

RESOLUTION NO. 24-10

**LOCAL AGENCY FORMATION COMMISSION OF PLACER COUNTY
MAKING DETERMINATIONS, ADDING CONDITIONS, AND ORDERING A
CHANGE OF ORGANIZATION**

VILLAGE 5A ANNEXATION TO THE CITY OF LINCOLN

(LAFCO Project No. 2024-02)

WHEREAS, on March 26, 2024, the City of Lincoln (City) adopted Resolution No. 2024-054 to initiate a change of organization proceeding with the Placer Local Agency Formation Commission (LAFCO or Commission) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing at Government Code (GC) section 56000; and

WHEREAS, the City's application seeks approval of the annexation of approximately 2,721.42 acres of unincorporated territory in the County of Placer to the City as depicted and described in the map and geographical description attached hereto as Exhibit 1; and

WHEREAS, the affected territory as proposed consists of the parcels identified by the County of Placer Assessor's Office as set forth in Exhibit 2 attached hereto; and

WHEREAS, the annexation of the affected territory as proposed will facilitate the development of residential, commercial, park, recreation, and open space areas for the City; and

WHEREAS, on September 24, 2024, the City approved Resolution No. 2022-204, and the County of Placer approved Resolution No. 2024-184, confirming the agreement between the two agencies regarding the transfer of property tax that will govern the subject change of organization; and

WHEREAS, the LAFCO Executive Officer has reviewed the proposed change of organization and prepared a report with recommendations; and

WHEREAS, the Executive Officer's report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public hearing on the proposal on December 4, 2024; and

WHEREAS, the Commission considered all the factors required by law under GC section 56668 as well as adopted local policies and procedures;

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED, AND ORDERED AS FOLLOWS:

1. The hearing was held on the date set therefor, and due notice of said hearing was given in the manner required by law.
2. The Commission considered the Executive Officer's report at the public meeting.

3. The Commission, based on substantial evidence in the record, determines that the City of Lincoln will succeed to the County of Placer's rights, duties, and powers pursuant to GC section 51243 for lands under Williamson Act contracts within the proposal area. The City has adopted rules and procedures in place for lands under Williamson Act contracts, and therefore, the Commission determines that it may approve the annexation of the contracted lands to the City of Lincoln.

4. The Commission approves the change of organization with the following condition of approval:

Based on the totality of the record, the Commission finds that the application of the restrictions of GC section 56744 of the proposal would be detrimental to the orderly development of the community and that the areas that will be enclosed by the annexation (Island A and Island B, the parcels of which are identified in Exhibits 3 and 4 attached hereto) are so located that they cannot reasonably be annexed to another city or incorporated as a new city.

5. The Commission approves the change of organization with the following condition of approval:

The Commission amends the proposal to include a concurrent detachment of the affected territory from the jurisdictional boundaries of Placer County County Service Area 28, consistent with GC sections 25210.7(e) and 56375(a)(1).

6. The Commission serves as a responsible agency for environmental review of the proposed change of organization under the California Environmental Quality Act (CEQA) as detailed in the Executive Officer's report. The Commission has reviewed and considered the information contained in the City's environmental documents and adopts the City's Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for Village 5 attached hereto as Exhibit 5. The Commission directs staff to file an appropriate Notice of Determination.

7. The affected territory is inhabited as defined under GC section 56046.

8. The Commission waives protest proceedings in the event that no written opposition is received in the required timeframe as allowed under GC section 57000(c).

9. If written opposition is timely received, the Commission delegates to the Executive Officer the performance of all conducting authority proceeding requirements under GC section 57000 for purposes of the subject change of organization.

10. The affected territory will be liable for any existing bonds, contracts,

and/or obligations of the City of Lincoln as provided under GC section 57328.

11. The affected territory will be subject to any previously authorized taxes, benefit assessments, fees, or charges of the City of Lincoln as provided under GC section 57330.
12. The City shall submit a check made payable to the State Board of Equalization for processing fees in the amount of \$3,500 prior to issuance of the Certificate of Completion.
13. The effective date of the approval shall be the date of the recordation of the Certificate of Completion, which shall occur only after all terms have been completed as attested by the Executive Officer.
14. Pursuant to GC section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defects, errors, irregularities, or omissions.
15. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion and make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by GC section 57200, et seq.
16. The Executive Officer is hereby authorized and directed to transmit copies of this resolution as provided in GC sections 56880-56882.

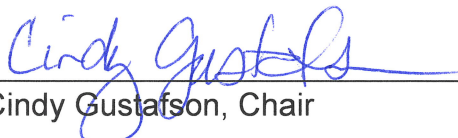
The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of Placer County at a special meeting thereof, held on December 4, 2024, by the following vote:

AYES: Alpine, Friedman, Gustafson, Karleskint, Knisley, Landon, and Rohan

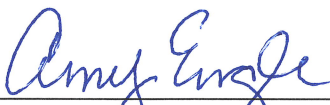
NOES: None

ABSENT: Burruss

ABSTAIN: None


Cindy Gustafson, Chair
Local Agency Formation
Commission County of Placer,
State of California

Attest:


Amy Engle, Clerk to the Commission

APPROVED

INITIALS: *ae*

DATE: 12-04-2024

Exhibit 1: Map and Description

LAFCO Project No.: 2024-02
Village 5A annexation to the City of Lincoln

Description consists of 4 pages (Exhibit A)
Map Exhibit consists of 1 pages (Exhibit B)

Surveyor's Statement

This description and exhibit of the Village 5A annexation boundary is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described. It is for annexation purposes only.

Prepared on September 30, 2024 by or under the direction of

Matt Morrow and PLS #8501
Morrow Surveying

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8501
★ ★

County Surveyor's Statement

This description and exhibit meet the requirements of the State Board of Equalization, the Placer County Surveyor's Office and conforms to the lines of annexation.

dated

OCTOBER 3

2024

.....
J.

as
Benjamin *as* **ian, PLS # 8373**
Placer County Surveyor

★ **Exp.** ★
PLS 8373

Approval by Placer County Local Agency Formation Commission:

2024

Michelle McIntyre,
Placer LAFCO Executive Officer

EXHIBIT "A"

LAFCO PROJECT NO. 2024-02

VILLAGE 5A ANNEXATION TO THE CITY OF LINCOLN

GEOGRAPHIC DESCRIPTION

All that certain real property in the County of Placer, State of California and located within portions of sections 13, 23, 24, 25 & 26, Township 12 North, Range 5 East, Mount Diablo Meridian, and sections 17, 18, 19 & 30, Township 12 North, Range 6 East, Mount Diablo Meridian, described as follows:

Beginning at the Northeast corner of Section 13, Township 12 North, Range 5 East, Mount Diablo Meridian, said point also being on the existing City of Lincoln boundary as shown on Resolution No. 74-43 and recorded as Book 1606, Page 200 of official records:

- 1) Thence leaving said city boundary, along the easterly line of Section 13, South $00^{\circ}21'42''$ East 2655.88 feet
- 2) Thence North $89^{\circ}35'30''$ East 5196.96 feet to the west line of the City of Lincoln boundary, LAFCO NO. 2020-03 SUD-B NEQ, recorded as Document No. 2023-0018419;

Thence along said City of Lincoln boundary the following eight (8) courses;

- 3) South $01^{\circ}34'50''$ East 164.08 feet;
- 4) South $89^{\circ}37'58''$ West 2.48 feet;
- 5) South $00^{\circ}22'02''$ East 97.02 feet;
- 6) South $06^{\circ}06'28''$ West 230.49 feet;
- 7) North $89^{\circ}43'16''$ East 142.69;
- 8) South $06^{\circ}36'31''$ East 503.38 feet;
- 9) South $00^{\circ}22'02''$ East 224.96 feet to a point of curvature, concave northeasterly;
- 10) Thence along the arc of a curve to the left, having a radius of 98.43 feet, a central angle of $87^{\circ}54'01''$, an arc length of 151.01 feet, said arc being subtended by a chord bearing South $44^{\circ}19'02''$ East 136.63 feet;
- 11) Thence leaving said City of Lincoln Boundary, South $04^{\circ}02'01''$ East 333.95 feet to a point of curvature, concave southeasterly, said point on the on the easterly line of the Highway 65 Right-of-Way;

Thence along easterly line of said Highway 65 Right-of-Way the following three (3) courses:

- 12) Thence along the arc of a curve to the left, having a radius of 98.43 feet, a central angle of $91^{\circ}23'59''$, an arc length of 157.02 feet, said arc being subtended by a chord bearing South $45^{\circ}19'57''$ West 140.89 feet;
- 13) Thence South $00^{\circ}22'02''$ East 228.39 feet;
- 14) Thence South $10^{\circ}23'41''$ West 658.45 feet;
- 15) Thence leaving said Highway 65 Right of Way, South $89^{\circ}37'58''$ West 25.00 feet to a point on the west line of Section 17, Township 12 North, Range 6 East, Mount Diablo Meridian;
- 16) Thence along the west line of Section 17, South $00^{\circ}22'02''$ East 35.75 feet to the southwest corner of Section 17;
- 17) Thence along the north line of Section 19, South $89^{\circ}36'28''$ West 1328.14 feet;
- 18) Thence leaving the north line of said Section 19, South $00^{\circ}32'51''$ East 1089.00 Feet;
- 19) Thence South $89^{\circ}36'30''$ West 1325.15 feet:
- 20) Thence South $00^{\circ}42'17''$ East 1083.43 Feet;
- 21) Thence South $36^{\circ}49'31''$ West 604.27 feet;
- 22) Thence North $89^{\circ}34'02''$ East 1843.58 feet;
- 23) Thence South $00^{\circ}42'17''$ East 2626.16 feet to a point on the north line of the City of Lincoln boundary, LAFCO NO. 2000-6, recorded as Document No. 2001-0059436;

Thence along said City of Lincoln boundary the following two (2) courses:

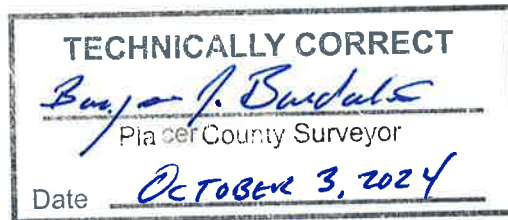
- 24) Thence South $89^{\circ}35'50''$ West 1500.11 feet;
- 25) Thence South $00^{\circ}02'50''$ East 2774.08 feet to the north line of the Final Order of Condemnation recorded as Document No. 2001-0102646;

- 26) Thence leaving said City of Lincoln boundary along the north line of the Final Order of Condemnation recorded as Document No. 2001-0102646, said line also being shown on Book 17 of Surveys, Page 128, South 89°32'32" West 2551.11 feet to a point on the west line of Section 30, Township 12 North, Range 6 East, Mount Diablo Meridian;
- 27) Thence along said west line of Section 30, North 00°26'16" West 90.11 feet;
- 28) Thence along the center section line of Section 25, Township 12 North, Range 5 East Mount Diablo Meridian, South 89°32'28" West 5290.77 feet to a point on the west line of said Section 25;
- 29) Thence leaving said west line of Section 25; South 89°13'47" West 2692.61 feet;
- 30) Thence North 00°06'22" East 2666.22 feet to a point of the north line of Section 26, also being a point in Moore Road;
- 31) Thence along the north line of Section 26, North 89°48'26" East 944.97 feet;
- 32) Thence leaving the north line of Section 26, North 00°35'15" West 768.32 feet;
- 33) Thence South 53°32'58" East 505.17 feet;
- 34) Thence South 71°11'36" East 617.46 feet;
- 35) Thence North 89°15'14" East 378.58 feet;
- 36) Thence North 43°14'21" East 500.82 feet to the west line of Section 24, also being a point in Dowd Road;
- 37) Thence along said west line of Section 24 North 00°30'30" West 4679.74 feet to the northwest corner of Section 24;
- 38) Thence along the west line of Section 13, North 00°31'51" West 5319.75 feet to the north line of Section 13;
- 39) Thence along the north line of Section 13, Township 12 North, Range 5 East, Mount Diablo Meridian, North 89°29'20" East 5323.46 feet to the **Point of Beginning**.

Containing 2,717.82 acres, more or less .

End of description

For assessment purposes only. This geographic description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



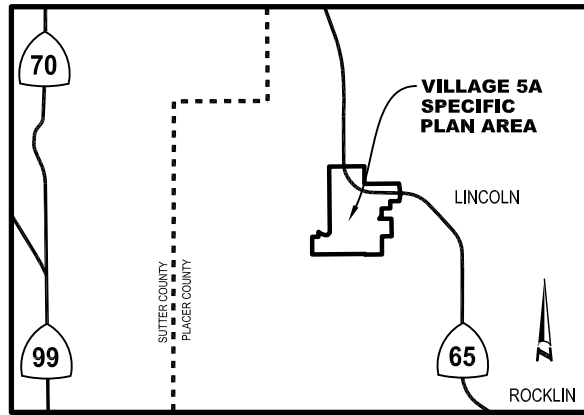


Exhibit B
 LAFCO Project No. 2024-02
VILLAGE 5A ANNEXATION TO THE CITY OF LINCOLN

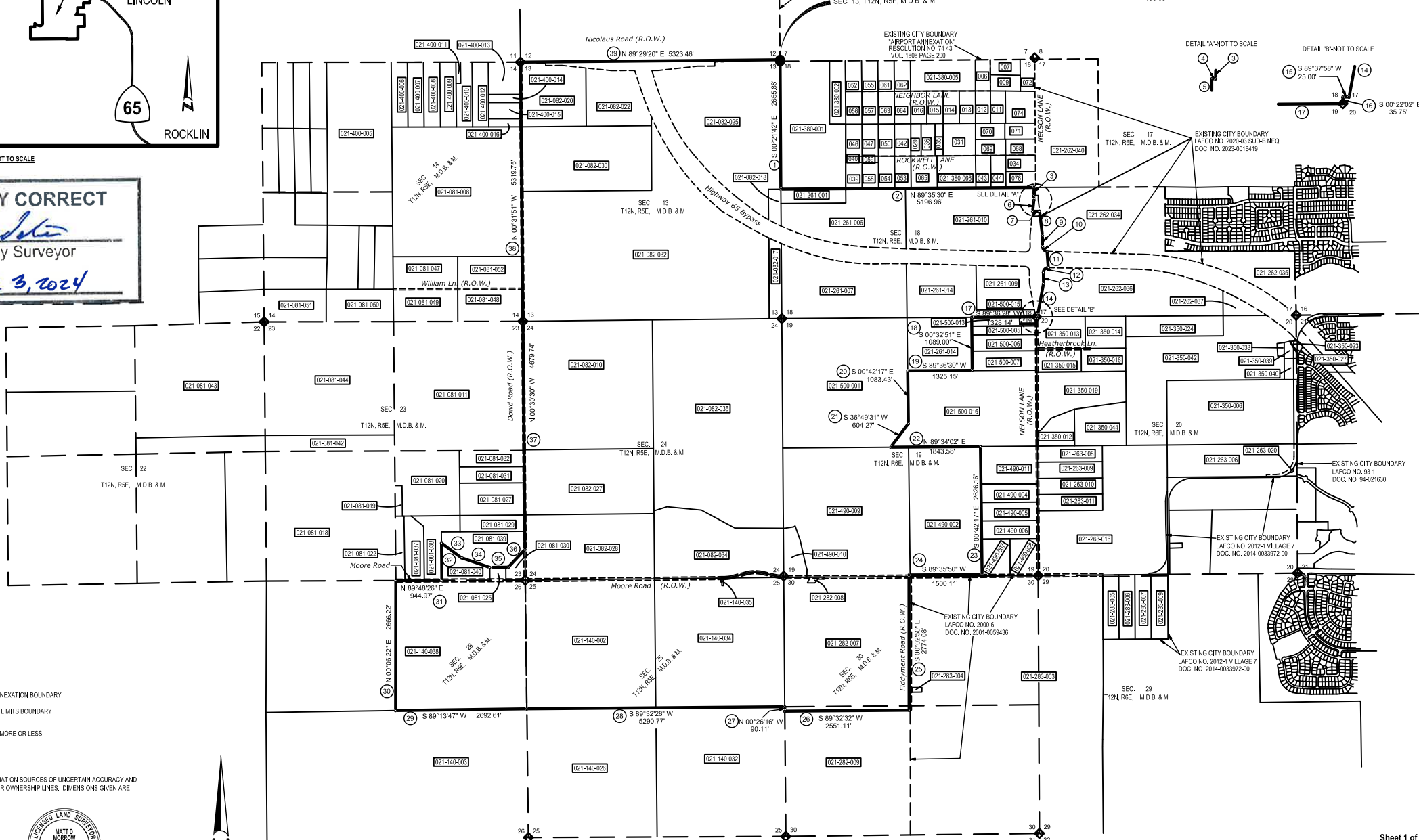
BEING PORTIONS OF SECTIONS 13, 23, 24, 25 & 26, TOWNSHIP 12 NORTH, RANGE 5 EAST, MOUNT DIABLO MERIDIAN AND SECTIONS 17, 18, 19 & 30, TOWNSHIP 12 NORTH, RANGE 6 EAST, MOUNT DIABLO MERIDIAN

