North

Vicinity Map



TENTATIVE MAP 2021-001
APN: 153-091-015-000

Exhibit A

I:\ComDev\Planning Share Space\Tentative Maps\TM 2021-001 (CASP)\Vicinity Map for TM 2021-001.docx

Exhibit 1

TENTATIVE MAP
CODIROLI & PROBERT PROPERTY
CENTRAL AREA SPECIFIC PLAN
SALINAS, CALIFORNIA

BENCHMARK:
POINT NO. 5651, A 3-1/2" BRASS DISK WITH PUNCH IN MONUMENT BOX AT CONSTITUTION AND INDEPENDENCE, AS SHOWN ON THE RECORD OF SURVEY FILED OCTOBER 3, 2002 IN VOLUME 25 OF SURVEYS, AT PAGE 94, RECORDS OF MONTEREY COUNTY, CALIFORNIA, ELEVATION (NAVD88)=63.52 FEET.

GENERAL NOTES

1. MULTIPLE FINAL MAPS MAY BE FILED ON THE LANDS SHOWN ON THIS MAP.
2. THIS PROJECT INCLUDES ALL OF "PARCEL 1", ALL OF "PARCEL 2", AND ALL OF "PARCEL 3" AS SHOWN ON THE PARCEL MAP RECORDED MAY 25, 2021 IN VOLUME 24 OF PARCEL MAPS, AT PAGE 3, RECORDS OF MONTEREY COUNTY, CALIFORNIA, CONTAINED WITHIN THE PROJECT BOUNDARY LINE SHOWN HEREON.
3. THE EXISTING TOPOGRAPHY, AS SHOWN, IS BASED ON AERIAL SURVEYS PERFORMED BY TETRA TECH, DATED OCTOBER 2021.
4. THE PROJECT IS LOCATED IN FLOOD ZONE X PER FLOOD INSURANCE RATE MAPS NO. 06053C0228G & 06053C0226G DATED 4/2/2009
5. LOT NUMBERS ARE FOR IDENTIFICATION PURPOSES ONLY AND ARE NOT INTENDED AS FINAL.
6. FINAL PIPE SIZES, ELEVATIONS, AND LENGTHS ARE SUBJECT TO CHANGE AND WILL BE REFINED DURING FINAL DESIGN.
7. GRADES SHOWN ON THIS TENTATIVE MAP ARE PRELIMINARY AND SUBJECT TO CHANGE AND WILL BE REFINED DURING FINAL DESIGN.
8. ALL GRADING WILL BE DONE IN CONFORMANCE WITH THE RECOMMENDATIONS AND CONDITIONS OF THE GEOTECHNICAL ENGINEERING REPORT PREPARED BY EARTH SYSTEMS PACIFIC DATED SEPTEMBER 10, 2021
9. ALL PUBLIC STREETS SHOWN ARE PROPOSED TO BE DEDICATED TO THE CITY. ONSITE FACILITIES WILL BE MAINTAINED BY A HOME OWNERS ASSOCIATION OR A LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT.
10. THE APPLICANT WILL IMPROVE THE SCHOOL FRONTAGE PROVIDED THAT THE APPLICABLE SCHOOL DISTRICTS ENTER INTO A REIMBURSEMENT AGREEMENT TO REIMBURSE THE DEVELOPER FOR THE COST OF THE HALF STREET AND ASSOCIATED UTILITIES.
11. ALL STORM DRAIN AND SANITARY SEWER LINES SHOWN ARE TO BE DEDICATED TO AND MAINTAINED BY THE CITY OF SALINAS.
12. ALL WATER LINES SHOWN ARE TO BE OWNED AND MAINTAINED BY THE WATER SERVICE PROVIDERS (ALCO WATER SERVICE OR CALIFORNIA WATER SERVICE COMPANY)
13. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
14. REFER TO THE CENTRAL AREA SPECIFIC PLAN DRAFT ENVIRONMENTAL IMPACT REPORT APPENDIX D FOR THE BIOLOGICAL RESOURCES REPORT

PROJECT INFORMATION

1.	PROPERTY LOCATION:	NORTH OF BORONDA ROAD, BETWEEN INDEPENDENCE BLVD AND CONSTITUTION BLVD, SALINAS, MONTEREY COUNTY, CALIFORNIA
2.	ASSESSOR'S PARCEL NUMBER:	153-091-015
3.	PRESENT LAND USE:	AGRICULTURAL
4.	TOTAL EXISTING LOTS:	3
5.	TOTAL PROPOSED LOTS:	427
6.	EXISTING GENERAL PLAN LAND USE:	SEE REZONE MAP 2020-002 FROM CENTRAL AREA SPECIFIC MAP

7. GROSS BUILDOUT TABULATION

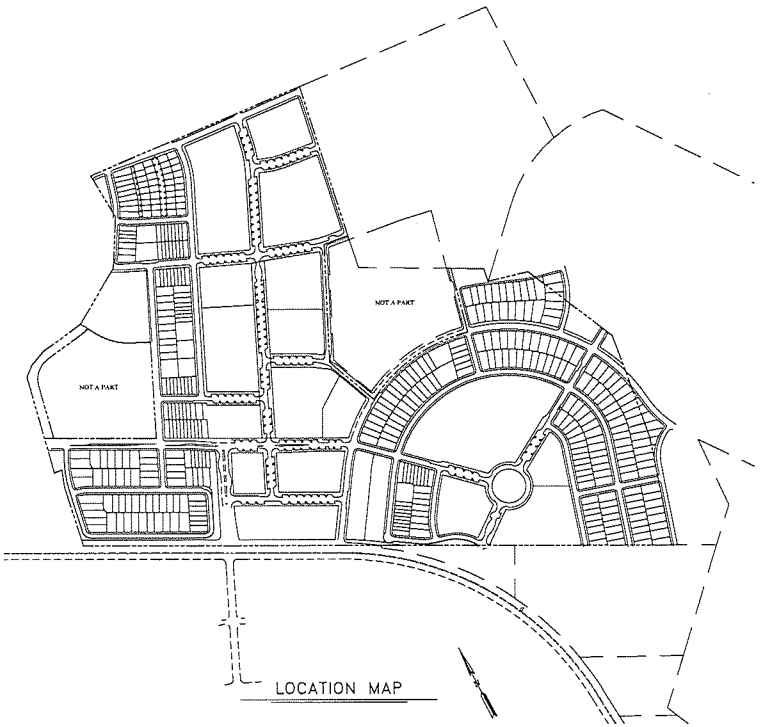
PROPOSED OPEN SPACE:	4.04 AC
PROPOSED PARKS:	18.44 AC
PROPOSED PUBLIC STREET R/W:	51.39 AC
PROPOSED PUBLIC LOTS:	2.00 AC
PROPOSED DEVELOPABLE LOTS:	111.07AC
TOTAL:	186.94 AC

8. BUILDOUT TABULATION PENDING LLA BY SEPARATE INSTRUMENT

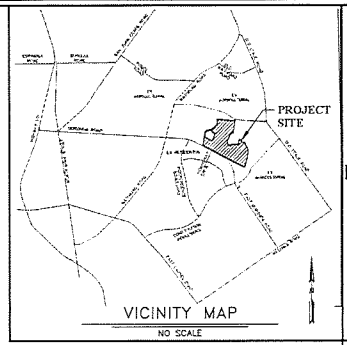
PROPOSED OPEN SPACE:	4.04 AC
PROPOSED PARKS:	18.44 AC
PROPOSED PUBLIC STREET R/W:	53.47 AC
PROPOSED PUBLIC LOTS:	2.00 AC
PROPOSED DEVELOPABLE LOTS:	111.32 AC
TOTAL:	189.27 AC

UTILITY PROVIDERS:

WATER:	ALCO WATER SERVICE OR CALIFORNIA WATER SERVICE COMPANY
SANITARY SEWER:	CITY OF SALINAS
STORM DRAIN:	CITY OF SALINAS
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC



LOCATION MAP



VICINITY MAP
NO SCALE

SHEET INDEX

SHEET NO.	TITLE
1	TITLE SHEET
2	EXISTING CONDITIONS
3	STREET SECTIONS
4	STREET SECTIONS
5	DETAILS
6	CENTRAL AREA SPECIFIC PLAN DENSITY CONFORMANCE
7-23	LOTTING PLAN
24-39	PRELIMINARY GRADING PLAN
40-41	GRADING SECTIONS
42-56	PRELIMINARY UTILITIES PLAN
57	STORMWATER CONTROL PLAN
58	STORMWATER CONTROL NOTES & DETAILS
59	STORMWATER BASIN WEST
60	STORMWATER BASIN EAST
61	PRELIMINARY TRAFFIC CALMING
62	CUMULATIVE NOISE LEVELS
63	PHASING PLAN

OWNER:
EAST BORONDA LLC
1540 CONSTITUTION BOULEVARD
SALINAS, CA 93905
CONTACT: HUGH WALKER
(831) 443-0417
HWALKER@STONEBRIDGE-HOMES.COM

APPLICANT:
STONEBRIDGE HOMES
1540 CONSTITUTION BOULEVARD
SALINAS, CA 93905
CONTACT: HUGH WALKER
(831) 443-0417
HWALKER@STONEBRIDGE-HOMES.COM

CIVIL ENGINEER:
RUGGERI-JENSEN-AZAR
8655 CAMINO ARROYO
GILROY, CA 95020
CONTACT: CHRIS PATTON, P.E., RCE #66271
(408) 848-4300, CPATTON@RJA-GPS.COM

GEOTECHNICAL ENGINEER:
EARTH SYSTEMS PACIFIC
1514 MOFFETT STREET, SUITE G
SALINAS, CA 93905
CONTACT: GEORGE BARNETT
(831) 422-8547, GBARNETT@EARTHSYS.COM

LEGEND

PROPOSED	DESCRIPTION	EXISTING
	PROJECT BOUNDARY	
	LOT LINE	
	CENTERLINE	
	CURB & GUTTER	
	SIDEWALK	
SD	STORM DRAIN	EX SD
SS	SANITARY SEWER	EX SS
W	WATER	EX W
●	MANHOLE	○
■	INLET	□
	ELECTROLIER	
	HANDICAP RAMP	
12	LOT NUMBER	129
110	CONTOUR	349.2
PAD 125.7	PAD ELEVATION	
×110.7	SPOT ELEVATION	
8.5% OR	SLOPE & DIRECTION	
OR	DIRECTION OF SURFACE FLOW	
	OVERLAND RELEASE	
	HIGH TENSION WIRE TOWER	⊠

ABBREVIATIONS

AC	ACRES	PAD	PAD ELEVATION
BLDG	BUILDING	PCC	PORTLAND CEMENT CONCRETE
BNDRY	BOUNDARY	PL or ℄	PROPERTY LINE
BC	BACK OF CURB	PSDE	PUBLIC STORM DRAIN EASEMENT
BW	BACK OF WALK	PSSE	PUBLIC SANITARY SEWER EASEMENT
CB	CATCH BASIN	PTE	PUBLIC TRAIL EASEMENT
CL or ℄	CENTERLINE	PUE	PUBLIC UTILITIES EASEMENT
DB	DECIBEL	R	RIGHT or RADIUS
EASMT	EASEMENT	R/W	RIGHT OF WAY
CVAE	EMERGENCY VEHICLE ACCESS EASEMENT	S	SLOPE
EX	EXISTING	SD	STORM DRAIN
FC	FACE OF CURB	SDMH	STORM DRAIN MANHOLE
FL	FLOW LINE	SQFT	SQUARE FEET
GB	GRADE BREAK	SS	SANITARY SEWER
HCF	HARTNELL COLLEGE FOUNDATION	SSFM	SANITARY SEWER FORCE MAIN
HP	HIGH POINT	SSMH	SANITARY SEWER MANHOLE
IEE	INGRESS-EGRESS EASEMENT	STD	STANDARD
INV	INVERT	SW	SIDEWALK
L.E.	LANDSCAPE EASEMENT	TFC	TOP OF FLUSH CURB ELEVATION
LP	LOW POINT	TMC	TOP OF MODIFIED CURB ELEVATION
MAX	MAXIMUM	TMGC	TOP OF MODIFIED SPILL CURB ELEVATION
MIN	MINIMUM	TYP	TYPICAL
		W	WATER

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8655 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-4300 FAX (408) 848-4315

TENTATIVE MAP
TITLE SHEET
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	CK	SHEET REVISIONS
			5TH SUBMITTAL OCTOBER 2023

SCALE: NONE
DATE: OCT 2023
SHEET 1 OF 63 SHEETS
JOB NO. 072083

PLOT DATE: 10/20/2023 11:48:53 AM
FILE NAME: P:\072083\Civil\Maps\Tentative Map\072083 TM TITLE SHEET.dwg

12

NOTES

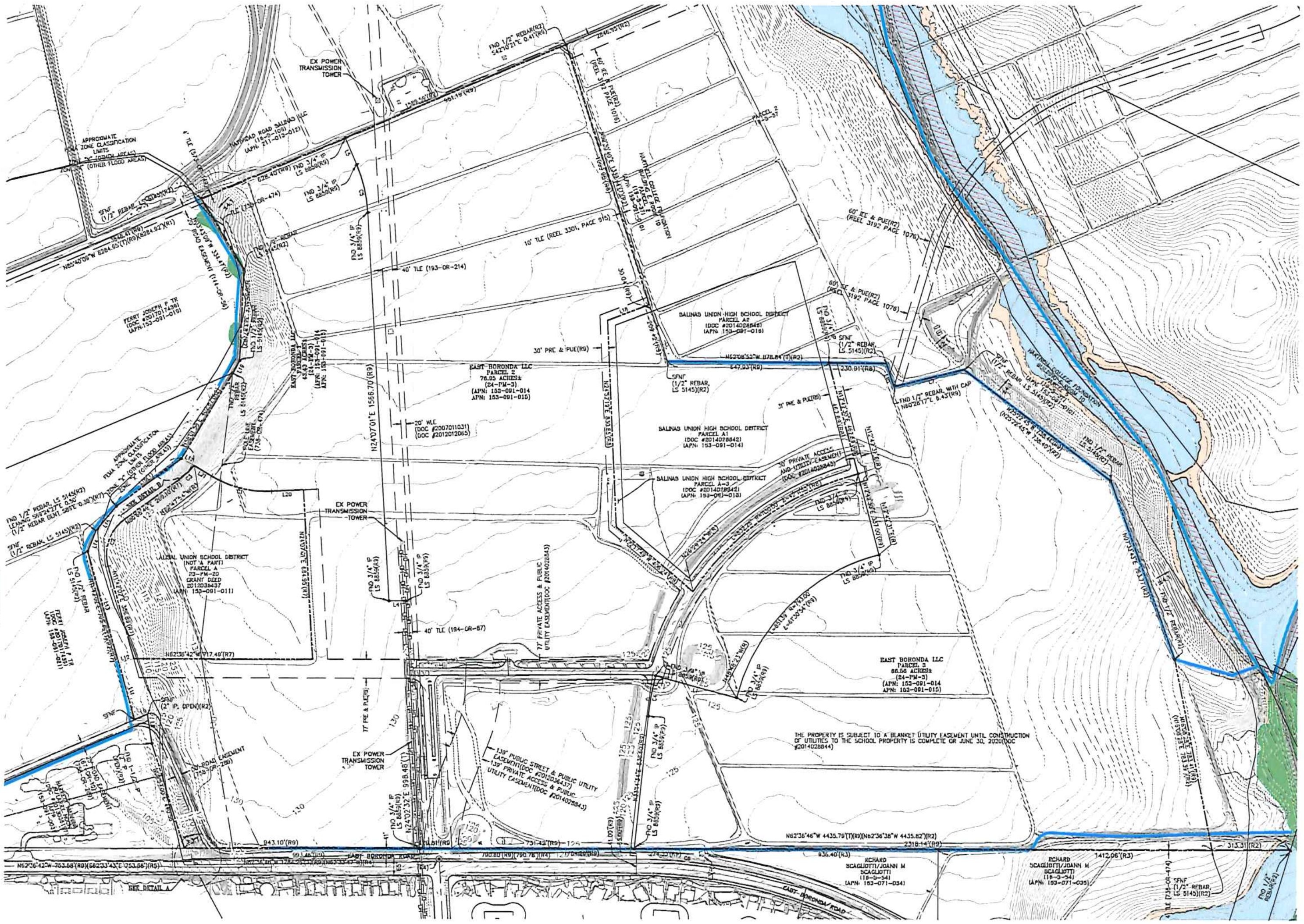
1. FEMA FLOOD ZONE INFORMATION PER FLOOD INSURANCE RATE MAPS NO. 06053C0228H. ZONE A IS DESIGNATED AS A SPECIAL FLOODPLAIN LOCARION SHOWN FOR REFERENCE ONLY.
2. RIVERINE AND WETLAND SIZE AND LOCATIONS SHOWN ARE APPROXIMATE AND ARE BASED ON THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY.

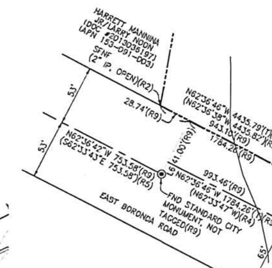
LEGEND

- FRESHWATER FORESTED/SHRUB WETLAND
- RIVERINE
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

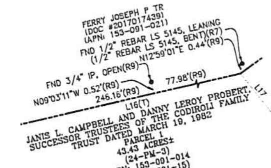
REFERENCES

(R1) RECORD OF SURVEY - 16-S-109
(R2) RECORD OF SURVEY - 19-S-37
(R3) RECORD OF SURVEY - 16-S-54
(R4) TRACT NO. 1133 - 17-C&T-13
(R5) TRACT NO. 1066 - 16-C&T-30
(R6) TRACT NO. 1151 - 17-C&T-32
(R7) PARCEL MAP - 23-PM-20
(R8) GRANT DEED - DOC #2014028842
(R9) PARCEL MAP - 24-PM-3





DETAIL A
1"=50'



DETAIL B
NTS

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	
C1	252.44'	431.00'	033°33'32"	(R7)
C2	215.73'	178.50'	069°14'47"	(R7)
C3	84.32'	351.50'	013°44'43"	(R7)
C4	165.32'	1130.00'	008°22'56"	(R9)
C5	200.29'	580.00'	019°47'10"	(R9)
C6	271.53'	2112.00'	007°21'59"	(R9)

LINE TABLE			
LINE	BEARING	DIST	
L1	N47°21'40"W	337.08'	(R9)
L2	N21°53'22"E	17.85'	(I121°56'13"E 17.85')(R3)
L3	N34°45'12"E	41.00'	(R9)
L4	N62°36'42"W	68.05'	(R9)
L5	N04°19'51"E	117.20'	(R9)
L6	N27°22'17"E	12.00'	(R9)
L7	N76°18'57"W	290.89'	(R9)
L8	N18°33'33"E	119.18'	(R9)
L9	N85°40'09"W	55.98'	(N85°40'09"W 56.24')(R2)(R7)
L10	N09°38'07"E	97.23'	(R9)
L11	N11°42'02"E	237.56'	(R9)
L12	N78°17'58"W	62.58'	(R9)
L13	N11°42'02"E	467.93'	(R9)
L14	N48°47'50"E	89.36'	(R2)(R7)
L15	N66°30'52"E	128.48'	(R2)(R7)
L16	N80°56'49"E	324.14'	(R2)(R7)
L17	N34°44'32"W	57.94'	(N34°44'19"W 57.94')(R7)
L18	N83°22'02"W	179.23'	(R9)
L19	N56°18'52"E	56.70'	(R2)(N56°03'13"E 56.82')(R7)
L20	N65°05'44"W	128.49'	(R9)
L21	N31°32'12"W	81.72'	(R9)

0 200 400 600
SCALE IN FEET: 1" = 200'

TENTATIVE MAP
EXISTING CONDITIONS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

SCALE 1"=200'
DATE OCT 2023

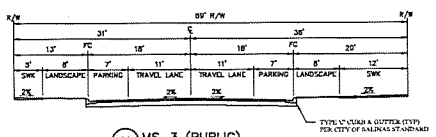
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SHEET 2 OF 63 SHEETS
JOB NO. 072063

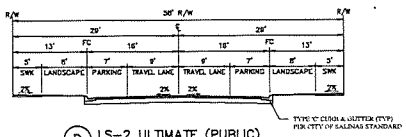
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

PLOT DATE: October 19, 2023
FILE PATH: ...\Jobs 07\072063\Drawings\Prelim\Applications\Tentative Maps\Phase 1 C3D\TM\2 EXISTING CONDITIONS.dwg

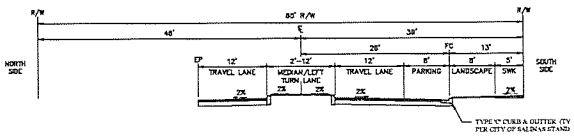
Exhibit 31



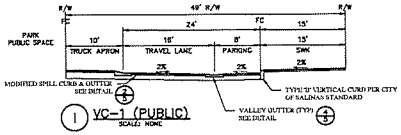
H MS-3 (PUBLIC)
SCALE: NONE



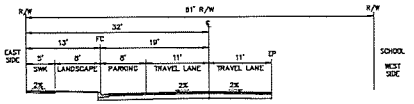
D LS-2 ULTIMATE (PUBLIC)
SCALE: NONE



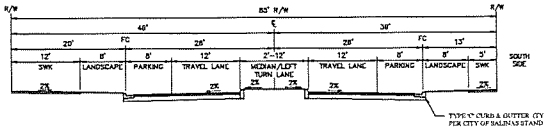
A C-1 INTERIM (PUBLIC)
SCALE: NONE



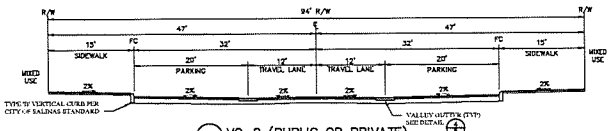
I VC-1 (PUBLIC)
SCALE: NONE



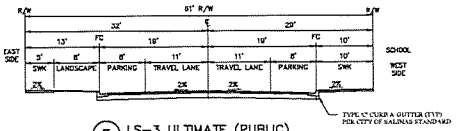
E LS-3 INTERIM (PUBLIC)
SCALE: NONE



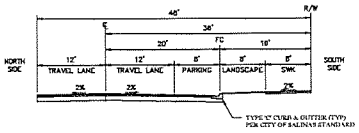
A C-1 ULTIMATE (PUBLIC)
SCALE: NONE



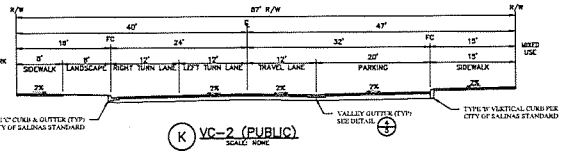
J VC-2 (PUBLIC OR PRIVATE)
SEE PLAN VIEW FOR OWNERSHIP
SCALE: NONE



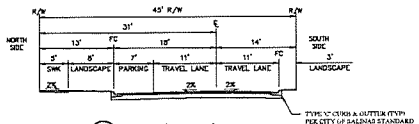
E LS-3 ULTIMATE (PUBLIC)
SCALE: NONE



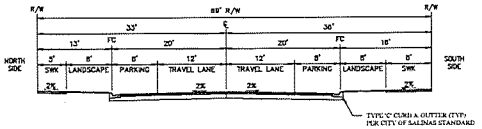
B C-2 INTERIM (PUBLIC)
SCALE: NONE



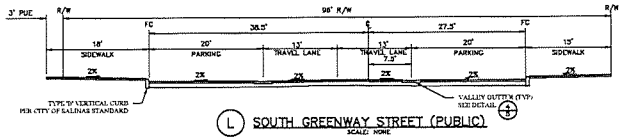
K VC-2 (PUBLIC)
SCALE: NONE



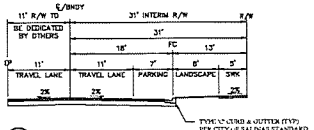
F MS-1 (PUBLIC)
SCALE: NONE



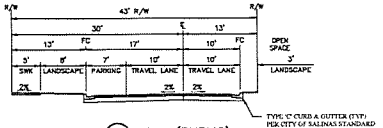
B C-2 ULTIMATE (PUBLIC)
SCALE: NONE



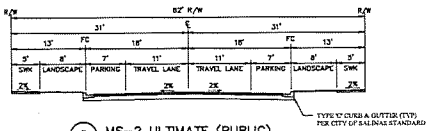
L SOUTH GREENWAY STREET (PUBLIC)
SCALE: NONE



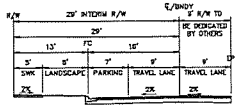
G MS-2 INTERIM (PUBLIC)
SCALE: NONE



C LS-1 (PUBLIC)
SCALE: NONE



G MS-2 ULTIMATE (PUBLIC)
SCALE: NONE



D LS-2 INTERIM (PUBLIC)
SCALE: NONE

STREET SECTION NOTES:
1. STREET SECTIONS SHOWN ARE BASED ON THE ULTIMATE STREET SECTION IDENTIFIED IN THE CENTRAL AREA SPECIFIC PLAN. INTERIM STREET SECTIONS MAY BE PLACED WHERE RIGHT OF WAY ACQUISITION IS NECESSARY FROM ADJACENT PROPERTY OWNERS IN ORDER TO FACILITATE THE ULTIMATE STREET SECTION.

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
301 LIGHTHOUSE AVENUE, MONTEREY, CA 93940
P.O. BOX 221, MONTEREY, CA 93942
PHONE: (831) 373-1214 FAX: (831) 373-0262

TENTATIVE MAP
STREET SECTIONS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

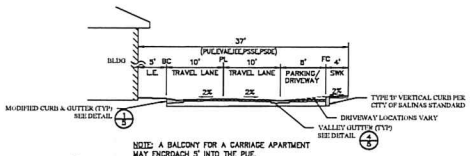
FORM: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE: NONE
DATE: OCT 2023

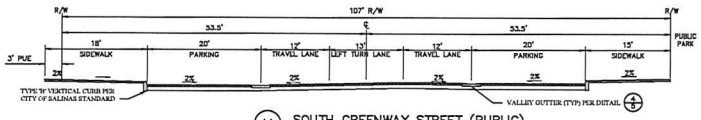
SHEET 3 OF 63 SHEETS
JOB NO. 072083

PLOTTED: Oct 26, 2023 - 10:57am
FILE NAME: C:\Users\mkaufman\Documents\072083 STREET SECTIONS_mkaufman.dwg

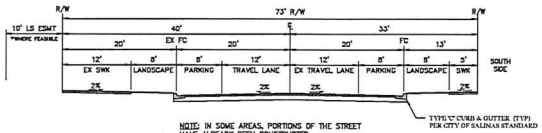


NOTE: A BALCONY FOR A CARRIAGE APARTMENT MAY ENCROACH 5' INTO THE PUE.

T A-4 (PRIVATE ALLEY W/ PARKING ONE SIDE)
SCALE: NONE

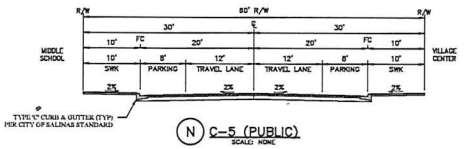


M SOUTH GREENWAY STREET (PUBLIC)
SCALE: NONE

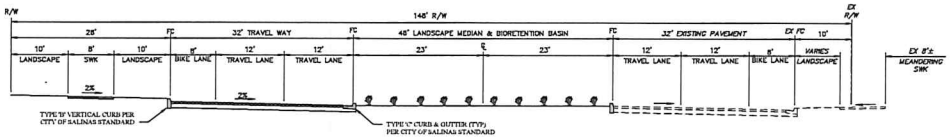


NOTE: IN SOME AREAS, PORTIONS OF THE STREET HAVE ALREADY BEEN CONSTRUCTED

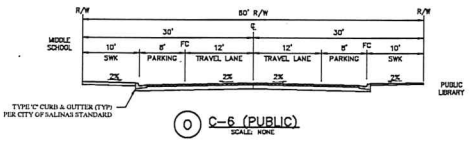
U C-1 (PUBLIC)
SCALE: NONE



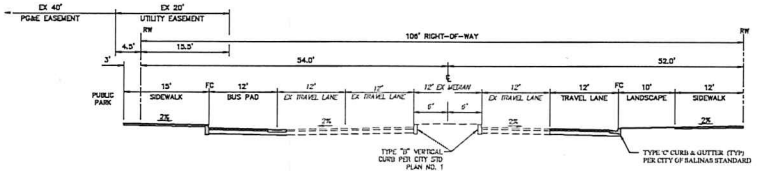
N C-5 (PUBLIC)
SCALE: NONE



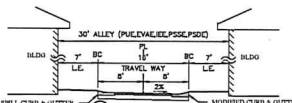
V EAST BORONDA ROAD
SCALE: NONE



O C-6 (PUBLIC)
SCALE: NONE

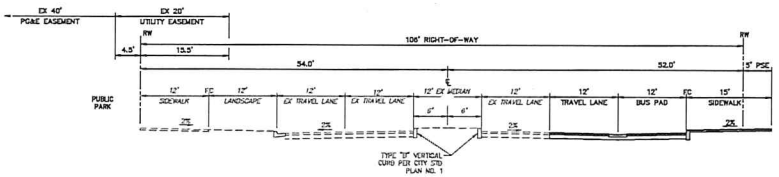


W HEMINGWAY DRIVE
SCALE: NONE

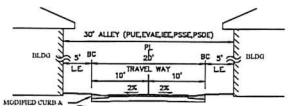


NOTE: A BALCONY FOR A CARRIAGE APARTMENT MAY ENCROACH 5' INTO THE PUE.

