection of spoils and soil stockpile areas, and equipment exclusion zones prior to the commencement of any construction activity; designating equipment washout areas; and establishing proper vehicle fuel and maintenance practices.</i></p> <p><i>ii. The applicant shall require contractors using and/or storing hazardous materials, such as vehicle fuels and lubricants, to do so in designated staging areas located away from surface waters according to local, state, and federal regulations as applicable.</i></p> <p><i>iii. All contractors conducting maintenance-related work shall be required to prepare and implement a SWPPP to control soil erosion and waste discharges of other maintenance-related contaminants. The general contractor and subcontractor(s) conducting the work shall be responsible for preparing or implementing the SWPPP, regularly inspecting measures, and maintaining the BMPs in good working order. Maintenance vehicles and equipment shall be checked daily for leaks and shall be properly maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease.</i></p> <p><i>iv. Methods and materials used for herbicide and pesticide application shall be in accordance with label directions, DWR's most current guidelines on herbicide and pesticide use, and with laws and regulations administered by the Department of Pesticide Regulation.</i></p> <p><i>v. Prior to approval of a grading or building permit, the applicant shall cause the preparation of and implementation of a Spill Prevention and Control Plan (SPCP). The SPCP shall be accessible on site at all times prior to initiation of maintenance activities, and throughout the activities. The SPCP shall identify the spill control materials that must be fully stocked on site at all times and include a plan for the emergency cleanup of any spills of fuel or other materials that may be released. Maintenance Yard staff shall be provided the necessary information from the SPCP to prevent or reduce the discharge of pollutants to waters prior to commencement of construction activities and provide all necessary protocols to contain any spill that might occur. Any such spills, and the cleanup efforts, shall be reported by the on site contractor in an incident report to Placer County Environmental Health as the Certified Unified Program Agency or as directed by Environmental Health.</i></p> <p><i>vi. Any in-water work shall be conducted in accordance with requirements as contained in the Clean Water Act Section 401 and 404 permits, California Fish and Game Code section 1602 Streambed Alteration Agreement, and any other applicable regulatory permits or agreements.</i></p>	Prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City Public Works Department and the Central Valley, and submit a Notice of Intent to the State Water Resources Control Board (SWRCB)	Full Specific Plan and Area A	Project applicant	Prior to grading permit issuance for SWPPP, and prior to phased construction for NOI	City of Lincoln Public Works Department and Central Valley Regional Water Quality Control Board (CVRWQCB) for SWPPP and State Water Resources Control Board (SWRCB) for NOI

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<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Component</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<p><b>3.10-1(b):</b>  <i>Water Quality BMPs – Project Operation</i>                      Prior to approval of final improvement plans, the project applicant shall prepare a Water Quality Management Plan that meets all the requirements described below.</p> <p>i. <i>The Water Quality Management Plan shall include the proposed water quality facilities and shall be prepared in accordance with Section 8.60.400 of the City’s Municipal Code for City review and approval. The Water Quality Management Plan shall be consistent with goals and standards established under federal and state non-point source National Pollutant Discharge Elimination System regulations, the Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin water quality objectives, the City’s Post-Construction Stormwater Runoff Control Ordinance, and Low-Impact Development (LID) alternatives for stormwater quality control per Public Facilities and Services Implementation Measure 3.0 of the adopted 2050 General Plan.</i></p> <p>ii. <i>The Water Quality Management Plan shall include a description of all non-structural BMPs and include Covenants, Codes, and Restrictions (CC&amp;Rs), or similar regulatory mechanism, to enforce implementation of non-structural BMPs. Non-structural BMPs shall include, but not be limited to, “good housekeeping” practices for materials storage and waste management, storm drain system stenciling, landscape chemical use guidelines, and street sweeping.</i></p> <p>iii. <i>The Water Quality Management Plan shall also include the method or methods for funding the long-term maintenance of the proposed water quality facilities during project operation, which the City shall consider and implement.</i></p> <p>iv. <i>All BMPs for water quality protection, source control, and treatment control shall be developed in accordance with the Stormwater Quality Design Manual adopted by the City for the project. The BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff. Flow or volume based post-construction BMPs shall be included for long-term maintenance of BMPs and shall be designed at a minimum in accordance with the Section 10, Drainage, of the City of Lincoln Design Criteria and Procedures Manual and the Placer County Flood Control and Water Conservation District’s Stormwater Management Manual. All BMPs shall reflect the Best Available Technologies (BAT) available at the time of implementation and shall reflect site-specific limitations. The City shall make the final determinations as to the appropriateness of the BMPs proposed for the proposed project and the City shall ensure future implementation, operation, and maintenance of the BMPs.</i></p> <p>v. <i>To comply with the requirements of the Placer County Mosquito and Vector Control District, all BMPs shall be designed to discharge all waters within 96 hours of the completion of runoff from a storm event. All graded areas must drain so that no standing water can accumulate for more than 96 hours within water quality facilities.</i></p> <p>vi. <i>Stormwater runoff from the proposed project’s impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (i.e. sediment, oil/grease, etc.), as approved by the City. Examples of these BMPs include, but are not limited to, grass strips, bioretention, bioswales, composite/treatment train BMPs, detention basins (surface/grass-lined), media filters (mostly sand filters), porous pavement, retention ponds (surface pond with a permanent pool), wetland basins (basins with open water surface), a combined category including both retention ponds and wetland basins, and wetland channels (swales and channels with wetland vegetation). The Water Quality Plan shall include plans for the maintenance of proposed BMPs. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.</i></p>	Prepare a Water Quality Management Plan.	Full Specific Plan and Area A	Project applicant	Prior to final improvement plan approval	City of Lincoln Community Development Department
3.10-3: Implementation of the proposed project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	<p><b>3.10-3:</b>  <i>The project applicant shall implement Mitigation Measure 3.10-1.</i></p>	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.



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<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Component</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
3.10-4: Implementation of the proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which could result in flooding on- or off-site.	<b>3.10-4:</b> <i>The project applicant(s) shall implement Mitigation Measure 3.10-1 and demonstrate that the final design of the onsite drainage improvements will comply with the requirements established in the V5 Drainage Master Plan.</i>	Implement Mitigation Measure 3.10-1 and demonstrate that final design of the drainage components will be compliant with the Village 5 Drainage Master Plan.	Full Specific Plan and Area A	Project applicant	See Mitigation Measure 3.10-1.	City of Lincoln Public Works Department, City of Lincoln Community Development Department
3.10-5: Implementation of the proposed project could create or contribute runoff water which would provide substantial additional sources of polluted runoff.	<b>3.10-5:</b> <i>The project applicant shall implement Mitigation Measure 3.10-1.</i>	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.