Placer County, California
 OCTOBER 2024 1" = 1000'

Exhibit 1

- ① S 01°34'50" W 164.08'
- ② S 89°37'58" W 2.48'
- ③ S 00°22'02" E 97.02'
- ④ S 06°06'28" W 230.49'
- ⑤ N 89°43'16" E 142.68'
- ⑥ S 06°36'31" E 503.38'
- ⑦ S 00°22'02" E 224.96'
- ⑧ R = 98.43'
Δ = 87°54'01"
L = 151.01'
CH = S 44°19'02" E 136.63'
- ⑨ S 04°02'01" E 333.95'
- ⑩ R = 98.43'
Δ = 91°23'59"
L = 157.02'
CH = S 45°19'57" W 140.89'
- ⑪ S 00°22'02" E 228.39'
- ⑫ S 10°23'41" W 658.45'
- ⑬ N 00°35'15" W 788.32'
- ⑭ S 53°32'58" E 505.17'
- ⑮ S 71°11'36" E 617.46'
- ⑯ N 89°15'14" E 378.58'
- ⑰ N 43°14'21" E 500.82'

TECHNICALLY CORRECT
Buyz J. Badster
 Placer County Surveyor
 Date OCTOBER 3, 2024



- LEGEND**
- ①.....ASSESSOR'S PARCEL NUMBER (TYP)
 -DIMENSION POINT
 - ①②.....LEGAL DESCRIPTION COURSE NUMBER
 - R.O.W.RIGHT-OF-WAY
 - PROPOSED ANNEXATION BOUNDARY
 - - - EXISTING CITY LIMITS BOUNDARY

SURVEYOR'S CERTIFICATION
 THIS MAP WAS COMPILED FROM A VARIETY OF RECORD INFORMATION SOURCES OF UNCERTAIN ACCURACY AND DOES NOT PURPORT TO CORRECTLY REPRESENT LAND TITLE OR OWNERSHIP LINES. DIMENSIONS GIVEN ARE APPROXIMATE ONLY.

Matt Morrow
 MATT D. MORROW L.S. 8501

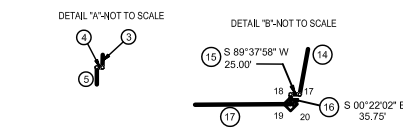
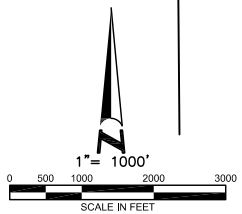


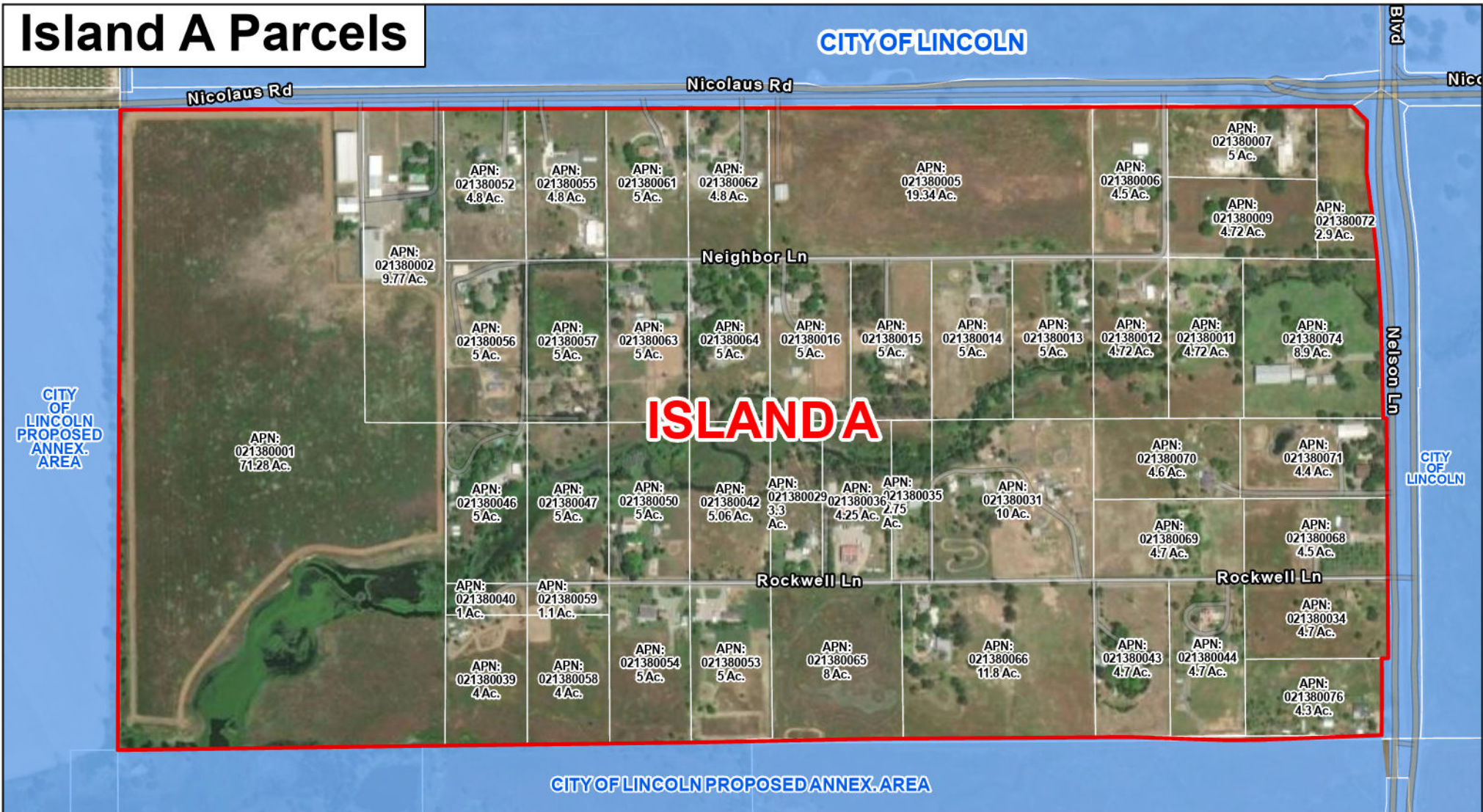
Exhibit 2: APN and Site Addresses - Proposal Area

APN	Owner
021-082-020	Richland Roseville LTD
021-082-022	Richland Roseville LTD
021-082-030	SSB Holdings, LLC
021-082-025	American Superior Land LLC
021-082-018	Moore Rebecca E
021-261-001	Moore Rebecca E
021-261-006	Moore Rebecca E
021-261-010	EPC Holdings 879 LLC
021-082-032	American Superior Land LLC
021-082-017	John Matthew Moore TR ET AL
021-261-007	John Matthew Moore TR ET AL
021-261-014	RMD Desert Investors LLC
021-261-009	LHC Ontario Holdings LLC
021-082-010	American Superior Land LLC
021-082-035	American Superior Land LLC
021-500-001	American Superior Land LLC
021-082-027	EPC Holdings 1036 LLC, EPC Holdings 1037 LLC
021-082-028	Lipps Dora A
021-082-034	John Matthew Moore TR ET AL
021-490-009	American Superior Land LLC
021-490-002	Kuhn Kids Investments LLC
021-490-010	Moore Mark J
021-081-040	Lefty Bobby Lynn TR ET AL
021-081-025	Lefty Bert
021-081-030	Lefty Bert, Lefty Deirdre
021-140-013	Auburn Ravine Ranch Inc
021-140-002	Hellenic Orthodox Educational & Cultural Center Inc.
021-140-034	Moore Gayle R TR ET AL
021-140-035	Lincoln City of
021-282-008	Lincoln-SMD1 Wastewater Author
021-282-007	Moore Gayle R TR ET AL

Exhibit 3: APN and Site Addresses - Island A

Island A Parcels

CITY OF LINCOLN



CITY OF LINCOLN PROPOSED ANNEX AREA

APN	FullStreet	Acres
021-380-001-000	NO ADDRESS ON FILE	71.28
021-380-002-000	3761 NICOLAUS RD	9.77
021-380-005-000	NO ADDRESS ON FILE	19.34
021-380-006-000	3240 NEIGHBOR LN	4.5
021-380-007-000	3183 NICOLAUS RD	5
021-380-009-000	3251 NEIGHBOR LN	4.72
021-380-011-000	3261 NEIGHBOR LN	4.72
021-380-012-000	3281 NEIGHBOR LN	4.72
021-380-013-000	3303 NEIGHBOR LN	5
021-380-014-000	3363 NEIGHBOR LN	5
021-380-015-000	3401 NEIGHBOR LN	5
021-380-016-000	3465 NEIGHBOR LN	5

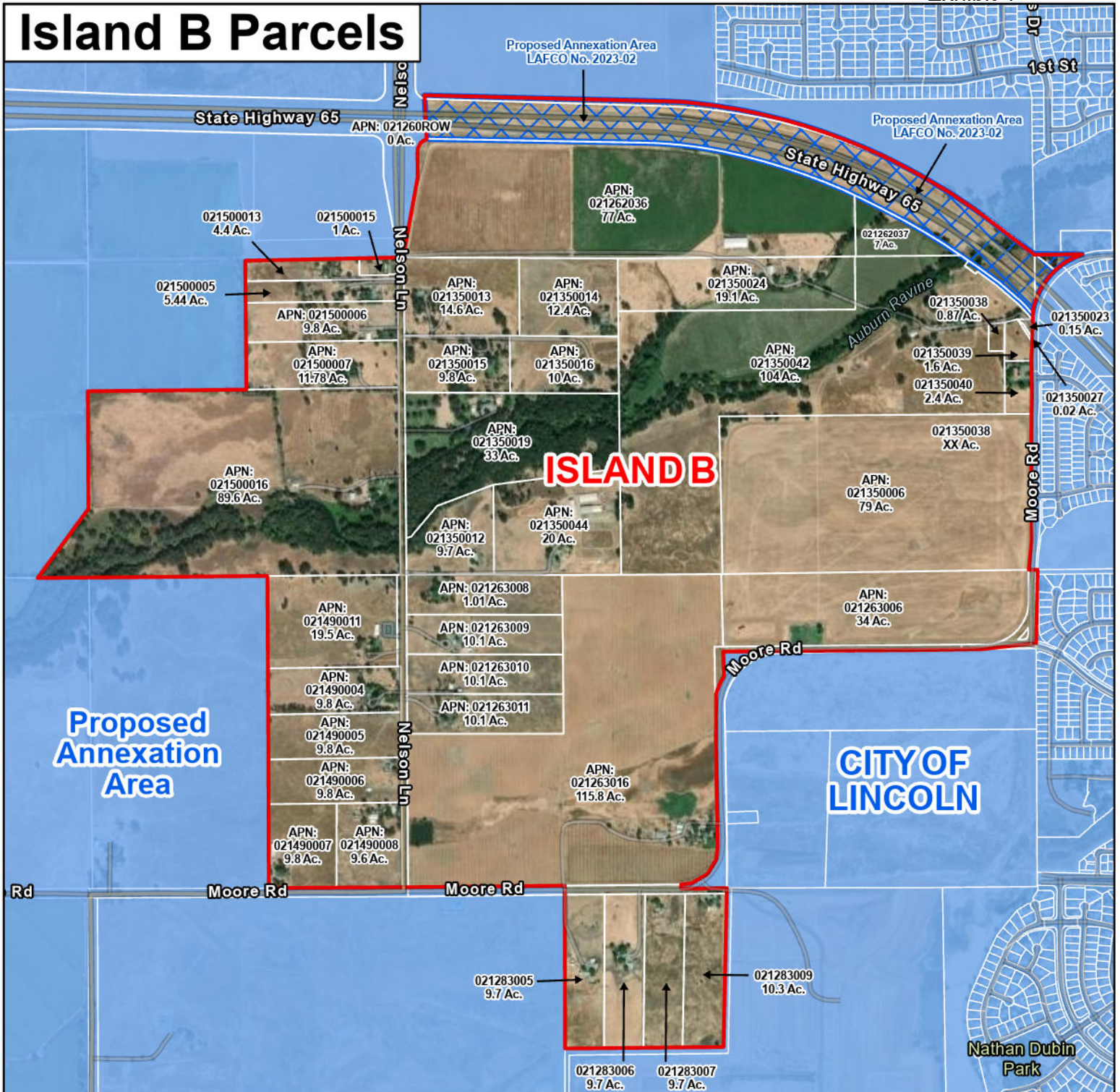
APN	FullStreet	Acres
021-380-029-000	3480 ROCKWELL LN	3.3
021-380-031-000	3330 ROCKWELL LN	10
021-380-034-000	3025 ROCKWELL LN	4.7
021-380-035-000	3380 ROCKWELL LN	2.75
021-380-036-000	3440 ROCKWELL LN	4.25
021-380-039-000	NO ADDRESS ON FILE	4
021-380-040-000	3701 ROCKWELL LN	1
021-380-042-000	NO ADDRESS ON FILE	5.06
021-380-043-000	3205 ROCKWELL LN	4.7
021-380-044-000	3115 ROCKWELL LN	4.7
021-380-046-000	3750 NEIGHBOR LN	5
021-380-047-000	NO ADDRESS ON FILE	5

APN	FullStreet	Acres
021-380-050-000	3600 ROCKWELL LN	5
021-380-052-000	3715 NICOLAUS RD	4.8
021-380-053-000	3503 ROCKWELL LN	5
021-380-054-000	3575 ROCKWELL LN	5
021-380-055-000	3645 NICOLAUS RD	4.8
021-380-056-000	3715 NEIGHBOR LN	5
021-380-057-000	3655 NEIGHBOR LN	5
021-380-058-000	3635 ROCKWELL LN	4
021-380-059-000	3635 ROCKWELL LN	1.1
021-380-061-000	3581 NICOLAUS RD	5
021-380-062-000	3535 NICOLAUS RD	4.8
021-380-063-000	3605 NEIGHBOR LN	5

APN	FullStreet	Acres
021-380-064-000	3545 NEIGHBOR LN	5
021-380-065-000	NO ADDRESS ON FILE	8
021-380-066-000	3365 ROCKWELL LN	11.8
021-380-068-000	160 NELSON LN	4.5
021-380-069-000	3190 ROCKWELL LN	4.7
021-380-070-000	154 NELSON LN	4.6
021-380-071-000	152 NELSON LN	4.4
021-380-072-000	NO ADDRESS ON FILE	2.9
021-380-074-000	80 NELSON LN	8.9
021-380-076-000	240 NELSON LN	4.3
021-380-078-000	NO ADDRESS ON FILE	1

Exhibit 4: APN and Site Addresses - Island B

Island B Parcels



APN	FullStreet	Acres
021-260-ROW-000		0
021-260-ROW-000		0
021-262-036-000	NO ADDRESS ON FILE	77
021-262-037-000	NO ADDRESS ON FILE	7
021-263-006-000	2300 MOORE RD	34
021-263-008-000	765 NELSON LN	1.01
021-263-009-000	805 NELSON LN	10.1
021-263-010-000	841 NELSON LN	10.1
021-263-011-000	865 NELSON LN	10.1
021-263-016-000	2660 MOORE RD	115.8
021-263-ROW-000		0
021-283-005-000	2815 MOORE RD	9.7
021-283-006-000	2775 MOORE RD	9.7
021-283-007-000	2755 MOORE RD	9.7
021-283-009-000	2725 MOORE RD	10.3
021-321-091-000	NO ADDRESS ON FILE	0