P A-1 (PRIVATE)
SCALE: NONE

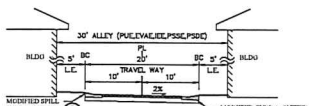


X HEMINGWAY DRIVE
SCALE: NONE



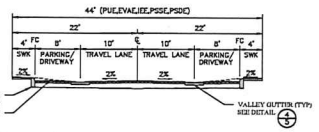
NOTE: A BALCONY FOR A CARRIAGE APARTMENT MAY ENCROACH 5' INTO THE PUE.

Q A-2 (PRIVATE)
SCALE: NONE



NOTE: A BALCONY FOR A CARRIAGE APARTMENT MAY ENCROACH 5' INTO THE PUE.

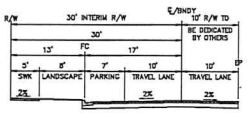
R A-2 (PRIVATE)
SCALE: NONE



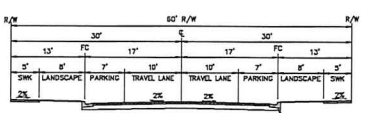
S A-3 (PRIVATE ALLEY WITH PARKING)
SCALE: NONE

PAVEMENT SECTIONS	
TI	SECTION
4.0	2.5" AC/7" AB
4.5	2.5" AC/8" AB
5.0	3.0" AC/9" AB
5.5	3.0" AC/11" AB
6.0	3.5" AC/12" AB
6.5	4.0" AC/13" AB
7.0	4.0" AC/14" AB

STREET STRUCTURAL SECTIONS ARE PROVIDED BASED ON THE RECOMMENDATIONS INCLUDED IN THE GEOTECHNICAL ENGINEERING REPORT FROM EARTH SYSTEMS PACIFIC, DATED SEPTEMBER 16, 2021.



Y LS-2 INTERIM (PUBLIC)
SCALE: NONE



Y LS-2 ULTIMATE (PUBLIC)
SCALE: NONE

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1255 DAVIS ST. SUITE A SALINAS, CA 93901
PHONE (831) 424-1030 FAX (831) 424-1202

TENTATIVE MAP
STREET SECTIONS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

CDR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

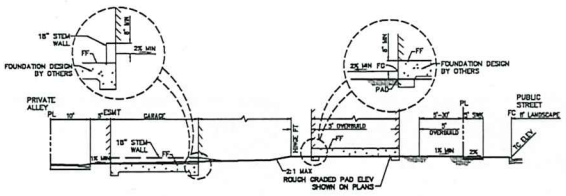
SCALE: NONE
DATE: OCT 2023

SHEET 4 OF 83 SHEETS
JOB NO. 072083

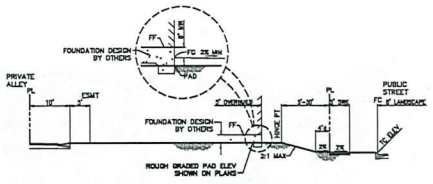
Exhibit 5

PLOT DATE: 10/6/2023 - 2:03pm
FILE PATH: V:\2021\072083\Design\Entitlements\Tentative Map\072083 TM STREET SECTIONS.dwg

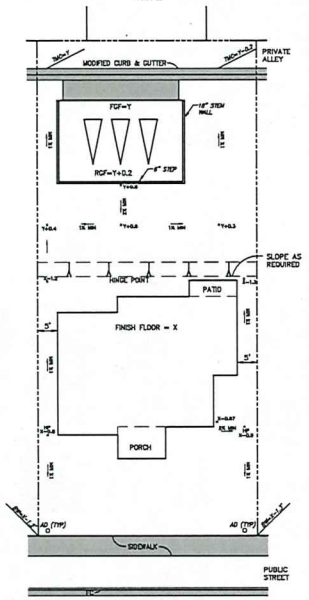
5



TYPICAL SPLIT DRAINAGE LOT SECTION A-A
NO SCALE

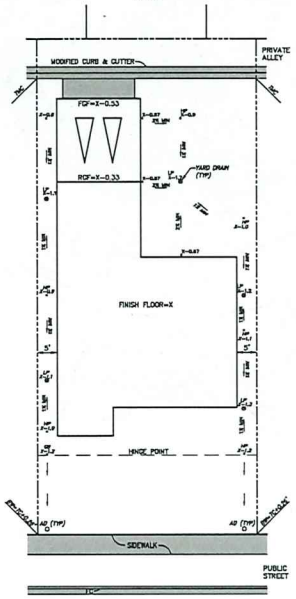


TYPICAL FRONT DRAINAGE LOT SECTION A-A
NO SCALE



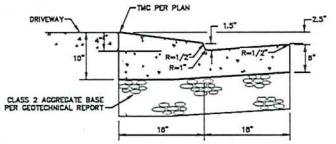
7 TYPICAL SPLIT DRAINING LOT GRADING
NO SCALE

NOTES:
1. TYPICAL LOT FINE GRADING IS CONCEPTUAL AND SUBJECT TO CHANGE DURING FINAL DESIGN.

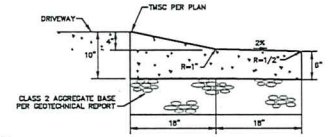


6 TYPICAL FRONT DRAINING LOT GRADING
NO SCALE

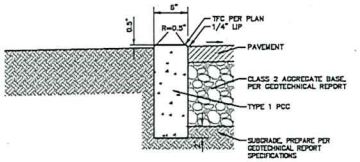
NOTES:
1. TYPICAL LOT FINE GRADING IS CONCEPTUAL AND SUBJECT TO CHANGE DURING FINAL DESIGN.



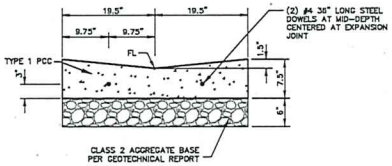
1 MODIFIED CURB & GUTTER AT DRIVEWAY
NO SCALE



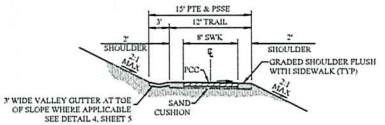
2 MODIFIED SPILL CURB & GUTTER AT ALLEY
NO SCALE



3 FLUSH CURB DETAIL
NO SCALE



4 VALLEY GUTTER DETAIL
NO SCALE



5 CLASS I MULTI-USE TRAIL
NO SCALE

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
434 Alan Way, Suite 200, Salinas, CA 93905
PHONE (408) 848-3300 FAX (408) 848-0302

TENTATIVE MAP
DETAILS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

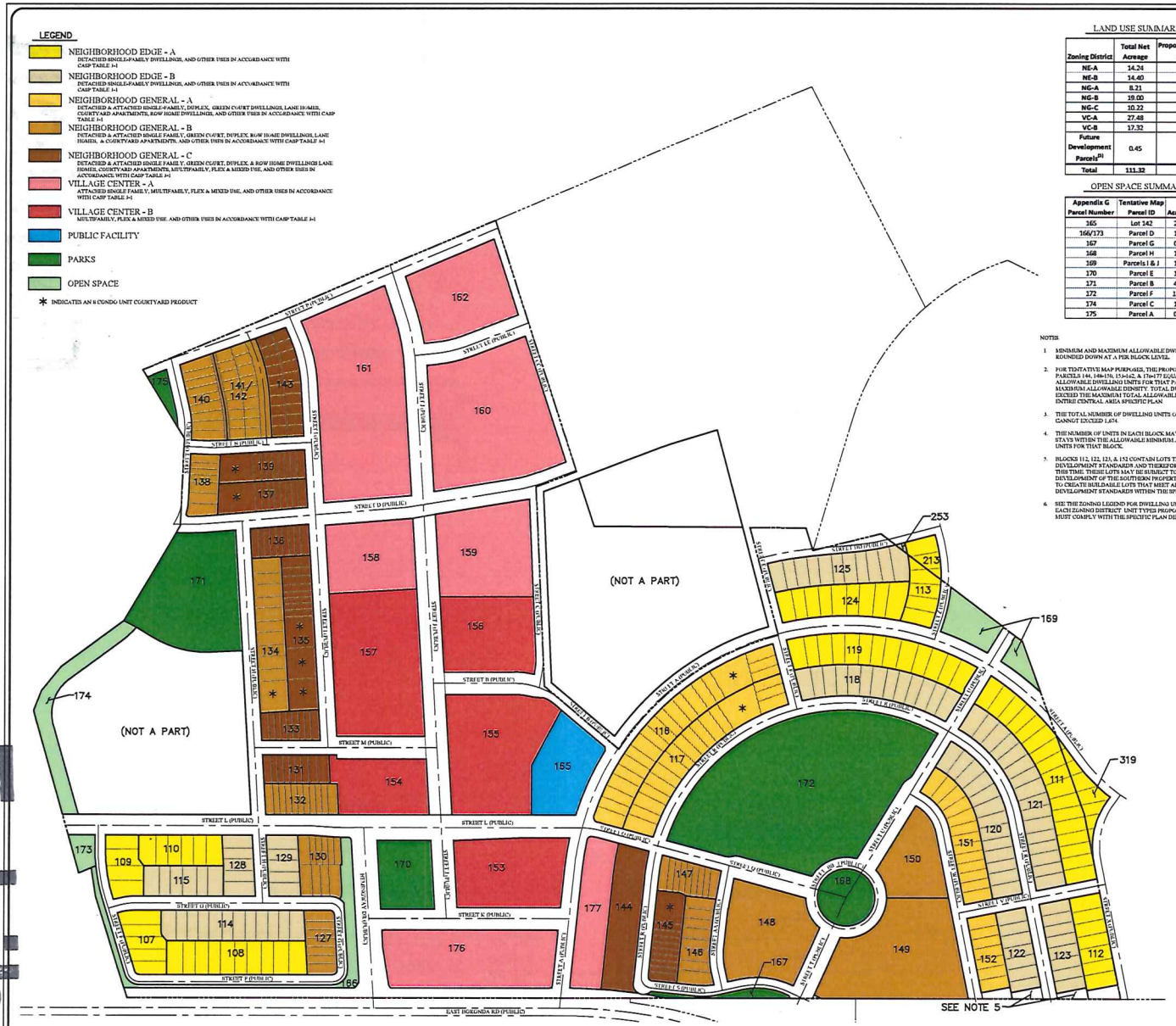
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE: NONE
DATE: OCT 2023

SHEET 5 OF 83 SHEETS
JOB NO. 072083

PLOT DATE: October 19, 2023
FILE PATH: W:\Jobs 07\072083\Design\PW\Entitlement\Application\TENTATIVE MAPS\Phase 1 CASP TM\5 DETAILS.dwg

Exhibit 7



LAND USE SUMMARY TABLE

Zoning District	Total Net Acreage	Proposed Dwelling Units[1]	Density
NE-A	14.24	77	5.4
NE-B	14.40	97	6.7
NG-A	8.21	71	8.6
NG-B	19.00	186	9.8
NG-C	10.22	156	15.3
VC-A	27.48	656	23.9
VC-B	17.32	535	30.9
Future Development Parcels[2]	0.45	-	-
Total	111.32	1,778	16.0

OPEN SPACE SUMMARY TABLE

Appendix G Parcel Number	Tentative Map Parcel ID	Acreage	Zoning District
165	Lot 142	2.00 ±	Public
166/173	Parcel D	1.48 ±	Open Space
167	Parcel G	0.30 ±	Park
168	Parcel H	1.02 ±	Park
169	Parcels I & J	1.13 ±	Open Space
170	Parcel E	1.47 ±	Park
171	Parcel B	4.17 ±	Park
172	Parcel F	11.23 ±	Park
174	Parcel C	1.39 ±	Open Space
175	Parcel A	0.24 ±	Park

NOTES:

1. MINIMUM AND MAXIMUM ALLOWABLE DWELLING UNIT COUNT IS ROUNDED DOWN AT A PER BLOCK LEVEL.
2. FOR TENTATIVE MAP PURPOSES, THE PROPOSED NUMBER OF UNITS FOR PARCELS 144, 148-150, 153-162, & 176-177 EQUALS THE MAXIMUM ALLOWABLE DWELLING UNITS FOR THAT PARCEL BASED ON THE MAXIMUM ALLOWABLE DENSITY. TOTAL DWELLING UNITS MAY NOT EXCEED THE MAXIMUM TOTAL ALLOWABLE DWELLING UNITS FOR THE ENTIRE CENTRAL AREA SPECIFIC PLAN
3. THE TOTAL NUMBER OF DWELLING UNITS ON THIS TENTATIVE MAP CANNOT EXCEED 1,674.
4. THE NUMBER OF UNITS IN EACH BLOCK MAY VARY AS LONG AS IT STAYS WITHIN THE ALLOWABLE MINIMUM AND MAXIMUM NUMBER OF UNITS FOR THAT BLOCK.
5. BLOCKS 112, 122, 123, & 152 CONTAIN LOTS THAT WILL NOT MEET THE DEVELOPMENT STANDARDS AND THEREFORE ARE NOT BUILDABLE AT THIS TIME. THESE LOTS MAY BE SUBJECT TO A LLA AT THE TIME OF DEVELOPMENT OF THE SOUTHERN PROPERTY (SCAGLIOTTI) IN ORDER TO CREATE BUILDABLE LOTS THAT MEET ALL APPLICABLE DEVELOPMENT STANDARDS WITHIN THIS SPECIFIC PLAN.
6. SEE THE ZONING LEGEND FOR DWELLING UNIT TYPES ALLOWED WITHIN EACH ZONING DISTRICT. UNIT TYPES PROPOSED DURING FINAL DESIGN MUST COMPLY WITH THE SPECIFIC PLAN DEVELOPMENT STANDARDS.

LAND USE DENSITY TABLE

Zoning Parcel #	Zoning	Zoning Parcel Area (ac)	Minimum Density (DU/AC)	Maximum Density (DU/AC)	Min Allowable DUs	Max Allowable DUs	Proposed Dwelling Units
107	NE-A	0.95	5	6	4.75	5.70	5
108	NE-A	1.87	5	6	9.35	11.22	10
114	NE-B	1.72	7	8	12.04	13.76	12
127	NG-B	0.76	9	10	6.84	7.60	7
Total		5.30			32	38	34
109	NE-A	0.85	5	6	4.25	5.10	4
110	NE-A	1.03	5	6	5.15	6.18	6
115	NE-B	0.95	7	8	6.65	7.60	6
128	NE-B	0.75	7	8	5.25	6.00	5
Total		3.58			21	24	21
129	NE-B	0.77	7	8	5.39	6.16	5
130	NG-B	1.01	9	10	9.09	10.10	10
Total		1.78			14	16	15
133	NG-C	0.68	14	16	9.52	10.88	9
134	NG-B	1.79	9	10	16.11	17.90	18
135	NG-C	1.81	14	16	25.34	28.96	32
136	NG-C	0.70	14	16	9.80	11.20	9
Total		4.98			60	68	68
137	NG-C	1.06	14	16	14.84	16.96	16
138	NG-B	0.73	9	10	6.57	7.30	7
139	NG-C	0.99	14	16	13.86	15.84	16
Total		2.78			35	40	39
140	NG-B	1.15	9	10	10.35	11.50	9
141/142	NG-B	1.74	9	10	15.66	17.40	18
143	NG-C	1.38	14	16	19.32	22.08	20
Total		4.27			45	50	47
116	NG-A	3.06	8	9	24.48	27.54	27
117	NG-A	2.68	8	9	21.44	24.12	24
Total		5.74			45	51	51
118	NE-B	2.01	7	8	14.07	16.08	13
119	NE-A	2.29	5	6	11.45	13.74	13
Total		4.30			25	29	26
111	NE-A	2.75	5	6	13.75	16.50	17
319	NE-A	0.58	5	6	2.90	3.48	-
121	NE-B	2.41	7	8	16.87	19.28	16
Total		5.74			33	39	33
112	NE-A	1.16	5	6	5.80	6.96	7
123	NE-B	1.09	7	8	7.63	8.72	8
Total		2.25			13	15	15
120	NE-B	1.97	7	8	13.79	15.76	13
151	NG-A	1.60	8	9	12.80	14.40	13
Total		3.57			26	30	26
122	NE-B	0.97	7	8	6.79	7.76	8
152	NG-A	0.87	8	9	6.96	7.83	7
Total		1.84			13	15	15
113	NE-A	0.72	5	6	3.60	4.32	6
213	NE-A	0.36	5	6	1.80	2.16	-
124	NE-A	1.67	5	6	8.35	10.02	9
125	NE-B	1.74	7	8	12.18	13.92	11
253	NE-B	0.02	7	8	0.14	0.16	-
Total		4.51			26	30	26
131	NG-C	0.76	14	16	10.64	12.16	9
132	NG-B	0.91	9	10	8.19	9.10	11
Total		1.67			18	21	20
145	NG-C	1.04	14	16	14.56	16.64	17
146	NG-B	1.06	9	10	9.54	10.60	8
147	NG-B	0.77	9	10	6.93	7.70	9
Total		2.87			31	34	34
148	NG-B	2.96	9	10	26	29	29
149	NG-B	4.43	9	10	39.87	44.30	44
150	NG-B	1.69	9	10	15.21	16.90	16
Total		6.12			55	61	60
153	VC-B	2.98	24	31	71	92	92
154	VC-B	2.09	24	31	50	64	64
155	VC-B	4.39	24	31	105	136	136
156	VC-B	2.79	24	31	66.96	86.49	86
159	VC-A	3.34	18	24	60.12	80.16	80
Total		6.13			127	166	166
157	VC-B	5.07	24	31	121.68	157.17	157
158	VC-A	2.42	18	24	43.56	58.08	58
Total		7.49			165	215	215
160	VC-A	6.10	18	24	109	146	146
161	VC-A	6.97	18	24	125	167	167
162	VC-A	2.91	18	24	52	69	69
176	VC-A	3.87	18	24	69	92	92
144	NG-C	1.81	14	16	25.34	28.96	28
177	VC-A	1.86	18	24	33.48	44.64	44
Total		3.67			58	73	72

Future Development Parcels[2]

112	NE-A	0.14
122	NE-B	0.11
123	NE-B	0.10
152	NG-A	0.10
Total		0.45

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
434 ALAMO PLAZA, ALAMO, CA 94507
PHONE: (925) 838-0300 FAX: (925) 838-0302

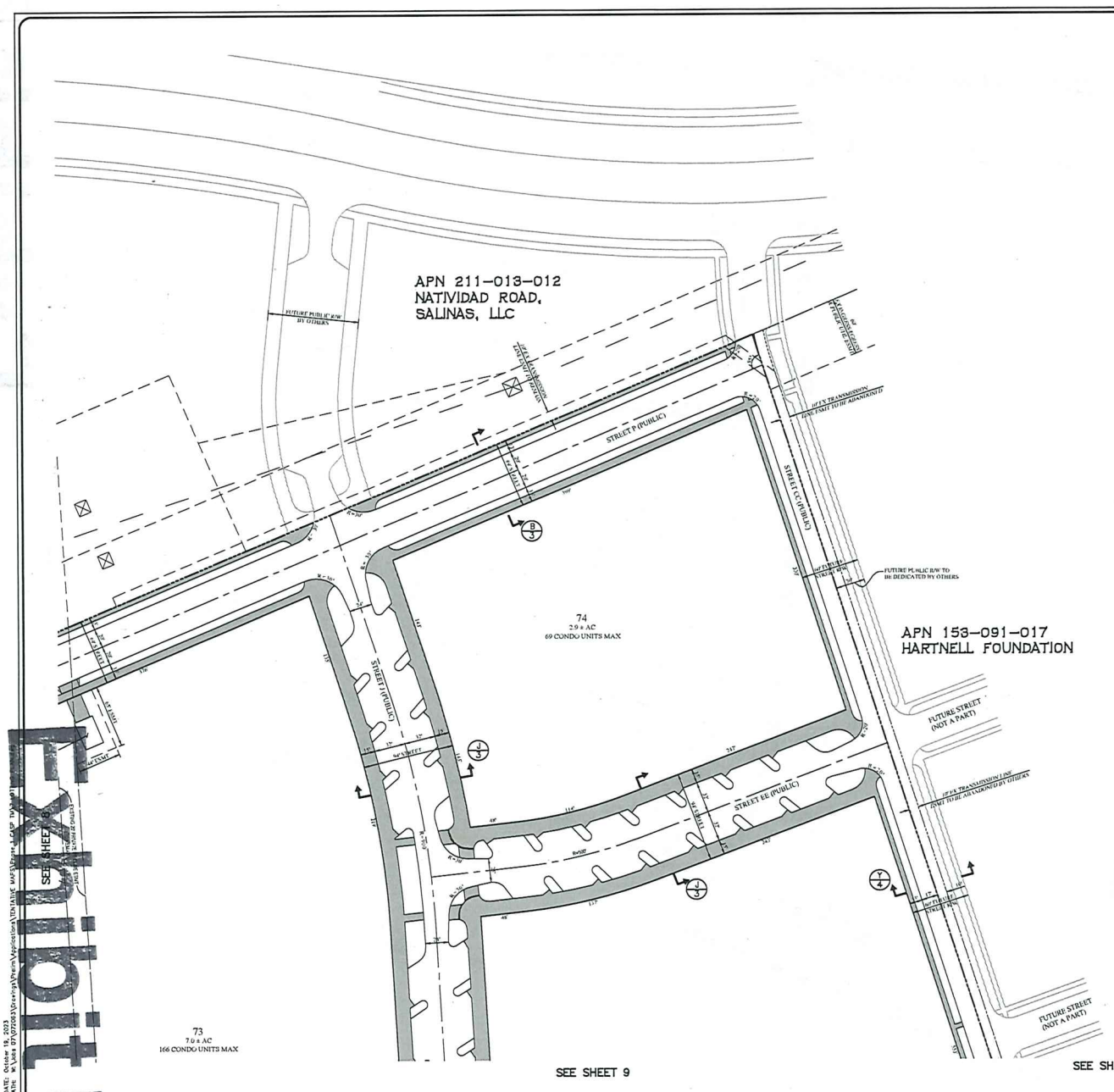
TENTATIVE MAP
CENTRAL AREA SPECIFIC PLAN DENSITY CONFORMANCE
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

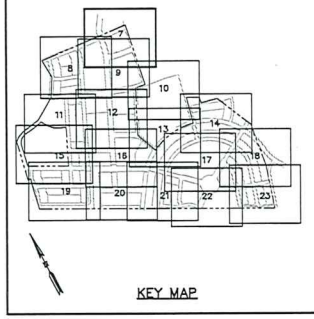
DATE	BY	SHEET REVISIONS
		5TH SUBMITTAL OCTOBER 2023

BY: CK | SCALE | DATE: OCT 2023

SHEET 6 OF 83 SHEETS
JOB NO. 072083

Exhibit 7





KEY MAP

LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.36(e).

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 847-5380 FAX (408) 847-0352

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

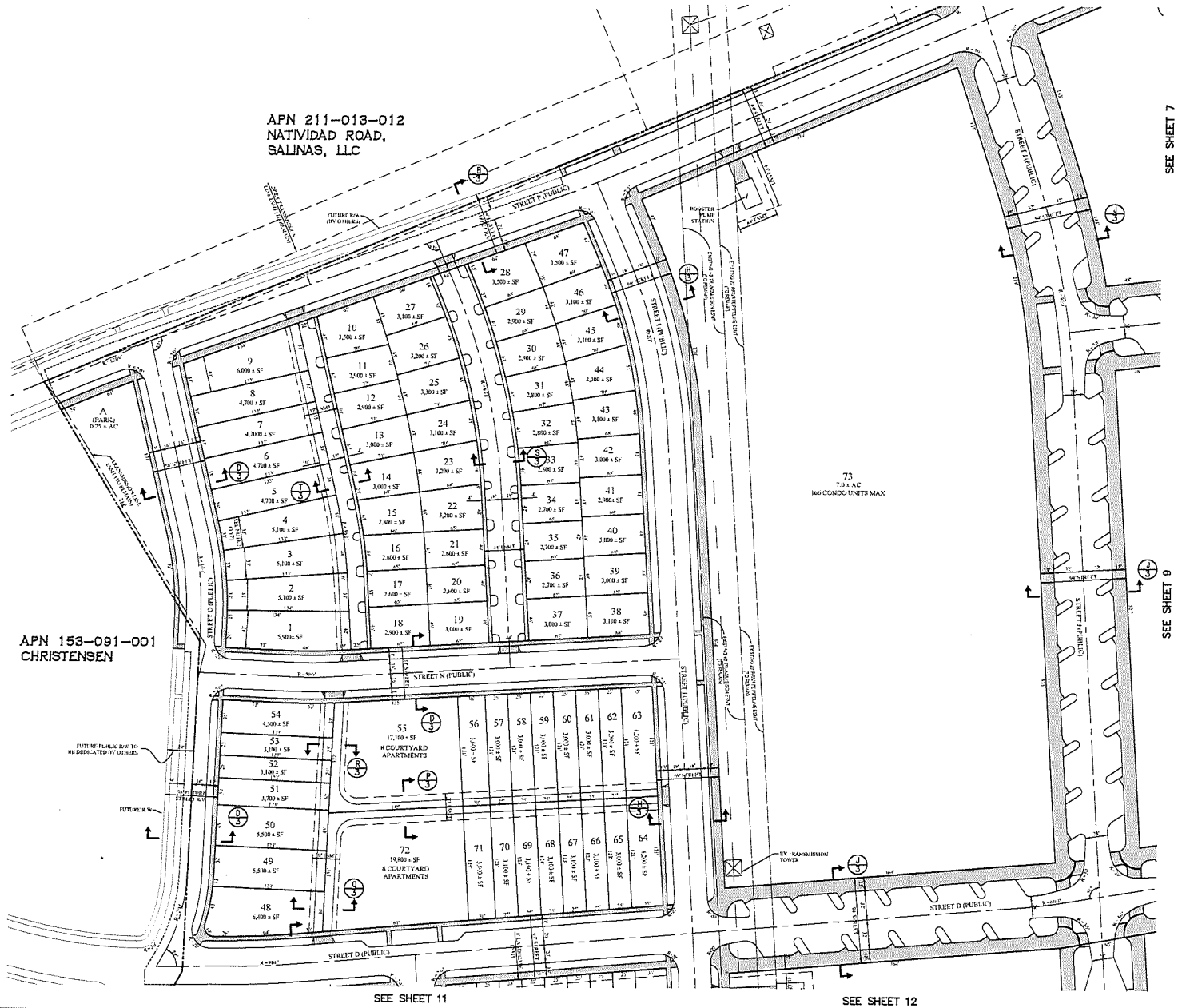
DATE	BY	CK	SHEET REVISIONS
	MK		5TH SUBMITTAL
			OCTOBER 2023

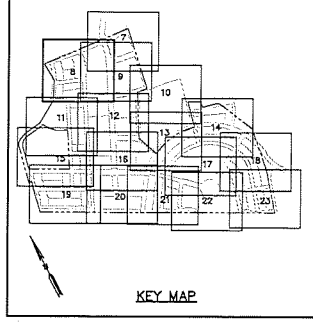
SCALE 1"=50'
DATE OCT 2023

SHEET 7 OF 83 SHEETS
JOB NO. 072083

PLOT DATE: October 19, 2023
FILE PATH: w:\Jobs 07\072083\Drawings\Plans\Vesting\VTM\VTM_MAP\Sht_LAGE.dwg

Initial





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-1b.360.