3.10-7: Implementation of the proposed project could place within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map, or within a 200-year floodplain, housing or structures which would impede or redirect flood flows.	<b>3.10-7:</b> <i>Prior to the issuance of a grading permit, the project applicant shall demonstrate to the City of Lincoln that it has received an encroachment permit from the Central Valley Flood Protection Board (CVFPB) for construction to be located within the 100-year and 200-year flood zone, and any other necessary state or federal permits. As part of the CVFPB permit process, the project applicant must demonstrate that the proposed improvements including storm drain outfalls and bridge supports will not result in an increase in water surface elevation consistent with CVFPB requirements as described in the California Code of Regulations, Title 23, Waters, Division 1, Central Valley Flood Protection Board, Article 8 Standards, including Sections 113 and 128, Bridges. Also, prior to the issuance of a grading permit, the City Engineer shall review plans for compliance with Chapter 15.32, Flood Damage Prevention, of the Lincoln Municipal Code and the City of Lincoln, Department of Public Works, Design Criteria and Procedures Manual, to confirm that proposed bridges, as designed, would not substantially impede or redirect flood flows. The City Engineer shall confirm that any proposed bridge is constructed in accordance with the approved plans.</i>	Demonstrate to the City that the applicant has received a CVFPB encroachment permit.	Full Specific Plan and Area A	Project applicant	Prior to grading permit issuance	CVFPB, City of Lincoln Public Works Department, City of Lincoln Community Development Department
3.10-8: Implementation of the proposed project could contribute to cumulative violations of water quality standards or waste discharge requirements by increasing runoff, providing additional sources of polluted runoff, or otherwise degrading water quality.	<b>3.10-8:</b> <i>The project applicant shall implement Mitigation Measure 3.10-1.</i>	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.
3.10-10: Implementation of the proposed project could contribute to cumulative substantial alteration of the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	<b>3.10-10:</b> <i>The project applicant shall implement Mitigation Measure 3.10-1.</i>	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.	See Mitigation Measure 3.10-1.
<b>3.11 Land Use</b>						
3.11-1: Implementation of the proposed project would conflict with adjacent land uses.	<b>3.11-1:</b> <i>Where residential uses would be located adjacent to parcels where agricultural operations are permitted, including livestock grazing and/or confinement, the applicant shall provide to all homebuyers notice in a transfer deed regarding the Agricultural Overlay District and required buffers and/or setbacks, as well as agricultural operations and potential nuisance activities that could occur on lands adjacent to the homesite. The applicant shall provide the City with draft notice language to be included in each deed prior to pulling the first building permit.</i>	Provide notice in a transfer deed regarding the Agricultural Overlay District and required buffers, setbacks, and potential agricultural operations and nuisance activities that could occur. Provide draft language for the City to include within each deed.	Full Specific Plan and Area A	Project applicant	Prior to building permit issuance	City of Lincoln Community Development Department

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3.11-2: Implementation of the proposed project would create conflicting land uses within the Plan Area.	<p><b>3.11-2:</b></p> <p>i) <i>The project applicant shall implement Mitigation Measure 3.1-4. During the design review process, the applicant shall adhere to the following measures to reduce impacts from light and glare:</i></p> <p>a) <i>All light standards shall be shielded and directed downward so that light shall not emit higher than a horizontal level.</i></p> <p>b) <i>Reflective surfaces of multi-story buildings facing streets, open spaces, parks, and residential neighborhoods shall be oriented to avoid generating glare that could create a nuisance or safety hazard.</i></p> <p>c) <i>For parks or other facilities anticipated to include nighttime activities, the site and placement of overhead lighting shall be designed to minimize exposure of adjacent properties to spillover light and minimize the amount of light that would be visible above the horizontal plane of the light fixture.</i></p> <p>d) <i>Normal operating hours for lighting related to nighttime recreational activities shall be until 10:00 p.m. on Sunday through Thursday and on Friday and Saturday until 11:00 p.m. to reduce the disruption to adjacent properties. to reduce the disruption to adjacent properties. Special events that would require lighting beyond normal operating hours would be subject to a permit to be issued by the City.</i></p> <p>ii) <i>The project applicant shall implement Mitigation Measure 3.11-1.</i></p> <p>iii) <i>The project applicant shall implement Mitigation Measure 3.12-6, which requires as follows:</i></p> <p><i>During individual phase design preparation, the applicant shall implement the following measures to assure that interior and exterior noise levels from stationary sources are below the City's standards of 60 dBA Ldn outdoor and 45 dBA Ldn indoor, respectively:</i></p> <p>a) <i>The proposed land uses shall be designed so that on-site mechanical equipment (e.g., HVAC units, compressors, generators) and area-source operations (e.g., loading docks, parking lots, and recreational-use areas) are located no closer than 120 feet from the nearest residential dwelling or provided shielding from nearby noise sensitive land uses to meet City noise standards. Shielding must have a minimum height sufficient to completely block line-of-sight between the on-site noise source and the nearest residential dwelling to meet the City noise standards. Based on the size and placement of the HVAC units (i.e., ground level or roof top), barrier heights may range between three to six feet. Depending on the layout of the proposed loading docks, barriers that completely block line-of-sight between the loading docks and the nearest residential dwelling may not be feasible.</i></p> <p>b) <i>Limit heavy truck deliveries to the daytime hours of 7:00 a.m. to 10:00 p.m. unless a site-specific acoustical study prepared to the satisfaction of the Planning Director or Chief Building Official concludes that deliveries outside of this timeframe would not adversely affect sensitive receptors.</i></p> <p>c) <i>The use of loudspeakers and similar devices used within parks shall be prohibited outside the hours of 7:00 a.m. to 10:00 p.m., Sunday through Thursday, and 7:00 a.m. to 11:00 p.m. on Friday and Saturday.</i></p> <p>d) <i>Commercial loading docks located within 100 feet of existing or proposed residences shall be positioned in areas shielded from view of adjacent noise-sensitive uses by intervening commercial buildings to the degree feasible. If required to reduce noise to acceptable levels, solid noise barriers shall be constructed at the boundary of commercial uses with loading docks and have a minimum height sufficient to intercept line-of-sight between heavy trucks and the affected area of the noise-sensitive uses.</i></p> <p>e) <i>Signs shall be posted prohibiting idling of delivery trucks to 5 minutes or less</i></p>	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.	See Mitigation Measure 3.1-4.