APN	FullStreet	Acres
021-350-006-000	NO ADDRESS ON FILE	79
021-350-012-000	731 NELSON LN	9.7
021-350-013-000	535 NELSON LN	14.6
021-350-014-000	2780 HEATHERBROOK LN	12.4
021-350-015-000	2835 HEATHERBROOK LN	9.8
021-350-016-000	2781 HEATHERBROOK LN	10
021-350-019-000	641 NELSON LN	33
021-350-023-000	NO ADDRESS ON FILE	0.15
021-350-024-000	NO ADDRESS ON FILE	19.1
021-350-027-000	NO ADDRESS ON FILE	0
021-350-038-000	NO ADDRESS ON FILE	0.87
021-350-039-000	NO ADDRESS ON FILE	1.6
021-350-040-000	1800 MOORE RD	2.4
021-350-042-000	NO ADDRESS ON FILE	104
021-350-044-000	741 NELSON LN	20
021-350-045-000	NO ADDRESS ON FILE	0

APN	FullStreet	Acres
021-350-ROW-000		0
021-490-004-000	850 NELSON LN	9.8
021-490-005-000	880 NELSON LN	9.8
021-490-006-000	910 NELSON LN	9.8
021-490-007-000	3150 MOORE RD	9.8
021-490-008-000	950 NELSON LN	9.6
021-490-011-000	790 NELSON LN	19.5
021-500-005-000	530 NELSON LN	5.44
021-500-006-000	550 NELSON LN	9.8
021-500-007-000	570 NELSON LN	11.78
021-500-013-000	520 NELSON LN	4.4
021-500-015-000	510 NELSON LN	1
021-500-016-000	690 NELSON LN	89.6
021-490-ROW-000		0

Exhibit 5: MMRP and Statement of Overriding Considerations

CHAPTER 4

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
3.1 Aesthetics and Visual Quality						
3.1-4: Implementation of the proposed project would introduce light and glare into the project area.	<p>3.1-4: <i>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. 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></p> <p>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></p>	<p>Shield and direct light downward.</p> <p>Orient buildings to minimize glare.</p> <p>Minimize light spillover for all parks and recreational facilities.</p> <p>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.</p> <p>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>3.1-8: <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.
3.2 Agriculture and Forestry Services						
3.2-1: Implementation of the proposed project would result in conversion of Important Farmland to non-agricultural use.	<p>3.2-1(a):</p> <p>a) <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></p> <p>b) <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></p> <p>3.4-1</p> <p>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></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 obtain Section 401 certification from the Central Valley Regional Water Quality Control Board.</i></p> <p>2) <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></p>	<p>Comply with PCCP vis-à-vis agricultural lands.</p> <p>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
	Avoidance and Minimization Measures					
	<p>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></p> <p>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></p> <p>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></p>					
	3.4-2					
	<p>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></p> <p>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></p> <p>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></p> <ul style="list-style-type: none"> 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> <p>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></p>					

**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"> <i>i. Demonstrate recordation of required easements for land conservation.</i> <i>ii. Demonstrate ownership of applicable credits and/or assignment of any applicable excess mitigation from other projects in the V5SP.</i> <i>iii. Demonstrate implementation of an endowment for the management of all mitigation lands.</i> <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> <i>v. Documentation and approval of any mitigation credits eligible for future use or assignment.</i> <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>3.2-1(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
3.3 Air Quality						
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>3.3-2a: 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 (> 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.	3.3-3: <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> 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> 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> 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>	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.	3.3-5: 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> 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> ii. <i>Only non-perchloroethylene dry-cleaning facilities shall be permitted within the Plan Area.</i> 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>	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).	3.3-7: <i>The applicant(s) shall implement Mitigation Measure 3.3-3 to reduce operational ROG, NOx and PM10 emissions.</i>	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.
3.4 Biological Resources						
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.	3.4-1: a) <i>If the PCCP has been adopted by the County, the City, and approved by the agencies, the</i> <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> 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>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>	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>Avoidance and Minimization Measures</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>3.4-2:</p> <p>a) If the PCCP has been adopted by the County, the City, and approved by the agencies, the 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) 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:</p> <p>1) The project applicant shall obtain a Biological Opinion and any applicable incidental take authorization from USFWS and comply with the conditions and requirements therein.</p> <p>2) 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:</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
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> i. Identification and quantification of land cover and wetland removal and applicable mitigation requirements set forth below in subsection (5). 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. iii. Identification of any conservation or mitigation bank credits or assignment of excess mitigation from other projects in the V5SP. iv. Draft conservation easements and draft management and monitoring plans, if applicable. v. An endowment for long-term management of the proposed mitigation lands. 					
	<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"> i. Demonstrate recordation of required easements for land conservation. ii. Demonstrate ownership of applicable credits and/or assignment of any applicable excess mitigation from other projects in the V5SP. iii. Demonstrate implementation of an endowment for the management of all mitigation lands. 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. v. Documentation and approval of any mitigation credits eligible for future use or assignment. 					
	<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>3.4-3:</p> <p>a) If the PCCP has been adopted by the County, the City, and approved the agencies, the <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) 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:</p> <p>1) The project applicant shall implement Mitigation Measure 3.4-1, subsection b) and Mitigation Measure 3.4-2.</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
	Avoidance and Minimization Measures					
	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.	3.4-4: 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.	3.4-5: a) <i>If the PCCP has been adopted by the County, the City, and approved by the agencies, the 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

**TABLE 4-1
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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>3.4-6:</p> <p>a) If the PCCP has been adopted by the County, the City, and approved by the agencies, the <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) 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) 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:</p> <p>1) The project applicant shall comply with Mitigation Measure 3.4-2(b)(2)-(10).</p> <p>c) 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:</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>Additional Measures for Swainson's Hawk</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>Full Specific Plan, Area A, and Windsor Cove</p>	<p>Project applicant</p>	<p>Following PCCP adoption and approval</p>	<p>City of Lincoln Community Development Department</p>
		<p>See Mitigation Measure 3.4-2(b)(2)-(10).</p>	<p>See Mitigation Measure 3.4-2(b)(2)-(10).</p>	<p>See Mitigation Measure 3.4-2(b)(2)-(10).</p>	<p>See Mitigation Measure 3.4-2(b)(2)-(10).</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</p>	<p>Project applicant</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>

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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>Additional Measures for Burrowing Owl</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>Additional Measures for Tricolored Blackbird</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>3.4-7:</p> <p>a) If the PCCP has been adopted by the County and City and approved by the agencies, the 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) 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, 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"> 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. 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. 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. 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). 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. 					
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>3.4-8:</p> <p>a) If the PCCP has been adopted and approved prior to the start of construction in the V5SP area in question, the 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) 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) (be they the City, County, or another agency) shall comply with the following mitigation measures:</p> <ol style="list-style-type: none"> 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. 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"> • In-water construction work windows shall be observed in consultation with NMFS and CDFW, and as specified in the permits issued. 	<p>Use PCCP to satisfy all biological mitigation measures under CEQA.</p> <p>Protect Central Valley steelhead and winter-run and spring-run Chinook salmon as described in Mitigation Measures 3.4-8(b).</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
	<ul style="list-style-type: none"> 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. <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>3.4-9:</p> <p>a) If the PCCP has been adopted and approved prior to the start of construction in the V5SP area in question, the 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) 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.</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
		See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.	See Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1.
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>3.4-11:</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>	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.	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.	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.	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.	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.
		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.	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
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.	3.4-13: <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.	3.4-14: <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.	3.4-15: <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.	3.4-16: <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.	3.4-17: <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.	3.4-18: <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.	3.4-19: <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.	3.4-20: <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
3.5 Climate Change						
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>3.5-1: <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"> • <i>Meet or exceed CalGreen Tier 2 requirements in place at the time of Building Permit issuance.</i> • <i>Be pre-plumbed and structurally engineered for the future installation of a complete solar energy system.</i> • <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> • <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> • <i>Include programmable thermostat timers.</i> • <i>Include exterior outlets on all single-family and multi-family buildings to allow the use of electrically-powered landscape equipment.</i> • <i>Include wiring for at least one electric car charging station.</i> • <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> • <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&Rs) that are established.</i> • <i>Provide covered storage facilities for securing bicycles for 15 percent or more of building occupants (multi-family housing units).</i> • <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> <p><i>All non-residential structures within the Plan Area shall:</i></p> <ul style="list-style-type: none"> • <i>Be pre-plumbed and structurally engineered for the future installation of a complete solar energy system.</i> • <i>Install photovoltaic rooftop energy systems on all community buildings and any commercial buildings over 100,000 square feet.</i> • <i>Use “Energy Star” rated (or greater) roofing materials.</i> • <i>Use both indoor and outdoor energy efficient lighting that meets or exceeds Title 24 requirements.</i> • <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> • <i>Only use low flow water fixtures such as low flow toilets, faucets, showers, etc.</i> • <i>Only use programmable thermostat timers.</i> • <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> 	Meet all Title 24 requirements.	Full Specific Plan	Project applicant	Prior to construction	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
	<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"> • <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> • <i>Up to 5,000 square feet, two or more bicycle racks,</i> • <i>5,001 – 20,000 square feet, three or more bicycle racks,</i> • <i>20,001 – 50,000 square feet, six or more bicycle racks,</i> • <i>More than 50,000 square feet, ten or more bicycle racks.</i> • <i>Install two 110/208 volt power outlets for every two loading docks.</i> • <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> • <i>Install electric vehicle charging stations for a minimum of three percent of the total vehicle parking capacity of the site.</i> • <i>Include pedestrian-friendly paths and cross walks in all parking lots.</i> • <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> <p><i>In addition to the above measures, the following shall also be incorporated:</i></p> <ul style="list-style-type: none"> • <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> • <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> • <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> • <i>Maximize the amount of drought tolerant landscaping by minimizing the amount of turf in all areas where this option is feasible.</i> 					
3.6 Cultural Resources						
<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>3.6-1: <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"> • <i>An updated records search at the North Central Information Center;</i> • <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> • <i>A report disseminating the results of this research; and,</i> • <i>Recommendations for additional mitigation to resolve adverse impacts to recorded cultural resources.</i> <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> <p>3.6-2(a): <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"> <i>• An updated records search at the North Central Information Center;</i> <i>• An intensive cultural resources survey, including subsurface presence/absence studies as appropriate;</i> <i>• Contact and coordination with the Native American Heritage Commission and interested and involved local tribes;</i> <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> <i>• Recommendations for additional cultural resources investigations necessary to mitigate adverse impacts to recorded and/or undiscovered archaeological resources.</i> <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>a) <i>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>b) <i>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>	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

**TABLE 4-1
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>3.6-2(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>3.6-3: <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>3.6-4: 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>

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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.	3.6-5: <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.	3.6-6: <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.	3.6-7: <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.	3.6-8: <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).
3.7 Energy						
3.7-1: Construction of the proposed project would not use fuel and energy in an unnecessary, wasteful, or inefficient manner during project construction.	3.7-1: <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 (> 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

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> 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> 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> 					
3.8 Geology, Soils, and Seismicity						
3.8-2: The proposed project would not result in substantial soil erosion or the loss of topsoil.	<p>3.8-2(a): <i>Implement Mitigation Measure 3.10-1(a) and (b).</i></p> <ul style="list-style-type: none"> 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> 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> 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> 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> 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> 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> 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> 	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
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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&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
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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.9 Hazards and Hazardous Materials						
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.	3.9-2:	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.	3.9-4(a): <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

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	3.9-4(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.	3.9-6: <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.	3.9-7: <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"> • <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> • <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> • <i>Sufficient staging areas for trucks accessing construction zones to minimize the disruption of access to adjacent existing public right-of-ways.</i> • <i>Controlling and monitoring construction vehicle movement through the enforcement of standard construction specifications by onsite inspectors.</i> • <i>Scheduling truck trips outside the peak morning and evening commute hours to the extent possible.</i> • <i>Limiting the duration of road and lane closures to the extent possible.</i> • <i>Storing all equipment and materials in designated contractor staging areas on or adjacent to the worksite, such that traffic obstruction is minimized.</i> • <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> • <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> • <i>Repairing and restoring affected roadway rights-of way to their original condition after construction is completed.</i> 	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.	3.9-14: <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.

**TABLE 4-1
 VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.10 Hydrology						
3.10-1: Implementation of the proposed project could violate water quality standards or waste discharge requirements.	<p>3.10-1(a): <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> <ul style="list-style-type: none"> <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> <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> <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> <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> <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> <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> 	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

**TABLE 4-1
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<p>3.10-1(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> <ul style="list-style-type: none"> 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> ii. <i>The Water Quality Management Plan shall include a description of all non-structural BMPs and include Covenants, Codes, and Restrictions (CC&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> 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> 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> 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> 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.</p>	<p>Full Specific Plan and Area A</p>	<p>Project applicant</p>	<p>Prior to final improvement plan approval</p>	<p>City of Lincoln Community Development Department</p>
<p>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>	<p>3.10-3: <i>The project applicant shall implement Mitigation Measure 3.10-1.</i></p>	<p>See Mitigation Measure 3.10-1.</p>	<p>See Mitigation Measure 3.10-1.</p>	<p>See Mitigation Measure 3.10-1.</p>	<p>See Mitigation Measure 3.10-1.</p>	<p>See Mitigation Measure 3.10-1.</p>

**TABLE 4-1
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
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.	3.10-4: <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.	3.10-5: <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.	3.10-7: <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.	3.10-8: <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.	3.10-10: <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.
3.11 Land Use						
3.11-1: Implementation of the proposed project would conflict with adjacent land uses.	3.11-1: <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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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.11-2: Implementation of the proposed project would create conflicting land uses within the Plan Area.	<p>3.11-2:</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.

TABLE 4-1
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.12 Noise						
3.12-1: Construction of the proposed project could temporarily increase ambient noise levels.	<p>3.12-1: <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"> 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> b) <i>All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer-installed mufflers.</i> c) <i>Equipment warm up areas, water tanks and equipment storage areas shall not be located closer than 200 feet from existing residences.</i> 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> 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> 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> 	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>3.12-2: <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>3.12-3: <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"> 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> 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> 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> 	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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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	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.	3.12-4: <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.	3.12-5: <i>The project applicant shall implement Mitigation Measure 3.9-6.</i> 3.9-6 <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	3.12-6: <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_{dn} outdoor and 45 dBA L_{dn} 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.	3.12-7: <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.