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8050 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-4300 FAX (408) 848-0352

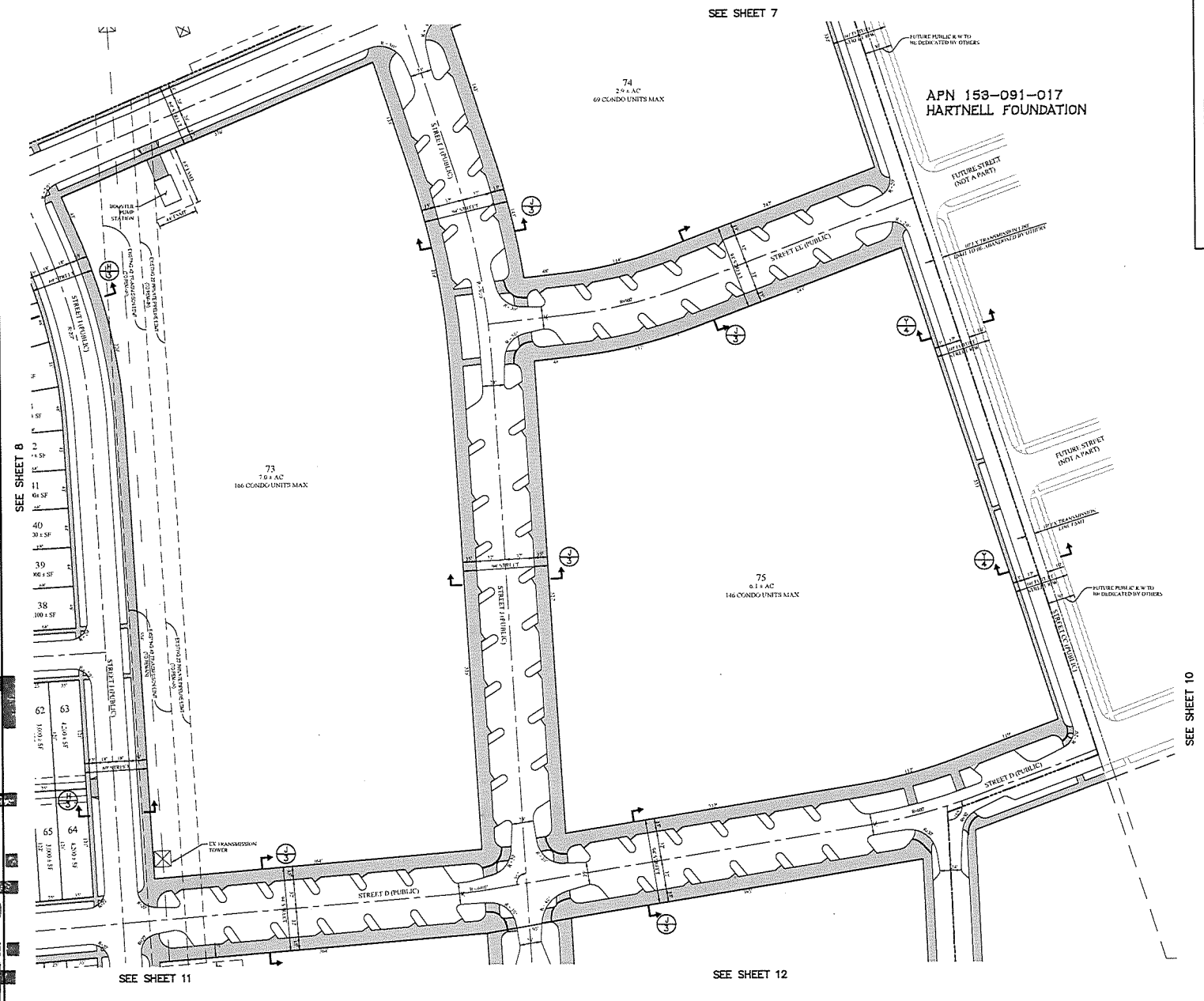
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

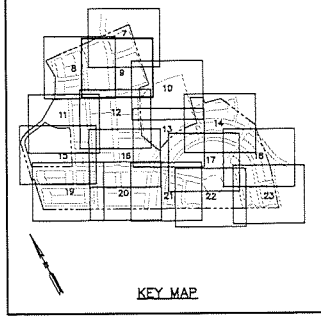
DATE	BY	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 8 OF 83 SHEETS
JOB NO. 072083

EXHIBIT 6





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1360 N. MAIN STREET, SUITE D, SALINAS, CA 93906
PHONES (408) 848-3300 FAX: (408) 848-3302

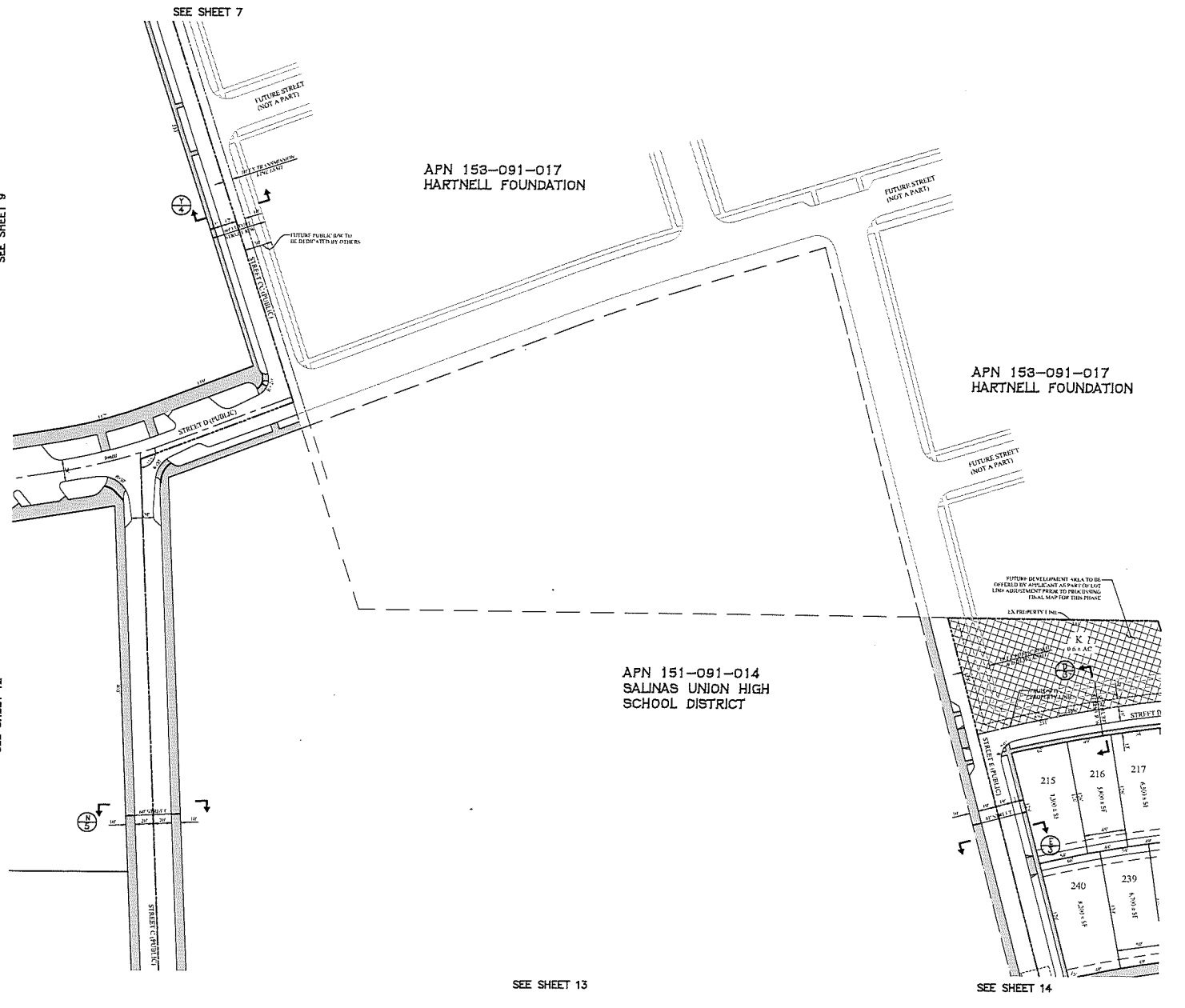
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
CDR. STONEBRIDGE HOMES

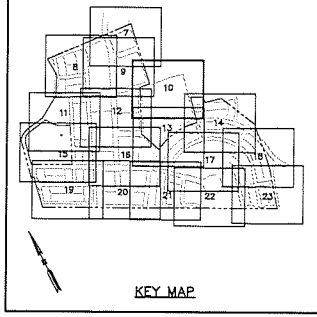
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 9 OF 53 SHEETS
JOB NO. 072083

EXHIBIT 01





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1"= 50'

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1050 COMMERCIAL AVENUE, SUITE A
EUREKA, CA 95501
PHONE (707) 443-8326 FAX (707) 443-0553

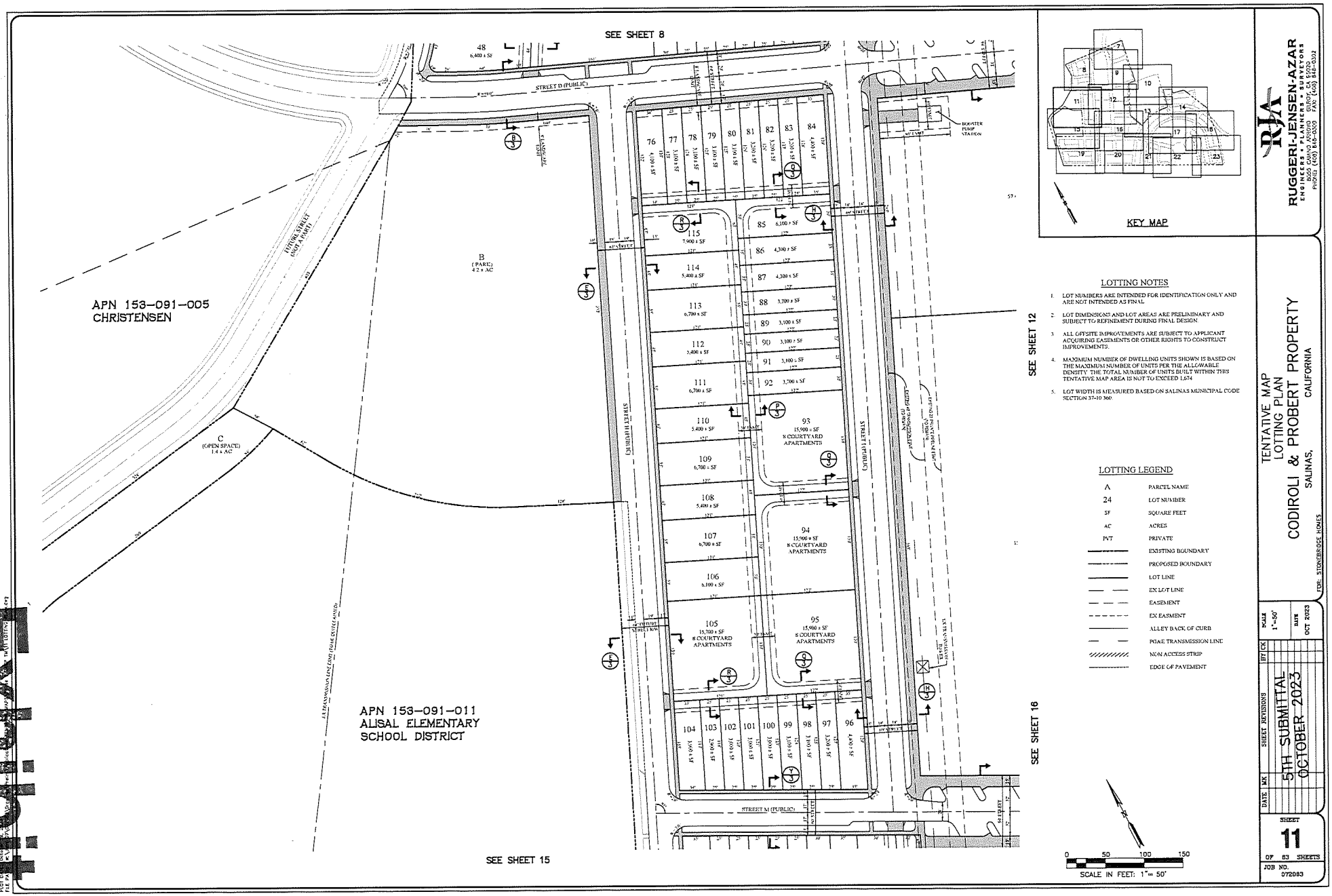
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	CK
	MK	5TH SUBMITTAL OCTOBER 2023	

SCALE 1"=50'
DATE OCT 2023

SHEET 10 OF 83 SHEETS
JOB NO. 072083

PLOT DATE: 10/19/2023 10:08:53 AM
FILE PATH: C:\Users\mkeller\Documents\072083_Codiroli_Probert_Lotting_Plan_mkeller.rvt



LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
500 12th STREET, SUITE 100, PACIFIC GROVE, CA 93950
PHONE (408) 848-5300 FAX: (408) 848-5302

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

CDR: STONEBRIDGE HOMES

DATE	BY	CK	SCALE	DATE
			1"=50'	OCT 2023

SHEET REVISIONS

5TH SUBMITTAL
OCTOBER 2023

SHEET 11 OF 83 SHEETS

JOB NO. 072083

EXHIBIT 12

FOR: STONEBRIDGE HOMES

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
RJA
8205 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-0200 FAX (408) 848-0202

SCALE	BY	CK
1"=50'		
DATE		
OCT 2023		

DATE	BY	SHEET REVISIONS
5TH SUBMITTAL OCTOBER 2023		

SHEET 12 OF 15 SHEETS
JOB NO. 072083

KEY MAP

LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND MAY BE REVISED AT FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO ADJUSTMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS ON EITHER SIDE IN ORDER TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,074.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-50.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

SCALE IN FEET: 1" = 50'

SEE SHEET 10
SEE SHEET 13
SEE SHEET 9
SEE SHEET 16
SEE SHEET 8
SEE SHEET 15
SEE SHEET 11

STREET C (PUBLIC)
STREET B (PUBLIC)
STREET J (PRIVATE)
STREET D (PUBLIC)
STREET I (PUBLIC)

118
3.1 AC
80 CONDO UNITS MAX

119
2.9 AC
86 CONDO UNITS MAX

116
2.4 AC
57 CONDO UNITS MAX

117
5.1 AC
136 CONDO UNITS MAX

93
15,900 ± SF
8 COURTYARD APARTMENTS

94
15,900 ± SF
8 COURTYARD APARTMENTS

95
15,900 ± SF
8 COURTYARD APARTMENTS

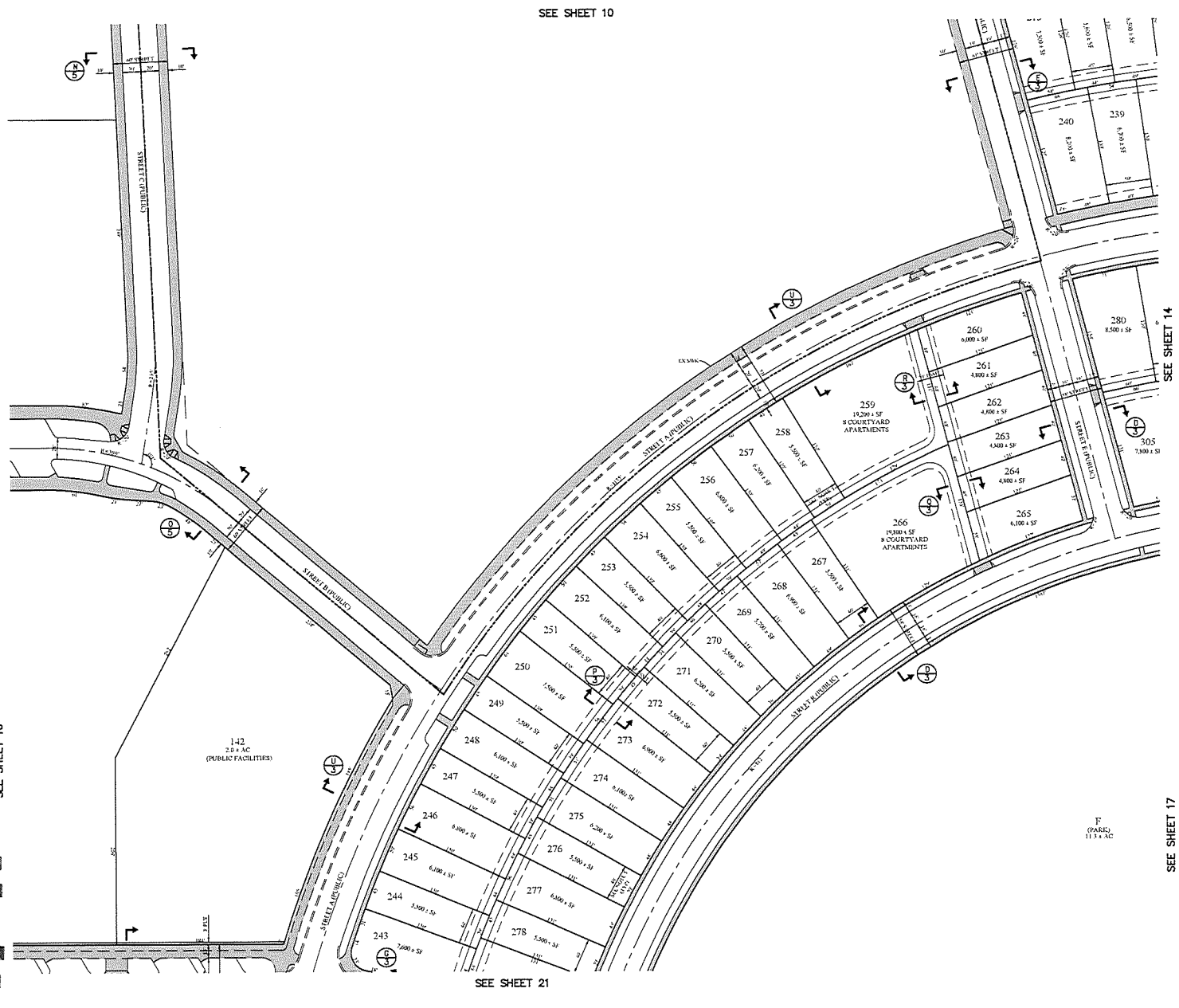
EX TRANSMISSION TOWER

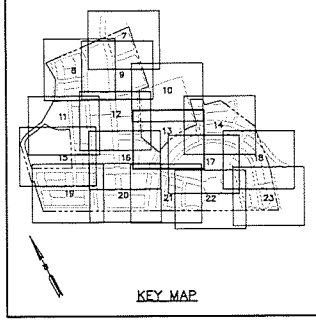
EXISTING 40' PG&E TRANSMISSION EASEMENT TO REMAIN

EX TRANSMISSION TOWER

EXISTING 40' PG&E TRANSMISSION EASEMENT TO REMAIN

Exhibit 13





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
805 CASA ALTA
PAJARO, CA 95073
FAX (831) 722-3202

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

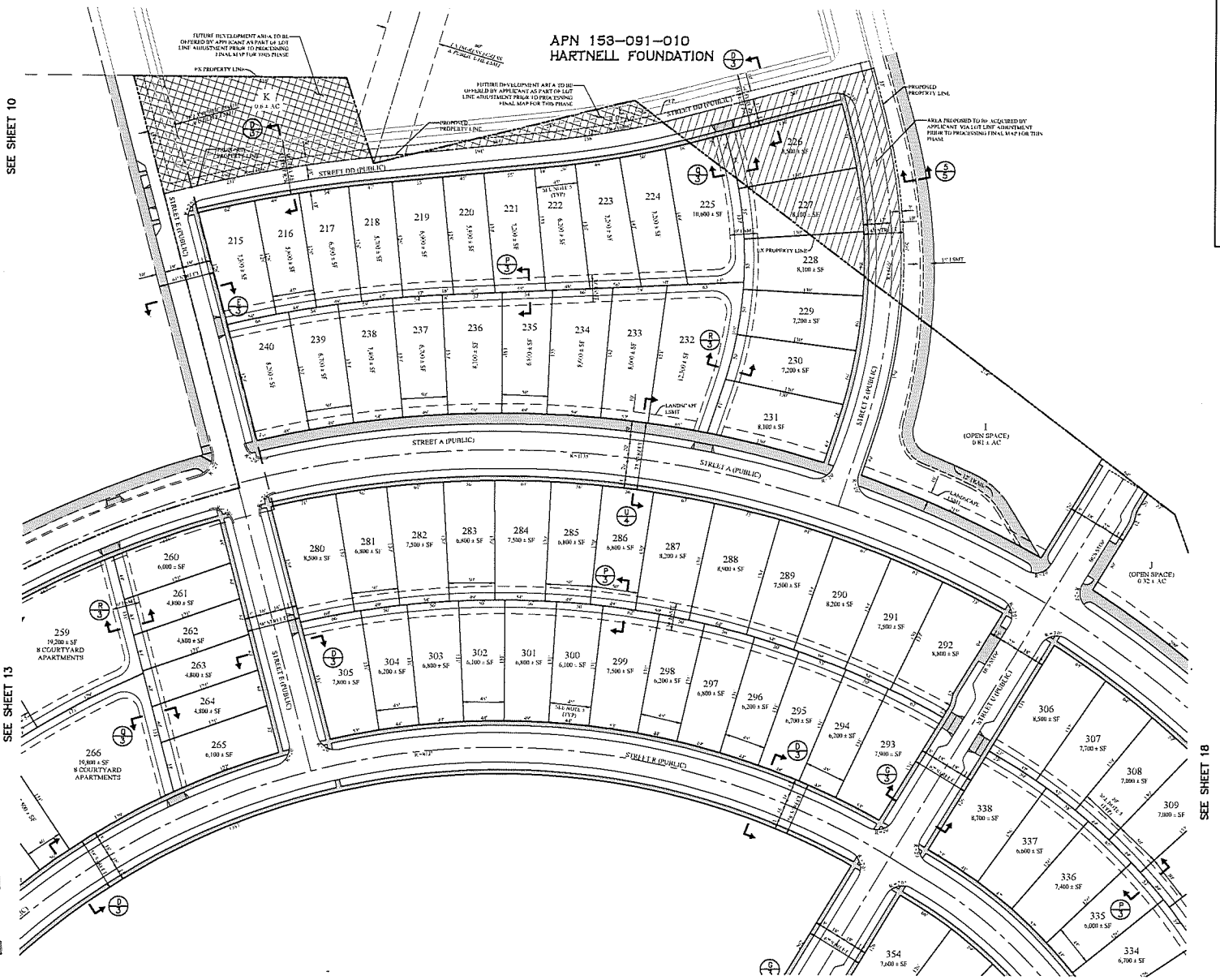
DATE	BY	CK	SHEET REVISIONS
	MX		5TH SUBMITTAL OCTOBER 2023

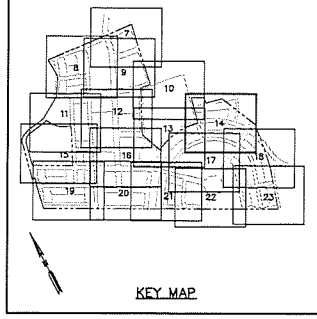
SCALE 1"=50'
DATE OCT 2023

SHEET 13 OF 53 SHEETS
JOB NO. 072083

PLOT DATE: 10/27/2023
FILE PATH: K:\2023\072083\Civil\Exhibits\Tentative Map\072083 TM Lotting Plan.dwg

EXHIBIT 4





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8255 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-4300 FAX (408) 848-4315

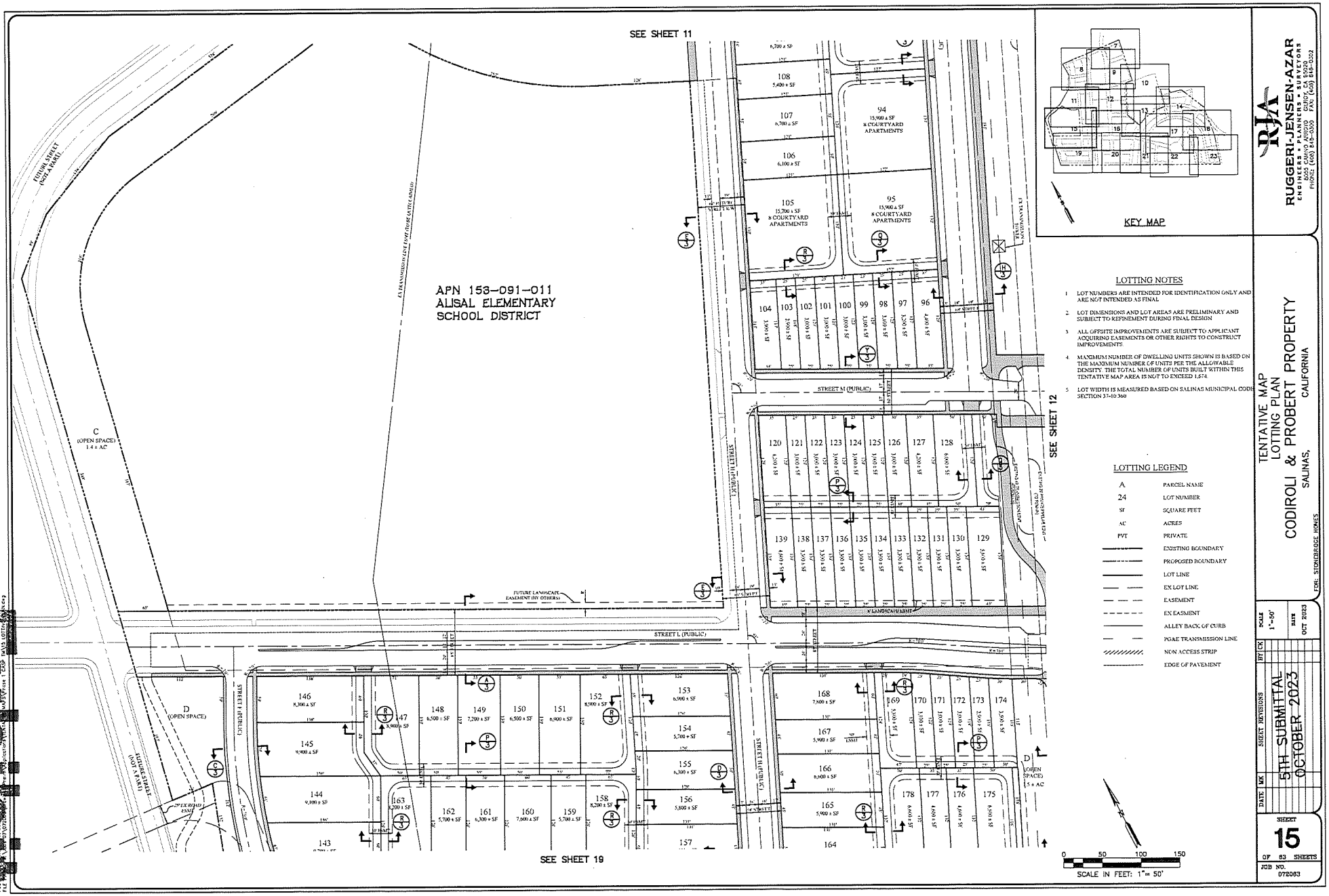
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
DEV: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE: 1"=50'
DATE: OCT 2023

SHEET 14 OF 83 SHEETS
JOB NO. 072083

EXHIBIT 5



LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-3300 FAX (408) 848-3302

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

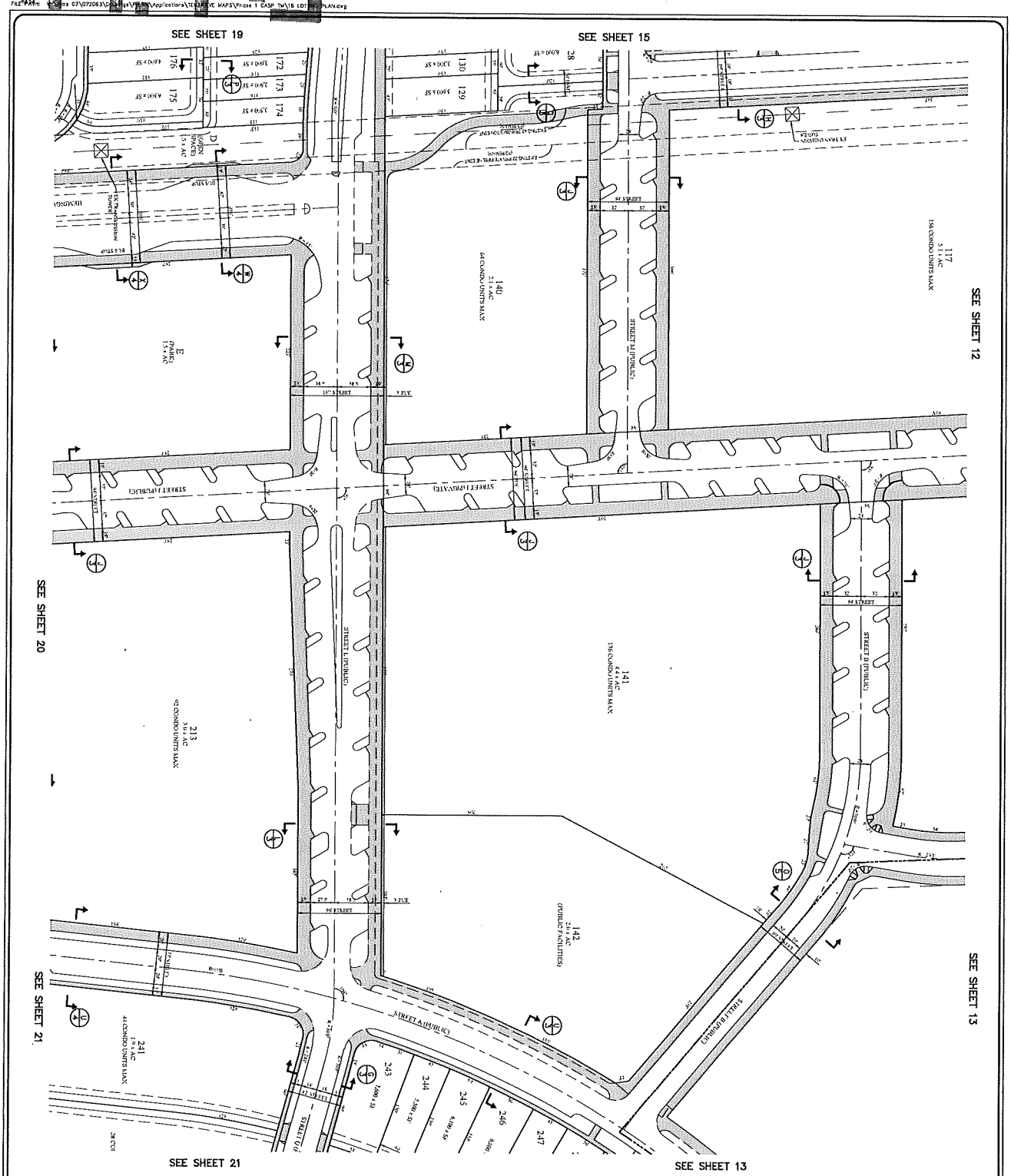
DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 15 OF 63 SHEETS
JOB NO. 072083