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<b>3.12 Noise</b>						
3.12-1: Construction of the proposed project could temporarily increase ambient noise levels.	<p><b>3.12-1:</b> <i>The City shall ensure construction contractors for each project phase comply with the following mitigation measures:</i></p> <ul style="list-style-type: none"> <li>a) <i>Construction hours shall be limited to those allowed in the City's Public Facilities Improvement Standards between 7:00 a.m. to 7:00 p.m., Monday through Friday. If construction is necessary on Sunday and Holidays the applicant shall submit a written request to the Director of Public Works or City Engineer, as applicable, 72-hours prior to the desired construction. If work is allowed outside aforementioned work hours, the applicant shall have a copy of the written approval available at the work site.</i></li> <li>b) <i>All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer-installed mufflers.</i></li> <li>c) <i>Equipment warm up areas, water tanks and equipment storage areas shall not be located closer than 200 feet from existing residences.</i></li> <li>d) <i>Applicant shall provide two weeks advanced notice to all residences located within 300 feet of construction activities, including the approximate start date and duration of such compaction activities.</i></li> <li>e) <i>Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for proposed project construction shall be hydraulically or electrically powered where available to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where available; this could achieve a reduction of 5 dBA.</i></li> <li>f) <i>Appropriately sized noise barriers or shielding shall be erected for construction work involving heavy duty construction equipment if occurring within 300 feet of receptors for an extended period of time (more than 2 weeks).</i></li> </ul>	Abide by construction requirements per the City	(Full Specific Plan and Area A)	Construction contractors	During construction	City of Lincoln Community Development Department
3.12-2: Construction of the proposed project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.	<p><b>3.12-2:</b> <i>Implement Mitigation Measure 3.12-1.</i></p>	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.
3.12-3: Implementation of the proposed project would expose noise-sensitive land uses to transportation noise levels in excess of the City of Lincoln General Plan noise standard or result in a substantial permanent increase in ambient transportation-related noise above existing levels.	<p><b>3.12-3:</b> <i>Prior to approval of the tentative subdivision map (TSM) for any residential uses located adjacent to Dowd Road (between Mavis Avenue and Nicolaus Road), Mavis Road (between Dowd Road and Nelson Lane), Old Nelson Lane (between Moore Road and SR 65) and SR 65 (between Wise Road and south of Nelson Lane), the TSM applicant shall submit to the City an acoustical study demonstrating that noise attenuation features included in the project would reduce outdoor and interior noise levels to less than the City's 60 dBA Ldn and 45 dBA Ldn noise standards, respectively. The noise study shall identify the measures to be utilized and the noise attenuation attributable to each feature. Noise attenuating features may include, but are not limited to:</i></p> <ul style="list-style-type: none"> <li>a) <i>Construct noise barriers (walls and/or berms), as appropriate on a site-specific basis, to reduce traffic noise levels at noise-sensitive land uses, which have been found to be significantly impacted by traffic noise. A concrete cinderblock noise barrier must completely block line-of-sight between the source and receptor, and can reduce traffic noise levels by at least 10 dB. Any noise walls shall be landscaped with vines (to be fully covered within three years) and shall be landscaped in accordance with the General Development Plan (GDP).</i></li> <li>b) <i>Design and construct residential buildings adjacent to Dowd Road (between Mavis Avenue and Nicolaus Road), Mavis Road (between Dowd Road and Nelson Lane), Old Nelson Lane (between Moore Road and SR 65) and SR 65 (between Wise Road and south of Nelson Lane) so that their external activity areas are not within line-of-sight of these roadways. This could result in noise reductions of at least 3 dB.</i></li> <li>c) <i>Repaving impacted roadways with "quiet" pavement types such as rubberized concrete. Roadways constructed with rubberized concrete can result in a net decrease in traffic noise levels of approximately 4 dB compared to that created by conventional asphalt.</i></li> </ul>	Submit an acoustical study demonstrating that noise attenuation features included in the project would reduce outdoor and interior noise levels to less than the City's 60 dBA Ldn and 45 dBA Ldn noise standards, respectively	Full Specific Plan and Area A	Project applicant	Prior to approval of the tentative subdivision map	City of Lincoln Community Development Department

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	d) <i>The applicant shall conduct an acoustical analysis to confirm that if the materials to be used for residential building construction would reduce interior noise levels to 45 dBA Ldn. If the analysis determines that additional noise insulation features are required, the acoustical analysis shall identify the type of noise insulation features that would be required to reduce the interior noise levels to 45 dBA Ldn, and the applicant shall incorporate these features into the building design.</i>					
3.12-4: The proposed project could result in exposure of people residing or working at the project site to excessive noise levels from a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public or public use airport.	<b>3.12-4:</b> <i>If a daycare center is located in Compatibility Zone C1, the applicant shall conduct an acoustical analysis to confirm that the materials to be used for construction of the commercial building housing the daycare center would result in an interior to exterior noise reduce of at least 20 dB. If the analysis determines that additional noise insulation features are required, the acoustical analysis shall identify the type of noise insulation features that would be require to result in an exterior to interior noise reduce of at least 20 dB, and the applicant shall incorporate these features into the building design.</i>	Conduct an acoustical analysis in the event that a daycare center is located in Lincoln Regional Airport Compatibility Zone C1	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Community Development Department
3.12-5: Implementation of the proposed project would expose people residing or working in the proposed project area to excessive noise levels for a project within the vicinity of a private airstrip.	<b>3.12-5:</b> <i>The project applicant shall implement Mitigation Measure 3.9-6.</i> <b>3.9-6</b> <i>Prior to issuance of the first building permit within 500 feet of the airstrip, the project applicant shall purchase and/or relocate the easement and upon purchase or relocation, abandon the airstrip by filing the appropriate documentation with the Placer County Recorder's Office.</i>	See Mitigation Measure 3.9-6.	Full Specific Plan and Area A	See Mitigation Measure 3.9-6.	See Mitigation Measure 3.9-6.	See Mitigation Measure 3.9-6.
3.12-6: Implementation of the proposed project would expose on-site noise-sensitive land uses to noise generated by commercial, educational and recreational activities in excess of the City of Lincoln General Plan noise standard or result in an increase in ambient noise	<b>3.12-6:</b> <i>During individual phase design preparation, the applicant shall implement the following measures to assure that interior and exterior noise levels from stationary sources are below the City's standards of 60 dBA L<sub>dn</sub> outdoor and 45 dBA L<sub>dn</sub> indoor, respectively:</i> a) <i>The proposed land uses shall be designed so that on-site mechanical equipment (e.g., HVAC units, compressors, generators) and area-source operations (e.g., loading docks, parking lots, and recreational-use areas) are located no closer than 120 feet from the nearest residential dwelling or provided shielding from nearby noise sensitive land uses to meet City noise standards. Shielding must have a minimum height sufficient to completely block line-of-sight between the on-site noise source and the nearest residential dwelling to meet the City noise standards. Based on the size and placement of the HVAC units (i.e., ground level or roof top), barrier heights may range between three to six feet. Depending on the layout of the proposed loading docks, barriers that completely block line-of-sight between the loading docks and the nearest residential dwelling may not be feasible.</i> b) <i>Limit heavy truck deliveries to the daytime hours of 7:00 a.m. to 10:00 p.m. unless a site-specific acoustical study prepared to the satisfaction of the Planning Director or Chief Building Official concludes that deliveries outside of this timeframe would not adversely affect sensitive receptors.</i> c) <i>The use of loudspeakers and similar devices used within parks shall be prohibited outside the hours of 7:00 a.m. to 10:00 p.m., Sunday through Thursday, and 7:00 a.m. to 11:00 p.m. on Friday and Saturday.</i> d) <i>Commercial loading docks located within 100 feet of existing or proposed residences shall be positioned in areas shielded from view of adjacent noise-sensitive uses by intervening commercial buildings to the degree feasible. If required to reduce noise to acceptable levels, solid noise barriers shall be constructed at the boundary of commercial uses with loading docks and have a minimum height sufficient to intercept line-of-sight between heavy trucks and the affected area of the noise-sensitive uses.</i> e) <i>Signs shall be posted prohibiting idling of delivery trucks to 5 minutes or less.</i>	Implement the noise mitigation measures	Full Specific Plan and Area A	Project applicant	Prior to individual phase design implementation	City of Lincoln Community Development Department
3.12-7: Construction of the proposed project, including other cumulative growth, would temporarily add to cumulative noise levels in the vicinity of the proposed project site.	<b>3.12-7:</b> <i>Implement Mitigation Measure 3.12-1.</i>	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.	See Mitigation Measure 3.12-1.