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
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.	3.12-8: <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.	3.12-9: <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.
3.14 Public Services						
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.	3.14-4: <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
3.15 Transportation						
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.	3.15-1: <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

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Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> 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. ii. Add a second westbound receiving lane 					
	<p>b) Airport Road / Nicolaus Road (#11):</p> <ul style="list-style-type: none"> - 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. - Widen the southbound approach to add a southbound left-turn pocket - Widen the south leg of the intersection to include the following: <ul style="list-style-type: none"> i. One northbound left turn pocket lane ii. One northbound through lane iii. One northbound channelized free right turn lane iv. Two southbound receiving lanes - Widen the east leg of the intersection to include the following: <ul style="list-style-type: none"> i. Two westbound left turn lanes (one trap lane; one pocket lane) ii. Restripe the existing westbound lane to a through-right lane iii. Two eastbound receiving lanes (one from the eastbound through lane and one from the northbound free right-turn lane) - Widen the eastbound approach to include one left-turn pocket lane, one through lane, and one-right turn pocket lane. 					
	<p>c) Dowd Road / Nicolaus Road (#13):</p> <ul style="list-style-type: none"> - 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. - Widen the southbound approach to add a southbound left-turn pocket - Widen the south leg of the intersection to include the following improvements: <ul style="list-style-type: none"> i. One northbound left turn pocket lane ii. One northbound through lane iii. One northbound trap right turn lane iv. Two southbound receiving lanes - Widen the east leg of the intersection to include the following improvements: <ul style="list-style-type: none"> i. Two westbound left turn lanes (one trap lane; one pocket lane) ii. Restripe the existing westbound lane to a through-right lane - Widen the eastbound approach to include one left-turn pocket lane, one shared through-right turn lane. 					
	<p>d) Fiddymont Road / Moore Road (#15):</p> <ul style="list-style-type: none"> - Widen the southbound approach to add a southbound right-turn pocket 					
	<p>e) Dowd Road / Moore Road (#22):</p> <ul style="list-style-type: none"> - 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). 					
	<p>f) Lakeside Drive / Nicolaus Road (#32):</p> <ul style="list-style-type: none"> - 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. <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
<p>3.15-3: Implementation of the proposed project would increase traffic levels at future City of Lincoln intersections in Village 5.</p>	<p>Option 1: 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> <ul style="list-style-type: none"> 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> 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>Monitor conditions at Nelson Lane/Mavis Road intersection and construction improvements.</p>	<p>Full Specific Plan and Area A</p>	<p>Project applicant</p>	<p>Prior to service level reaching LOS D</p>	<p>City of Lincoln Public Works Department</p>
	<p>Option 2: 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>3.15-3: <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"> • <i>Southbound: channelize the right-turn lane and add a merge lane on westbound Mavis Road to allow "free" right-turn operations</i> • <i>Eastbound: widen the eastbound approach to include a third left turn lane</i> • <i>Westbound: channelize the right-turn lane and add a merge lane on northbound Nelson Lane to allow "free" right-turn operations.</i> <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>Option 1: <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> <ul style="list-style-type: none"> 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> 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>Option 2: <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>					

**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>3.15-4: <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"> - <i>Widening of the northbound approach to include a right-turn pocket lane</i> - <i>Widening of the southbound approach to include a left-turn pocket lane</i> - <i>Signalization at the intersection with a protected southbound left-turn movement.</i> <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"> - <i>Widening of the northbound approach to include a left-turn pocket lane</i> - <i>Signalization at the intersection with a protected northbound left-turn movement.</i> <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>3.15-6: <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"> • <i>Unsignalized (side street stop controlled);</i> • <i>Roundabout – Single or multi-lane;</i> • <i>Diverging diamond interchange;</i> • <i>Signalized spread diamond;</i> • <i>Signalized single point urban interchange; or</i> • <i>Signalized partial cloverleaf.</i> <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"> • SR 65 Northbound Ramps / Nelson Lane intersection: <ul style="list-style-type: none"> i. Northbound SR 65 off-ramp: one left-turn lane, one shared left-right turn lane, and one right turn lane ii. Northbound Nelson Lane: three through lanes, one free right-turn lane onto the northbound SR 65 loop on-ramp iii. Southbound Nelson Lane: three through lanes, one free right-turn lane onto the northbound SR 65 slip on-ramp • SR 65 Southbound Ramps / Nelson Lane intersection: <ul style="list-style-type: none"> i. Southbound SR 65 off-ramp: one left-turn lane and one right-turn lane ii. Northbound Nelson Lane: three through lanes, one free right-turn lane onto the southbound SR 65 slip on-ramp iii. Southbound Nelson Lane: three through lanes, one free right-turn lane onto the southbound SR 65 loop on-ramp 					
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>3.15-13: 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"> • The number of truck trips, time, and day of street closures • Time of day of arrival and departure of trucks • Provision of a truck circulation pattern • Identification of detour routes and signing plan for street closures, if necessary • Maintain safe and efficient access routes for emergency vehicles • Manual traffic control when necessary • Proper advance warning and posted signage concerning street closures • Provisions for pedestrian and bicycle safety <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>3.15-14: 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"> - Restripe the northbound shared through-left turn lane to be a dedicated left-turn lane - Restripe the southbound shared through-left turn lane to be a dedicated through lane - Re-time the signal to provide protected northbound and southbound left-turn phasing. <p>b) Old Nelson Lane / Moore Road (#14):</p> <ul style="list-style-type: none"> - 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. 	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"> - Widen the northbound Joiner Parkway approach to include a third left-turn lane - 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 <p>d) Lakeside Drive / Nicolaus Road (#32):</p> <ul style="list-style-type: none"> - 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. <p>e) Teal Hollow Drive / Nicolaus Road (#33):</p> <ul style="list-style-type: none"> - Signalize the intersection when signal warrants are met. <p>Additional mitigation to reduce impacts to intersection #26 if widened:</p> <p>Option 1: 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>Option 2:</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>3.15-15:</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 Fiddyment 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"> - Provide an overlap phase on the northbound right-turn movement. 	<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>3.15-16: 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"> - 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"> i. Provide two southbound left-turn lanes ii. Channelize the westbound right-turn lane and provide a receiving merge lane on northbound Dowd Road to allow free right-turn movements 	<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**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
	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	3.15-17: 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.	3.15-18: <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.	3.15-19: 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

**TABLE 4-1
VILLAGE 5 SPECIFIC PLAN MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Component	Implementing Party	Timing	Monitoring Party
3.15-20: Implementation of the proposed project would contribute to cumulative traffic levels on study roadway segments in Placer County.	<p>3.15-20: <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>3.15-22: <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>	<p>Pay fair share costs to fund SPRTA Fees, in order to help fund improvements to SR 65.</p>	Full Specific Plan and Area A	Project applicant	Prior to construction	City of Lincoln Public Works Department
3.16 Utilities and Infrastructure						
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>3.16-2: <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>	<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.</p>	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>3.16-7: <i>Implement Mitigation Measure 3.16-2(a).</i></p>	<p>See Mitigation Measure 3.16-2(a).</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).

**CERTIFICATION OF THE FINAL PARTIALLY RECIRCULATED ENVIRONMENTAL IMPACT
REPORT**

AND

**ADOPTION OF CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING
CONSIDERATIONS**

**CITY COUNCIL
CITY OF LINCOLN**

**LINCOLN VILLAGE 5 & SPECIAL USE DISTRICT B (SUD-B) SPECIFIC PLAN
LINCOLN, CALIFORNIA
SCH NO. 2014052071**

SEPTEMBER , 2021

I. INTRODUCTION

A. Overview

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

The Village 5 & Special Use District B (“SUD-B”) Specific Plan (“V5SP”) establishes a development framework for land use, mobility, utilities and services, resource protection, and implementation to promote the systematic and orderly development of Village 5, an approximately 4,787-acre area within the City of Lincoln (“City”). A General Development Plan (“GDP”) functions as the zoning code for the V5SP. 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 V5SP is the primary land use, policy, and regulatory document used to guide the overall development within the V5SP Plan Area (“Plan Area”). It establishes a development framework for land use, mobility, utilities and services, resource protection, and implementation to promote the systematic and orderly development of Village 5. All subsequent development projects and related activities proposed within the Plan Area would be required to be consistent with the V5SP.

The proposed project includes not only the V5SP and GDP, but also the approval of the associated Pre-Zoning for annexation, Development Agreement, and Public Facilities Financing Plan. Implementation of the full V5SP would require annexation to the City of 4,775 acres in unincorporated areas of western Placer County, which is situated along the southwest boundary of the City. The V5SP would include the development of approximately 2,290 gross acres of residential uses, 443 acres of commercial uses, 1,558 acres of parks and open space, and 118 acres of public uses.

The Plan Area is contiguous with the existing City boundary along the eastern boundary of the Plan Area. The City would initiate the annexation by submitting an annexation petition to the Placer County Local Agency Formation Commission (“LAFCo”) upon acceptance and approval for annexation by the applicant. The City anticipates that LAFCo, as well as other state and regional responsible agencies, will rely on the environmental documents prepared for this project in issuing project approvals.

The City, as the lead agency, prepared the Draft Environmental Impact Report (“DEIR”) dated August 26, 2016, and the Final Environmental Impact Report (“FEIR”) dated July 19, 2017, for the project (State Clearinghouse No. 2014052071). The City approved the project, certified the V5SP EIR, and adopted related Findings of Fact and a Statement of Overriding Considerations on December 5, 2017. For the purposes of this document, the V5SP EIR, which includes the DEIR and FEIR, is collectively referred to as the “2017 EIR.” The corresponding Findings of Fact that the City adopted for the 2017 EIR are referred to as the “2017 Findings.”

Litigation and Writ of Mandate

On January 12, 2018, following the City Council’s certification of the 2017 EIR and approval of the V5SP, a petition for writ of mandate was filed in the Superior Court of California in the County of Placer, alleging violations of the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, §§ 15000 et seq. [“CEQA Guidelines”]). (*Scheiber Ranch Properties, LP, et. al. v. City of Lincoln*, No. SCV-0040629.) The court issued a Peremptory Writ of Mandate on April 13, 2020, upholding two of the petitioners’ arguments related to mitigation relying on compliance with the Placer County Conservation Program (PCCP), and the level of analysis conducted for potential project impacts related to transit. The court otherwise upheld all other portions of the V5SP EIR. The Final Judgment was entered on June 25, 2020.

In its ruling, the court found that mitigation which requires compliance with the PCCP for mitigating agricultural and biological impacts, improperly deferred the formulation of mitigation because the PCCP was only in draft form at the time the 2017 FEIR was certified. The court also found that the 2017 EIR did not adequately analyze the project's impacts to transit.

The court also found that the 2017 EIR's alternative mitigation measures (Mitigation Measures 3.2-1(b) and 3.4-2(b)), which would be required in the event the PCCP was not adopted, were adequate. The court's ruling directed the City to take corrective actions that "bring[] agricultural and biological resource mitigation measures into compliance with CEQA and [to] prepare[] an analysis that adequately discusses transit." (*Scheiber Properties LP, et. al. v. City of Lincoln* [Decision after Court Trial on Petition for Writ of Mandate, issued April 13, 2020, SCV-0040629].) The court also found that the "certification of the EIR and the adoption of findings of fact and statement of overriding considerations as they relate specifically to reliance on the PCCP as mitigation and impacts to transit ('CEQA Approvals') are severable from the remaining project approvals." (*Ibid.*; Pub. Resources Code, § 21168.9, subd. (b).) The court thus directed the City to make appropriate corrections to the EIR, findings, and statement of overriding considerations, but reiterated that "[a]ll other project approvals were based on portions of the EIR that are not affected by the court's decision and no remedial action is required unless compliance with the writ changes or affects the other project approvals." (*Scheiber Properties LP, et. al. v. City of Lincoln* [Judgment Granting Petition for Writ of Mandate, June 25, 2020, SCV-0040629]; Pub. Resources Code, § 21168.9, subd. (b).)

Pursuant to the court's ruling and order, the City has taken an initial step to correct the deficiencies identified by the court. Consistent with the principles of res judicata, the City "need not expand the scope of [its] analysis on remand beyond that specified by the court." (CEQA Guidelines, § 15234, subd. (d); Pub. Resources Code, § 21168.9, subd. (b).) For these reasons, the City has determined that revising the relevant sections of the 2017 EIR to address the inadequacies identified by the court is the appropriate process for complying with the court's ruling. No changes to the project are proposed, except that mitigation measures have been updated in response to the Peremptory Writ and to reflect that the PCCP has now been adopted.

On July 14, 2020, the City decertified portions of the Agricultural, Biological Resources, and Transportation sections of the 2017 EIR, pursuant to Resolution No. 2020-122. This action allowed the City to prepare and circulate a Draft Partially Recirculated EIR ("DPREIR"). The City issued a Notice of Completion of the DPREIR on May 6, 2021, and made it available for public review and comment for a period of 45 days, beginning on May 7, 2021 and ending on June 21, 2021.

The Draft PREIR and Final PREIR (collectively "PREIR") have been prepared pursuant to CEQA Guidelines section 15088.5, which provides guidance for recirculating an EIR prior to certification. Section 15088.5, subdivision (c) affirms that, where revisions to an EIR are limited to a few chapters or sections, the City need only recirculate the chapters or portions of the EIR that have been modified. The DPREIR therefore only addresses portions of the EIR determined to be not compliant with CEQA, including portions of the chapters on Agriculture and Biological Resources relating to Mitigation Measures 3.2-1, 3.4-1(a), and 3.4-2(a), and the transit analysis in the Transportation chapter. The PREIR and Appendix M to the PREIR have been prepared pursuant to the court's directive in order to better explain the mitigating effects of compliance with the PCCP and to provide adequate analysis of the proposed project's impacts to transit.

Pursuant to Public Resources Code section 21081, subdivision (a)(1)–(2), the City makes the following findings of fact ("Findings") as they relate to the potentially significant environmental effects to biological, agricultural, and transit resources identified and analyzed in the revised sections of the PREIR. (Pub. Resources Code, § 21081, subd. (a)(1)–(2); CEQA Guidelines, §§ 15091–15093.)

The City finds that the Project would have a significant impact related to the elimination of Important Farmland. Implementation of Mitigation Measure 3.2-1 would mitigate for impacts to

Important Farmland through compliance with the PCCP, or implementation of a preservation strategy consistent with the PCCP, through the protection and restoration of sensitive habitats. However, 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, and this impact would be significant and unavoidable. The City further finds that the Project would have a potentially significant impact to special-status species, habitat and protected natural communities. Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1, would reduce these impacts through compliance with the PCCP. Through implementation of Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1, these impacts would be reduced to less than significant.

Therefore, in accordance with the provisions and requirements of CEQA, the CEQA Guidelines, and the Writ, the City has independently reviewed the Record of Proceedings (described below) and, based on evidence in the Record of Proceedings, adopts these Findings. All other portions of the 2017 EIR and 2017 Findings that were upheld by the court's Final Judgment remain valid because no changes to the project are proposed.

B. Project Description

The project description for the V5SP remains unchanged from the Project approved in 2017. Because no substantive changes to the project have occurred since certification of the FEIR in 2017, the Project Description is summarized here.

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 4,787-acre Village 5 Plan Area. The V5SP and accompanying GDP propose residential, commercial, recreational, open space, public, and educational land uses within the Plan Area. Proposed housing types include rural residential homes, country estates, and low, medium, and high density residential detached and attached single-family homes including apartments, condominiums, townhouses and live-work buildings. Buildout of the Plan Area is estimated to accommodate development of approximately 8,206 dwelling units and approximately 4.6 million square feet total of employment-generating and commercial land uses.

Pursuant to the court's Peremptory Writ of Mandate and Order, the PREIR and these Findings only address portions of the 2017 EIR determined to not comply with CEQA, including portions of the chapters on Agriculture and Biological Resources relating to Mitigation Measures 3.2-1, 3.4-1(a), and 3.4-2(a), and the transit analysis in the Transportation chapter. The PREIR and Appendix M to the PREIR have been prepared pursuant to the court's directive, in order to better explain the mitigating effects of compliance with the PCCP and to provide adequate analysis of the proposed project's impacts to transit. Therefore, and as explained above, the remainder of the analyses, impacts, and mitigation measures set forth in the 2017 EIR and 2017 Findings remain valid and in effect.

Discretionary Actions

As described in the City's 2017 Findings, the City previously took the following actions for the Project:

- Certification of the Final EIR, and adoption of Findings of Fact and a Statement of Overriding Considerations;
- Approval of a Water Supply Assessment;
- Adoption of a Mitigation Monitoring Plan (MMP);
- Approval of one or more amendments to the General Plan;

- Approval of the Village 5 Pre-Zoning;
- Approval of the Village 5 Specific Plan;
- Adoption of Public Facilities Financing Plan for the V5SP;
- Approval of one or more Development Agreements for the Village 5 Specific Plan;
- Approval of a Memorandum of Understanding (MOU) for parks between Richland Communities, the City, and Placer United Soccer relating to the 71.2-acre Sports Complex.
- Approval of the Village 5 General Development Plan(s);
- Approval of Annexation(s) and petition(s) for annexation by LAFCo;
- Approval of a Conditional Use Permit and Operating Agreement for Electronic Message Center;
- Approval of various tentative and parcel Subdivision Maps;
- Approval of Site Plans.