EXHIBIT 1

EXHIBIT 17



LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY/ BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

SCALE IN FEET: 1" = 50'

KEY MAP

DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

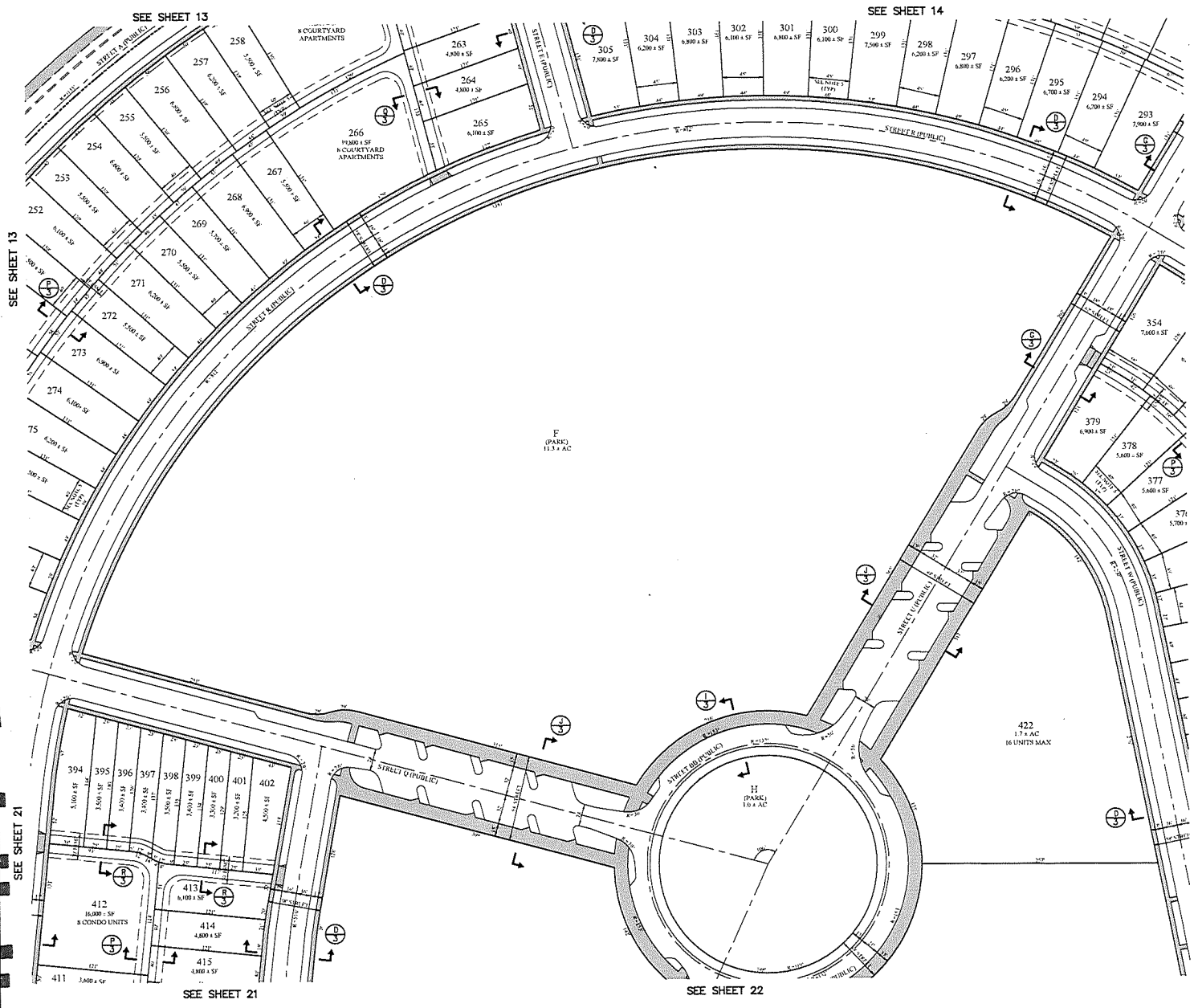
SCALE 1"=50'
DATE OCT 2023

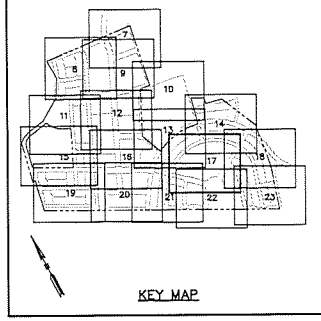
JOB NO. 072083
SHEET 16 OF 60 SHEETS

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
PHONE (408) 848-5300 FAX: (408) 848-5302

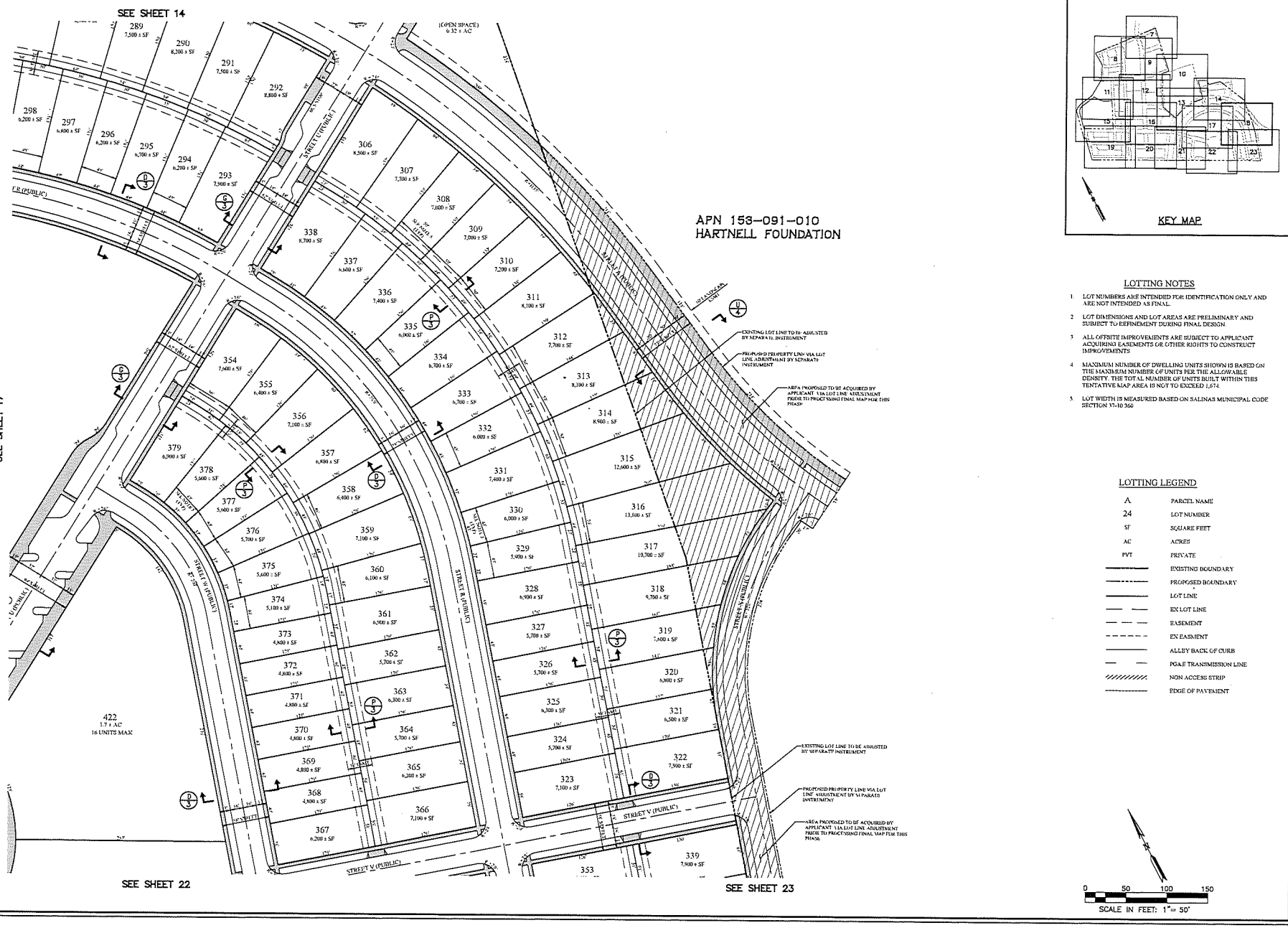
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONERIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 17 OF 63 SHEETS
JOB NO. 072083

EXHIBIT
PLOT DATE: 10/18/2023 PLOT TIME: 10:53:51 AM
PLOTTED BY: Jeff Ruggeri
FILE NAME: C:\Users\Jeff\Documents\072083 Codiroli Probert\Exhibits\072083 Exhibit.dwg



LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
———	EXISTING BOUNDARY
- - - -	PROPOSED BOUNDARY
———	LOT LINE
— — —	EX LOT LINE
— - —	EASEMENT
- - - -	EX EASEMENT
———	ALLEY BACK OF CURB
— —	PG&E TRANSMISSION LINE
//////	NON ACCESS STRIP
———	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1" = 50'

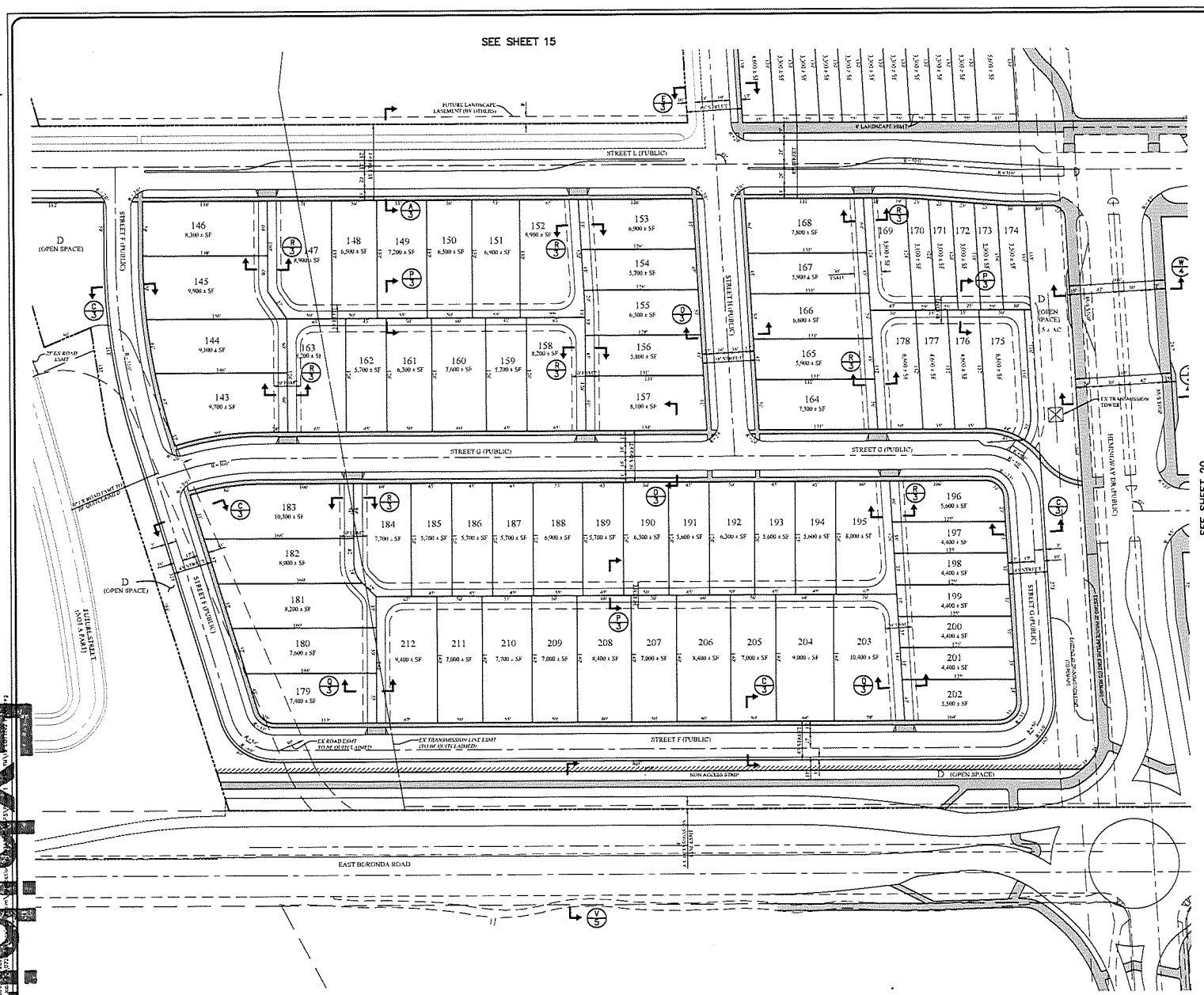
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
835 CANNON AVENUE GILROY, CA 95020
PHONE (408) 848-5300 FAX (408) 848-5301

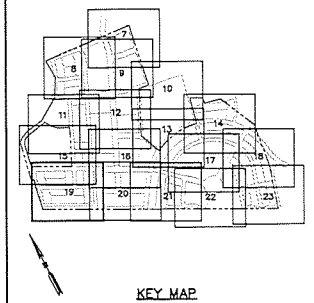
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
PREPARED FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 18 OF 83 SHEETS
JOB NO. 072083





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360.

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
(408) 616-0300 FAX: (408) 616-0302

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
CSR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY CK
	MK	5TH SUBMITTAL OCTOBER 2023	

SCALE 1"=50'
DATE OCT 2023

SHEET 19 OF 83 SHEETS
JOB NO. 072063

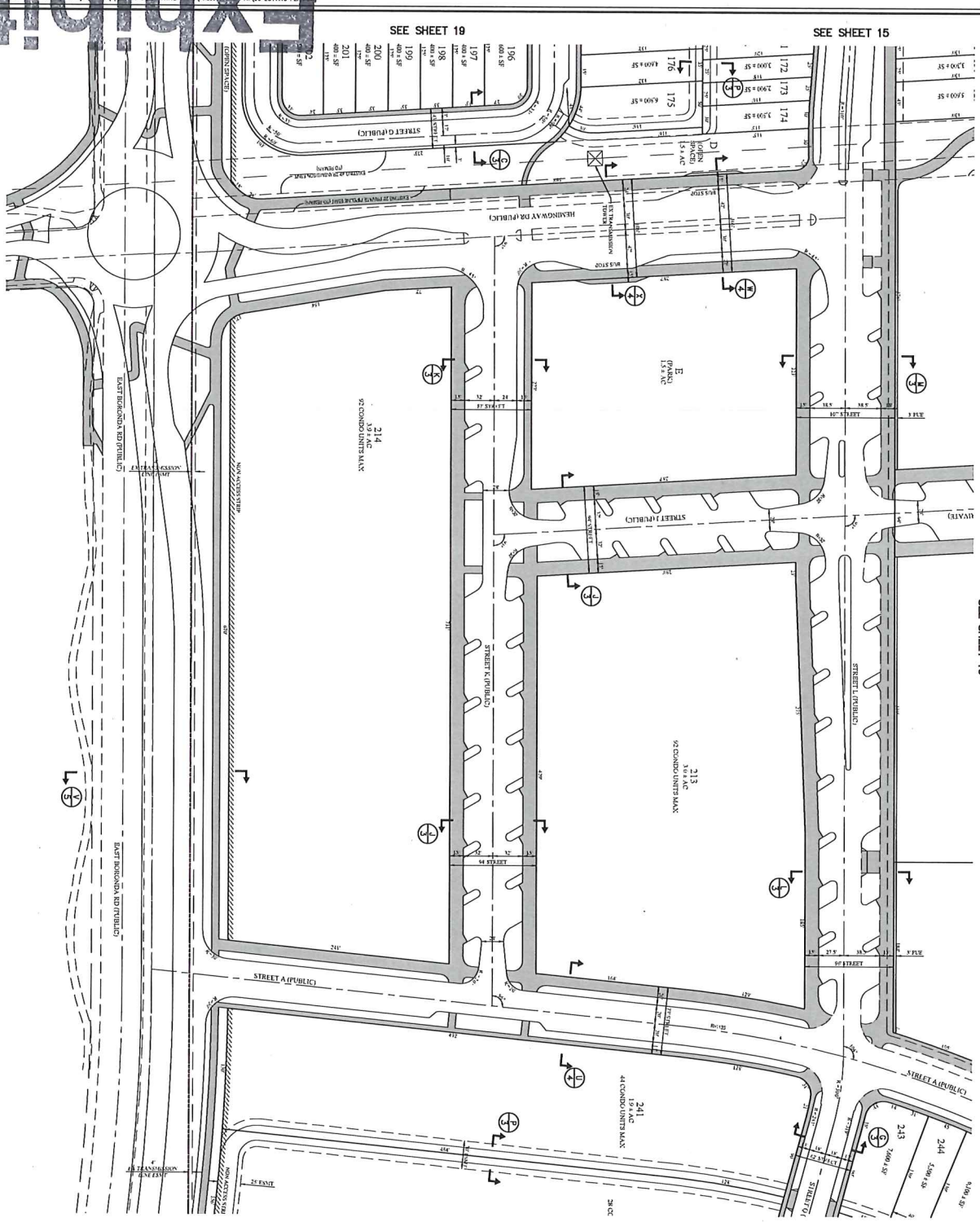
PLOT DATE: 10/26/2023 11:07:02 AM
PLOT BY: Mark Kelly
FILE: P:\072063\Civil\Exhibits\Tentative Map\072063 TM Lotting Plan.dwg

22

12

EXHIBIT

PLOT DATE: October 16, 2023
FILE PATH: K:\Jobs\2021\072021\Drawings\Civil\Applications\TENTATIVE MAPS\Phase 1 (SUBTM)\20 LOTTING PLAN.dwg



LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,024.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.390.
6. ROUNDABOUT SHOWN ON THIS TENTATIVE MAP WAS DESIGNED BY OTHERS. ROUNDABOUT IS PRELIMINARY AND SUBJECT TO CHANGE IN FINAL DESIGN.

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

SCALE IN FEET: 1" = 50'

KEY MAP

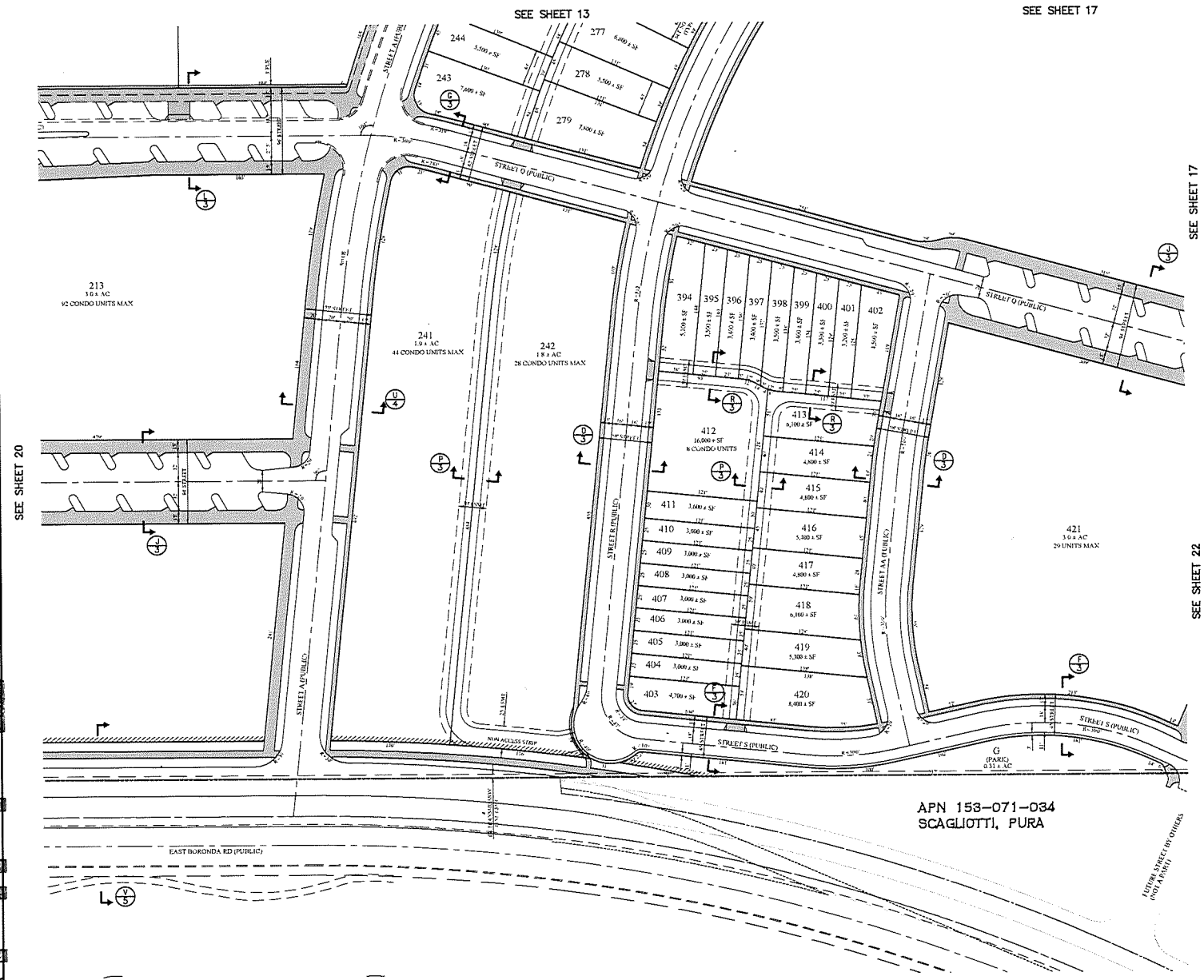
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

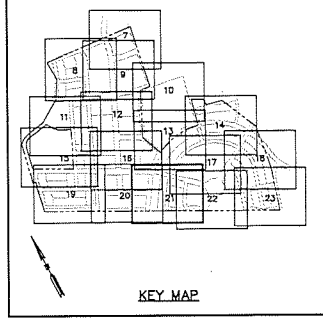
SCALE 1"=50'
DATE OCT 2023

SHEET 20 OF 83 SHEETS
JOB NO. 072021S

TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360.

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

SCALE IN FEET: 1"= 50'

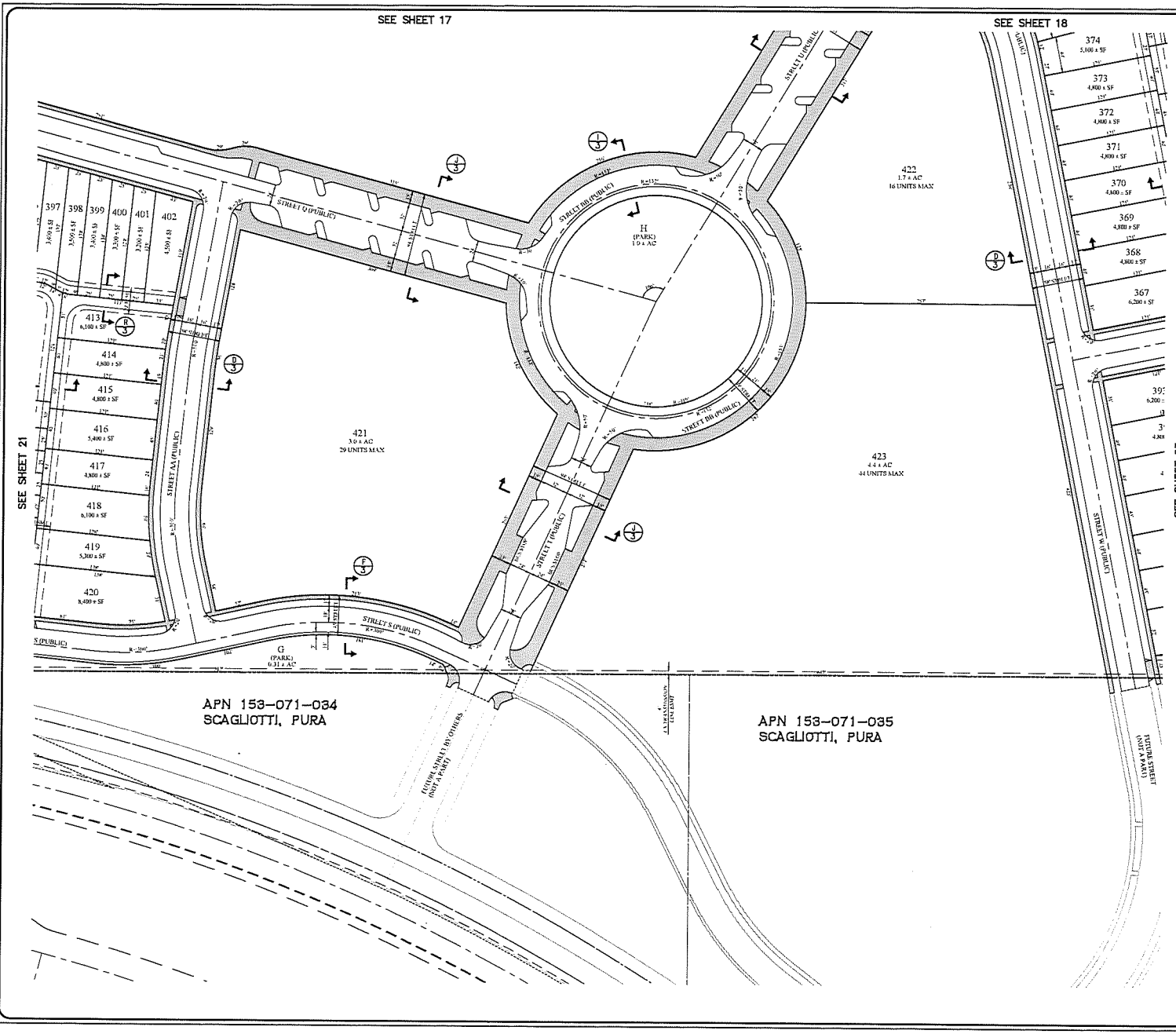
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
PHONE: (408) 848-3300 FAX: (408) 848-0302

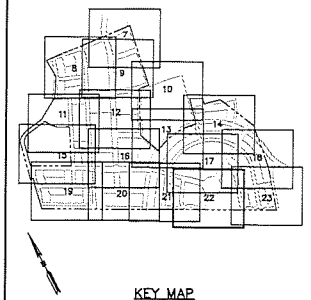
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MR	5TH SUBMITTAL OCTOBER 2023		

SCALE: 1"=50'
DATE: OCT 2023

SHEET 21 OF 83 SHEETS
JOB NO. 072083





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL.
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1255 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-5300 FAX (408) 848-5003

TENTATIVE MAP LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

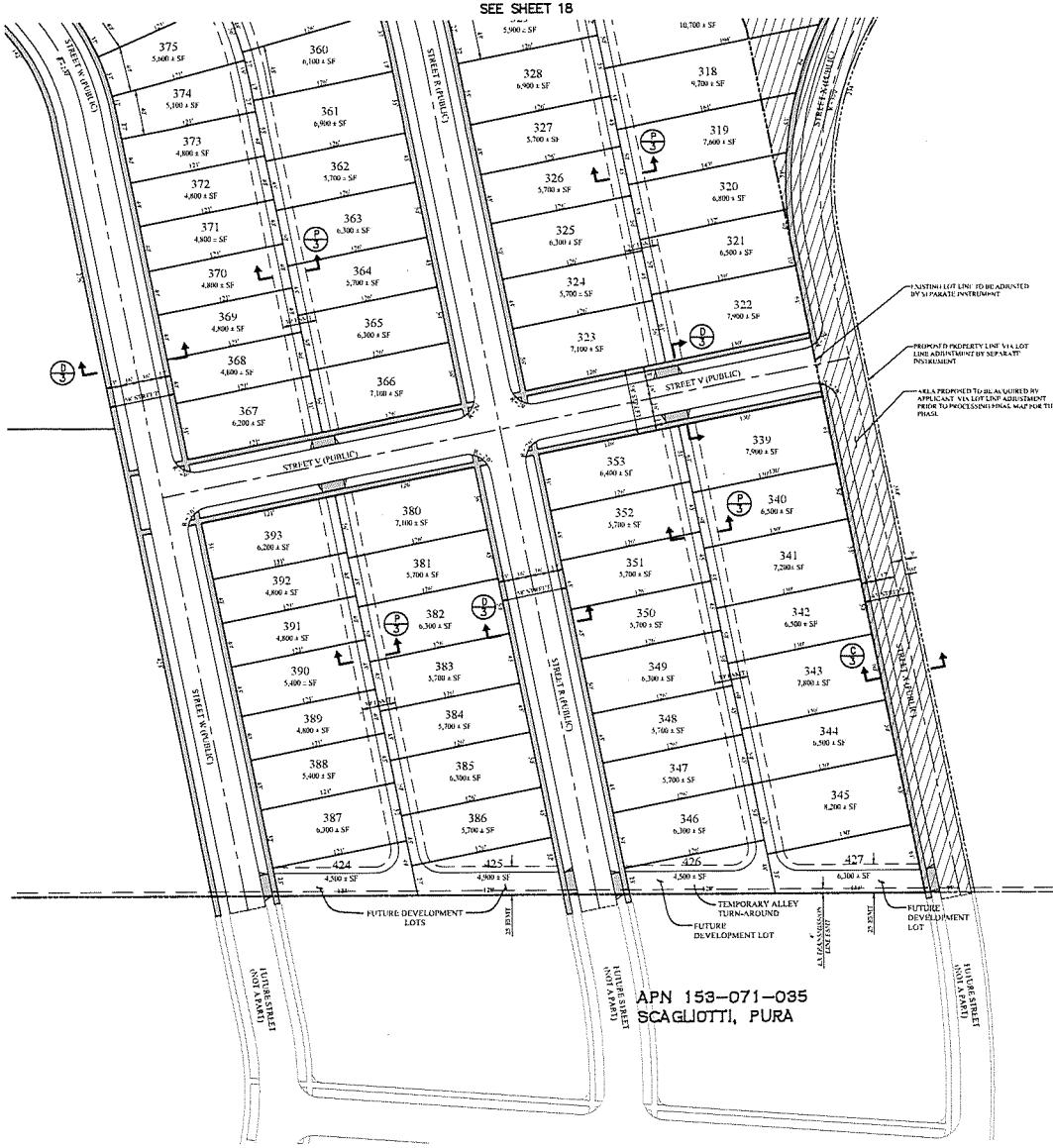
FOR: STONEBRIDGE HOMES

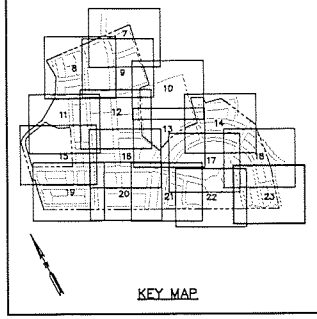
DATE	BY	CK	SHEET REVISIONS
			5TH SUBMITTAL
			OCTOBER 2023

SCALE 1"=50'
DATE OCT 2023

SHEET 22 OF 83 SHEETS
JOB NO. 072083

Exhibit 23





LOTTING NOTES

1. LOT NUMBERS ARE INTENDED FOR IDENTIFICATION ONLY AND ARE NOT INTENDED AS FINAL
2. LOT DIMENSIONS AND LOT AREAS ARE PRELIMINARY AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. MAXIMUM NUMBER OF DWELLING UNITS SHOWN IS BASED ON THE MAXIMUM NUMBER OF UNITS PER THE ALLOWABLE DENSITY. THE TOTAL NUMBER OF UNITS BUILT WITHIN THIS TENTATIVE MAP AREA IS NOT TO EXCEED 1,674.
5. LOT WIDTH IS MEASURED BASED ON SALINAS MUNICIPAL CODE SECTION 37-10.360.