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Component</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
3.12-8: Construction of the proposed project, combined with other cumulative growth, would temporarily add to cumulative groundborne vibration levels in the vicinity of the proposed project site.	<b>3.12-8:</b> <i>Implement Mitigation Measure 3.12-2.</i>	See Mitigation Measure 3.12-2.	See Mitigation Measure 3.12-2.	See Mitigation Measure 3.12-2.	See Mitigation Measure 3.12-2.	See Mitigation Measure 3.12-2.
3.12-9: Increases in traffic from the proposed project, in combination with other development, could result in cumulatively considerable noise increases.	<b>3.12-9:</b> <i>Implement Mitigation Measure 3.12-3.</i>	See Mitigation Measure 3.12-3.	See Mitigation Measure 3.12-3.	See Mitigation Measure 3.12-3.	See Mitigation Measure 3.12-3.	See Mitigation Measure 3.12-3.
<b>3.14 Public Services</b>						
3.14-4: The proposed project could result in substantial adverse physical impacts associated with the provision of new or physically altered parks or recreation facilities or the need for new or physically altered parks or recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives for parks and recreation services.	<b>3.14-4:</b> <i>If fewer than 38.7 acres of the Regional Sports Park are available for public use, the project applicant shall either (i) provide the required additional active recreational park land; or (ii) pay the In Lieu Fee for park and recreational facilities as set forth in Lincoln Municipal Code section 17.32.010 for the difference between the demand for active recreational park (116.7 acres) and the active recreational parkland provided.</i>	Agree to build or pay In Lieu Fee to compensate for required additional active recreational park land.	Full Specific Plan and Area A	Project applicant	Prior to issuance of a building permit	City of Lincoln Community Development Department
<b>3.15 Transportation</b>						
3.15-1: Implementation of the proposed project would increase traffic levels at intersections under the City of Lincoln's jurisdiction operating at an acceptable LOS under existing conditions.	<b>3.15-1:</b> <i>The project applicants shall pay their fair share cost towards the following improvements. These improvements are included in the City's updated PFE fee program. Therefore, PFE credits would be given to the constructing party. Alternatively, the City may require the project applicants to construct the improvements and provide them with a right of reimbursement from third parties who also benefit from the improvements. The development agreement between the City and project applicants shall specify the timing of the fair share payment or construction of these improvements, with the required timing prior to the service level degrading to LOS D, as determined by a traffic study to be funded by the project applicants.</i>  <i>If, in the alternative to paying the applicable PFE fees, the project applicant(s) are required to construct improvements, the following improvements would be required to restore operations to an acceptable level at each intersection.</i>  <i>a) Nelson Lane / Nicolaus Road (#10):</i>  <i>- Signalize the intersection when signal warrants are met. To achieve LOS C operations, it may be necessary to provide protected left-turn movements and a right-turn overlap phase for eastbound right turn movements. Northbound U-turn movements would need to be prohibited to allow for the eastbound right-turn overlap phase. Signalizing this intersection was identified in the previous PFE fee program for Transportation and is included in the updated PFE.</i>  <i>- Restripe the southbound approach to provide the following lane configurations:</i> <i>i. One left-turn lane, one through lane, and one shared through-right turn lane</i>  <i>- Reconfigure the south leg of the intersection to provide the following lane configurations:</i> <i>i. Two northbound left turn pocket lanes</i> <i>ii. One northbound through lane</i> <i>iii. One northbound trap-right turn lane</i> <i>iv. Two southbound receiving lanes</i>  <i>- Reconfigure the east leg of the intersection to provide a second westbound left-turn lane</i>  <i>- Reconfigure the west leg of the intersection to include the following:</i>	Pay fair share costs improvements outlined included in the City of Lincoln Public Facilities Element (PFE) fee program. Or, the project applicant could construct the requested improvements and, under the City's direction, be given a right of reimbursement from third parties who benefit from the said improvements.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> <li>i. Restripe the eastbound shared through-right turn lane into a dedicated right-turn lane. This would result in one left-turn lane, one through lane, and one right-turn lane.</li> <li>ii. Add a second westbound receiving lane</li> </ul>					
	<p>b) Airport Road / Nicolaus Road (#11):</p> <ul style="list-style-type: none"> <li>- Signalize the intersection when signal warrants are met. If necessary to achieve LOS C operations, provide protected phasing for left-turn movements. Signalizing this intersection was identified in the previous PFE fee program for Transportation and is included in the updated PFE.</li> <li>- Widen the southbound approach to add a southbound left-turn pocket</li> <li>- Widen the south leg of the intersection to include the following:                             <ul style="list-style-type: none"> <li>i. One northbound left turn pocket lane</li> <li>ii. One northbound through lane</li> <li>iii. One northbound channelized free right turn lane</li> <li>iv. Two southbound receiving lanes</li> </ul> </li> <li>- Widen the east leg of the intersection to include the following:                             <ul style="list-style-type: none"> <li>i. Two westbound left turn lanes (one trap lane; one pocket lane)</li> <li>ii. Restripe the existing westbound lane to a through-right lane</li> <li>iii. Two eastbound receiving lanes (one from the eastbound through lane and one from the northbound free right-turn lane)</li> </ul> </li> <li>- Widen the eastbound approach to include one left-turn pocket lane, one through lane, and one-right turn pocket lane.</li> </ul>					
	<p>c) Dowd Road / Nicolaus Road (#13):</p> <ul style="list-style-type: none"> <li>- Signalize the intersection when signal warrants are met. If necessary to achieve LOS C operations, provide protected phasing for left-turn movements. Signalizing this intersection is identified in the Village 5 Specific Plan, and is included in the updated PFE.</li> <li>- Widen the southbound approach to add a southbound left-turn pocket</li> <li>- Widen the south leg of the intersection to include the following improvements:                             <ul style="list-style-type: none"> <li>i. One northbound left turn pocket lane</li> <li>ii. One northbound through lane</li> <li>iii. One northbound trap right turn lane</li> <li>iv. Two southbound receiving lanes</li> </ul> </li> <li>- Widen the east leg of the intersection to include the following improvements:                             <ul style="list-style-type: none"> <li>i. Two westbound left turn lanes (one trap lane; one pocket lane)</li> <li>ii. Restripe the existing westbound lane to a through-right lane</li> </ul> </li> <li>- Widen the eastbound approach to include one left-turn pocket lane, one shared through-right turn lane.</li> </ul>					