Pursuant to the court Order described above, the City further proposes undertaking the following discretionary actions for the proposed project:

- Certification of the Final Partially Recirculated EIR, and adoption of the Findings of Fact and Statement of Overriding Considerations in support of the Final Partially Recirculated EIR;

A number of other agencies, in addition to the City acting as lead agency, are Responsible and Trustee Agencies, pursuant to CEQA Guidelines Section 15381 and Section 15386, respectively. These agencies are:

FEDERAL AGENCIES

- U.S. Army Corps of Engineers (USACE)
- U.S. Fish and Wildlife Service (USFWS)
- National Marine Fisheries Service (NMFS)/National Oceanic Atmospheric Administration (NOAA)

TRUSTEE AND RESPONSIBLE AGENCIES

- Placer County Local Agency Formation Commission (LAFCo)
- California Department of Transportation (Caltrans)
- California Department of Fish and Wildlife (CDFW)
- Central Valley Regional Water Quality Control Board (CVRWQCB)
- Placer County Air Pollution Control District (PCAPCD)
- Placer County

- Placer County Water Agency (PCWA)
- Native American Heritage Commission (NAHC)
- Nevada Irrigation District (NID)
- Western Placer Unified School District (WPUSD)

Additional entitlements which must be acquired from the Responsible and Trustee agencies include, but are not limited to:

- Approval of annexation of the Plan Area to the City of Lincoln by Placer County LAFCo;
- Approval of encroachment permits for alterations to SR 65 until such time as it is relinquished to the City by Caltrans;
- Issuance and renewals of permits for messaging center under the Outdoor Advertising Act by Caltrans;
- Approval of streambed alteration agreements (Section 1602 of the Fish and Game Code) by CDFW;
- Approval of water quality certifications (Section 401 of the Clean Water Act) by CVRWQCB;
- Issuance of Authority to Construct and Permit to Operate stationary sources of air pollution (e.g., storm drain pumps) by PCAPCD;
- Provision of water supplies by PCWA;
- Provisions of water supplies by NID; and
- Approval of school sites and approval of a mitigation agreement with the project applicant by WPUSD;

C. Project Objectives

The project objectives identified by the Applicant and the City in the 2017 EIR have not substantively changed, but they have been updated to reflect that the PCCP has now been adopted, and include the following:

1. Establish an approximately 4,787-acre mixed-use village that incorporates feasible, smart growth principles and results in an economically stable, sustainable community.
2. Provide a land use plan which includes a broad range of compatible land uses, including residential, commercial, office, mixed-use, recreation, and public/quasi-public, which are organized around a compact core and provide appropriate land use transitions.
3. Provide a pedestrian-friendly community environment that provides a safe and pleasant place for people to live, work, and recreate.
4. Provide two Village Centers, located adjacent to key arterial streets and functioning as hubs of activity and a source of sales tax revenue.

5. Establish a network of open space and recreation amenities for Plan Area and City residents, including community parks, neighborhood parks, linear parkways, and pedestrian and bike connections throughout the Plan Area.
6. Construct a Regional Sports Park to provide for local soccer clubs to train and provide fields for community uses as well as attract high-profile tournaments, which would include multiple soccer fields, locker rooms, offices, snack shop, restrooms, a playground, a digital messaging sign, picnic areas, trail connections and a parking area.
7. Provide sites for a high school, a junior high school and three elementary schools, which are conveniently located to serve the Plan Area residents and surrounding villages.
8. Preserve and protect the Auburn Ravine and Markham Ravine corridors as permanent open space and provide public access with perimeter trails and crossings, where feasible, consistent with any Habitat Conservation Plan and/or Natural Community Conservation Plan that may be adopted.
9. Provide regional and community scale retail and employment centers in locations with easy access and visibility from SR 65, offering employment opportunities for residents in the Plan Area and the City of Lincoln and resulting in a balanced ratio of jobs and housing and consistent with the City's 2050 General Plan.
10. Provide a land use plan with a balance of uses and density that results in an adequate tax base which, at project buildout, generates a surplus to the City's General Fund and develops financial resources to pay for public services and infrastructure without causing financial burden to existing residents.
11. Provide a land use plan, design standards, and guidelines that are consistent with Lincoln 2050 General Plan goals and policies, incorporate market-acceptable design features, and foster an attractive, well-maintained community.
12. Establish a land use and circulation system that promotes convenient mobility, links Village 5 with other villages and the existing areas of Lincoln, and provides a variety of non-vehicular modes of transportation within a setting that is safe, accessible, and convenient for all modes of travel.
13. Promote a diversity of housing opportunities responsive to the needs of Lincoln, the region, and market conditions, including single-family dwellings, apartments, condominiums, townhouses, and live-work units to serve a broad range of family incomes.
14. Provide a comprehensively planned infrastructure system that is sized to serve the entire Plan Area and adjacent planned villages, which complement the city-wide infrastructure and ensures funding for the ongoing maintenance needs of the parks, open space, and storm water quality facilities, public services and infrastructure.

II. ENVIRONMENTAL SETTING

The environmental setting described in the 2017 EIR and 2017 Findings remains the same. In summary, the geographic extent of the Plan Area includes approximately 4,787 acres in the western area of Placer County, immediately west of the City of Lincoln (see 2017 EIR Figure ES-1) (the Plan Area). The Plan Area is located within the City's adopted Sphere of Influence (SOI). The Plan Area is surrounded by Lincoln Regional Airport, residences, and agricultural land to the north; the City of Lincoln, residences, agricultural land, and vacant land to the east;

the City of Lincoln Wastewater Treatment and Reclamation Facility (WWTRF) and agricultural land to the south; and agricultural land to the west (see 2017 EIR Figure 2-2). Generally, the Plan Area is bounded by Nicolaus Road on the north, but the other boundaries of the Plan Area are irregular in nature. The eastern boundary of the Plan Area follows Nelson Lane on the north side of the State Route (SR) 65 bypass and then generally abuts the Village 7 Specific Plan area and Moore Road. The southern boundary of the Plan Area follows Moore Road to the intersection with Fiddymont Road, continuing south one mile and then turning further west and abutting Auburn Ravine. The southwestern corner of the Plan Area begins approximately one mile south and west of the Dowd Road/Moore Road intersection then the western boundary wraps around the Lincoln High School Farm property and goes north to Nicolaus Road. The Plan Area is traversed by Auburn and Markham Ravines and bisected by SR 65. The Plan Area is south of Lincoln Regional Airport and portions of the Plan Area are within the Airport's overflight zones.

The Plan Area is comprised of 141 parcels with many different landowners. The Applicant owns and/or controls approximately 1,694.10 acres (approximately 35% of the total land) within the Plan Area boundaries, and a majority of the developable acreage.

The current land uses on the properties within the Plan Area include grazing, rice farming, small ranches, and rural residences.

The Plan Area (see 2017 EIR Figure 2-2) is designated in the City of Lincoln General Plan Diagram as the V5SP and Special Use District B ("SUD-B"). The boundaries of the Plan Area are generally consistent with the boundaries identified in the City of Lincoln General Plan; however, in order to create a logical geographic area, a 270-acre area located along the south side of Nicolaus Road, both east and west of SR 65 in SUD-A. This area has been incorporated into the Plan Area so that Nicolaus Road defines the northern boundary of the Plan Area in its entirety.

The current Placer County zoning designations for the Plan Area include F (Farm) –B (Building site) –X (Size) 5-acre minimum, F-B-X-SP (Special Purpose) 5-acre minimum, F-B-X 20-acre minimum, F-B-X 80-acre minimum, and F-B-X-SP 80-acre minimum. As part of the proposed project, the Plan Area would be annexed to the City of Lincoln, which would change the zoning designations from the Placer County designations to those of the City of Lincoln.

III. PROCEDURAL HISTORY

1. In 2014, Richland Developers, Inc. filed an application for a Specific Plan, General Development Plan, Development Agreement, Rezoning, and Development Agreement for the V5SP.
2. The City, as lead agency, prepared and filed a Notice of Preparation ("NOP") with the California Office of Planning and Research and sent the NOP to responsible agencies, trustee agencies, involved federal agencies and other interested parties on May 22, 2014. The 30-day public review period for the NOP began on May 22, 2014 and ended on June 23, 2014.
3. The City held a public scoping meeting to solicit input from the community and public agencies on project design, the scope and content of the DEIR, and alternatives selection. The scoping meeting was held on June 12, 2014, at 5:30 p.m. at the City of Lincoln City Hall. Individuals from the public and private sectors, as well as local citizens, attended these meetings.
4. The City completed and distributed a DEIR for the V5SP on August 26, 2016, for a 45-day public review period. The DEIR was mailed to relevant public agencies, responsible agencies, and all interested parties. The comment period closed on October 11, 2016.

5. Copies of the DEIR and documents and reports referenced in the DEIR were available for public review at the City of Lincoln Development Services Department at 600 Sixth Street, Lincoln, California, 95648; at the Lincoln Public Library at 485 Twelve Bridges Drive, Lincoln, California 95648; and on the City's website (<http://www.lincolnca.gov/city-hall/departments-divisions/community-development/environmental-documents>). In addition, copies of the DEIR were provided to interested parties.
6. The Planning Commission of the City of Lincoln, after 10 days' published notice held a study session and public hearing on September 21, 2016. Public comments on the DEIR were taken at this hearing.
7. The City received written comments on the DEIR during the comment period from the agencies, groups and individuals listed in the FEIR. The FEIR contains responses to these comments, including a summary of each comment and the complete comment letter. Based on the comments received, edits were made to the DEIR as set forth in FEIR.
8. The FEIR was distributed on July 19, 2017. The FEIR contains all of the comments received during the public comment period, together with written responses to those comments that were prepared in accordance with CEQA and the CEQA Guidelines ("2017 EIR").
9. The City's Planning Commission considered the project in a duly noticed public hearing held on November 1, 2017 at 6:00 p.m., and recommended approval to the City Council.
10. The City Council heard the project in a duly noticed public hearing held on December 5, 2017 at 4:00 p.m., where it approved the project, certified the 2017 EIR, adopted the findings of fact, MMP, and statement of overriding considerations.
11. On January 12, 2018, Scheiber Ranch Properties, LP and Albert Scheiber ("Petitioners") filed a petition for writ of mandate in the Placer County Superior court, alleging the City violated CEQA in approving the V5SP project and certifying the 2017 EIR. (Placer County Superior Court Case No. SCV-0040629.)
12. The trial court issued a Ruling on the Petition for Writ of Mandate on April 13, 2020, upholding two of Petitioners' claims that: (i) the 2017 EIR's mitigation measures that required compliance with the PCCP improperly deferred mitigation of the project's potentially significant impacts to biological resources and significant impacts to agricultural resources; and, (ii) the 2017 EIR did not adequately discuss or analyze the Project's potential impacts to transit.
13. On June 25, 2020, the court filed a Final Judgment consistent with the April 13, 2020 Ruling on the Petition for Writ of Mandate. The clerk of the court issued a Peremptory Writ of Mandate directing the City to: (i) decertify those portions of the 2017 EIR that address reliance on the PCCP as mitigation and impacts to transit facilities; (ii) suspend the City's 2017 Findings as they relate to reliance on the PCCP as mitigation and impacts to transit facilities; and (iii) suspend the City's Statement of Overriding Considerations ("SOC") for the project as they relate to reliance on the PCCP as mitigation and impacts to transit facilities. Once the City decertified the 2017 EIR and suspended the 2017 Findings and SOC, the Writ directed the City to take corrective action necessary to bring the EIR into compliance with CEQA with respect to the EIR's discussion of impacts to transit facilities and reliance on the PCCP for impacts to biological resources and agricultural impacts. The Judgment severed those portions of the 2017 EIR from the remaining Project approvals. All other project approvals based on portions of

the 2017 EIR that were not affected by the court's ruling remained valid and in effect.

14. On July 14, 2020, at 6:00 p.m., the City Council held a duly noticed public hearing, where it adopted Resolution No. 202-122. Pursuant to the court's Order and Peremptory Writ of Mandate, the City Council resolved to: (i) decertify portions of the 2017 EIR that addressed reliance on the PCCP as mitigation for agricultural resource impacts and biological resource impacts, and impacts to transit; and (ii) suspend the City's 2017 Findings and Statement of Overriding Considerations as they relate to reliance on the PCCP as mitigation and impacts to transit facilities. This action allowed for the preparation and circulation of the Draft Partially Recirculated EIR ("DPREIR").
15. The Placer County Board of Supervisors circulated an EIR/EIS for public review and input of the Placer County Conservation Program (PCCP). (SCH# 2005032050). The Placer County Board of Supervisors adopted the PCCP at a duly noticed public hearing on September 1, 2020, which added Chapter 19, Article 19.10 to the Placer County Code (effective November 2, 2020).
16. On October 13, 2020, at 6:00 p.m., the City Council held a duly noticed public hearing, where it adopted Resolutions: (i) No. 2020-174, approving the Findings as a Responsible Agency of the Certified Joint Final EIS/EIR, Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the PCCP; (ii) No. 2020-175, approving the PCCP and authorizing the Mayor of the City of Lincoln to execute the Implementing Agreement for the Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan; and (iii) No. 2020-176, approving the PCCP Development Fee Schedule. The Council also introduced Ordinance 1019B, which added Chapter 18.89 of Division XI of the City Zoning Code, Placer County Conservation Program.
17. The City Council held a duly noticed public hearing on October 27, 2020, at 6:00 p.m., where it adopted Ordinance 1019B, which codified the PCCP by adding Chapter 18.89 of Division XI, Placer County Conservation Program, to the City of Lincoln Zoning Code.
18. The City issued a Notice of Completion (NOC) of the completed DPREIR (SCH #2014052071) for the V5SP on May 7, 2021, and circulated it for a 45-day public review. A Notice of Availability (NOA) for the DPREIR was published in the Lincoln News Messenger on May 7, 2021, mailed to relevant public agencies, responsible agencies, and all interested parties, and published on the City's website. The comment period closed on June 21, 2021.
19. The City Planning Commission held a duly noticed public scoping meeting on May 19, 2021, at 6:00 p.m. to solicit comments and input from the community and public agencies on the revisions presented in the DPREIR.
20. Copies of the DPREIR and documents and reports referenced in the DPREIR were available for public review at the City of Lincoln Development Services Department at 600 Sixth Street, Lincoln, California, 95648; at the Lincoln Public Library at 485 Twelve Bridges Drive, Lincoln, California 95648; and on the City's website (<http://www.lincolnca.gov/city-hall/departments-divisions/community-development/environmental-documents>). In addition, copies of the DPREIR were provided to interested parties.
21. Following the DPREIR public comment period, the City prepared the Final Partially Recirculated EIR ("FPREIR"), which includes responses to the comments submitted.

22. The complete Partially Recirculated EIR (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.

IV. RECORD OF PROCEEDINGS

To support its decision on the PREIR, the City incorporates the record of proceedings used to adopt the 2017 EIR, which included, at a minimum, the following documents:

1. The Notice of Preparation (“NOP”) dated May 22, 2014, and all other public notices issued by the City in conjunction with the project;
2. All comments received in response to the NOP;
3. Notice of Completion dated August 26, 2016;
4. Notice of Availability dated August 26, 2016;
5. The August 2016 DEIR, including all technical appendices and all documents cited or referred to therein;
6. All comments and correspondence received on the DEIR;
7. The July 2017 FEIR prepared for the project, including any appendices and all documents cited or referred to therein;
8. All comments and correspondence received on the FEIR;
9. The Mitigation Monitoring Plan (“MMP”) for the project;
10. All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City’s compliance with the requirements of CEQA and with respect to the City’s action on the project;
11. All documents submitted to the City by the project Applicant, other public agencies, and members of the public in connection with the project, through the close of the public hearing for the project;
12. Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the project;
13. Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
14. The City of Lincoln 2050 General Plan and all environmental documents prepared in connection with the adoption of the General Plan;
15. The City of Lincoln Municipal Code, including the Zoning Code;
16. All findings, resolutions, and ordinances adopted by the City regarding the project, and all staff reports, analyses, and summaries related to the adoption of those findings, resolutions, and ordinances; and
17. Any other materials required for the record of proceedings pursuant to Public Resources Code section 21167.6, subdivision (e).

The City's decision on the PREIR is further supported by, but not limited to, the following additional documents, which are hereby incorporated into the Record of Proceedings:

1. The Notice Completion of the DPREIR, dated May 6, 2021;
2. The Notice of Availability of the DPREIR, dated May 7, 2021;
3. The May 2021 DPREIR prepared for the project, including any appendices and all documents cited or referred to therein;
4. All comments and correspondence received on the DPREIR;
5. The August 2021 FPREIR prepared for the project and pursuant to the court's Peremptory Writ of Mandate, including any appendices and all documents cited or referred therein;
6. All comments and correspondence received on the FPREIR;
7. The updated Mitigation Monitoring Plan (MMP) for the V5SP 2021 PREIR;
8. The 2020 Placer County Conservation Program (SCH# 2005032050), codified at Chapter 19, Article 19.10 to the Placer County Code, including all applicable provisions, documents, and references cited in the 2021 PREIR, also available at: <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>;
9. All findings, resolutions, and ordinances adopted by the City regarding the project and PREIR, and all staff reports, analyses, and summaries related to the adoption of those findings, resolutions, and ordinances; and
10. Any other materials required for the record of proceedings pursuant to Public Resources Code section 21167.6, subdivision (e).