LOTTING LEGEND

A	PARCEL NAME
24	LOT NUMBER
SF	SQUARE FEET
AC	ACRES
PVT	PRIVATE
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	LOT LINE
	EX LOT LINE
	EASEMENT
	EX EASEMENT
	ALLEY BACK OF CURB
	PG&E TRANSMISSION LINE
	NON ACCESS STRIP
	EDGE OF PAVEMENT

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1255 DAVID AVENUE SALINAS, CA 93901
FAX (408) 883-0302

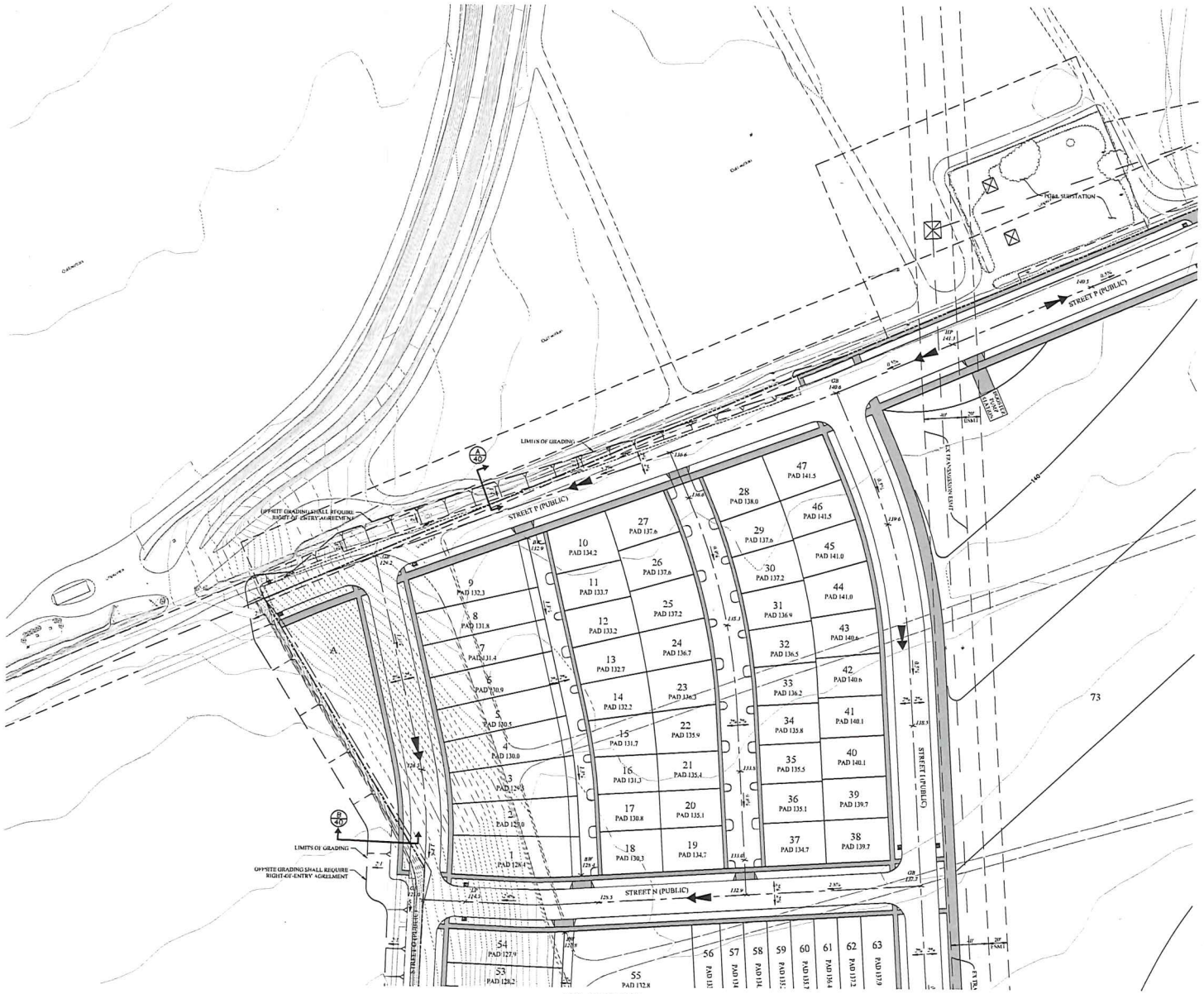
TENTATIVE MAP
LOTTING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
CORP. STONERIDGE HOMES

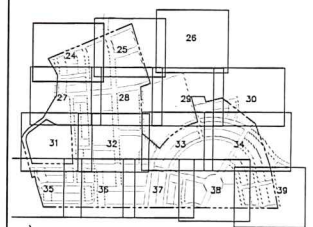
DATE	BY	CK	SHEET REVISIONS
			5TH SUBMITTAL
			OCTOBER 2023

SCALE 1"=50'
DATE OCT 2023

SHEET 23 OF 63 SHEETS
JOB NO. 072083

EXHIBIT 24





KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

	EXISTING BOUNDARY
	PROPOSED BOUNDARY
PAD XXX.X	APPROXIMATE PAD ELEVATION
PAD XXX.X*	SPLIT DRAINING PADS
259.5	APPROXIMATE SPOT ELEVATION
	SLOPE
1.5%	ANTICIPATED STREET SLOPE
	EMERGENCY OVERLAND DRAINAGE RELEASE
240	EXISTING CONTOUR
	PROPOSED MINOR CONTOUR
240	PROPOSED MAJOR CONTOUR
	LIMIT OF GRADING
	AREA OF DISTURBANCE WITHIN FUTURE HCP DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
	FLOOD ZONE A
	FLOODWAY
	FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

0 50 100 150

SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
5555 CAMINO ARROYO
EL PASO, CA 93923
PHONE: (408) 845-3599 FAX: (408) 845-3002

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 24 OF 83 SHEETS

JOB NO. 072063

EXHIBIT

PLOT DATE: Thursday, October 19, 2023 - 10:37am
FILE NAME: C:\Users\mkaufman\Documents\072063 GRADING PLAN.dwg

FOR: STONEBRIDGE HOMES

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

SCALE	DATE
1"=50'	OCT 2023

DATE	BY	CK	SHEET REVISIONS	BY	CK
			5TH SUBMITTAL OCTOBER 2023		

SHEET 25 OF 61 SHEETS
JOB NO. 0720063

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40+1 FOR GRADING SECTIONS
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING PROPERTY OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0293H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

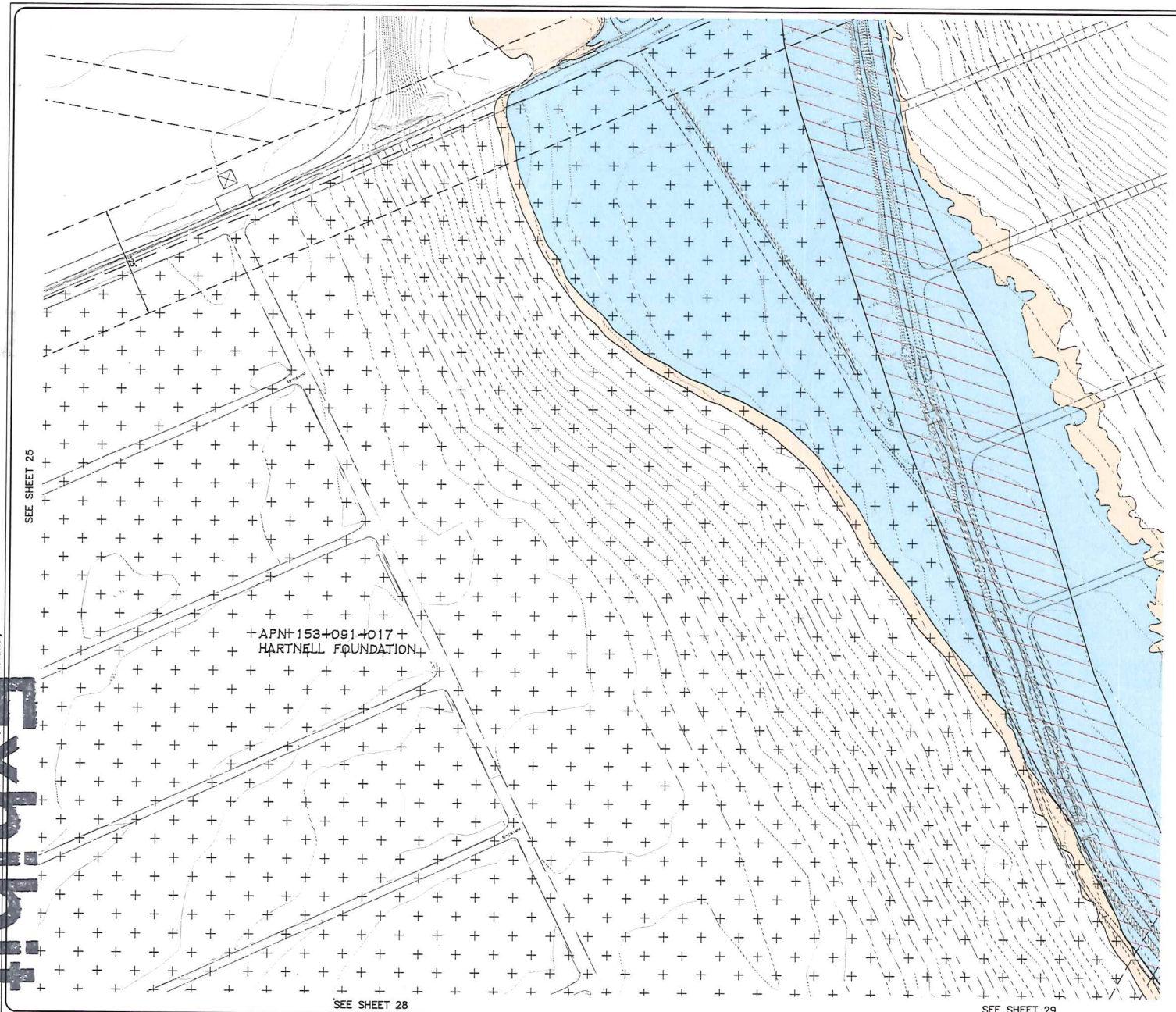
- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXX.X
- PAD XXX.X
- 25+5
- APPROXIMATE SPOT ELEVATION
- SLOPE
- 1.5%
- ANTICIPATED SHEET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- 240
- EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- 240
- PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCP DEVELOPMENT IMPORT SITE FROM PROBERT & CODIROLI I'M UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

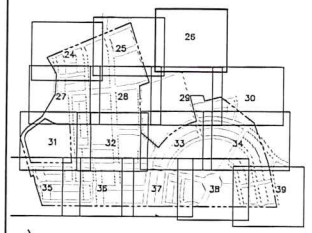
EARTHWORK SUMMARY

ITEM	QUANTITY	
SITE CUT	476,000±	CY
SITE FILL	254,000±	CY
NET EXPORT	222,000±	CY

0 50 100 150
SCALE IN FEET: 1" = 50'

Exhibit 26





KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0225H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

	EXISTING BOUNDARY
	PROPOSED BOUNDARY
PAD XXX.X	APPROXIMATE PAD ELEVATION
PAD XXX.X*	SPLIT DRAINING PADS
259.5	APPROXIMATE SPOT ELEVATION
	SLOPE
1.5%	ANTICIPATED STREET SLOPE
	EMERGENCY OVERLAND DRAINAGE RELEASE
240	EXISTING CONTOUR
	PROPOSED MINOR CONTOUR
240	PROPOSED MAJOR CONTOUR
	LIMIT OF GRADING
	AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
	FLOOD ZONE A
	FLOODWAY
	FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EMPORT	222,000± CY

0 50 100 150

SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
815 E. CANAL STREET, SUITE 201, RIPON, CA 95366
PHONE: (209) 599-4142 FAX: (209) 599-3302

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	BY	CK	SHEET REVISIONS
	MK		5TH SUBMITTAL OCTOBER 2023

SCALE 1"=50'
DATE OCT 2023

SHEET 26 OF 83 SHEETS
JOB NO. 072083

PLOT DATE: October 2023
FILE PATH: X:\072083\Civil\Dwgs\Vesting TM\Grading Plan\072083 GRADING PLAN.dwg

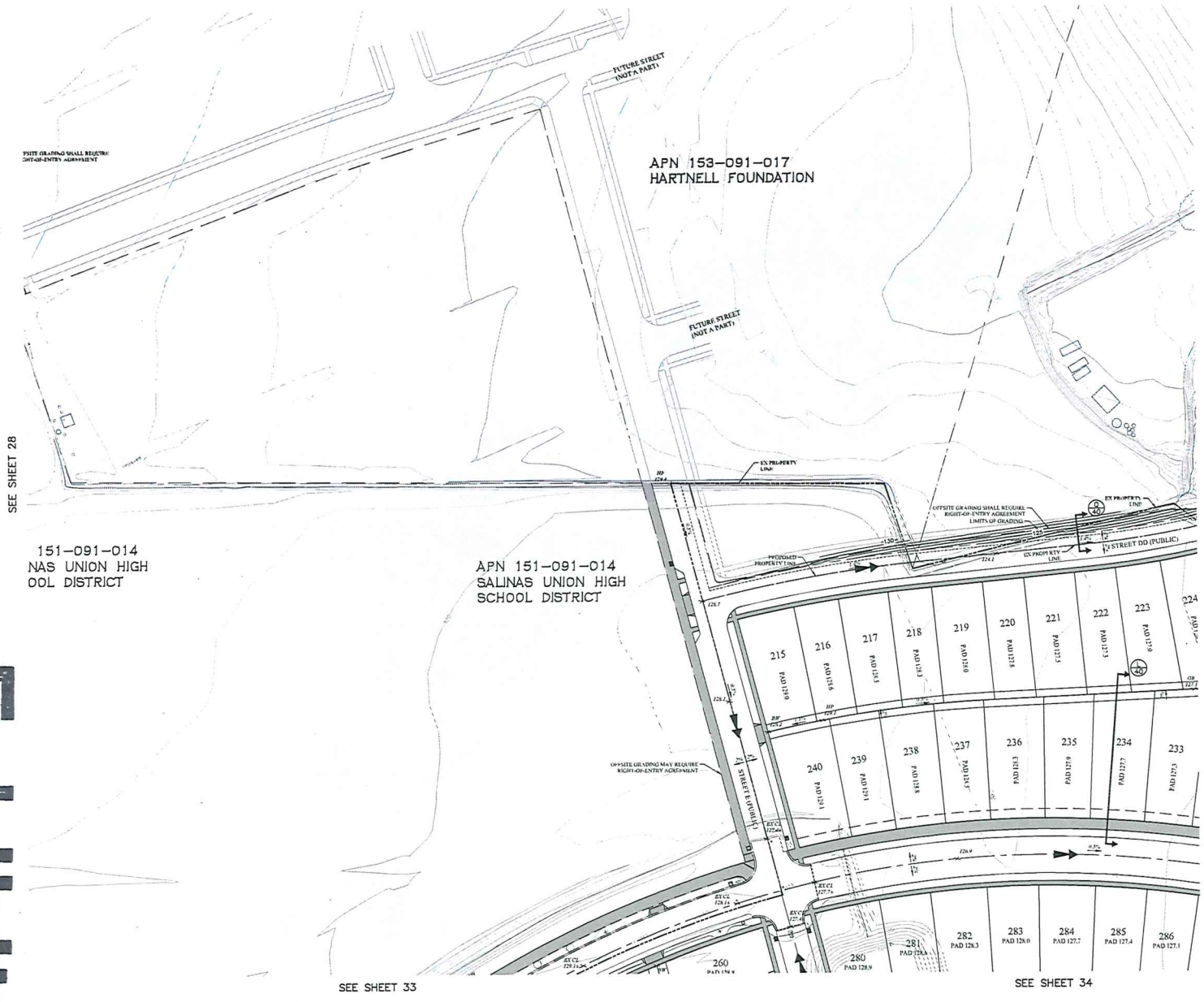
EXHIBIT 12

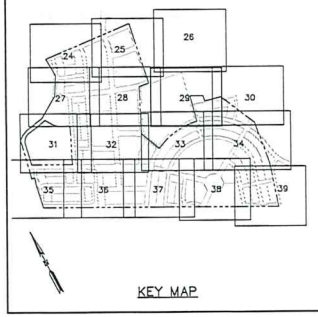
TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES
SCALE 1"=60'
DATE OCT 2023
5TH SUBMITTAL OCTOBER 2023
SHEET REVISIONS
DATE BY CK MK
SHEET 27 OF 83 SHEETS
JOB NO. 072083
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO, GILROY, CA 95020
PHONE: (408) 848-0100 FAX: (408) 848-0102
KEY MAP
GRADING NOTES
1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN
2. SEE SHEET 40-41 FOR GRADING SECTIONS
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0203H, FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.
GRADING LEGEND
EXISTING BOUNDARY
PROPOSED BOUNDARY
APPROXIMATE PAD ELEVATION
SPLIT DRAINING PADS
APPROXIMATE SPOT ELEVATION
SLOPE
ANTICIPATED STREET SLOPE
EMERGENCY OVERLAND DRAINAGE RELEASE
EXISTING CONTOUR
PROPOSED MINOR CONTOUR
PROPOSED MAJOR CONTOUR
LIMIT OF GRADING
AREA OF DISTURBANCE WITHIN FUTURE HCP DEVELOPMENT. IMPACT FEES FOR PROJECT AREA ASSESSED AT TIME OF PERMIT
FLOOD ZONE A
FLOODWAY
FLOOD ZONE X
EARTHWORK SUMMARY
ITEM QUANTITY
SITE CUT 476,000± CY
SITE FILL 254,000± CY
NET EXPORT 222,000± CY
SCALE IN FEET: 1" = 50'
SEE SHEET 28
SEE SHEET 32
SEE SHEET 24
SEE SHEET 31
STREET I (PUBLIC)
STREET J (PUBLIC)
STREET H (PUBLIC)
STREET N (PUBLIC)
STREET O (PUBLIC)
STREET Q (PUBLIC)
EX TRANSMISSION TOWER
EX TRANSMISSION ESMT
FUTURE STREET (DUST A PAVE)
LIMITS OF GRADING
OFFSITE GRADING SHALL REQUIRE NEIGHBORING AGREEMENT
OFFSITE GRADING SHALL REQUIRE NEIGHBORING AGREEMENT
B
C

Exhibit 28

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
KEY MAP
GRADING NOTES
1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN
2. SEE SHEET 40-41 FOR GRADING SECTIONS
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
4. FEMA FLOOD PLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0128H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.
GRADING LEGEND
EXISTING BOUNDARY
PROPOSED BOUNDARY
APPROXIMATE PAD ELEVATION
SPLIT DRAINING PADS
APPROXIMATE SPOT ELEVATION
SLOPE
ANTICIPATED STREET SLOPE
EMERGENCY OVERLAND DRAINAGE RELEASE
EXISTING CONTOUR
PROPOSED MINOR CONTOUR
PROPOSED MAJOR CONTOUR
LIMIT OF GRADING
AREA OF DISTURBANCE WITHIN FUTURE HCP DEVELOPMENT. IMPORT SITE FROM PHASES 2 & CODIROLI TM UP TO 140,000 CY
FLOOD ZONE A
FLOODWAY
FLOOD ZONE X
EARTHWORK SUMMARY
ITEM QUANTITY
SITE CUT 476,000± CY
SITE FILL 254,000± CY
NET EXPORT 222,000± CY
SCALE IN FEET: 1"= 50'
SEE SHEET 29
SEE SHEET 25
SEE SHEET 33
SEE SHEET 32
SEE SHEET 27
APN 151-091-014
SALINAS UNION HIGH
SCHOOL DISTRICT
STREET C (PUBLIC)
STREET D (PUBLIC)
STREET J (PUBLIC)
STREET J (PRIVATE)
LIMITS OF GRADING
OFFSITE GRADING SHALL REQUIRE RIGHT-OF-ENTRY AGREEMENT
EX TRANSMISSION TOWER
EX TRANSMISSION EASEMENT
DATE
BY
CK
SHEET REVISIONS
DATE
JK
CK
SCALE
1"=60'
DATE
OCT 2023
5TH SUBMITTAL
OCTOBER 2023
SHEET
28
OF 85 SHEETS
JOB NO.
072063
FILE PATH: K:\Jobs 07\072063\Drawing\Engineering\TENTATIVE MAPS\Phase 1 CASP TM\28 PRELIMINARY GRADING PLAN.dwg
PLOT DATE: October 18, 2023

Exhibit 29





KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXXX — APPROXIMATE PAD ELEVATION
- PAD XXXX* — SPLIT DRAINING PADS
- 259.5 — APPROXIMATE SPOT ELEVATION
- SLOPE
- 1.5% — ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- 240 — EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- 240 — PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
634 PAJARO STREET, SALINAS, CA 93901
PHONE: (831) 443-7383 FAX: (831) 443-0309

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	BY	CK	SCALE
			1"=50'

SHEET REVISIONS
5TH SUBMITTAL
OCTOBER 2023

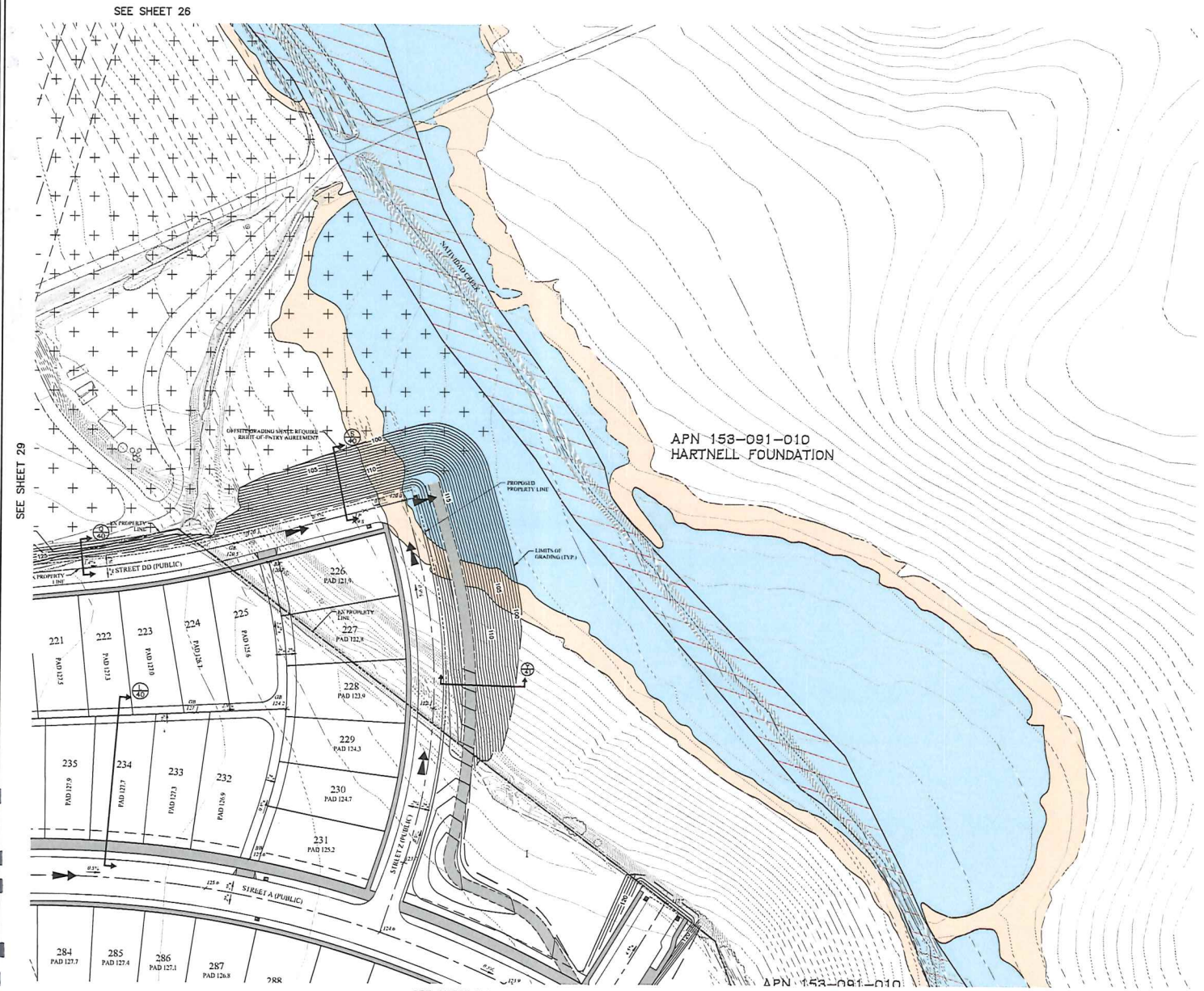
DATE: OCT 2023

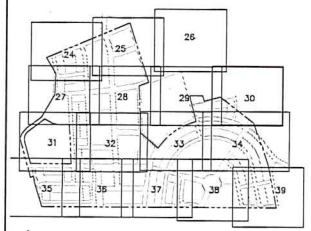
SHEET 29 OF 63 SHEETS

JOB NO. 072083

EXHIBIT 30

PLOT DATE: 10/19/2023 11:31:53 AM
PLOT BY: Mark Kelly
FILE NAME: P:\072083\Civil\Exhibits\072083 EXHIBIT GRADING PLAN.dwg





KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXX.X — APPROXIMATE PAD ELEVATION
- PAD XXX.X* — SPLIT DRAINING PADS
- 259.5 — APPROXIMATE SPOT ELEVATION
- SLOPE
- 1.5% — ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- 240 — EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- 240 — PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1255 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-2200 FAX (408) 848-2202

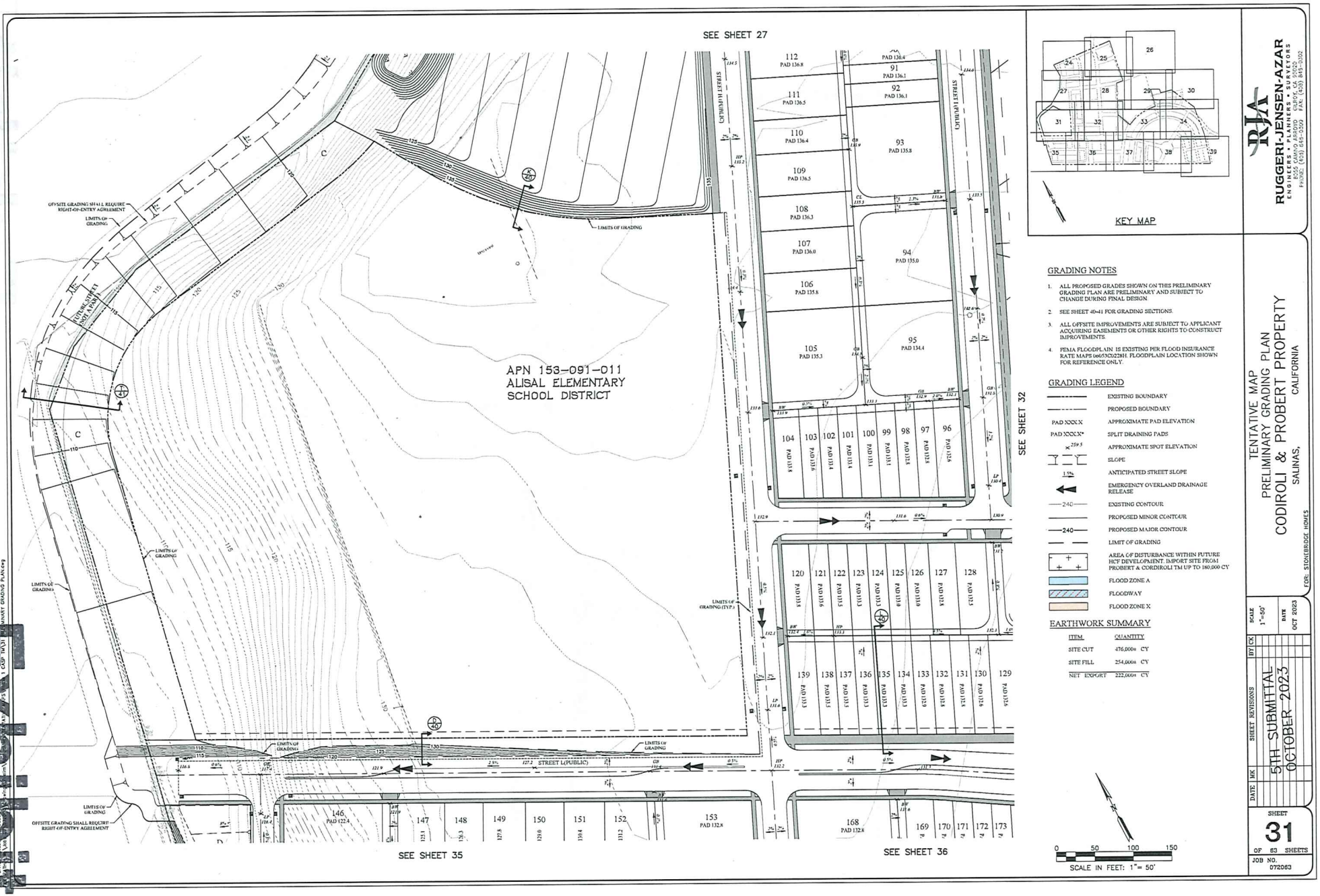
TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

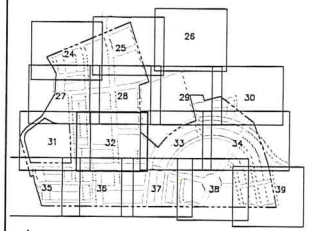
SCALE 1"=50'
DATE OCT 2023

SHEET 30 OF 63 SHEETS
JOB NO. 072063

EXHIBIT 31


SEE SHEET 27
APN 153-091-011
ALISAL ELEMENTARY
SCHOOL DISTRICT
SEE SHEET 32
SEE SHEET 35
SEE SHEET 36
STREET L(PUBLIC)
STREET H (PUBLIC)
LIMITS OF GRADING
OFFSITE GRADING SHALL REQUIRE RIGHT-OF-ENTRY AGREEMENT
FUTURE STREET (NOT A PART)
KEY MAP
GRADING NOTES
1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.
GRADING LEGEND
EXISTING BOUNDARY
PROPOSED BOUNDARY
PAD XXXX APPROXIMATE PAD ELEVATION
PAD XXXX* SPLIT DRAINING PADS
APPROXIMATE SPOT ELEVATION
SLOPE
ANTICIPATED STREET SLOPE
EMERGENCY OVERLAND DRAINAGE RELEASE
EXISTING CONTOUR
PROPOSED MINOR CONTOUR
PROPOSED MAJOR CONTOUR
LIMIT OF GRADING
AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CODIROLI TM UP TO 180,000 CY
FLOOD ZONE A
FLOODWAY
FLOOD ZONE X
EARTHWORK SUMMARY
ITEM QUANTITY
SITE CUT 476,000± CY
SITE FILL 254,000± CY
NET EXPORT 222,000± CY
SCALE IN FEET: 1" = 50'
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES
DATE MK SHEET REVISIONS BY CK
5TH SUBMITTAL OCTOBER 2023
SCALE 1"=50'
DATE OCT 2023
SHEET 31 OF 63 SHEETS
JOB NO. 072083





KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

	EXISTING BOUNDARY
	PROPOSED BOUNDARY
PAD XXX.X	APPROXIMATE PAD ELEVATION
PAD XXX.X*	SPLIT DRAINING PADS
25.5	APPROXIMATE SPOT ELEVATION
	SLOPE
1.5%	ANTICIPATED STREET SLOPE
	EMERGENCY OVERLAND DRAINAGE RELEASE
240	EXISTING CONTOUR
	PROPOSED MINOR CONTOUR
240	PROPOSED MAJOR CONTOUR
	LIMIT OF GRADING
	AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
	FLOOD ZONE A
	FLOODWAY
	FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

0 50 100 150

SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1255 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-3300 FAX (408) 848-3302

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

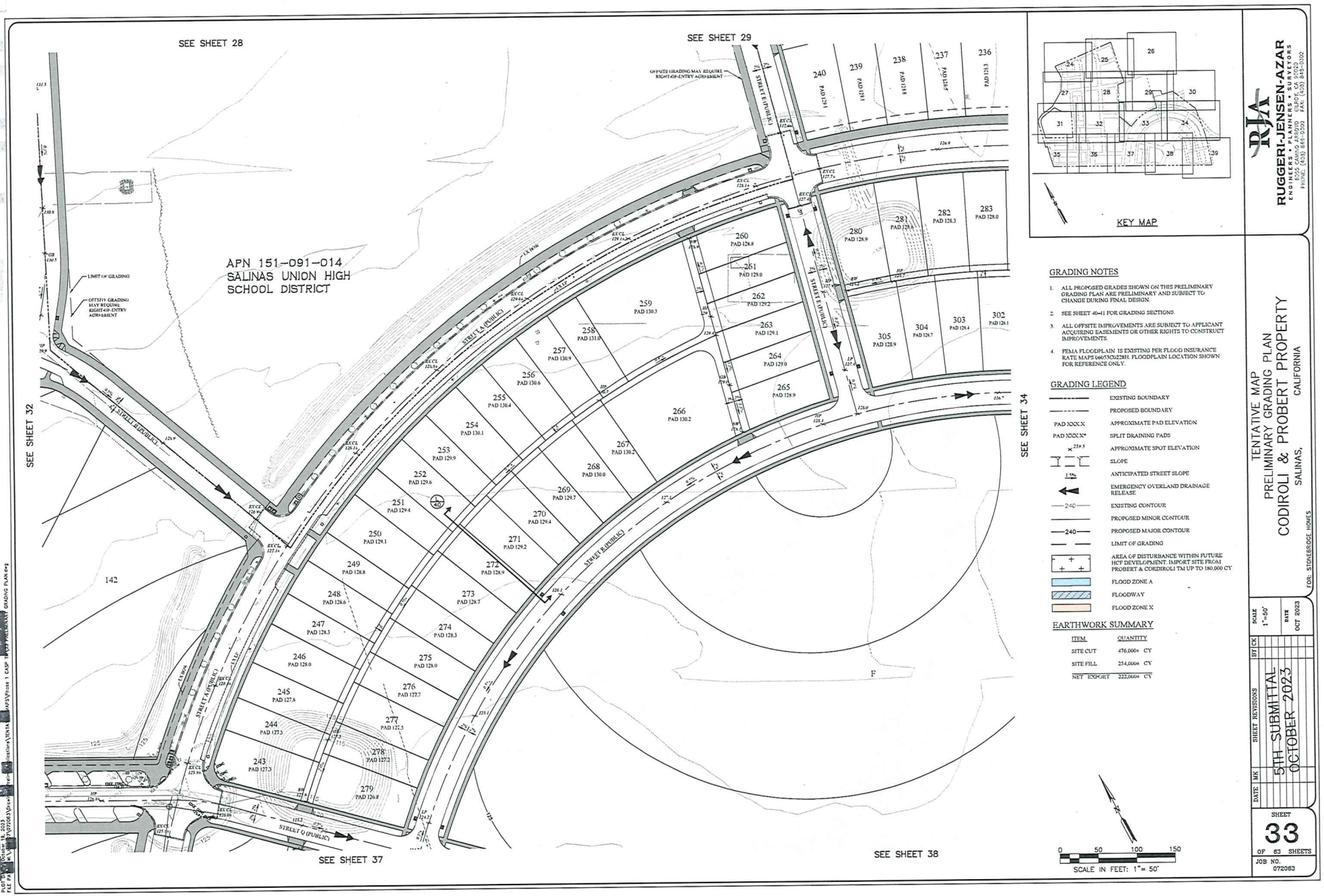
FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 32 OF 63 SHEETS
JOB NO. 072083

EXHIBIT 33



GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXX.X — APPROXIMATE PAD ELEVATION
- PAD XXX.X* — SPLIT DRAINING PADS
- 259.5 — APPROXIMATE SPOT ELEVATION
- SLOPE
- 1.5% — ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- 240 — EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- 240 — PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET IMPORT	222,000± CY

0 50 100 150
SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8255 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-5333 FAX (408) 848-5000

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

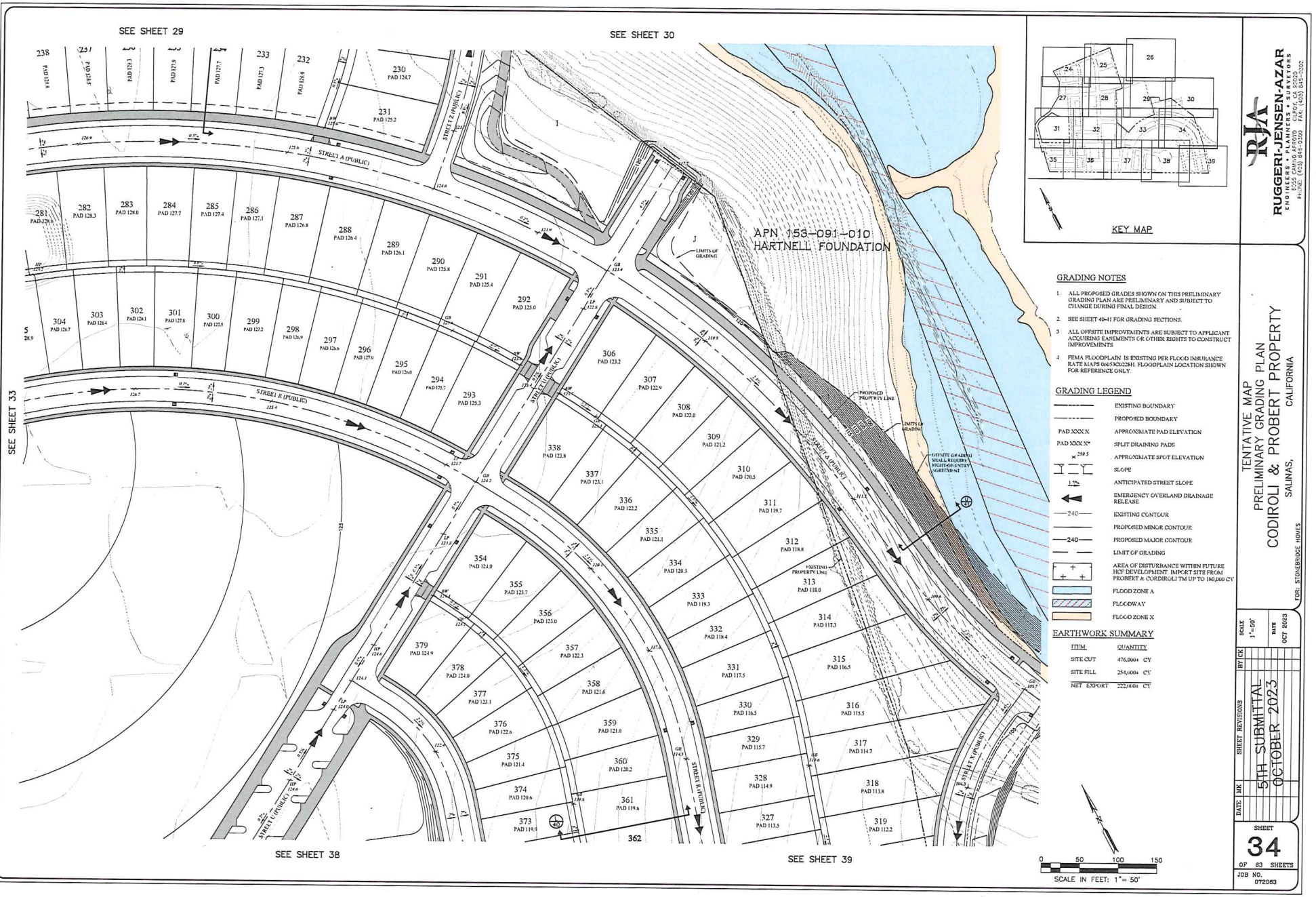
DATE	BY	CK	SHEET REVISIONS
	MK		5TH SUBMITTAL OCTOBER 2023

SCALE 1"=50'
DATE OCT 2023

SHEET 33 OF 63 SHEETS
JOB NO. 072063

Exhibit 37

PLOT BY: MK | PLOT DATE: OCT 19, 2023
FILE PATH: K:\...\072063\Civil\Exhibits\Tentative Map\Sheet 1 CASP 11x17 PRELIMINARY GRADING PLAN.dwg



KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXX.X — APPROXIMATE PAD ELEVATION
- PAD XXX.X* — SPLIT DRAINING PADS
- 259.5 — APPROXIMATE SPOT ELEVATION
- SLOPE
- 1.5% — ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- 240 — EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- 240 — PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1150 S. MAIN STREET, SUITE 120
SALINAS, CA 93901
PHONE (831) 443-7300
FAX (831) 443-7302

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

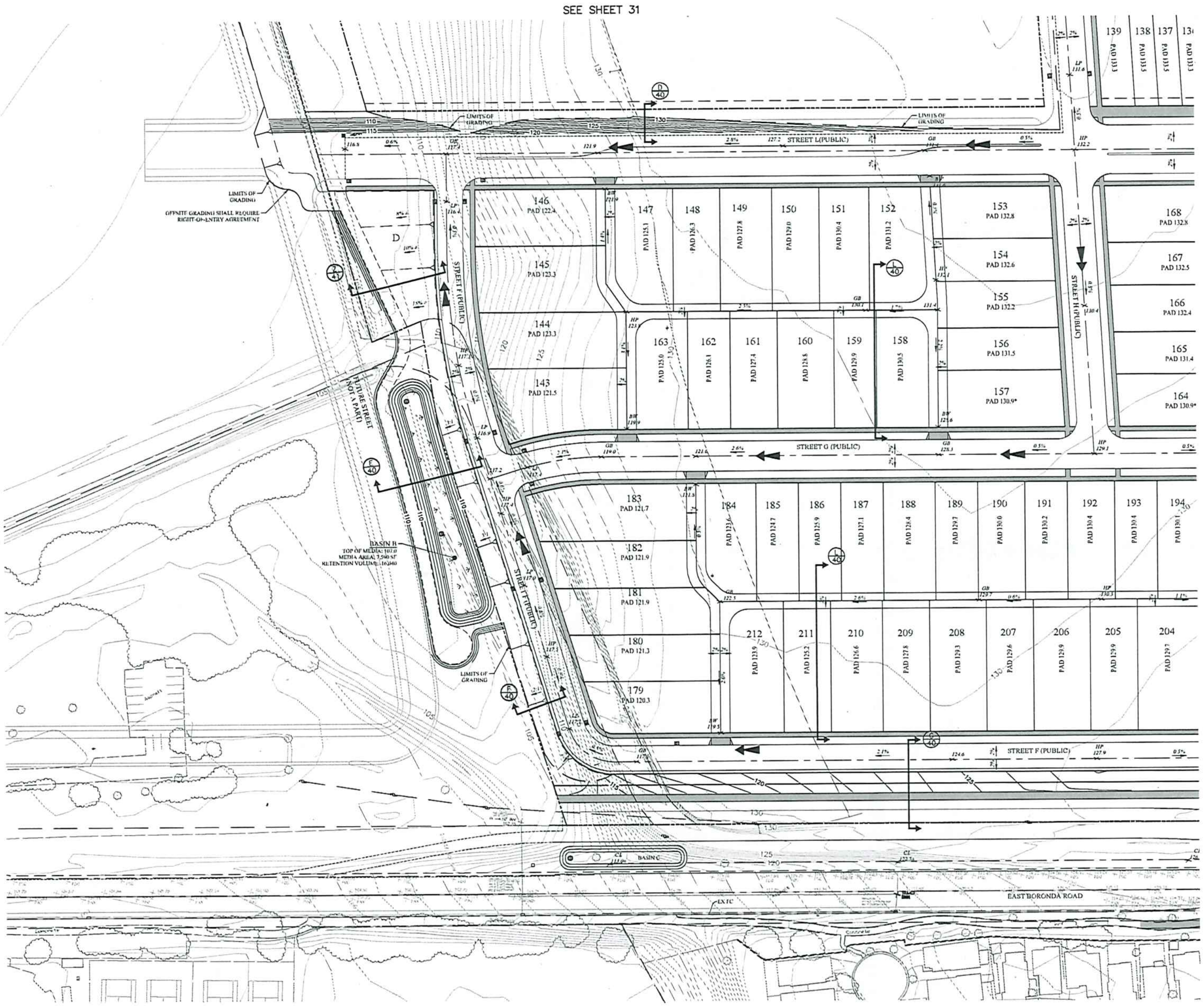
DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

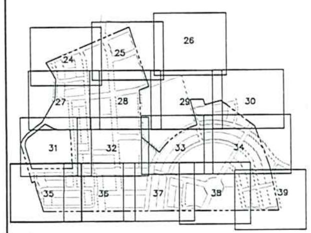
SCALE 1"=50'
DATE OCT 2023

SHEET 34 OF 63 SHEETS
JOB NO. 072063

PLOT DATE: October 19, 2023
FILE PATH: K:\Projects\072063\Docs\Entitlements\Tentative Map\Preliminary Grading Plan\072063 PRELIMINARY GRADING PLAN.dwg

Exhibit 35





KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

	EXISTING BOUNDARY
	PROPOSED BOUNDARY
PAD XXX.X	APPROXIMATE PAD ELEVATION
PAD XXX.X*	SPLIT DRAINING PADS
× 259.5	APPROXIMATE SPOT ELEVATION
	SLOPE
1.5%	ANTICIPATED STREET SLOPE
	EMERGENCY OVERLAND DRAINAGE RELEASE
—240—	EXISTING CONTOUR
	PROPOSED MINOR CONTOUR
—240—	PROPOSED MAJOR CONTOUR
	LIMIT OF GRADING
	AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
	FLOOD ZONE A
	FLOODWAY
	FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

SCALE IN FEET: 1"= 50'

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

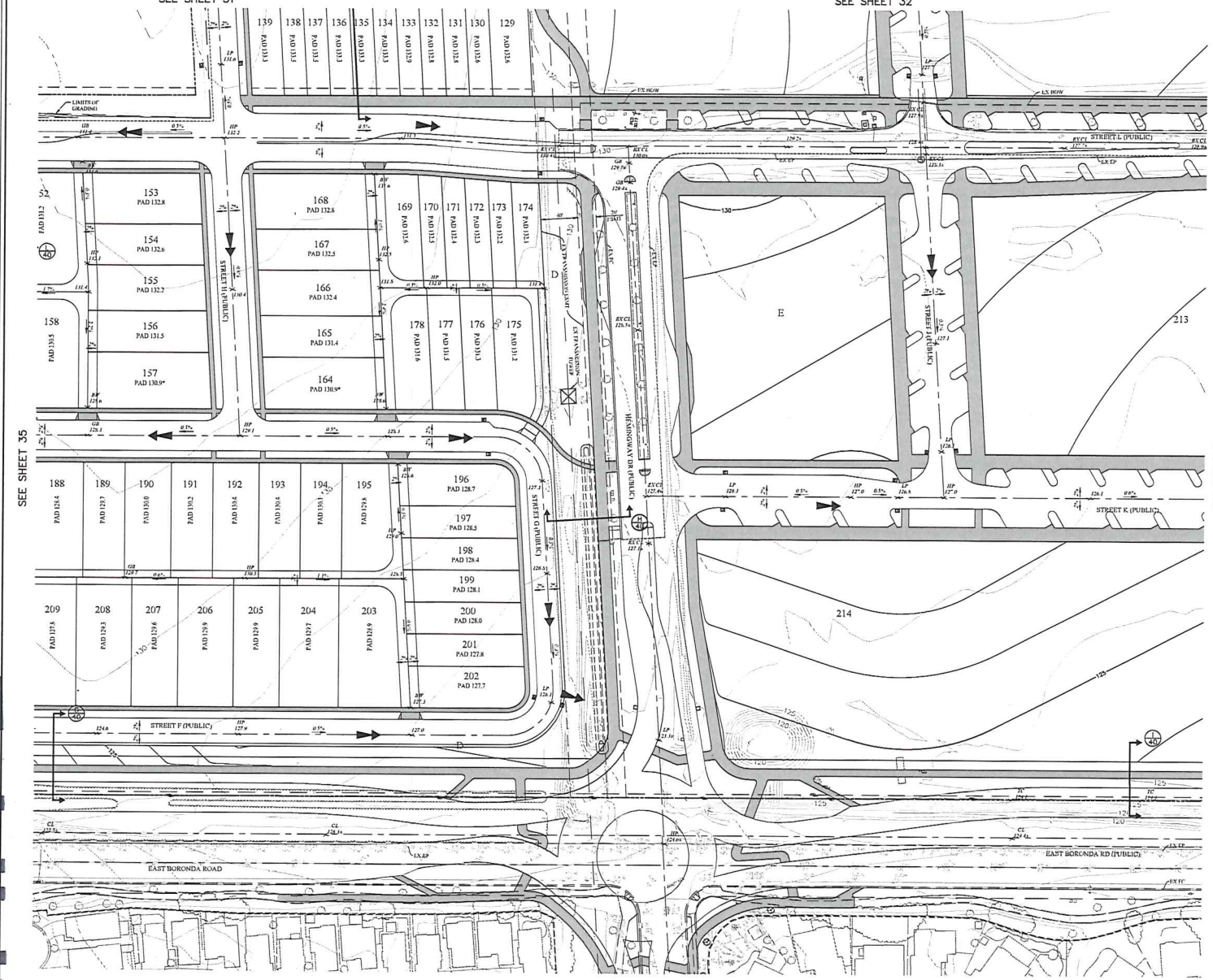
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

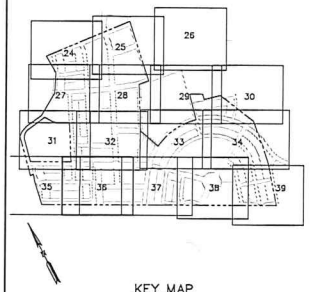
SCALE 1"=50'
DATE OCT 2023

SHEET 35 OF 63 SHEETS
JOB NO. 072063

PLOT DATE: October 19, 2023
FILE PATH: W:\Jobs 07\072063\Drawings\Prelim\Applications\TENTATIVE MAPS\Phase 1 CASP TM\35 PRELIMINARY GRADING PLAN.dwg

Exhibit 36





GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN
2. SEE SHEET 40-41 FOR GRADING SECTIONS
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXX.X — APPROXIMATE PAD ELEVATION
- PAD XXX.X* — SPLIT DRAINING PADS
- 259.5 — APPROXIMATE SPOT ELEVATION
- SLOPE
- 1.5% — ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- 240 — EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- 240 — PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CODIROLI TM UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1255 DAMON AVENUE, SEASIDE, CA 93955
PHONE (831) 899-2300 FAX (831) 899-2992

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 36 OF 63 SHEETS
JOB NO. 072083

EXHIBIT 37

PLOTTED: Friday, 20 Oct 2023 - 9:30am
FILE PATH: K:\JOBS\072083\Visual Team\Vesting TM\1A1 - PRELIMINARY GRADING PLAN.dwg

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023
SHEET 37
OF 63 SHEETS
JOB NO. 07208G

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0200 FAX: (408) 848-0102

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40+41 FOR GRADING SECTIONS
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN: IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0223H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXXX
- PAD XXXX*
- APPROXIMATE PAD ELEVATION
- SPLIT DRAINING PADS
- APPROXIMATE SPOT ELEVATION
- SLOPE
- ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCP DEVELOPMENT. IMPORT SITE FROM PROBERT & CODIROLI TM UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

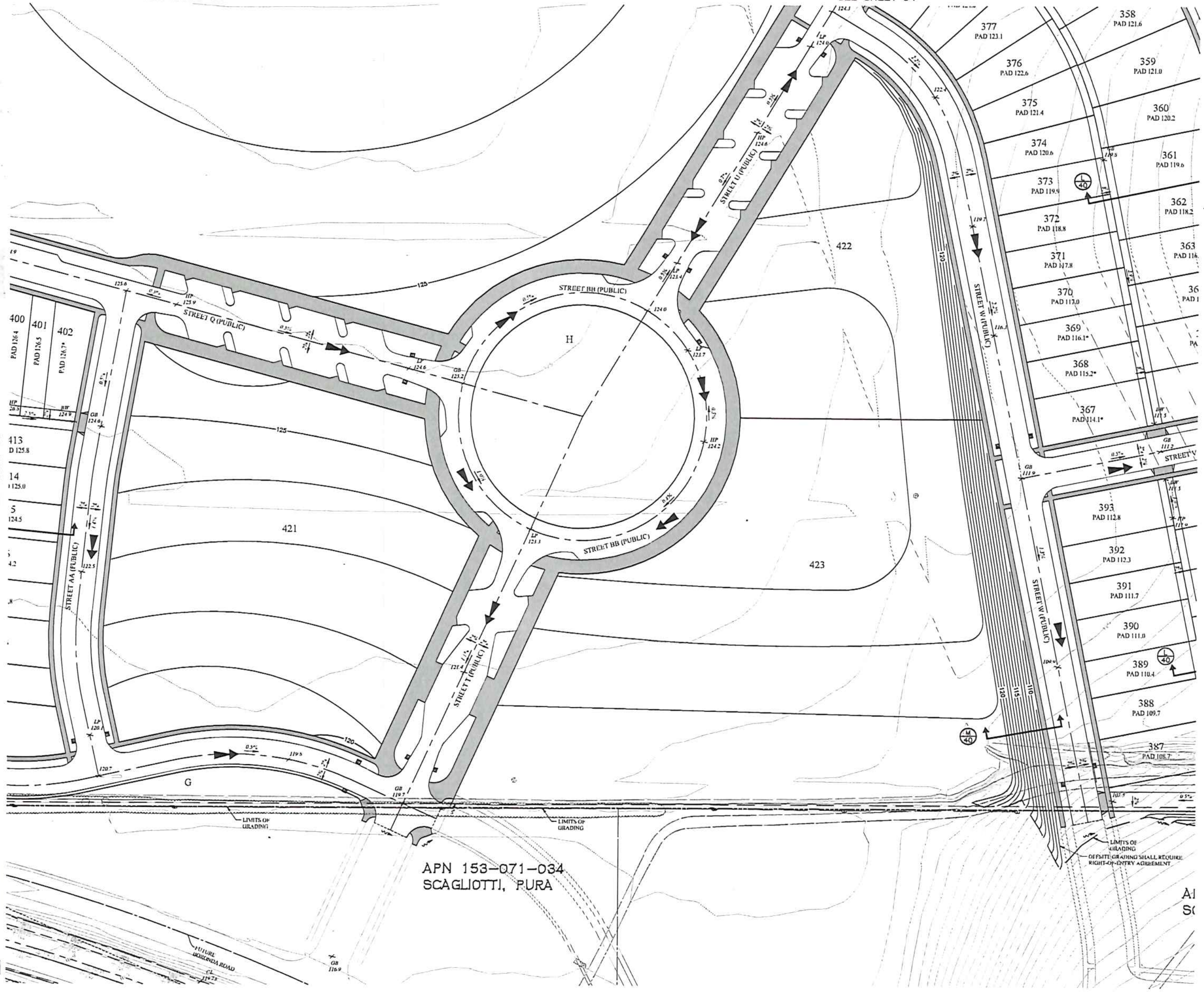
EARTHWORK SUMMARY

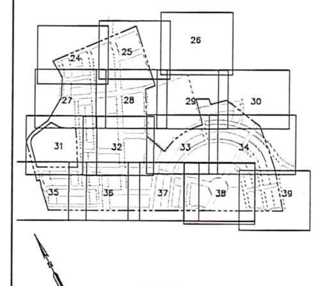
ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

SCALE IN FEET: 1" = 50'

KEY MAP

Exhibit 38





KEY MAP

GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

	EXISTING BOUNDARY
	PROPOSED BOUNDARY
PAD XXX.X	APPROXIMATE PAD ELEVATION
PAD XXX.X*	SPLIT DRAINING PADS
×259.5	APPROXIMATE SPOT ELEVATION
	SLOPE
1.5%	ANTICIPATED STREET SLOPE
	EMERGENCY OVERLAND DRAINAGE RELEASE
—240—	EXISTING CONTOUR
	PROPOSED MINOR CONTOUR
—240—	PROPOSED MAJOR CONTOUR
	LIMIT OF GRADING
	AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
	FLOOD ZONE A
	FLOODWAY
	FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

0 50 100 150
SCALE IN FEET: 1"= 50'

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

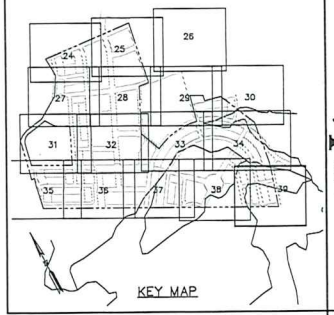
SCALE 1"=50'
DATE OCT 2023

SHEET 38 OF 63 SHEETS
JOB NO. 072063

PLOT DATE: October 18, 2023
FILE PATH: [illegible] GRADING PLAN.dwg

Exhibit 39





GRADING NOTES

1. ALL PROPOSED GRADES SHOWN ON THIS PRELIMINARY GRADING PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
2. SEE SHEET 40-41 FOR GRADING SECTIONS.
3. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
4. FEMA FLOODPLAIN IS EXISTING PER FLOOD INSURANCE RATE MAPS 06053C0228H. FLOODPLAIN LOCATION SHOWN FOR REFERENCE ONLY.