	<p>d) Fiddymont Road / Moore Road (#15):</p> <ul style="list-style-type: none"> <li>- Widen the southbound approach to add a southbound right-turn pocket</li> </ul>					
	<p>e) Dowd Road / Moore Road (#22):</p> <ul style="list-style-type: none"> <li>- Change the traffic control to side-street stop control for Moore Road, and free movements on Dowd Road (existing configuration is free movements on Moore Road and side-street stop control for Dowd Road).</li> </ul>					
	<p>f) Lakeside Drive / Nicolaus Road (#32):</p> <ul style="list-style-type: none"> <li>- Signalize the intersection when signal warrants are met. Signalizing this intersection was identified in the previous PFE fee program for Transportation and is included in the updated PFE.</li> </ul> <p>Additional mitigation to reduce impacts of Mitigation Measures 3.15-1(b) and (c) to intersections #11 and #13.</p>					

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.15-3: Implementation of the proposed project would increase traffic levels at future City of Lincoln intersections in Village 5.	<p><b>Option 1:</b></p> <p>g) <i>The City shall monitor traffic conditions at the intersections of Airport Road/Nicolaus Road (#11) and Dowd Road/Nicolaus Road (#13). In addition to compliance with Mitigation Measures 3.15-1(b) and (c), the City shall cause one of the following measures to be taken prior to the service level degrading to LOS D, as determined by a traffic study at each location to be funded by the project applicant(s):</i></p> <p>i. <i>The project applicant(s) shall coordinate with the City staff to ensure signal phasing times would allow adequate time for cyclists to cross through the widened intersections during green and amber signal phases; or</i></p> <p>ii. <i>The project applicants' intersection designs shall eliminate free right-turn movements in exchange for right-turn overlap phases or dual right turn lanes to serve high right-turn traffic volumes. Any dual right-turn lanes shall be designed to ensure adequate visibility of pedestrians, including any use of a channelized right-turn lane for the inside right-turn lane.</i></p> <p><b>Option 2:</b></p> <p>g) <i>The project applicant(s) shall apply to the Community Development Director for a determination as to whether the recommended intersection widening conflicts with the City's Policy T-2.3 and T-5.3 to achieve a traffic design to minimize conflicts between vehicles and pedestrians and bicycles. The Community Development Director may determine that an exception to the LOS C standard in Policy T-2.3 is warranted.</i></p> <p><b>3.15-3:</b></p> <p><i>The City shall monitor traffic conditions at the future Nelson Lane / Mavis Road intersection (#40) and shall cause the following improvements to be constructed prior to the service level degrading to LOS D:</i></p> <ul style="list-style-type: none"> <li>• <i>Southbound: channelize the right-turn lane and add a merge lane on westbound Mavis Road to allow "free" right-turn operations</i></li> <li>• <i>Eastbound: widen the eastbound approach to include a third left turn lane</i></li> <li>• <i>Westbound: channelize the right-turn lane and add a merge lane on northbound Nelson Lane to allow "free" right-turn operations.</i></li> </ul> <p><i>The development agreement between the City and project applicants shall specify the timing of the construction of these improvements, with the required timing prior to the service level degrading to LOS D, as determined by a traffic study to be funded by the project applicants.</i></p> <p><i>Additional mitigation to reduce impacts to Intersection #40 if widened:</i></p> <p><b>Option 1:</b></p> <p><i>The City shall monitor traffic conditions at the intersection of Nelson Lane/Mavis Road (#40). In addition to compliance with Mitigation Measures 3.15-3, the City shall cause one of the following measures to be taken prior to the service level degrading to LOS D, as determined by a traffic study at each location to be funded by the project applicant(s):</i></p> <p>a) <i>The project applicant(s) shall coordinate with the City staff to ensure signal phasing times would allow adequate time for cyclists to cross through the widened intersections during green and amber signal phases; or</i></p> <p>b) <i>The project applicants' intersection designs shall eliminate free right-turn movements in exchange for right-turn overlap phases or dual right turn lanes to serve high right-turn traffic volumes. Any dual right-turn lanes shall be designed to ensure adequate visibility of pedestrians, including any use of a channelized right-turn lane for the inside right-turn lane.</i></p> <p><b>Option 2:</b></p> <p><i>The project applicant(s) may apply to the Community Development Director for a determination as to whether the recommended intersection widening conflicts with the City's Policy T-2.3 and T-5.3 to achieve a traffic design to minimize conflicts between vehicles and pedestrians and bicycles. The Community Development Director may determine that an exception to the LOS C standard in Policy T-2.3 is warranted.</i></p>	Monitor conditions at Nelson Lane/Mavis Road intersection and construction improvements.	Full Specific Plan and Area A	Project applicant	Prior to service level reaching LOS D	City of Lincoln Public Works Department

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.15-4: Implementation of the proposed project would increase traffic levels at intersections under the County of Placer's jurisdiction.	<p><b>3.15-4:</b>  <i>The project applicants shall pay their fair share cost towards the following recommended improvements to restore vehicle traffic operations to an acceptable LOS at each intersection.</i></p> <p>a) <i>Fiddymment Road / Athens Avenue (#16):</i></p> <ul style="list-style-type: none"> <li>- <i>Widening of the northbound approach to include a right-turn pocket lane</i></li> <li>- <i>Widening of the southbound approach to include a left-turn pocket lane</i></li> <li>- <i>Signalization at the intersection with a protected southbound left-turn movement.</i></li> </ul> <p><i>There is no funding program in place for these improvements. Accordingly, the project applicant(s) shall obtain cost estimates for these improvements and determine its/their fair share payments. Once the fair share has been determined, the project applicant(s) shall pay that fair share to the City to ensure the payment goes to the above-referenced improvements.</i></p> <p>b) <i>Fiddymment Road / W. Sunset Boulevard (#18):</i></p> <ul style="list-style-type: none"> <li>- <i>Widening of the northbound approach to include a left-turn pocket lane</i></li> <li>- <i>Signalization at the intersection with a protected northbound left-turn movement.</i></li> </ul> <p><i>There is no funding program in place for these improvements. Accordingly, the project applicant(s) shall obtain cost estimates for these improvements and determine its/their fair share payments. Once the fair share has been determined, the project applicant(s) shall pay that fair share to the City to ensure the payment goes to the above-referenced improvements.</i></p>	Pay fair share improvements for Fiddymment Road/Athens Avenue and Fiddymment Road/West Sunset Boulevard intersections.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department