The entirety of the Record of Proceedings, except those portions of the prior CEQA documents invalidated by the court's Final Judgment and Order, provides the evidence and support upon which the City may rely in considering the 2021 PREIR. Accordingly, the 2017 EIR and 2017 Findings, with the exception of those portions severed by the court's April 13, 2020 ruling and June 25, 2020 final judgment, are incorporated into these Findings in their entirety, unless and only to the extent these Findings expressly do not incorporate by reference the 2017 EIR and 2017 Findings. Without limitation, this incorporation is intended to support the City's compliance with the Peremptory Writ of Mandate, elaborate on the scope and nature of the mitigation measures, the basis for determining the significance of impacts, and the reasons for approving the project in spite of the potential for associated significant and unavoidable adverse impacts

The official custodian of the record is the Clerk of the City of Lincoln, 600 Sixth Street, Lincoln, California 95648.

V. LEGAL EFFECT OF FINDINGS

These Findings constitute the City's evidentiary and policy bases for its decision to approve the project and PREIR in a manner consistent with the requirements of CEQA. To the extent that these Findings conclude that proposed mitigation measures outlined in the PREIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds the project applicant and any other responsible parties to implement those measures. These Findings, in other words, are not merely informational or advisory, but constitute a binding set of obligations that will take effect when the City adopts the resolution(s) and/or ordinance(s) approving the various entitlements listed above for the project. (Pub. Resources Code, § 21081.6, subd. (b).) In addition, the adopted mitigation measures are conditions of approval.

VI. MITIGATION AND MONITORING PLAN (“MMP”)

The City prepared an MMP for the project, and approved the MMP by the same resolution that adopted the 2017 Findings (“2017 MMP”). (See Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, § 15097.) The 2017 MMP, which contains all portions not invalidated by the court’s Order, is attached to the 2017 EIR. A revised MMP has been prepared pursuant to the court’s Peremptory Writ of Mandate and is attached the PREIR (“2021 MMP”). The intent of the 2021 MMP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures identified in the 2017 EIR and updated in the DPREIR for the project. Together, both documents encompass the complete MMP (“MMP”), which 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. The City thus finds that all mitigation measures contained in the complete MMP are feasible and will mitigate the significant impacts of the project to the greatest extent possible. The City will use the MMP to track compliance with project mitigation measures. The MMP will remain available for public review during the compliance period.

VII. SIGNIFICANT ADVERSE IMPACTS AND MITIGATION MEASURES

This and the following sections summarize the analysis of environmental impacts of the Project as modified in the PREIR, and provide findings as to those impacts, as required by CEQA, the CEQA Guidelines, and the Peremptory Writ of Mandate. The Findings set forth below are made and adopted by the City Council as its findings under CEQA. In the City Council’s view, these Findings, coupled with those articulated and incorporated in the 2017 Findings, justify approval of the proposed plan.

The City Council hereby adopts and incorporates as conditions of approval, the mitigation measures set forth in the Findings below to reduce or avoid the potentially significant and significant impacts of the proposed plan, as well as certain less-than-significant impacts. To the degree that any commenters suggested measures as proposed additional mitigation measures, the City Council hereby adopts and incorporates by reference the reasons stated in the responses to comments contained in the FPREIR as its grounds for rejecting adoption of those proposed mitigation measures.

A. Overview

In response to the Peremptory Writ of Mandate, the City has chosen to take specific action necessary to bring its consideration of the project into compliance with the court’s ruling. The City has determined that revising the relevant sections of the EIR to address the inadequacies identified by the court is the appropriate process for complying with the court’s ruling.

The City finds that the PREIR has been prepared pursuant to Section 21168.9 of the Public Resources Code, and Section 15234 of the CEQA Guidelines, which only require additional environmental review of portions of the EIR found by the court not to comply with CEQA, consistent with principles of res judicata. The PREIR only addresses portions of the EIR determined to not comply with CEQA, including portions of the chapters on Agriculture and Biological Resources relating to Mitigation Measures 3.2-1, 3.4-1(a), and 3.4-2(a) and the transit analysis in Transportation. The PREIR and Appendix M to the PREIR, have been prepared pursuant to the court’s directive, in order to better explain the mitigating effects of compliance with the PCCP and to provide adequate analysis of the Project’s impacts to transit.

The City finds that the Project would have a significant impact related to the elimination of Important Farmland. Implementation of Mitigation Measure 3.2-1 would mitigate for impacts to Important Farmland through compliance with the PCCP, or implementation of a preservation strategy consistent with the PCCP, through the protection and restoration of sensitive habitats. However, it is not currently possible to guarantee that comparable amounts of Important Farmland with the same soil characteristics as those areas in the Plan Area would be

preserved, and this impact would be significant and unavoidable. For these reasons, the City has prepared a statement of overriding economic, social, and other considerations.

The City finds that the Project would have a potentially significant impact to special-status species, habitat and protected natural communities. Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1, would reduce these impacts through compliance with the PCCP or implementing equivalent measures to ensure compliance with the PCCP. Through implementation of Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1, these impacts would be reduced to less-than-significant levels.

The City finds that the Project would not conflict with adopted plans, policies, or programs regarding transit facilities, and would not interfere with existing or planned transit facilities. Transit demand generated by the project could be served by a variety of existing, planned, and potential transit services, and the project would not have any physical attributes that would interfere with existing or planned transit facilities. Therefore, the City finds that the transit facilities provided for in the V5SP would be adequate to support future transit demand, such that the project would not conflict with adopted plans, policies, or programs regarding transit facilities and would not interfere with existing or planned transit facilities. Therefore, the City finds that the project will result in a less-than-significant impact to transit.

B. Impacts Found to be Less-Than-Significant

The City Council finds that the following impacts are either “less-than-significant” or have “no impact” as described in the PREIR. Therefore, CEQA does not require mitigation for these impacts. (Pub. Resources Code, § 21002; CEQA Guidelines § 15126.4, subd. (a)(3), 15091.) The rationale for this finding as to each impact identified is more particularly set forth as to each relevant issue or resource below. The City Council further finds that revisions to the sections below address the inadequacies identified by the court’s Final Judgment and are appropriate for complying with the court’s Peremptory Writ of Mandate.

1. TRANSPORTATION AND CIRCULATION

a. Impact 3.15-11: The Project would not conflict with adopted plans, policies, or programs regarding transit facilities and would not interfere with existing or planned transit facilities.

For a detailed and updated discussion of the existing transit network, planned transit facilities, regulatory setting, facilities, plans, and programs, please refer to Section 3.15 of the PREIR.

Since the 2017 EIR was adopted, the implementation of SB 743 updated the CEQA Guidelines to reflect criteria for evaluating the significance of transit-related impacts. To conform with these regulatory updates, the PREIR considered impacts to transit significant if they would conflict with adopted plans, policies, or programs regarding transit facilities. Conflicts with adopted plans, policies, or programs would include interference with existing or planned transit facilities.

The V5SP would include bus turnouts and shelters to accommodate potential future transit service expansion to the area, if it is provided by local or regional transit operators. In addition, a bus transfer lot is being considered as part of a joint use park-and-ride lot to support transit use. While the V5SP would include the construction of transit facilities, it does not identify any transit service expansion into the V5SP area. The V5SP states that transit services would be extended into the V5SP area as the demand for such services occurs and funds are available as determined by the transit provider.

At buildout, the V5SP would include approximately 8,200 dwelling units and 4.6 million square feet of employment and commercial land uses within the V5SP area, establishing a new market

in the City of Lincoln and south Placer County. Transit demand generated by the V5SP could be served by a variety of existing, planned, and potential transit services, as described below.

Rationale:

In the near-term, the City would have the discretion to extend the Lincoln DAR into the V5SP area (contingent upon agreement by the County), as warranted by transit demand and as funding allows. Additionally, during the near-term, existing PCT Route 20 and the planned Lincoln- Sacramento Light Rail express bus service would provide intercity bus connections between the V5SP area vicinity (at the Twelve Bridges park-and-ride lot) and locations along the Highway 65 and I-80 corridors. In the long-term, transit service levels to the V5SP area would increase with the planned implementation of new local and intercity bus service as identified in the Placer County RTP 2040. Transit service levels in the V5SP area could increase further with the possible implementation of south Placer County BRT service into Lincoln as identified in the Placer County RTP 2040. The provision of these planned and potential new transit services would support City of Lincoln General Plan policies related to the land use and policies listed in the Regulatory Setting under Section 3.15.2 of the PREIR, as well as in Chapter 5 of the 2017 EIR. Therefore, the City Council finds that the proposed project would not conflict with any adopted policies.

Over time, as the V5SP builds out, the underlying land use, socioeconomic, and travel patterns would influence the timing and nature of transit service expansion into the V5SP area. Moreover, based on current formula-based State transit funding programs (e.g., the LTF and the STA under the TDA), population growth that would result from the V5SP could increase the City's available funding for transit services, which could in turn be allocated towards future transit service expansion into the V5SP area. Under such circumstances, the City could consider the potential for transit service expansion into the V5SP area through its 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 existing transit operating agreement between the City and Placer County provides a mechanism for which transit service modifications could be made to increase transit levels in the V5SP area.

It is conceivable that the V5SP area would be served by limited transit options during the early phases of its development (i.e., prior to the implementation of planned transit services to the V5SP area). A consequence of limited transit serving the V5SP area would be that people traveling to, from, and within the V5SP area would be required to choose other modes of transportation, particularly driving. This is reflected in the trip generation and travel demand characteristics described in the PREIR transportation section. The secondary environmental effects of this use of vehicular transport are disclosed elsewhere in the PREIR, including Section 3.3 Air Quality, Section 3.5 Climate Change, as well as impact analyses in the transportation section regarding the operations of local and regional roadways serving the V5SP area.

This analysis additionally considers the potential for the V5SP to cause an impact to transit service on the basis of interfering with existing or planned transit facilities. Because transit facilities do not currently exist in the V5SP area, the implementation of the V5SP would not interfere with any existing transit facilities. As described previously, while existing plans do not identify new transit services or facilities in the V5SP area, the V5SP would construct several on-site transit facilities that would support potential future transit service expansion to the V5SP area. For example, the project does not propose any non-grade separated roads that would cross a transit line, nor would it require removal or relocation of any bus stops, or affect access to any bus stops. Therefore, the City Council finds that there are no physical attributes of the V5SP that would interfere with existing or planned transit.

This analysis further considers the potential for the V5SP to conflict with existing plans or policies regarding transit facilities. Section 3.15.2 of the PREIR, which sets forth the Regulatory Setting, identifies regional and local plans and policies related to transit, that are applicable to

the V5SP. On a regional level, the SACOG 2020 MTP/SCS includes policies relevant to the funding of transportation projects, within existing or anticipated areas of development. As described in Section 3.11 Land Use, Page 3.11-13 of the 2017 EIR, the V5SP Plan Area is designated as a Developing Community in the 2016 MTP/SCS. The Plan Area is given the same designation in the 2020 MTP/SCS; therefore, the City Council finds that the V5SP would be consistent with the growth projections of the both the 2016 and 2020 MTP/SCS documents and would not conflict with any of the 2020 MTP/SCS policies related to transit.

The Placer County RTP 2040 provides regional transportation planning, including transit planning and funding, for Placer County. The growth assumptions in the Placer County RTP 2040 update are based on the growth assumptions, developed by SACOG and presented in the 2020 MTP/SCS. Therefore, as with the 2020 MTP/SCS, the City Council finds that the V5SP would be consistent with the growth projections in the Placer County RTP 2040. The Placer County RTP 2040 also provides transit policies that are relevant to the V5SP and are included in Section 3.15.2 of the PREIR. These policies direct the PCTPA to work with member and adjacent jurisdictions to facilitate the provision of transit services to new and developing areas, promote transit use, and develop and administer systems to assess the need and assist in the facilitation of transit expansion within Placer County and regionally. As described above, the V5SP would include bus turnouts and shelters to accommodate potential future transit service expansion to the area, if it is provided by local or regional transit operators. Thus, the City Council finds that the V5SP would not conflict with PCTPA policies that encourage the expansion of transit services into the Plan Area or policies that encourage transit use, and the V5SP would not conflict with the RTP.

Local policies and programs related to transit are also identified on pages 3.15-22 through 3.15-38 of the PREIR, as included in the City of Lincoln General Plan. The City Council finds that the land use, development pattern, and circulation system design of the V5SP would not conflict with General Plan land use policies related to transit (LU 1.6, LU 1.8, LU 15.1, LU 15.2, LU 15.5), as the Plan includes required considerations for multi-modal uses, including transit, and would not interfere with the operation or development and expansion of transit facilities. The City Council further finds that V5SP would also not conflict with relevant transit-related General Plan transportation policies, which require the City to promote and support public transit services (T-4.1), coordinate with relevant jurisdictions to implement improvements to transit services (T-4.2), promote the use of public transit (T-4.3), provide funding mechanisms for community transit services and require new development be adequately served by transit (T-4.4), support transit services that meet the needs of the disabled (T-4.5), and expand fixed route transit service to serve new development areas (T-4.6). The analysis above describes the process through which transit service could expand within the V5SP and surrounding areas, to serve growth in transit demand within the West Lincoln Annexation Area. As further described above, the V5SP includes design accommodations in the Plan Area circulation system to be utilized by transit operators if transit service is expanded into the V5SP. Thus, the City Council finds that the design or operation of the V5SP would not conflict with the City's implementation of transit policies of the Lincoln General Plan. For these reasons, the City finds that the V5SP would not conflict with adopted plans, policies, or programs related to transit facilities.

The City Council therefore finds that the transit facilities provided for in the V5SP would be adequate to support future transit demand. The City Council finds that the V5SP would not conflict with adopted plans, policies, or programs regarding transit facilities and would not interfere with existing or planned transit facilities. The City further finds that this is an appropriate threshold of significance for analyzing potential transit impacts, as it aligns with updates to the CEQA Guidelines (SB 743) for evaluating transportation impacts. Therefore, the City finds that the V5SP would cause a **less than significant** impact to transit.

- b. Impact 3.15-23: The proposed project and cumulative development would not conflict with any adopted plans, policies, or programs regarding transit facilities and would not interfere with existing or planned transit facilities.**

Impact 3.15-11 in the PREIR, and as set forth above, provides a detailed discussion of anticipated project-level impacts to transit. Altogether, circumstances would not change under cumulative conditions such that transit demand, transit capacity, and/or transit facilities within the V5SP area would materially differ from those described in Impact 3.15-11.

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

Under cumulative conditions, the underlying land use, socioeconomic, and travel patterns would influence the timing and nature of transit service expansion into the V5SP area and other areas of large-scale development adjacent to and near the V5SP area, that constitute the West Lincoln annexation area. 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 existing transit operating agreement between the City and Placer County provides a mechanism for which transit service modifications could be made to increase transit service levels in the V5SP area. Within the area of cumulative development, it is further foreseeable that Placer County and neighboring cities would similarly benefit from the resultant increase in available transit funding, due to population growth, and would utilize similar processes to extend transit service into developing areas. The resultant effect would be cumulative growth concentrated in the area within and around the V5SP, that would be anticipated to improve the viability of service expansion into those areas, based on the factors identified above.

Rationale:

As described previously under Impact 3.15-11, because transit facilities do not currently exist in the V5SP area, the City Council finds that the implementation of the V5SP would not interfere with any existing transit facilities. While planning agencies' existing plans do not identify new transit services or facilities in the V5SP area, under cumulative conditions the V5SP would construct several on-site transit facilities that would support potential future transit service expansion to the V5SP area. Because to date no tentative map has been approved in any of the V5SP areas, the exact location and design of these facilities are not known. They will be determined during the tentative subdivision mapping processes, which must occur in order for development to proceed, and which include consultation with transit providers. Therefore, the City Council finds that there are no physical attributes of the V5SP that would interfere with existing or planned transit, and the V5SP would not contribute to cumulative effects that would conflict with implementation of transit plans, policies or programs.

Under cumulative conditions, the City Council finds that transit facilities provided for in the V5SP would be adequate to support future transit demand and would not conflict with adopted plans, policies, or programs regarding transit facilities and would not interfere with existing or planned transit facilities. Therefore, the City Council finds this cumulative impact is **less than significant**.

C. Impacts Found to be Less-Than-Significant After Mitigation

For all of the following impacts, the City Council finds that changes or alterations have been required in, or incorporated into the project, which would mitigate or avoid the significant effects on the environment. The City Council further finds that revisions to the sections below address

the inadequacies identified by the Court's Final Judgment and are appropriate for complying with the Court's Peremptory Writ of Mandate.