GRADING LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- PAD XXX.X — APPROXIMATE PAD ELEVATION
- PAD XXX.X* — SPLIT DRAINING PADS
- 259.5 — APPROXIMATE SPOT ELEVATION
- SLOPE
- 1.5% — ANTICIPATED STREET SLOPE
- EMERGENCY OVERLAND DRAINAGE RELEASE
- 240 — EXISTING CONTOUR
- PROPOSED MINOR CONTOUR
- 240 — PROPOSED MAJOR CONTOUR
- LIMIT OF GRADING
- AREA OF DISTURBANCE WITHIN FUTURE HCF DEVELOPMENT. IMPORT SITE FROM PROBERT & CORDIROLI TM UP TO 180,000 CY
- FLOOD ZONE A
- FLOODWAY
- FLOOD ZONE X

EARTHWORK SUMMARY

ITEM	QUANTITY
SITE CUT	476,000± CY
SITE FILL	254,000± CY
NET EXPORT	222,000± CY

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
855 CANADA AVENUE EL CERRITO, CA 94530
PHONE: (415) 845-4300 FAX: (415) 845-0302

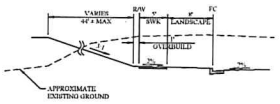
TENTATIVE MAP
PRELIMINARY GRADING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	CK	SHEET REVISIONS	SCALE	DATE
				1"=50'	OCT 2023
	MK		5TH SUBMITTAL OCTOBER 2023		

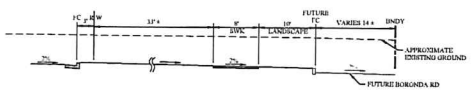
SHEET 39 OF 63 SHEETS
JOB NO. 072063

EXHIBIT 04

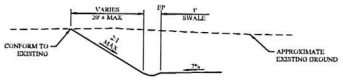
Plotted By: Mark Kaufman Last Saved By: mkaufman on May 26, 2023 1:06:39pm
X:\072063\Civil\Exhibits\Tentative Map\072063 PRELIMINARY GRADING PLAN.dwg



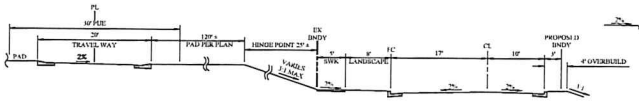
GRADING SECTION (M)
NO SCALE



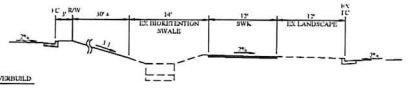
GRADING SECTION (G)
NO SCALE



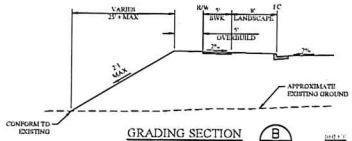
GRADING SECTION (A)
NO SCALE



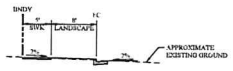
GRADING SECTION (N)
NO SCALE



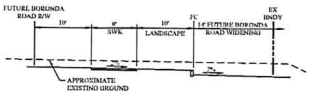
GRADING SECTION (H)
NO SCALE



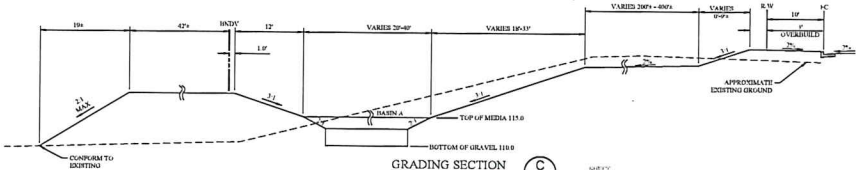
GRADING SECTION (B)
NO SCALE



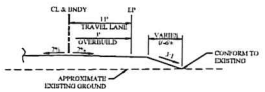
GRADING SECTION (O)
NO SCALE



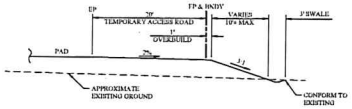
GRADING SECTION (I)
NO SCALE



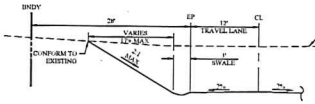
GRADING SECTION (C)
NO SCALE



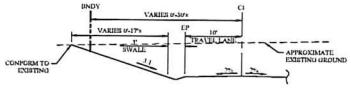
GRADING SECTION (P)
NO SCALE



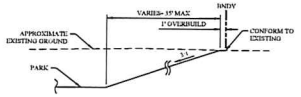
GRADING SECTION (J)
NO SCALE



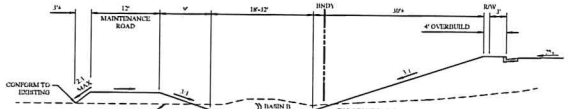
GRADING SECTION (D)
NO SCALE



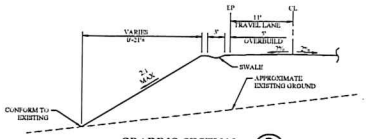
GRADING SECTION (Q)
NO SCALE



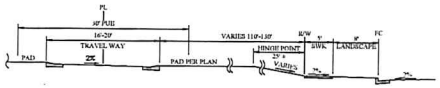
GRADING SECTION (K)
NO SCALE



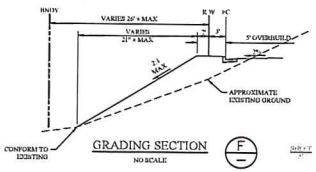
GRADING SECTION (E)
NO SCALE



GRADING SECTION (R)
NO SCALE



GRADING SECTION (L)
NO SCALE



GRADING SECTION (F)
NO SCALE

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1020 SUNSET BLVD, ADDITION EUSTON, CA 92620
PHONE (760) 843-5300 FAX (760) 843-5303

TENTATIVE MAP
GRADING SECTIONS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	CK	SHEET REVISIONS	SCALE	DATE
			5TH SUBMITTAL	NONE	OCT 2023
			OCTOBER 2023		

SHEET
40
OF 83 SHEETS
JOB NO.
072083

PLOT DATE: 10/20/2023 11:17:05 AM
FILE PATH: X:\2021\072083\Engineering\Tentative Map\TM GRADING SECTIONS.dwg

14

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

FOR: STONEBRIDGE HOMES

TENTATIVE MAP
GRADING SECTIONS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

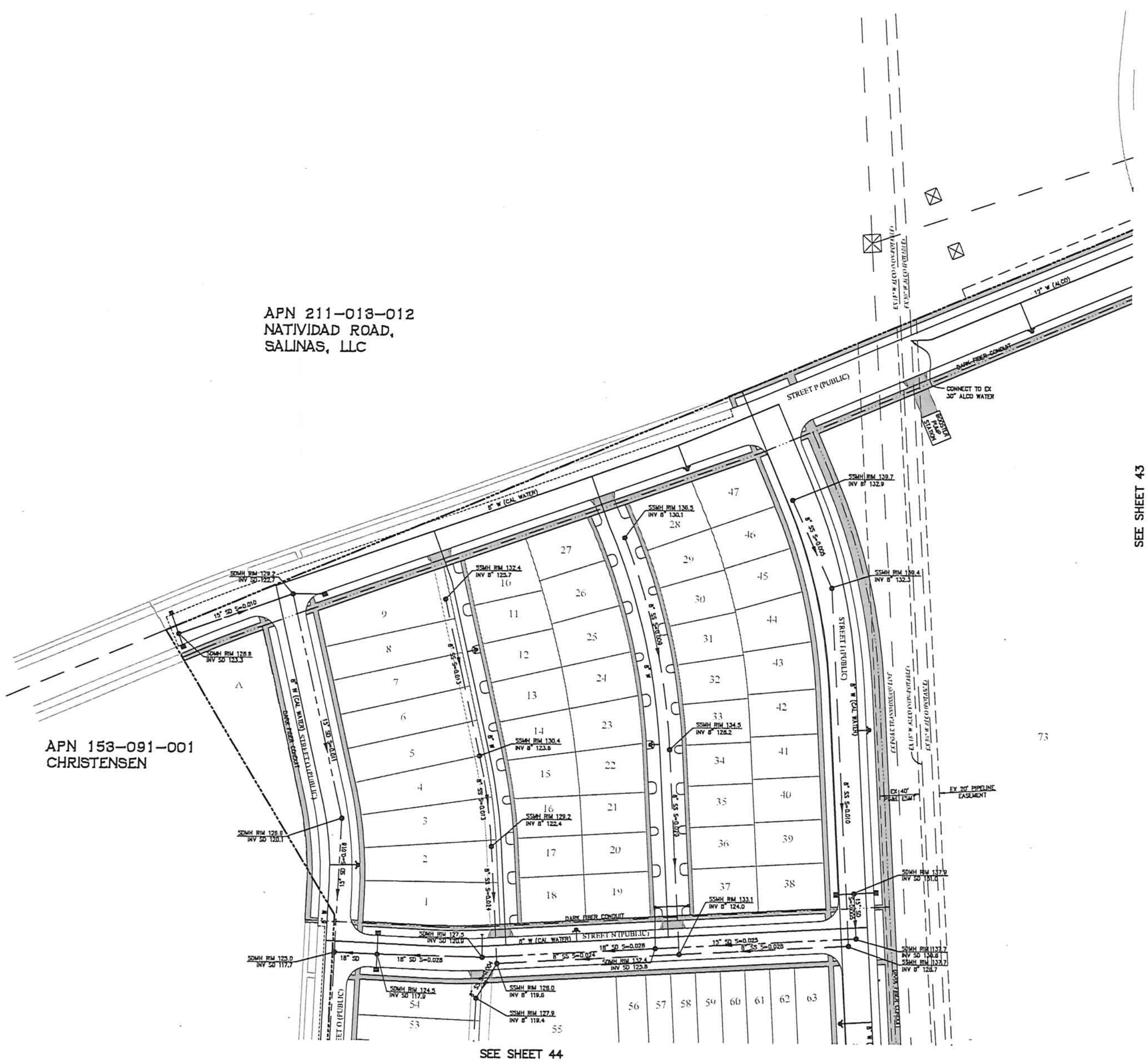
DATE	BY	CK
OCT 2023		

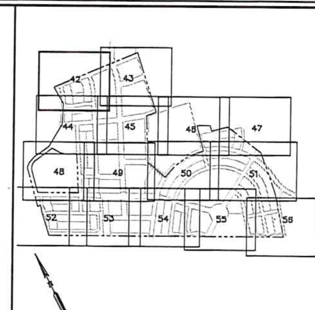
SCALE

DATE	MK	SHEET REVISIONS
		5TH SUBMITTAL OCTOBER 2023

SHEET 41 OF 83 SHEETS
JOB NO. 0702453

Exhibit 42





UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE AND N-12 PER CITY OF SALINAS STANDARDS.

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
— - - —	BOUNDARY	— - - —
- - - -	EDGE OF PAVEMENT	- - - -
— - - —	STORM DRAIN	— - - —
—— ——	SANITARY SEWER	—— ——
— — —	SANITARY SEWER FORCE MAIN	
———	WATER	—— ——
— · · · —	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
⊔	OUTFALL	
▲	FIRE HYDRANT	△
⌘	ELECTROLIER	⌘
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

0 50 100 150
SCALE IN FEET: 1"= 50'

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

SCALE 1"=50'
DATE OCT 2023

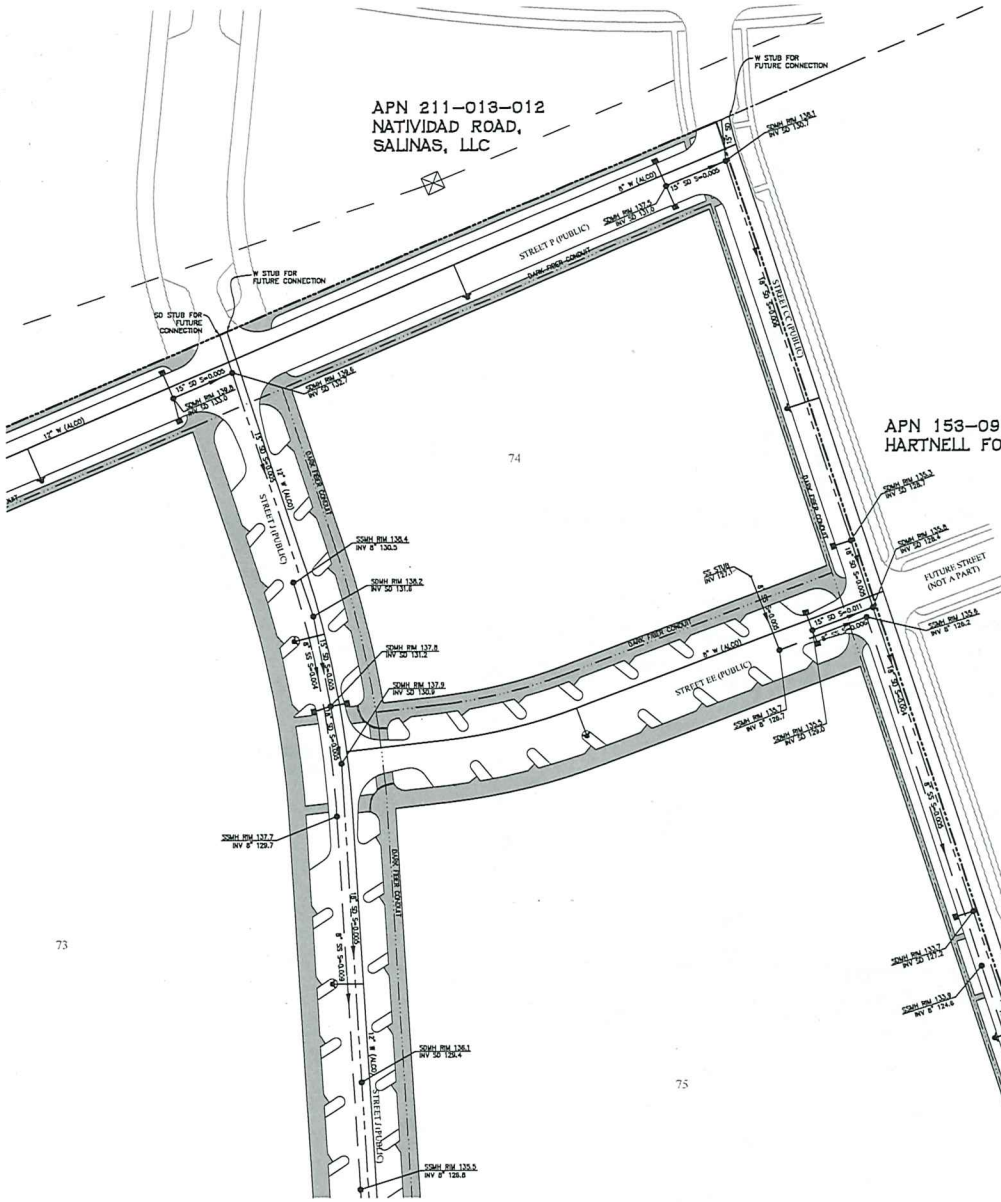
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

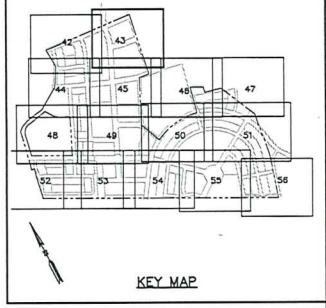
SHEET 42 OF 83 SHEETS
JOB NO. 072083

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

PLOT DATE: October 18, 2023
FILE PATH: ...\Jobs\07\072083\...\TENTATIVE MAPS\...\41 PRELIMINARY UTILITIES PLAN.dwg

Exhibit 43





KEY MAP

UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS.

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
———	BOUNDARY	———
- - - -	EDGE OF PAVEMENT	- - - -
- - - -	STORM DRAIN	- - - -
—— ——	SANITARY SEWER	—— ——
— — —	SANITARY SEWER FORCE MAIN	
———	WATER	—— ——
——·——	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
▲	FIRE HYDRANT	▷
✖	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

0 50 100 150
SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
835 E. Alisal Street, Salinas, CA 93905
Phone: (831) 424-1060 FAX: (831) 424-1669

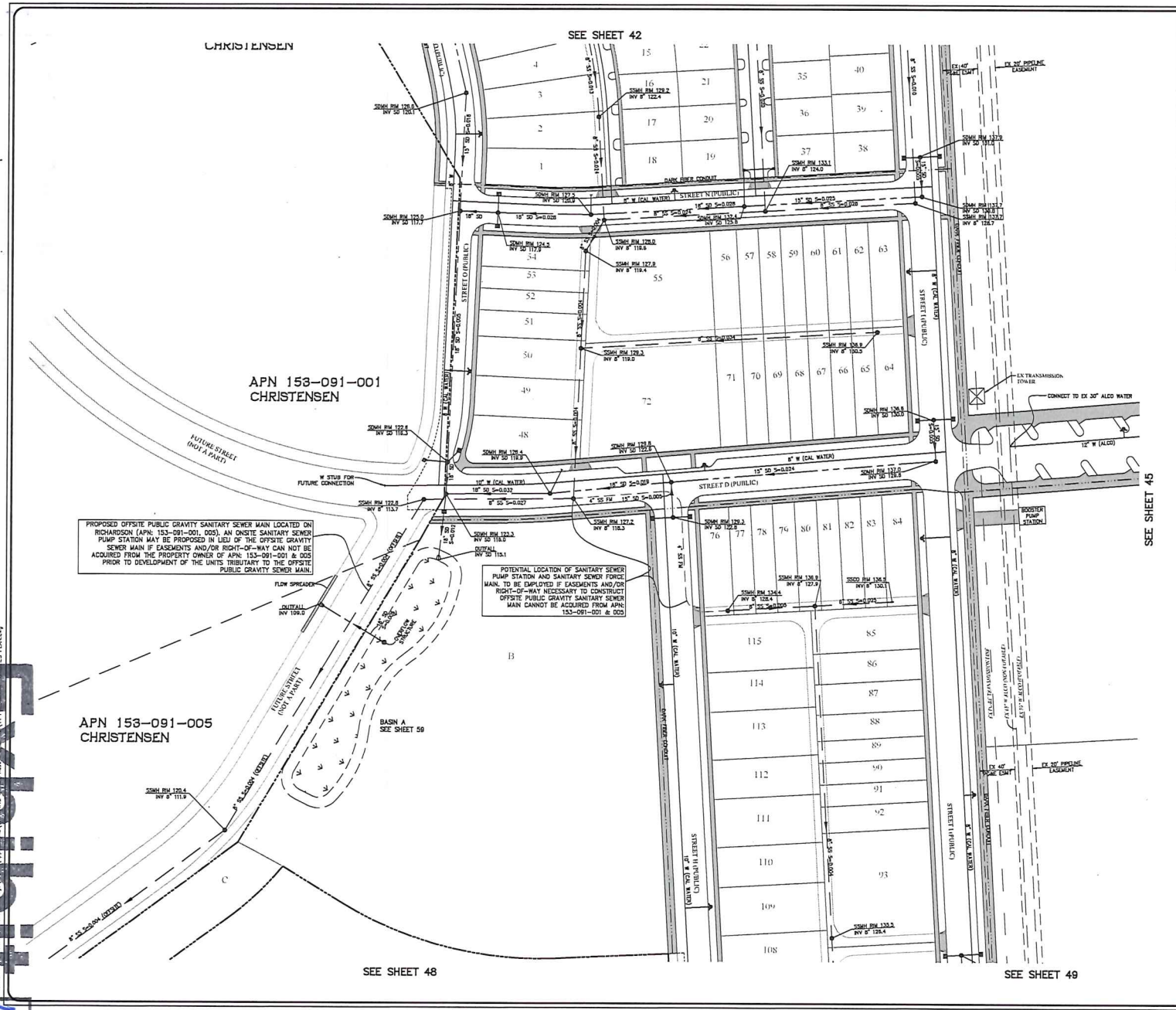
TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

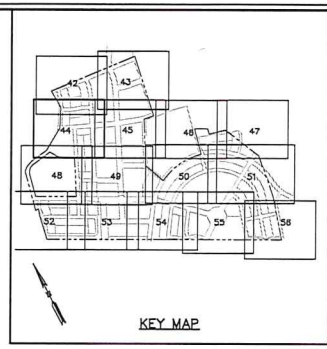
DATE	BY	CK
SHEET REVISIONS		
5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 43 OF 63 SHEETS
JOB NO. 072083

PLOT DATE: October 31, 2023
PLOT TIME: 8:58am
LAST XREF SAVE: 10/31/2023 8:58am
LOGIN NAME: ...
DWG NAME: ...





UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED	EXISTING
BOUNDARY	
EDGE OF PAVEMENT	
STORM DRAIN	
SANITARY SEWER	
SANITARY SEWER FORCE MAIN	
WATER	
DARK FIBER CONDUIT	
MANHOLE	
INLET	
OUTFALL	
FIRE HYDRANT	
ELECTROLIER	

HCF	HARTNELL COLLEGE FOUNDATION
SD	STORM DRAIN
SDMH	STORM DRAIN MANHOLE
SS	SANITARY SEWER
SSFM	SANITARY SEWER FORCE MAIN
SSMH	SANITARY SEWER MANHOLE
S	SLOPE
INV	INVERT ELEVATION
W	WATER

SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8205 DAVID ARROYO GILROY, CA 95020
PHONE (408) 848-4099 FAX (408) 848-4002

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

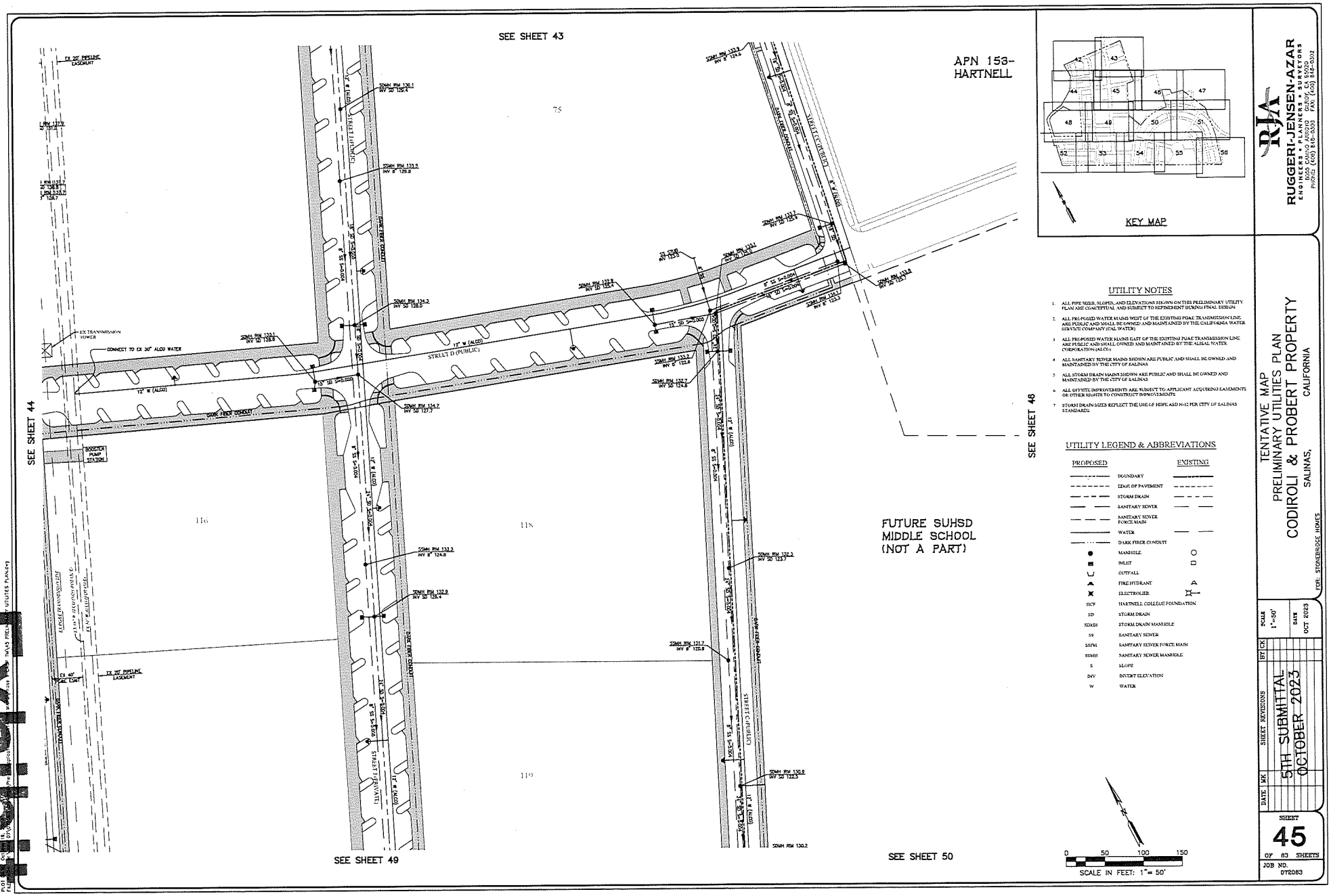
CDR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 44 OF 83 SHEETS
JOB NO. 072083

EXHIBIT
5th



RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
ROSEVILLE, CALIFORNIA 95678
PHONE (916) 848-0300 FAX: (916) 848-0302