3.15-6: Implementation of the proposed project would increase traffic levels at intersections maintained by Caltrans.	<p><b>3.15-6:</b>  <i>The project applicants shall pay their fair share cost towards the construction of a new interchange at SR 65 / Nelson Lane (#3), as supported by Lincoln General Plan Policy T-2.9. The timing of these payments is outlined in the development agreement. As described in Section 3.15.2, the City of Lincoln is in the process of updating its PFE fee program. This interchange is included in the City's updated PFE fee program. Therefore, the project applicants shall pay their fair share towards these improvements through the City of Lincoln's updated PFE fee program and ensure that they are constructed prior to the service level degrading to an unacceptable LOS F.</i></p> <p><i>To initiate the Caltrans project development process towards implementing the new interchange, the project applicant shall fund the preparation of a Project Study Report – Project Development Support (PSR-PDS) document for a new interchange at SR 65/Nelson Lane (#3) in coordination with the City of Lincoln and Caltrans. The Caltrans project development process will determine the ultimate configuration of the new interchange and ensure that the ultimate configuration provides acceptable operations (i.e., LOS) based on Caltrans standards. Through the Caltrans project development process, the following intersection control options may be considered in accordance with Caltrans' Intersection Control Evaluation (ICE) policy:</i></p> <ul style="list-style-type: none"> <li>• <i>Unsignalized (side street stop controlled);</i></li> <li>• <i>Roundabout – Single or multi-lane;</i></li> <li>• <i>Diverging diamond interchange;</i></li> <li>• <i>Signalized spread diamond;</i></li> <li>• <i>Signalized single point urban interchange; or</i></li> <li>• <i>Signalized partial cloverleaf.</i></li> </ul> <p><i>While the PSR-PDS process would determine the ultimate configuration of the interchange, the City and project applicant assumed a six-lane signalized partial cloverleaf interchange for this analysis based on the available footprint and the planned circulation network identified in the Village 5 Specific Plan. Since the six-lane partial cloverleaf provides the greatest capacity and has the largest footprint of the options listed above, it was determined that this configuration would verify whether an interchange would adequately mitigate the project's impact on traffic operations (i.e., if a six-lane partial cloverleaf does not meet LOS standards, additional mitigation may be necessary). Analysis presented in Table 3.15-23 shows that the six-lane signalized partial cloverleaf interchange provides acceptable operations with the following lane configurations at the interchange ramp terminal intersections:</i></p>	Pay fair share improvements for SR 65/ Nelson Lane interchange.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department



**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> <li>• SR 65 Northbound Ramps / Nelson Lane intersection:                             <ul style="list-style-type: none"> <li>i. Northbound SR 65 off-ramp: one left-turn lane, one shared left-right turn lane, and one right turn lane</li> <li>ii. Northbound Nelson Lane: three through lanes, one free right-turn lane onto the northbound SR 65 loop on-ramp</li> <li>iii. Southbound Nelson Lane: three through lanes, one free right-turn lane onto the northbound SR 65 slip on-ramp</li> </ul> </li> <li>• SR 65 Southbound Ramps / Nelson Lane intersection:                             <ul style="list-style-type: none"> <li>i. Southbound SR 65 off-ramp: one left-turn lane and one right-turn lane</li> <li>ii. Northbound Nelson Lane: three through lanes, one free right-turn lane onto the southbound SR 65 slip on-ramp</li> <li>iii. Southbound Nelson Lane: three through lanes, one free right-turn lane onto the southbound SR 65 loop on-ramp</li> </ul> </li> </ul>					
3.15-13: The proposed project could result in temporary impacts to transportation and traffic when construction activity occurs within the Village 5 Specific Plan site.	<p><b>3.15-13:</b> Prior to the beginning of construction for each project phase, project applicants shall prepare a detailed Construction Traffic Management Plan subject to review and approval by the City Department of Public Works, in consultation with Caltrans, affected transit providers, and local emergency service providers. The Traffic Management Plan shall ensure that acceptable operating conditions are maintained on local roadways and freeway facilities. At a minimum, the plan shall include:</p> <ul style="list-style-type: none"> <li>• The number of truck trips, time, and day of street closures</li> <li>• Time of day of arrival and departure of trucks</li> <li>• Provision of a truck circulation pattern</li> <li>• Identification of detour routes and signing plan for street closures, if necessary</li> <li>• Maintain safe and efficient access routes for emergency vehicles</li> <li>• Manual traffic control when necessary</li> <li>• Proper advance warning and posted signage concerning street closures</li> <li>• Provisions for pedestrian and bicycle safety</li> </ul> <p>A copy of the Construction Traffic Management Plan shall be submitted to local emergency response agencies and transit providers, and these agencies shall be notified at least 30 days before the commencement of construction that would partially or fully obstruct roadways.</p>	Prepare a detailed Construction Traffic Management Plan.	Full Specific Plan and Area A	Project applicant	Prior to construction	Caltrans, City of Lincoln Public Works Department
3.15-14: Implementation of the proposed project would contribute to cumulative traffic levels at intersections under the City of Lincoln's jurisdiction operating at an acceptable LOS under cumulative no project conditions.	<p><b>3.15-14:</b> Intersections 12, 14, 26, 32 and 33 have been incorporated into the City's update PFE program for transportation. As a result, the project applicants may mitigate by either paying their fair share cost towards the following improvements, or in the alternative to paying fees, the City may require project applicant(s) to construct the improvements identified in below. The development agreement between the City and project applicants shall specify the timing of the fair share payment or construction of these improvements, with the required timing prior to the service level degrading to LOS D, as determined by a traffic study to be funded by the project applicants:</p> <p>In the alternative to paying fees, the project applicant(s) shall construct the following improvements to restore operations to an acceptable level at each intersection.