1. BIOLOGICAL RESOURCES

The recirculated materials in Section 3.4, *Biological Resources*, update Section 3.4.2, *Regulatory Setting*, to describe the approved PCCP and provide 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 (DPREIR, p. 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.

- a. Impact 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 (Potentially Significant).**

Development of the V5SP would result in the fill of jurisdiction wetlands, other waters of the U.S., and waters of the state. A wetland delineation has been prepared for Area A, and a total of 20.78 acres of potentially jurisdictional wetlands and other waters of the US could be impacted. The Windsor Cove site was delineated and it could impact up to 7.68 acres of wetlands or waters of the U.S. As shown in Table 3.4-1 of the PREIR, approximately 30 acres of potential wetland habitat could be impacted in the remainder of the V5SP. The loss of these wetlands or other waters as a result of grading or other ground disturbance is considered a potentially significant impact.

Mitigation Measures: The following mitigation measures shall be implemented:

In practice, certain wetland types are not easily distinguished and often intergrade. The mitigation strategy below minimizes the effect of field interpretation by applying the same ratios for all wetland types and by allowing broad latitude for out-of-kind mitigation. For the purposes of applying mitigation requirements, the definition of "vernal pool complex" includes vernal pools and depressional areas within vernal swales, and other seasonal wetlands.

Mitigation Measure 3.4-1 (Full Specific Plan, Area A, and Windsor Cove)

- a) The project applicant shall comply with the PCCP and that 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.
- b) If the PCCP is not in operation, or the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures shall apply:
 - 1) 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.

- 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 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.

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.

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.

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.

- 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.

- 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.
- 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.
- 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 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.
- 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.

Avoidance and Minimization Measures

- 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.
- 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.
- 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.

Rationale:

The City Council finds that Mitigation Measure 3.4-1 would ensure that the project achieves no net loss of wetlands, waters of the U.S., and waters of the state through avoidance and restoration. Additionally, the City finds that the buffer requirements as set forth in the Section 404 and/or 401 water quality certifications would reduce the potential for storm water runoff to cause adverse impacts to onsite wetlands and waters. Moreover, the City finds that Mitigation

Measure 3.4-1 appropriately prescribes specific measures requiring habitat preservation, compensatory mitigation, and impact avoidance and minimization, which will be implemented in the event the PCCP is not operational. Therefore, the City finds that this impact would be reduced to **less than significant**.

b. Impact 3.4-2: Implementation of the proposed project could result in adverse impacts to special-status species, either directly or through habitat modifications (Potentially Significant).

As discussed in detail in the DPREIR (p. 3.4-60), buildout of the Plan Area would eliminate large tracts of land that could be used by special-status species and directly and indirectly affect special-status species. Many of these species flourish when there are large tracts of land preserved, rather than small patches of land, because species movement and migration can be preserved. Buildout of the Plan Area would eliminate large tracts of land that could be used by special-status species and directly and indirectly affect special-status species. Therefore, this impact would be potentially significant unless mitigated.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-2 (Full Specific Plan, Area A, and Windsor Cove)

- 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.
- b) If the PCCP is not in operation or the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures shall apply:
- 1) The project applicant shall obtain a Biological Opinion and any applicable incidental take authorization from USFWS and comply with the conditions and requirements therein.
 - 2) 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. Identification and quantification of land cover and wetland removal and applicable mitigation requirements set forth below in subsection (5).
 - 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.
 - iii. Identification of any conservation or mitigation bank credits or assignment of excess mitigation from other projects in the V5SP.
 - iv. Draft conservation easements and draft management and monitoring plans, if applicable.
 - v. An endowment for long-term management of the proposed mitigation lands.
- 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.
- 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:
 - i. Demonstrate recordation of required easements for land conservation.
 - ii. Demonstrate ownership of applicable credits and/or assignment of any applicable excess mitigation from other projects in the V5SP.
 - iii. Demonstrate implementation of an endowment for the management of all mitigation lands.
 - 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.
 - v. Documentation and approval of any mitigation credits eligible for future use or assignment.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.

Rationale:

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 special-status species and ratios for protecting them. As explained in Section 3.4, *Biological Resources*, of the DPREIR, the PCCP is both a Habitat Conservation Plan (HCP), which authorizes incidental take of listed species, as well as a Natural Community Conservation Plan (NCCP). 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. 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.

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. (See, e.g., PCCP Goal L-1 [A Reserve System], Objective L-1.1 [Establish a Large, Interconnected Reserve

System]; Goal L-2 [Reserve System Connectivity], Objectives L-2.1 [Protect Habitat Linkages], L-2.3 [Establish East-West Corridors], L-2.4 [Conserve North-South Connectivity]; Goal L-3 [Ecological Process & Conditions to Reestablish Natural Communications and Native Species].) The Goals and Objectives of the community-level Conservation Strategy seek 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.

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. For these reasons, the City finds that the addition of subdivisions (1) and (2) to Mitigation Measure 3.4-2(a) would further identify all special-status species and ratios for protecting them. For special-status bird species that are not covered under the PCCP, Mitigation Measure 3.4-2(a)(1) requires the project applicant to implement the mitigation measures for nesting habitat under Mitigation Measure 3.4-6(c). For protection of American badgers, Mitigation Measure 3.4-2(a)(2) requires the project applicant, for each phase of the project, to retain a qualified biologist to conduct a preconstruction American badger den survey within the project site, and consult with CDFW prior to the initiation of construction activities.

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. The V5SP 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 City finds that the impact to special-status species would be **less than significant**.

c. 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 (Potentially Significant).

As discussed in the PREIR, approximately 1,204 acres of vernal pool complex habitat, including vernal pools, individual vernal pool crustaceans and amphibians, could be lost through grading and conversion to urban development or landscaping in the Plan Area. This includes up to 13 acres of vernal pools, seasonal wetlands, and seasonal swales in Area A, and just over four acres of vernal pools or swales in Windsor Cover. As such, this would be a potentially significant impact.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-3

- 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.
- b) If the PCCP is not in operation or the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures shall apply:
 - 1) The project applicant shall implement Mitigation Measure 3.4-1, subsection (b) and Mitigation Measure 3.4-2.

Avoidance and Minimization Measures

- c) 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.
- d) 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.

Rationale:

The City Council finds that compliance with the PCCP would satisfy all legal requirements to mitigate impacts to vernal pool habitat, special-status vernal pool crustaceans or amphibians because the PCCP identifies all covered species and ratios for protecting them. To this end, the City finds that the PCCP's 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. However, should the PCCP not be in operation by the time permitting occurs, the City Council finds that the applicant's implementation of Mitigation Measure 3.4-3(b) would ensure a conservation strategy that would achieve equivalent levels of mitigation through the protection and restoration of vernal pool complexes, vernal pool wetlands, seasonal wetlands and seasonal swales, and avoidance and minimization measures that include requiring a buffer area during construction and not changing flows into adjacent resources as required by the PCCP. This prescribes specific avoidance and minimization measures for various vernal pool species, including the Western spadefoot toad, vernal pool crustaceans such as the conservancy fairy shrimp, vernal pool fairy shrimp, and vernal tadpole shrimp. Therefore, the City finds that, through implementation of this measure, any impacts on vernal pools or vernal pool species would be reduced to a **less than significant** impact.

d. Impact 3.4-5: Implementation of the proposed project could result in the loss of western pond turtle and/or degradation of potential habitat (Potentially Significant).

Approximately 0.59 acres of potentially suitable creek habitat, onsite stock ponds, and 36 acres of potentially suitable fresh emergent wetland and lacustrine habitat could be lost as a result of project implementation, which could have a potentially significant impact on the western pond turtle.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-5

- 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.
- b) If the PCCP is not in operation or the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures shall apply:

- 1) 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.
- 2) 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 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 PCCP.
- 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 PCCP.

Rationale:

Compliance with the PCCP would mitigate all impacts to the western pond turtle to **less than significant**. However, if the PCCP is not in operation by the time project applicant(s) seek(s) permits to construct, these measures mimic those in the PCCP. Furthermore, the majority and highest quality habitat for western pond turtle would be protected in Auburn and Markham Ravines, and any western pond turtles present within the Plan Area prior to construction would either be protected in place or relocated (as required by Mitigation Measure 3.4-5), and because loss of their aquatic habitat would be compensated through compliance with the Sections 401 and 404 permitting process, this impact would be reduced to **less than significant**.

e. 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 (Potentially Significant).

Various habitats within the Plan Area could provide nesting and foraging habitat for protected raptors, migratory birds, and other special-status bird species, including the Swainson's hawk, burrowing owl, and tricolored blackbird. Loss of these habitats could have a potentially significant impact on protected birds.

Mitigation Measures: The following mitigation measures shall be implemented:

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.

- b) If the PCCP is not in operation or the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures for foraging habitat shall apply:

- 1) The project applicant shall comply with Mitigation Measure 3.4-2(b)(2)-(10).
- c) If the PCCP has not been adopted by the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures for nesting habitat shall apply:
- 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 of the potential nesting trees or other habitat have been removed.
 - 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.

Additional Measures for Swainson's Hawk

- 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 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.
- 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.

Additional Measures for Burrowing Owl

- 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, with at least one visit 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.
- 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).
- 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.

Additional Measures for Tricolored Blackbird

- 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 will 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) will coordinate 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.

Rationale:

The City Council finds that 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 would ensure active nesting habitat is not disturbed. Species covered by the PCCP include those associated with grassland, riverine, and riparian habitats. Therefore, additional species will be co-beneficiaries of the habitat protections and preservation provided to covered species under the PCCP. If, however, the PCCP is not operational by the time project applicant(s) seek permits to construct, the City finds that the mitigation measures listed above would mimic those in the PCCP, by affording protections to the enumerated species set forth in the DPREIR (pp. 3.4-37–3.4-41). Therefore, the City finds that this impact would be reduced to a **less than significant** level.

f. Impact 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 (Potentially Significant).

As discussed in the 2017 EIR and PREIR, no elderberry shrubs were identified via surveys on either Area A or the Windsor Cove sight. Accordingly, no significant impact on the VELB or its habitat would occur in these areas. However, other areas of the Specific Plan have not yet been surveyed. Accordingly, they could contain elderberry bushes, and thus, the VELB. Loss of individual VELB or its habitat would be considered a potentially significant impact.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-7 (Full Specific Plan, Excluding Area A and Windsor Cove)

- a) The project applicant shall comply with the PCCP, which shall be deemed to mitigate for impacts to the VELB. 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.
- b) If the PCCP is not in operation or the County and City processes for designating project impacts as covered under the PCCP have not been established, the project applicant shall comply with mitigation measures c) through e).
- 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).
- 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.
- 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:
 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.
 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.
 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.

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).
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.

Rationale:

The City Council finds that by requiring identification of all potentially affected elderberry shrubs on or adjacent to the Plan Area, protecting elderberry shrubs that will not be removed, and by requiring mitigation of VELB habitat as required by Mitigation Measure 3.4-7, this impact would be reduced to **less than significant**.

g. Impact 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.

The reach of Auburn Ravine that passes through the Plan Area is designated as Critical Habitat for Central Valley steelhead and represents migration and possibly spawning habitat for this species and for Chinook salmon, which have been documents downstream of the Plan Area. Fall-run Chinook salmon and Spring-run and winter-run Chinook salmon may also spawn and/or swim in the Ravine. Two bridges across Auburn Ravine are planned to be replaced with larger bridges (one at Nelson Lane and one at Moore Road). As discussed in detail on pages 3.4-75 through 76 of the 2017 EIR and DPREIR, these bridges could have potentially significant impacts on the listed fish species.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-8

- a) 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. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.
- b) If the PCCP is not in operation prior to the start of construction in the V5SP area in question, the project applicant(s) (be they the City, County, or another agency) shall comply with the following mitigation measures:
 - 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.
 - 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:

- In-water construction work windows shall be observed in consultation with NMFS and CDFW, and as specified in the permits issued.
 - 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.
- 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.
 - 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.

Rationale:

The City Council finds that protection of Central Valley steelhead, Chinook salmon and their habitat in Auburn Ravine would occur through avoidance and minimization of impacts on these salmonids (e.g., by observing work-windows and BMPs), protection of riverine habitat, and protection of water quality as required by Mitigation Measure 3.4-8. Avoiding work in Auburn Ravine during the identified work window would ensure sensitive fish would not be protected when heavy construction activities occur in and adjacent to the ravine. Therefore, the City Council finds that this impact would be reduced to **less than significant**.

h. Impact 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 (Potentially Significant).

Bridge replacement and/or widening along the Ravines could affect approximately 17 acres of riparian habitat by removal or damaging of riparian trees and shrubs. This would be a potentially significant impact.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-9

- a) 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. Mitigation achieved through implementation of the PCCP shall be equal to or greater than the mitigation ratios and requirements described in subsection (b), below.

- b) If the PCCP is not in operation 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.

Rationale:

The City Council finds that by complying with the PCCP (if in operation) or preserving the majority of lands associated with the Markham and Auburn Ravine floodplains and ensuring no net loss of riparian habitat values, including implementing Mitigation Measures 3.4-1, 3.4-2, 3.4-3, 3.4-4, and 3.10-1, which ensure protection and restoration of vernal pools, seasonal swales, seasonal wetlands, marsh, and riverine (creek) natural communities as required by Mitigation Measure 3.4-9, this impact would be reduced to **less than significant**.

- i. **Impact 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 (Potentially Significant).**

Projected development throughout western Placer County is anticipated to impact 585 acres of vernal pools, 255 acres of fresh emergent wetland and 485 acres of riparian and riverine habitat. Combined with the impacts of the proposed project to these protected wetlands and waters, this would be a potentially significant cumulative impact.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-13

The project applicant shall implement Mitigation Measure 3.4-1.

Rationale:

The City Council finds that implementation of Mitigation Measure 3.4-1 would mitigate the loss of protected wetlands and waters by requiring protection at a minimum of 1.35:1 and restoration at a minimum ratio of 1.25:1 of wetlands and water types in large preserves or agency-approved mitigation banks. Therefore, with implementation of this mitigation, the City Council finds that the project's contribution to the cumulative impact would be less than cumulatively considerable, and the cumulative impact would be **less than significant**.

- j. **Impact 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 (Potentially Significant).**

Projected development in western Placer County could result in the loss of 12,550 acres of vernal pool complexes, or a loss of approximately 28 percent. The proposed project would result in a loss of 1,204 acres of vernal pool complex, or 10 percent of the anticipated cumulative loss. This would be a potentially significant cumulative impact on special-status vernal pool species and habitat.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.4-14

The project applicant shall implement Mitigation Measures 3.4-1, 3.4-2, and 3.4-3.

Rationale:

The City Council finds that implementation of Mitigation Measures 3.4-1, 3.4-2 and 3.4-3 would compensate for the project's contribution to the loss of vernal pool complexes by protecting vernal pools, seasonal wetlands, and seasonal swales in vernal pool complexes at a minimum ratio of 1.35:1 and restoring, enhancing, or creating these habitats at a minimum ratio of 1.25:1 within large preserves in western Placer County. Therefore, with implementation of this mitigation, the City Council finds the project's contribution to the cumulative impact would be less than cumulatively considerable and the cumulative impact would be **less than significant**.

D. Impacts Found to be Significant and Unavoidable

The impacts described in this section have been found to be significant and unavoidable. As more specifically discussed in the Rationale sections identified for each impact, the City Council finds as follows: (1) that no feasible mitigation exists; (2) the mitigation required is within the responsibility of another jurisdiction and thus, cannot be guaranteed by the City to be accomplished, and/or (3) that specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or project alternatives.

1. AGRICULTURAL RESOURCES**a. Impact 3.2-1: Implementation of the proposed project would result in conversion of Important Farmland to non-agricultural use (Potentially Significant).**

The Plan Area includes 887.57 acres of Prime Farmland, 185.63 acres of Farmland of Statewide Importance, and 929.75 acres of Unique Farmland. Together, these three categories comprise 2,002.95 acres of Important Farmland. The proposed project would ultimately convert approximately 1,927.34 acres of Important Farmland to non-agricultural use. The 75.61 acres of Important Farmland that would not be converted to non-agricultural use is within the 345-acre Area G. Area G includes the 280-acre Lincoln High School Farm and surrounding agricultural farmland, and would remain as an agricultural and wetland preserve.

As discussed in the proposed V5SP, an Agricultural Overlay (AO) District would be established over the entire Plan Area. The AO District would be established to respect and allow the continuation of agricultural uses that were in existence prior to adoption of the Specific Plan. The AO District would establish regulations to guide agricultural-related activities for the interim period until urban development occurs in accordance with the adopted Specific Plan. The transition of the Plan Area would be a gradual process and it is the intent of the AO District to allow for the continuation of agriculture and agricultural support uses on an interim basis. The AO District is further intended to protect continued agricultural activity by limiting land uses to those uses that are compatible and supportive of agriculture and related uses and/or agricultural by-products. Uses that would be permitted within the AO District include: one single-family residence and accessory buildings; agricultural crops and open field grazing; livestock, poultry and small animals pursuant to separation standards contained in the General Development Plan (GDP); greenhouses, when incidental to agricultural uses on premises; marketing of products on the premises; agribusiness; pasturing and grazing; and, public stables and riding academies (with restrictions).

While the proposed project would permanently preserve some farmland within the Plan Area, and the AO District would allow for the continued use for agricultural purposes of all of the land within the Plan Area until it is developed for urban uses, there would still be a net permanent loss over the course of Plan Area build out of 1,927.34 acres of Important Farmland. Therefore, implementation of the full V5SP would result in a potentially significant impact on agriculture.

Mitigation Measures: The following mitigation measures shall be implemented:

Mitigation Measure 3.2-1 (Full Specific Plan, Area A, Windsor Cove)

- 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 Mitigation Measures 3.4-1(b) and 3.4-2(b) in Section 3.4, *Biological Resources*, of the DPREIR, showing below.

Mitigation Measure 3.4-1 (Full Specific Plan, Area A, and Windsor Cove)

- b) If the PCCP is not in operation, or the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures shall apply:

- 1) 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.
- 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.

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.

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.

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.

- 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.
- 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.
- 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.
- 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 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.
- 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.

Avoidance and Minimization Measures

- 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.
- 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.

- 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.

Mitigation Measure 3.4-2 (Full Specific Plan, Area A, and Windsor Cove)

- b) If the PCCP is not in operation or the County and City processes for designating project impacts as covered under the PCCP have not been established, the following mitigation measures shall apply:
 - 1) The project applicant shall obtain a Biological Opinion and any applicable incidental take authorization from USFWS and comply with the conditions and requirements therein.
 - 2) 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. Identification and quantification of land cover and wetland removal and applicable mitigation requirements set forth below in subsection (5).
 - 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.
 - iii. Identification of any conservation or mitigation bank credits or assignment of excess mitigation from other projects in the V5SP.
 - iv. Draft conservation easements and draft management and monitoring plans, if applicable.
 - v. An endowment for long-term management of the proposed mitigation lands.
 - 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.

- 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:
 - i. Demonstrate recordation of required easements for land conservation.
 - ii. Demonstrate ownership of applicable credits and/or assignment of any applicable excess mitigation from other projects in the V5SP.
 - iii. Demonstrate implementation of an endowment for the management of all mitigation lands.
 - 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.
 - v. Documentation and approval of any mitigation credits eligible for future use or assignment.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.

Rationale:

Implementation of Mitigation Measure 3.2-1 would implement a preservation strategy consistent with and through the protection and restoration of sensitive habitats. Mitigation Measure 3.2-1 mitigates 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 and operational, or through Mitigation Measures 3.4-1(b) and 3.4-2(b). In either case, and as explained more fully below, land of similar character to the agricultural land in the V5SP Plan Area will be preserved at a ratio of 1:35 acres preserved to 1:00 acres developed.

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). It is anticipated that the PCCP will protect up to 8,240 acres of agricultural lands (compared to the 601 acres currently protected). Additional details regarding the PCCP can be found in Section 3.4, *Biological Resources*, of the DPREIR.

The PCCP calls for the preservation of up to 8,240 acres, in addition to the existing 601 acres currently protected, of agricultural land within the Reserve Acquisition Areas (RAA) to be preserved in perpetuity to serve as mitigation for agricultural resources and farmland and associated biological resources on agricultural land. This approach, as articulated through implementation of Mitigation Measure 3.2-1, would ensure that 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 that would be covered by the PCCP. The PCCP's conservation strategy includes landscape-level biological goals and objectives that require and would result in conservation of agricultural land. Implementation of the PCCP would include protection of agricultural land resources through purchase of land in fee title, deed restrictions, or through acquisition of conservation easements, resulting in protection of natural communities or covered species associated with associated agricultural practices.

The adopted PCCP includes a commitment for acquisition of fee title or conservation easements on up to approximately 8,240 acres of agricultural land, including 2,000 acres of rice agriculture and up to 6,240 acres of land dedicated to other agricultural uses. PCCP Objective L-1.1, *Establish a Large Interconnected Reserve System*, requires the establishment of a large interconnected reserve system of at least 47,300 acres of natural communities, agricultural habitat, and covered species' habitat. Objective L-2.4, *Conserve North-South Connectivity*, will protect north-south connectivity in the Valley Reserve Acquisition Area (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 PCCP Plan Area A with Sutter County, east and north to the border of Yuba and Nevada Counties. The PCCP describes agricultural land as providing additional open-space corridors for movement of wildlife between habitats on reserves, particularly through vegetated buffer strips, hedgerows, and riparian habitats, in its rationale for including agricultural lands in its landscape level conservation strategy. Objective AO-1.1, *Protect Agricultural Lands and Other Open Space*, calls for the protection of up to 8,240 acres of agricultural lands or natural communities in the Valley to provide large blocks of open space between protected natural communities.

The City Council finds that 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 up to 8,240 acres will be rice land (or wetland equivalent). As summarized above, the 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.

The City Council further finds that 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. 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 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, “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. Therefore, the City Council finds that 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. Therefore, the City finds that 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, the City Council finds 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 areas in the Plan Area would be preserved. Similarly, the Council finds that incorporating 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. Nevertheless, the City finds 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. Therefore, the City Council finds that impacts to Important Farmland would remain **significant and unavoidable**.

VIII. FINDINGS AND STATEMENT OF FACTS SUPPORTING THE FINDINGS

As authorized by the Public Resources Code sections 21000, et seq. and Title 14, California Code of Regulations sections 15091, 15092, and 15093, the City Council makes the following findings for which there is substantial evidence in the record:

Findings:

The City Council finds that the PREIR, which revises the sections of the 2017 EIR invalidated by the court’s Ruling, address the inadequacies identified by the court’s Final Judgment and is the appropriate process for complying with the Peremptory Writ of Mandate. The City Council finds that the PREIR and Appendix M to the PREIR have been prepared pursuant to the court’s directive in order to better explain the mitigating effects of complying with the PCCP and to provide adequate analysis of the proposed project’s impacts to transit.

Based on the 2017 FEIR and the PREIR, with regard to the potentially significant adverse impacts, the City Council finds that many of the project’s impacts can be reduced to less-than-significant levels with the implementation of mitigation measures. The City Council further finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid these impacts’ potentially significant effects on the environment. However, not all impacts can be reduced to a less-than-significant level and some impacts would remain significant and unavoidable. Nonetheless, the City Council finds that the proposed project will meet all of the project objectives.

Supporting Facts:

1. The project will establish an approximately 4,787-acre mixed-use village that incorporates feasible, smart growth principles and results in an economically stable, sustainable community.
2. The project will provide a land use plan which includes a broad range of compatible land uses, including residential, commercial, office, mixed-use,

recreation, and public/quasi-public, which are organized around a compact core and provide appropriate land use transitions.

3. The project will provide a pedestrian-friendly community environment that provides a safe and pleasant place for people to live, work, and recreate.
4. The project will provide two Village Centers, located adjacent to key arterial streets and functioning as hubs of activity and a source of sales tax revenue.
5. The project will establish a network of open space and recreation amenities for Plan Area and City residents, including community parks, neighborhood parks, linear parkways, and pedestrian and bike connections throughout the Plan Area.
6. The project will construct a Regional Sports Park to provide for local soccer clubs to train and provide fields for community uses as well as attract high-profile tournaments, which would include multiple soccer fields, locker rooms, offices, snack shop, restrooms, a playground, a digital messaging sign, picnic areas, trail connections and a parking area.
7. The project will provide sites for a high school, a junior high school and three elementary schools, which are conveniently located to serve the Plan Area residents and surrounding villages.
8. The project will preserve and protect the Auburn Ravine and Markham Ravine corridors as permanent open space and provide public access with perimeter trails and crossings, where feasible, consistent with the 2020 Placer County Conservation Program, or any other Habitat Conservation Plan and/or Natural Community Conservation Plan that may be adopted.
9. The project will provide regional and community scale retail and employment centers in locations with easy access and visibility from SR 65, offering employment opportunities for residents in the Plan Area and the City of Lincoln and resulting in a balanced ratio of jobs and housing and consistent with the City's 2050 General Plan.
10. The project will provide a land use plan with a balance of uses and density that results in an adequate tax base which, at project buildout, generates a surplus to the City's General Fund and develops financial resources to pay for public services and infrastructure without causing financial burden to existing residents.
11. The project will provide a land use plan, design standards, and guidelines that are consistent with Lincoln 2050 General Plan goals and policies, incorporate market-acceptable design features, and foster an attractive, well-maintained community.
12. The project will establish a land use and circulation system that promotes convenient mobility, links Village 5 with other villages and the existing areas of Lincoln, and provides a variety of non-vehicular modes of transportation within a setting that is safe, accessible, and convenient for all modes of travel.
13. The project will promote a diversity of housing opportunities responsive to the needs of Lincoln, the region, and market conditions, including single-family dwellings, apartments, condominiums, townhouses, and live-work units to serve a broad range of family incomes.
14. The project will provide a comprehensively planned infrastructure system that is sized to serve the entire Plan Area and adjacent planned villages, which

complement the city-wide infrastructure and ensures funding for the ongoing maintenance needs of the parks, open space, and storm water quality facilities, public services and infrastructure.

IX. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding the significant and unavoidable environmental impacts of the proposed project, the City Council has determined that pursuant to Section 15093 of the State of California CEQA Guidelines, the benefits of the project outweigh its adverse impacts and that the project is in the best interests of the City and should be approved. The City Council specifically finds and makes this statement of overriding considerations that there are many social, economic, and other reasons for approving this project. The specific social, economic, and other benefits related to the V5SP project, which override the unavoidable environmental impacts associated with it as set forth above and in the PREIR, are as follows:

1. The V5SP project would implement the City's General Plan and land use vision and policies to develop a comprehensive, mixed-use village, including approximately 8,239 dwelling units of varying densities and types of housing, over 4,000,000 square feet of commercial and retail uses; a long-awaited Regional Sports Park, and approximately 1,571 acres of parks and open space.
2. The V5SP project acknowledges the significance of the Lincoln Airport and its potential of economic opportunity in its design to be fully consistent and compatible with the Airport Land Use Compatibility Plan.
3. The commercial portions of the V5SP project would produce an annual net General Fund surplus of approximately \$6 million, and an annual net fiscal surplus of \$143,000 for the City's Street Fund.
4. The V5SP Development Agreement would require the Applicant to pay a Public Benefit Fee of \$250 per home constructed. Assuming approximately 8,200 dwelling units are constructed, this would result in over \$2,000,000 additional fees for the City over the course of the buildout.
5. The V5SP Development Agreement would require that the Applicant cover any shortfall in municipal services that might exist in the initial phases of the village buildout. Thus, no burden of public services would be placed on existing residents.
6. The V5SP project would provide the City of Lincoln with expanded roadway and sewer infrastructure critical to serving the project area, as well as Villages 2 and 3.
7. Between the Regional Sports Complex and commercial buildout, the V5SP project is expected to create 11,180 new jobs of varying levels, and the demand for a 250-room hotel, in the City of Lincoln. The new hotel would spur sales tax and transfer occupancy tax revenue for the City.
8. The V5SP project would be consistent with SACOG's 2020 MTP/SCS as it would reduce vehicle miles traveled by providing regional retail opportunities proximate to the City of Lincoln and new residences, and include NEV lanes throughout the Village to reduce GHG emissions.
9. The V5SP project would be consistent with the Placer County Conservation Program (PCCP), and would help contribute desperately needed open space to jumpstart the PCCP's conservation goals. Separate from its consistency with the PCCP, the project would also ensure permanent open space protection of the Auburn and Markham Ravines and the wildlife supported therein.

X. INCORPORATION BY REFERENCE

In accordance with State CEQA Guidelines section 15150, the DPREIR and FPREIR are hereby incorporated into these Findings in their entirety. The 2017 EIR and the 2017 Findings are also incorporated into these Findings in their entirety, with the exception of those portions invalidated by the court's Peremptory Writ of Mandate, as described above. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the rationale for approving the project.

XI. RECIRCULATION OF THE DPREIR NOT REQUIRED

CEQA Guidelines §15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of a Draft EIR, but before certification. Such new information includes: (i) significant changes to the project; (ii) significant changes in the environmental setting; or (iii) significant additional data or other information. Section 15088.5 further provides that "[n]ew information added to an EIR is not '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."

As compared to the 2017 EIR, no changes to the project are proposed, except that mitigation measures have been updated in response to the Peremptory Writ and to reflect that the PCCP has now been adopted. Furthermore, consistent with the principle of *res judicata*, the City is not required to reconsider issues that were litigated and resolved, or could have been litigated and resolved, in connection with the prior petition. (*Jone Valley Land, Air, & Water Defense Alliance, LLC v. County of Amador* (2019) 33 Cal.App.5th 165, 170.) Nevertheless, pursuant to CEQA Guidelines sections 15088.5 and 15162, the City considered whether any changes in circumstances since 2017 or any other considerations required the City to recirculate or revise any other portions of the 2017 EIR. The City Council finds that recirculation is not required.

Furthermore, subsequent to release of the DPREIR, there has been no substantial changes in the project or the circumstances under which the project is being undertaken. Additionally, no new or substantial changes to the DPREIR were proposed as a result of the public comment process. The FPREIR responds to comments and makes only minor technical changes, clarifications or additions to the DPREIR. No changes made since release of the DPREIR involve "significant new information" triggering recirculation because the minor changes, clarifications, or additions to the DPREIR do not identify any new significant impacts or substantial increase in the severity of any environmental impacts, and do not include any new mitigation measures that would have a potentially significant impact. Therefore, the City Council finds, based on the standards provided in Section 15088.5 of the CEQA Guidelines, that recirculation of the DPREIR is not required.

XII. SUMMARY

- A. Based on the foregoing Findings and the information contained in the record, the City has made one or more of the following findings with respect to each of the potentially significant impacts of the project, as identified in the DPREIR:
1. Changes or alternatives have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

- B. Based on the foregoing Findings and the information contained in the record, it is determined that:
1. Significant effects on the environment due to the project will be eliminated or substantially lessened; and
 2. Specific economic, legal, social, technological or other considerations override the cumulative impacts identified in the environmental impact report.

XIII. APPROVALS

NOW, THEREFORE, the City Council does now take the following actions regarding the process of environmental review utilized for the review of the project:

1. The City Council finds that the above statements are true and correct;
2. The City Council certifies that it has been presented with both the DPREIR and FPREIR (collectively, the "PREIR") and that it has reviewed and considered the information contained in the PREIR prior to making the approvals set forth in Section III above. The PREIR was prepared at the direction of the City and reflects the City's independent judgment;
3. The City Council finds that the preparation of the PREIR represents a good faith effort to achieve completeness and full environmental review, as directed by the court's Peremptory Writ of Mandate. The City Council further certifies that the PREIR reflects its independent judgment and analysis. The City Council bases these Findings on such review and other substantial evidence in the record;
4. Pursuant to CEQA Guidelines section 15090, the City Council certifies that the PREIR has been completed in compliance with CEQA and the State CEQA Guidelines;
6. The City Council hereby adopts and incorporates into the project all Mitigation Measures within the responsibility and jurisdiction of the City, as discussed in Section VII above;
7. The City Council hereby adopts the Mitigation and Monitoring Program discussed in Section VII above, and elsewhere; and
8. Having certified the PREIR, independently reviewed and analyzed the PREIR, and incorporated Mitigation Measures into the project, the City Council hereby adopts these Findings and Statement of Overriding Considerations in their entirety.

DATED: September , 2021

By: _____
 Alyssa Silhi, Mayor
 City of Lincoln, California