</p> <p>a) Joiner Parkway / Nicolaus Road (#12):</p> <ul style="list-style-type: none"> <li>- Restripe the northbound shared through-left turn lane to be a dedicated left-turn lane</li> <li>- Restripe the southbound shared through-left turn lane to be a dedicated through lane</li> <li>- Re-time the signal to provide protected northbound and southbound left-turn phasing.</li> </ul> <p>b) Old Nelson Lane / Moore Road (#14):</p> <ul style="list-style-type: none"> <li>- Widen Moore Road to provide an eastbound left-turn pocket and a two-way left-turn lane to allow two-stage gap acceptance for southbound left-turn movements.</li> </ul>	Pay fair share fees or construct necessary improvements for Intersections 12, 14, 26, 32, and 33.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>c) Joiner Parkway / Ferrari Ranch Road (#26):</p> <ul style="list-style-type: none"> <li>- Widen the northbound Joiner Parkway approach to include a third left-turn lane</li> <li>- To provide space to receive the third northbound left-turn lane on westbound Ferrari Ranch Road, remove the channelized free right-turn lane from southbound Joiner Parkway</li> </ul> <p>d) Lakeside Drive / Nicolaus Road (#32):</p> <ul style="list-style-type: none"> <li>- Signalize the intersection when signal warrants are met, as stated in Mitigation 3.15-1(f). Signalizing this intersection was identified in the previous City of Lincoln PFE fee program for Transportation and is included in the updated PFE.</li> </ul> <p>e) Teal Hollow Drive / Nicolaus Road (#33):</p> <ul style="list-style-type: none"> <li>- Signalize the intersection when signal warrants are met.</li> </ul> <p>Additional mitigation to reduce impacts to intersection #26 if widened:</p> <p><b>Option 1:</b></p> <p>The City shall monitor traffic conditions at the intersection of Joiner Parkway/Ferrari Ranch Road (#26). In addition to compliance with Mitigation Measures 3.15-14, the City shall cause one of the following measures to be taken prior to the service level degrading to LOS D, as determined by a traffic study at each location to be funded by the project applicant(s):</p> <p>f) The project applicant(s) shall coordinate with the City staff to ensure signal phasing times would allow adequate time for cyclists to cross through the widened intersections during green and amber signal phases; or</p> <p>g) The project applicants' intersection designs shall eliminate free right-turn movements in exchange for right-turn overlap phases or dual right turn lanes to serve high right-turn traffic volumes. Any dual right-turn lanes shall be designed to ensure adequate visibility of pedestrians, including any use of a channelized right-turn lane for the inside right-turn lane.</p> <p><b>Option 2:</b></p> <p>f) The project applicant(s) may apply to the Community Development Director for a determination as to whether the recommended intersection widening conflicts with the City's Policy T-2.3 and T-5.3 to achieve a traffic design to minimize conflicts between vehicles and pedestrians and bicycles. The Community Development Director may determine that an exception to the LOS C standard in Policy T-2.3 is warranted.</p>					
3.15-15: Implementation of the proposed project would contribute to cumulative traffic levels at intersections under the City of Lincoln's jurisdiction operating at an unacceptable LOS under cumulative no project conditions.	<p><b>3.15-15:</b></p> <p>a) For the cumulative impacts to Airport Road / Nicolaus Road (#11), the project applicant shall implement Mitigation Measure 3.15-1(b) and (g).</p> <p>b) For the cumulative impacts to Fiddymont Road / Moore Road (#15), the project applicant shall implement Mitigation Measure 3.15-1(d).</p> <p>c) For the cumulative impacts to Dowd Road / Moore Road (#22), the project applicant shall implement Mitigation Measure 3.15-1(e).</p> <p>d) For the cumulative impacts to Caledon Circle / Ferrari Ranch Road (#25), the project applicant shall pay their fair share cost towards the following improvements. These improvements are included in the City's updated PFE fee program:</p> <ul style="list-style-type: none"> <li>- Provide an overlap phase on the northbound right-turn movement.</li> </ul>	<p>See Mitigation Measure 3.15-1(b) and (g).</p> <p>See Mitigation Measure 3.15-1(d).</p> <p>See Mitigation Measure 3.15-1(e).</p> <p>Pay fair share cost towards Intersection 25.</p>	<p>See Mitigation Measure 3.15-1(b) and (g).</p> <p>See Mitigation Measure 3.15-1(d).</p> <p>See Mitigation Measure 3.15-1(e).</p> <p>Full Specific Plan and Area A</p>	<p>See Mitigation Measure 3.15-1(b) and (g).</p> <p>See Mitigation Measure 3.15-1(d).</p> <p>See Mitigation Measure 3.15-1(e).</p> <p>Project applicant</p>	<p>See Mitigation Measure 3.15-1(b) and (g).</p> <p>See Mitigation Measure 3.15-1(d).</p> <p>See Mitigation Measure 3.15-1(e).</p> <p>Prior to construction</p>	<p>See Mitigation Measure 3.15-1(b) and (g).</p> <p>See Mitigation Measure 3.15-1(d).</p> <p>See Mitigation Measure 3.15-1(e).</p> <p>City of Lincoln Public Works Department</p>
3.15-16: Implementation of the proposed project would contribute to cumulative traffic levels at future City of Lincoln intersections in Village 5.	<p><b>3.15-16:</b></p> <p>The City shall monitor traffic conditions at the future Dowd Road / Mavis Road (#37) and Nelson Lane / Mavis Road (#40) intersections, and shall cause the following improvements to be constructed prior to the service level degrading to LOS D, subject to reimbursement to the constructing entity by those benefitting from the improvements:</p> <p>a) Dowd Road / Mavis Road (#37):</p> <ul style="list-style-type: none"> <li>- To reduce the average vehicle delay, the following improvements are necessary to provide LOS C operations at Dowd Road / Mavis Road: <ul style="list-style-type: none"> <li>i. Provide two southbound left-turn lanes</li> <li>ii. Channelize the westbound right-turn lane and provide a receiving merge lane on northbound Dowd Road to allow free right-turn movements</li> </ul> </li> </ul>	<p>Monitor traffic conditions at Intersections 37 and 40, and subsequently cause improvements to be constructed.</p>	<p>Full Specific Plan and Area A</p>	<p>City of Lincoln Community Development Department</p>	<p>Prior to LOS D at Intersections 37 and 40</p>	<p>City of Lincoln Public Works Department</p>

**TABLE 4-1  
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Component</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	b) <i>Nelson Lane / Mavis Road (#40):</i> – <i>Implement Mitigation Measure 3.15-3.</i>	See Mitigation Measure 3.15-3.	See Mitigation Measure 3.15-3.	See Mitigation Measure 3.15-3.	See Mitigation Measure 3.15-3.	See Mitigation Measure 3.15-3.
3.15-17: Implementation of the proposed project would contribute to cumulative traffic levels at intersections under the County of Placer's jurisdiction	<b>3.15-17:</b> a) <i>For the intersection at Fiddymont Road / Athens Avenue (#16) and Fiddymont Road/ W. Sunset Boulevard (#18), the project applicants shall implement Mitigation Measure 3.15-4 and widening of Fiddymont Road consistent with Mitigation Measure 3.15-20.</i>	Implement Mitigation Measure 3.15-4 for Intersection #16.	See Implement Mitigation Measure 3.15-4.	See Implement Mitigation Measure 3.15-4.	See Implement Mitigation Measure 3.15-4.	See Implement Mitigation Measure 3.15-4.
	b) <i>For the intersection at Fiddymont Road / E. Catlett Road (#17), the project applicant shall pay their fair share costs towards the following improvements:</i> – <i>Widening the northbound and southbound approaches to include two through lanes; this is consistent with Mitigation Measure 3.15-20(a).</i> – <i>Adding a northbound left-turn pocket.</i> – <i>Signalizing the intersection with protected northbound left-turn phasing</i> – <i>Widening the eastbound approach to include a left-turn pocket and right-turn lane. Provide an overlap phase for the eastbound right-turn movement.</i>	Pay fair share costs towards required improvements for Intersection #17.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department
3.15-18: Implementation of the proposed project would contribute to cumulative traffic levels at intersections under the City of Roseville's jurisdiction.	<b>3.15-18:</b> <i>The project applicants shall pay their fair share cost towards the following recommended improvements to mitigate the proposed project's incremental contribution to unacceptable traffic operations at each of the following intersections:</i> a) <i>Fiddymont Road / Blue Oaks Boulevard (#19):</i> – <i>An overlap phase on the southbound right-turn movement. This improvement would mitigate the project's incremental contribution to delay at this intersection.</i> b) <i>Fiddymont Road / Baseline Road (#21):</i> – <i>An overlap phase on the southbound right-turn movement. This improvement would mitigate the project's incremental contribution to delay at this intersection.</i>	Pay fair share costs towards recommended improvements for Intersections #19 and 21.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department
3.15-19: Implementation of the proposed project would contribute to cumulative traffic levels at intersections maintained by Caltrans.	<b>3.15-19:</b> a) <i>For SR 65 / Nelson Lane (#3a and #3b), implement Mitigation Measure 3.15-6.</i> b) <i>For SR 65 Southbound Ramps / Ferrari Ranch Road (#4):</i> <i>The project applicants shall pay their fair share cost towards the following recommended improvements to mitigate the proposed project's incremental contribution to unacceptable traffic operations at SR 65 Southbound Ramps/ Ferrari Ranch Road. These improvements are included in the City's updated PFE fee program. Therefore, the project applicant shall pay their fair share through the City of Lincoln's updated PFE fee program:</i> – <i>Widening the eastbound approach to include a dedicated right-turn lane; channelize the eastbound right-turn movement onto the southbound on-ramp to allow free right-turn movements.</i> c) <i>SR 65 Southbound Ramps / Twelve Bridges Drive (#9):</i> <i>The project applicants shall pay their fair share cost towards the following recommended improvements to mitigate the proposed project's incremental contribution to unacceptable traffic operations at SR 65 Southbound Ramps / Twelve Bridges Drive. These improvements are included in the City's updated PFE fee program. Therefore, the project applicant shall pay their fair share through the City of Lincoln's updated PFE fee program:</i> – <i>Restriping the northbound off-ramp converting the existing shared through-right turn lane to a shared through-left turn lane</i>	See Mitigation Measure 3.15-6.  Pay fair share costs towards recommended improvements for Intersection #4.  Pay fair share costs towards recommended improvements for Intersection #9.	See Mitigation Measure 3.15-6.  Full Specific Plan and Area A  Full Specific Plan and Area A	See Mitigation Measure 3.15-6.  Project applicant  Project applicant	See Mitigation Measure 3.15-6.  Prior to construction  Prior to construction	See Mitigation Measure 3.15-6.  City of Lincoln Public Works Department  City of Lincoln Public Works Department

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<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Component</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
3.15-20: Implementation of the proposed project would contribute to cumulative traffic levels on study roadway segments in Placer County.	<p><b>3.15-20:</b>  <i>The project applicants shall pay their fair share cost to the City for the following recommended improvements to restore vehicle traffic operations to mitigate the proposed project's incremental contribution to unacceptable traffic operations at each roadway segment.</i></p> <p>a) <i>Widening Fiddymment Road from Athens Avenue to Moore Road from a two-lane undivided arterial to a four-lane divided arterial.</i></p> <p>b) <i>Widening Fiddymment Road from Roseville City Limits to Athens Avenue from a two-lane undivided arterial to a four-lane divided arterial.</i></p> <p>c) <i>Widening Athens Road from Fiddymment Road to Foothills Boulevard from a two-lane undivided arterial to a four-lane divided arterial.</i></p>	<p>Pay fair share costs towards recommended improvements for widening at:</p> <p>-Fiddymment Road from Athens Avenue to Moore Road</p> <p>- Athens Road from Fiddymment Road to Foothills Boulevard</p>	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department
3.15-22: Implementation of the proposed project would contribute to cumulative traffic levels on study freeway facilities maintained by Caltrans as well as roadways in the City of Rocklin.	<p><b>3.15-22:</b>  <i>The project applicants shall pay their fair share of improvements for impacts to SR 65. The fair share payment shall consist of the appropriate SPRTA Fees to help fund improvements to SR 65. A number of different improvements may be considered by Caltrans and the City of Lincoln to restore operations to acceptable levels at the impacted locations. Improvements to SR 65 could take the form of auxiliary lanes between interchanges, an additional general purpose or High Occupancy Vehicle (HOV) lane in each direction of SR 65, ramp metering, additional deceleration/acceleration areas at affected ramps, increased parallel street capacity, Intelligent Transportation System (ITS) solutions, and other options. This mitigation measure would require the project applicant(s) to pay their fair share of future improvements to SR 65. SPRTA funding for the SR 65 widening project is currently estimated to be \$67 million of the estimated total cost of \$95 million for the project.</i></p>	Pay fair share costs to fund SPRTA Fees, in order to help fund improvements to SR 65.	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department
<b>3.16 Utilities and Infrastructure</b>						
3.16-2: Implementation of the proposed project would result in an increased demand for water supply that could result in the need for new or expanded treatment, storage or conveyance facilities.	<p><b>3.16-2:</b>  <i>Prior to the approval of the Ophir WTP or Foothill Phase II WTP connection to the City's water system or demand of 1.7 gpm within the Plan Area, whichever occurs first, the City shall ensure the following improvements or equally effective improvements for treatment and distribution have been completed and are operational:</i></p> <p>a) <i>The Ophir Water Treatment Plant is completed and operational at 10 mgd.</i></p> <p>b) <i>The Village 7 18-inch transmission main is installed and connected to a third POC provided in the Plan Area.</i></p>	Ensure the following improvements or equally effective improvements for treatment and distribution have been completed and are operational for Ophir Water Treatment Plant and the Village 7 18-inch transmission main connection to the Village 5 Plan Area.	Full Specific Plan	Project applicant	Prior to approval of the Ophir WTP or Foothill Phase II WTP connection to the City's water system or demand of 1.7 gpm within the Plan Area, whichever occurs first	City of Lincoln Public Works Department
3.16-7: The proposed project would contribute to cumulative increases in demand for water supply that could result in the need for new or expanded treatment, storage or conveyance facilities.	<p><b>3.16-7:</b>  <i>Implement Mitigation Measure 3.16-2(a).</i></p>	See Mitigation Measure 3.16-2(a).	See Mitigation Measure 3.16-2(a).	See Mitigation Measure 3.16-2(a).	See Mitigation Measure 3.16-2(a).	See Mitigation Measure 3.16-2(a).