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

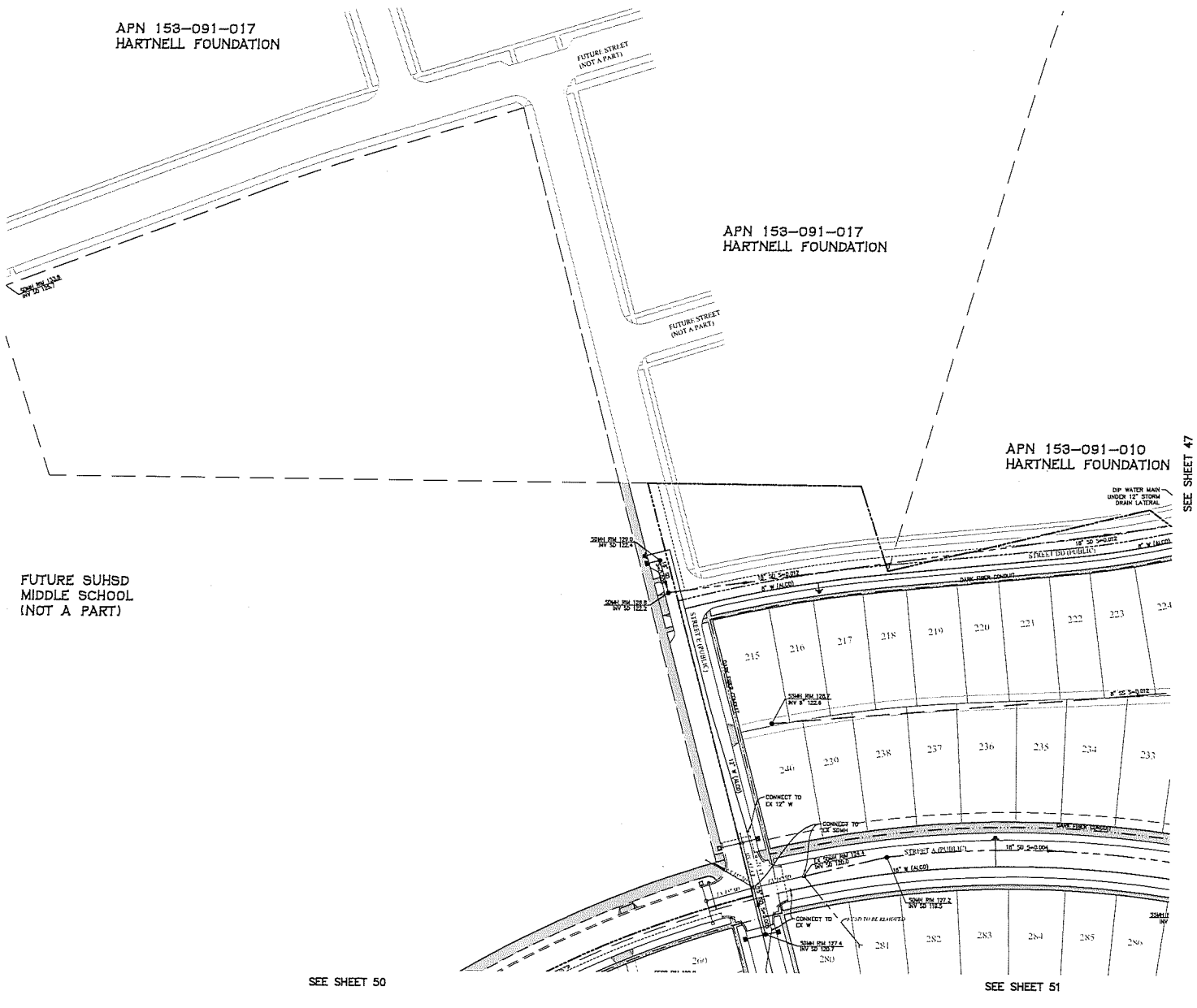
PREP. STONEBRIDGE HOMES

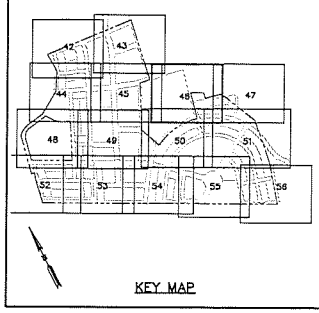
DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 45 OF 83 SHEETS
JOB NO. DT2083

P:\DT2083 CODIROLI PROBERT\PLANS\UTILITIES PLAN.dwg





KEY MAP

UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD M-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
⊔	OUTFALL	
▲	FIRE HYDRANT	▲
✕	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

0 50 100 150
SCALE IN FEET: 1" = 50'

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1020 CLEVELAND AVENUE SUITE C, CO 80520
PHONE (970) 482-2000 FAX (970) 482-3083

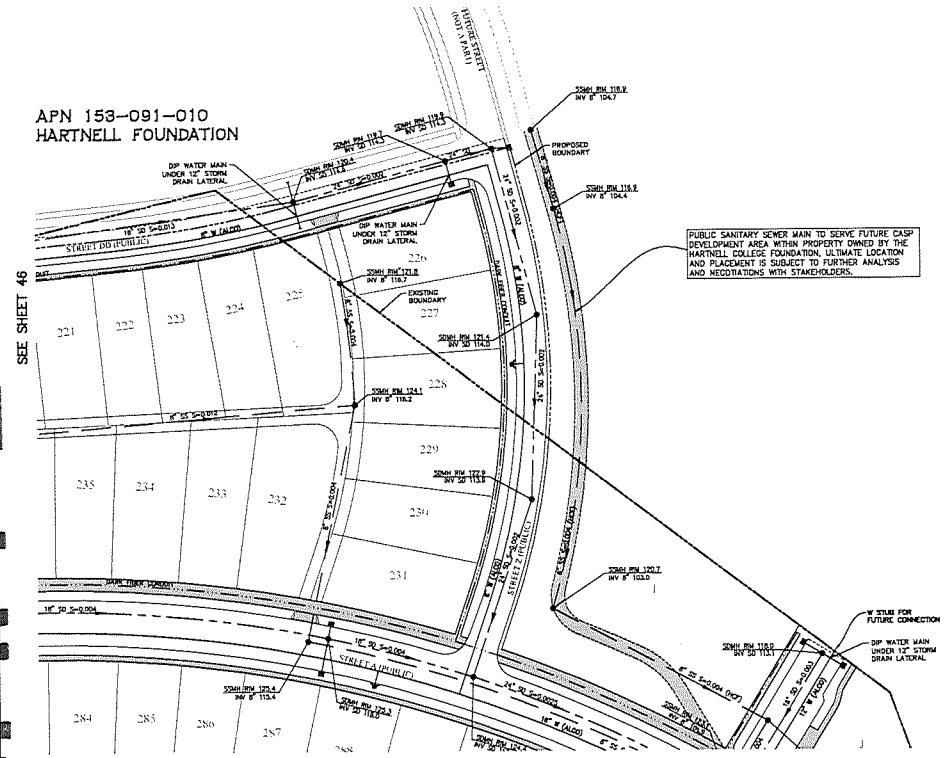
TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONERIDGE HOMES

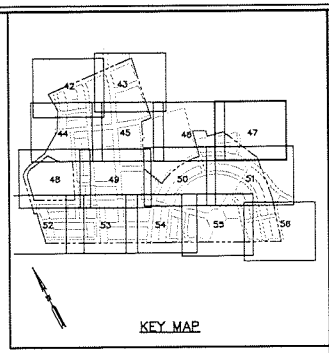
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE: 1"=50'
DATE: OCT 2023

SHEET 46 OF 83 SHEETS
JOB NO. 072083

EXHIBIT





KEY MAP

UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALICO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
▲	FIRE HYDRANT	△
✖	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

0 50 100 150
SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERING & PLANNING CONSULTANTS
1 BLOSSOM ROAD, SUITE A, SALINAS, CA 93901
PHONE (408) 848-5333 FAX: (408) 848-5302

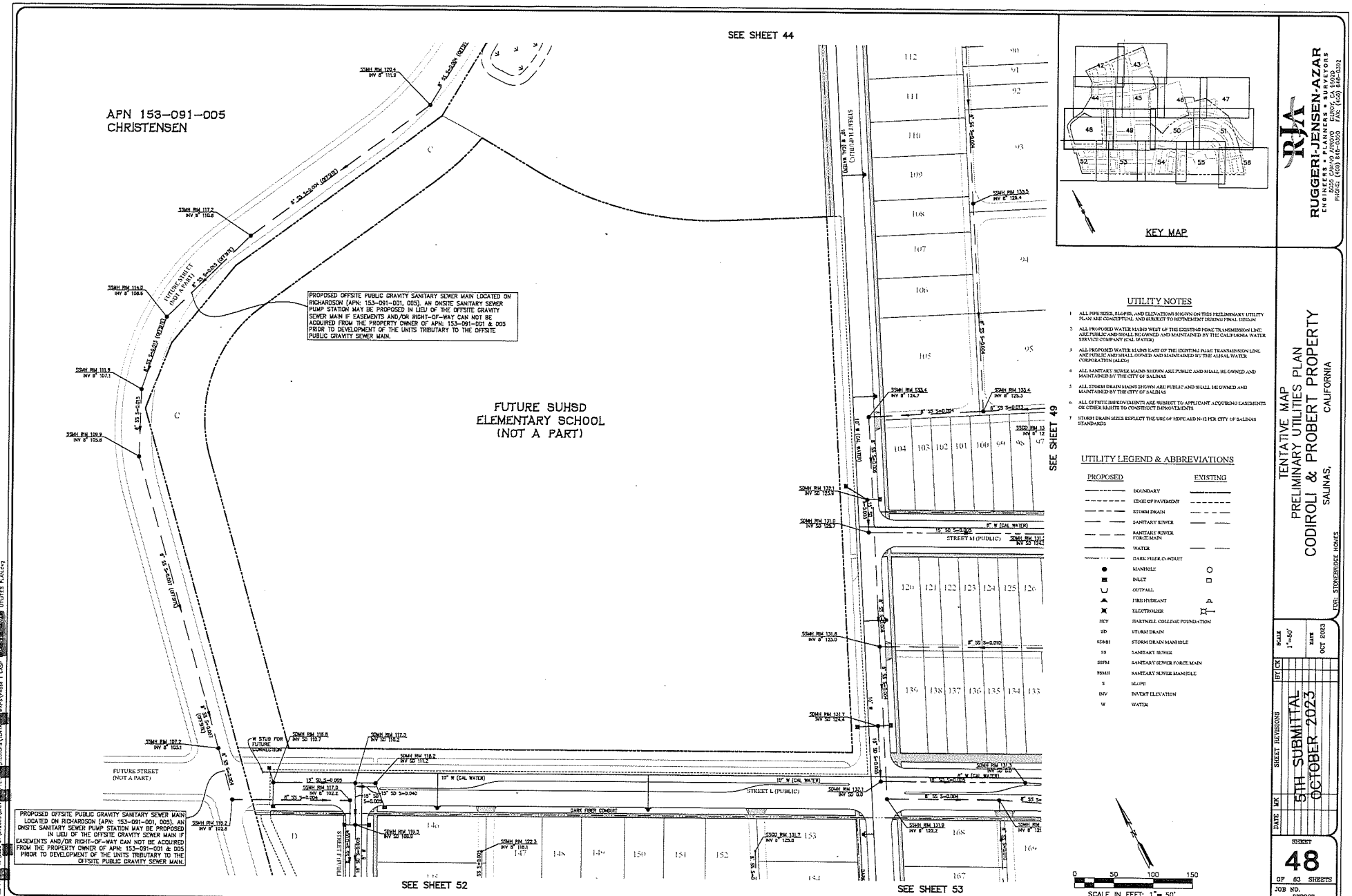
TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

PREP. STONEBRIDGE HOMES

DATE	BY	CK	SHEET REVISIONS	SCALE	DATE
	MK		5TH SUBMITTAL OCTOBER 2023	1"=50'	OCT 2023

SHEET 47 OF 83 SHEETS
JOB NO. 072083

EXHIBIT
94



UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALICO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
▲	FIRE HYDRANT	
✖	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
PHONE (831) 633-2300 FAX (831) 633-3303

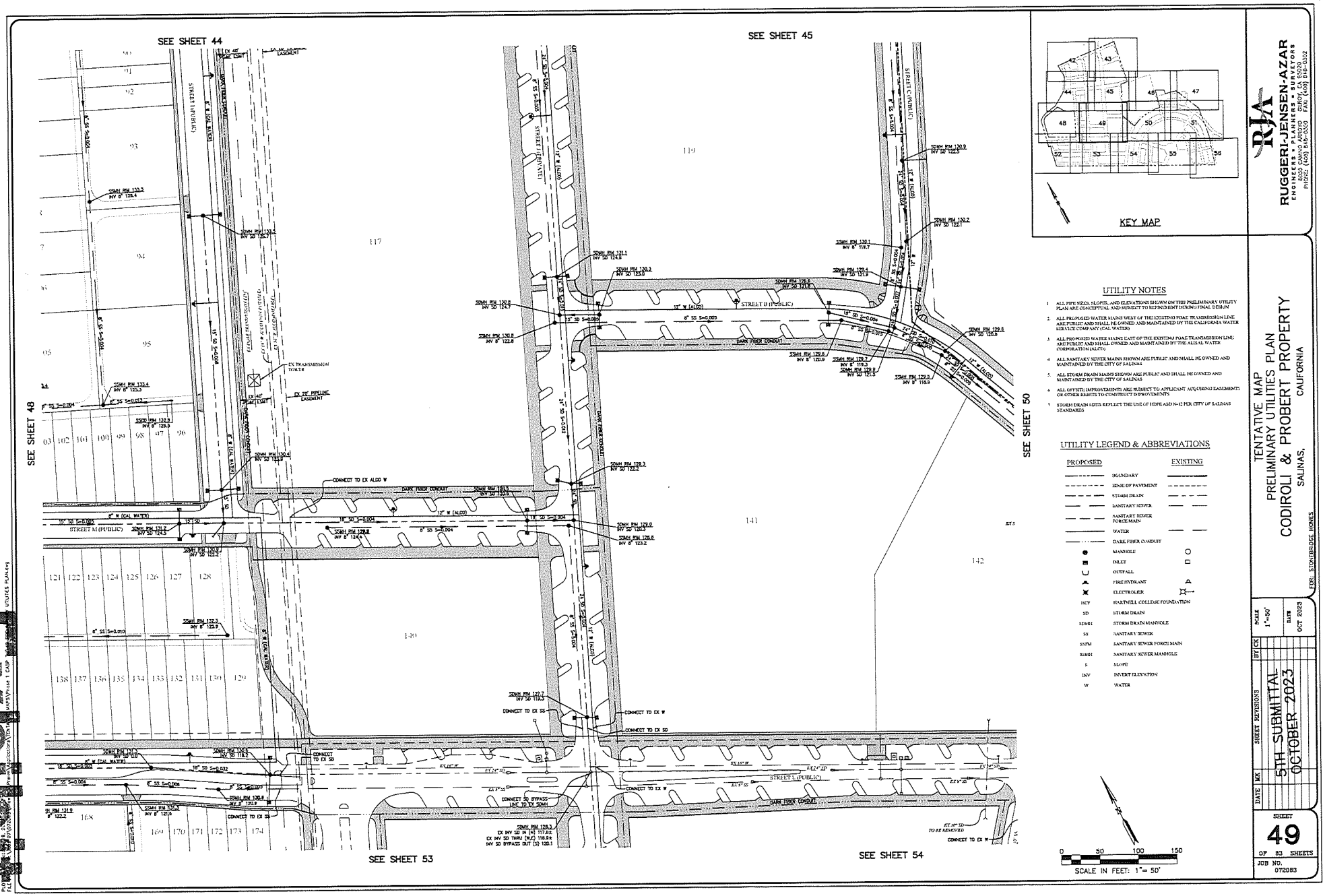
TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	BY	CK	SHEET REVISIONS
			5TH SUBMITTAL
			OCTOBER 2023

SCALE: 1"=50'
DATE: OCT 2023

SHEET 48 OF 63 SHEETS
JOB NO. 072083



UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
▲	FIRE HYDRANT	△
✖	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
(408) 615-3030 FAX: (408) 615-3032

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

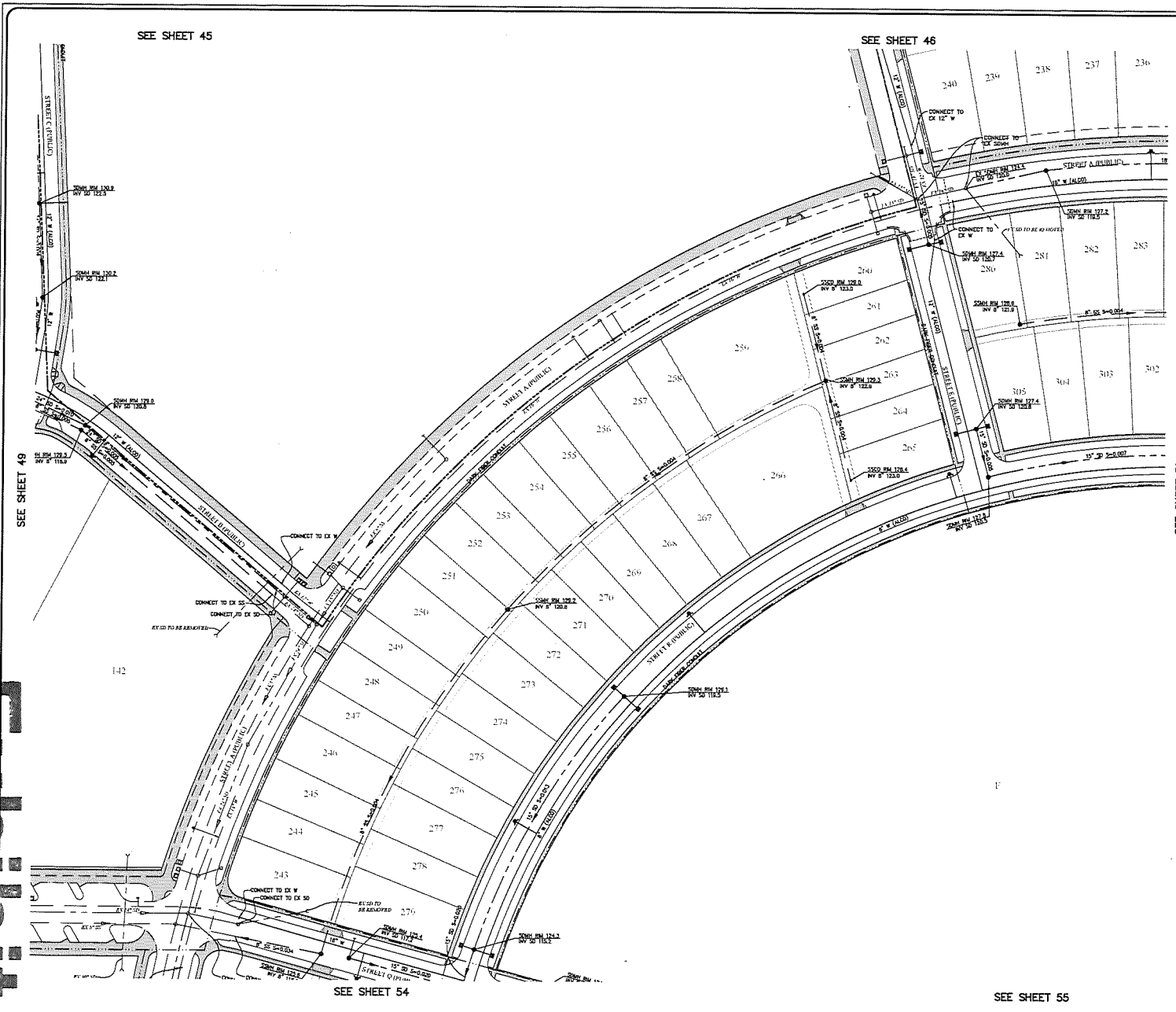
CDR: STONEBRIDGE HOMES

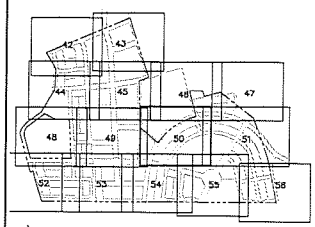
DATE	BY	CK	SHEET REVISIONS
			5TH SUBMITTAL
			OCTOBER 2023

SCALE: 1"=50'
DATE: OCT 2023

SHEET 49 OF 83 SHEETS
JOB NO. 072083

10UXE
PLOTTED: 10/10/2023 11:04:47 AM BY: JAMES PLANCARTE
FILE NAME: P:\072083 CODIROLI PROBERT\CIVIL\UTILITIES PLAN\072083 UTILITIES PLAN.dwg
XREF: 072083 1 CAP BASE.dwg





UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
	FIRE HYDRANT	
	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

0 50 100 150

SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8205 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 847-0380 FAX (408) 847-0382

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

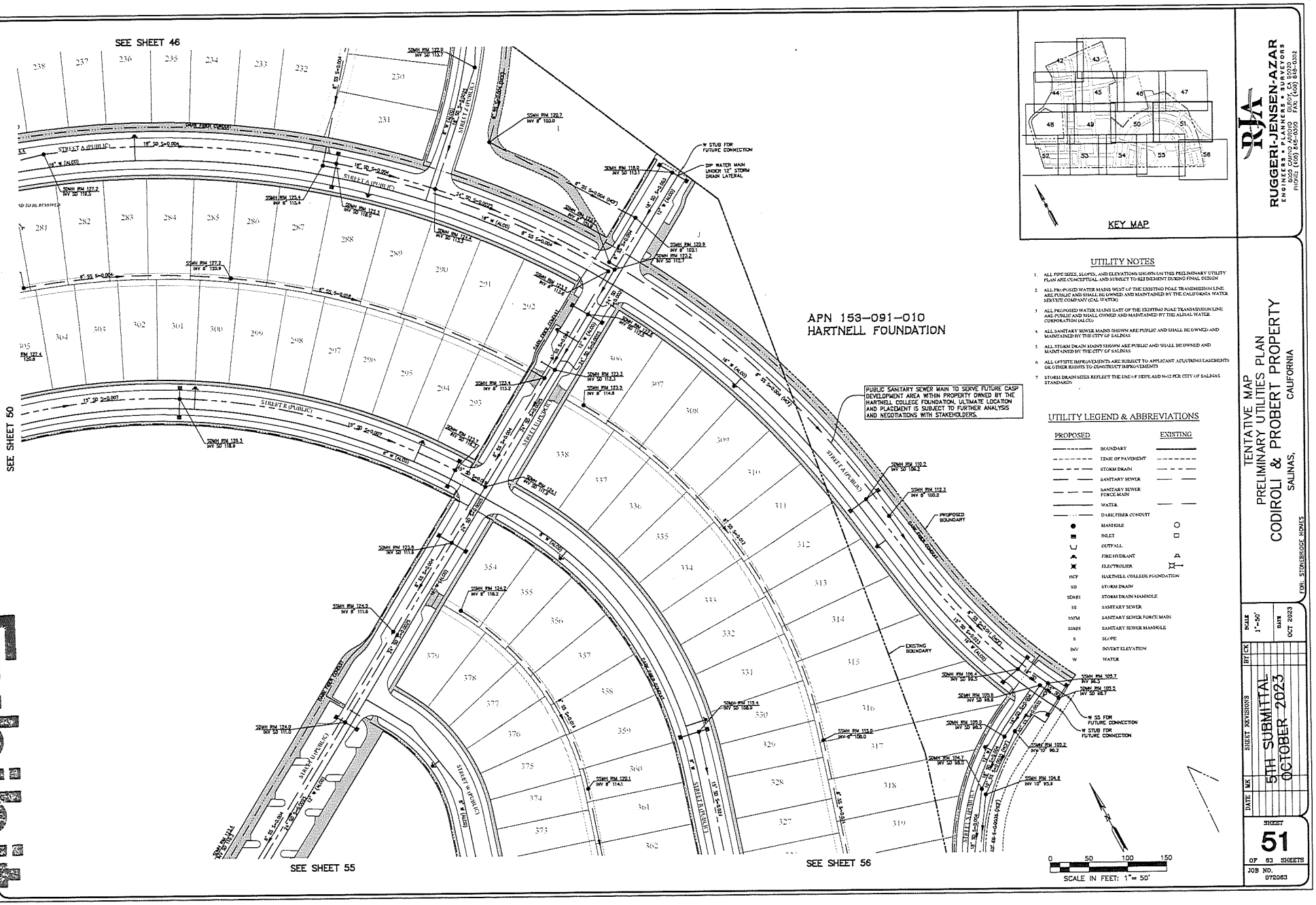
SCALE: 1"=50'
DATE: OCT 2023

SHEET 50 OF 83 SHEETS

JOB NO. 072083

EXHIBIT 15

LAST DATE MODIFIED: 10/31/2023 11:11:23 AM
FILE PATH: C:\Users\mkaufman\Documents\072083 PRELIMINARY UTILITIES PLAN.dwg



RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8355 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-4000 FAX (408) 848-0352

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
DEVELOPER: STONEBRIDGE HOMES

BY	CK	SCALE
		1"=50'

DATE	BY	SHEET REVISIONS
		5TH SUBMITTAL OCTOBER 2023

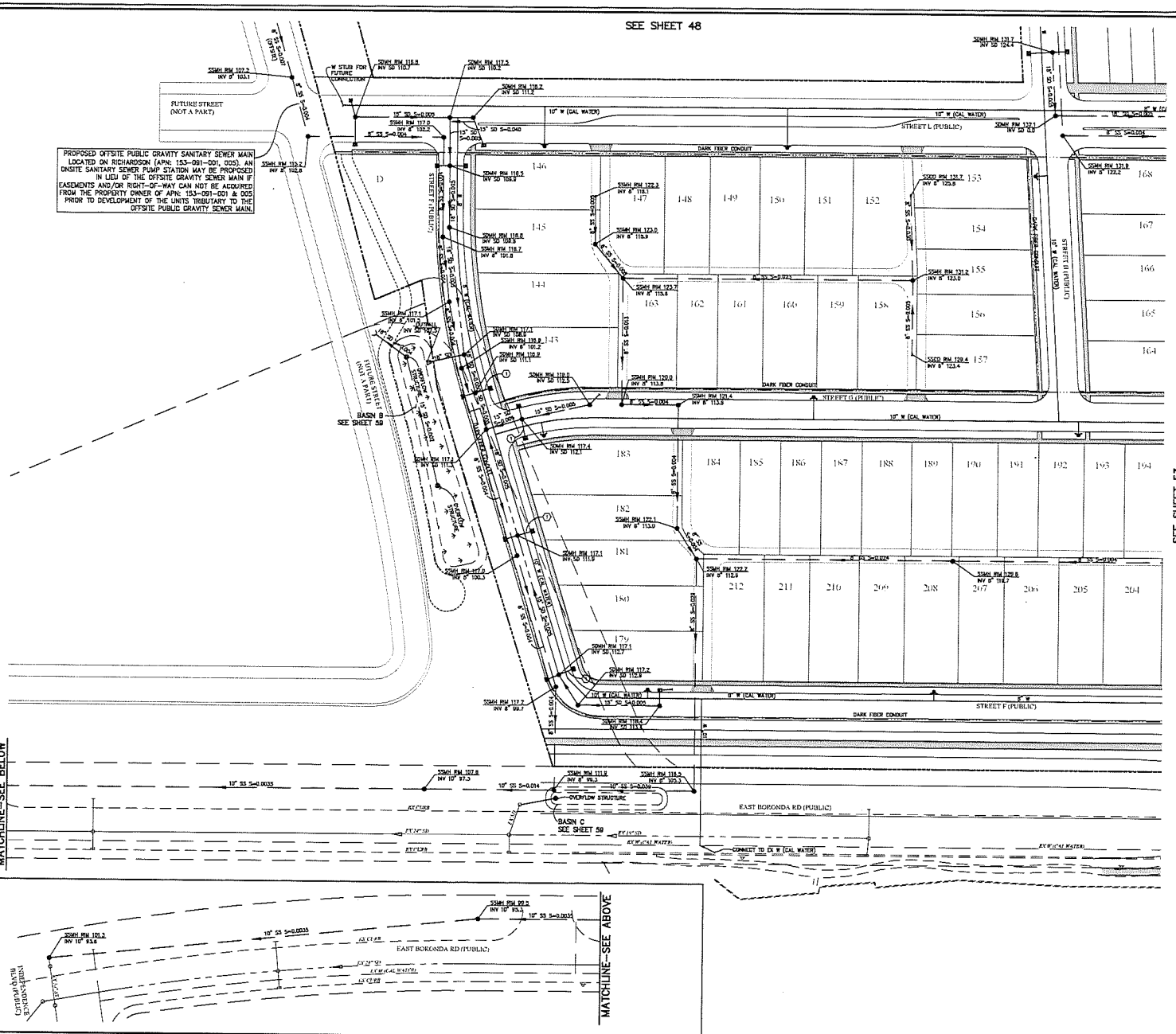
DATE OCT 2023

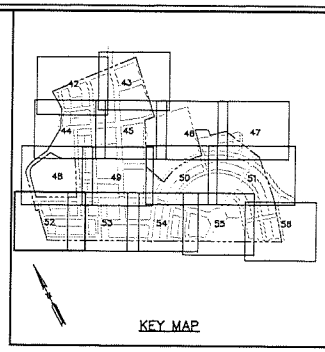
SHEET 51 OF 83 SHEETS

JOB NO. 072083

EXHIBIT

62





UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
	FIRE HYDRANT	
	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

GENERAL NOTES:

1. WATER TO DIP UNDER STORM DRAIN WHERE NECESSARY, WITH 1' VERTICAL CLEARANCE AND NO JOINTS WITHIN 10'OF CROSSING

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
PHONE (408) 848-5300 FAX (408) 848-5302

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

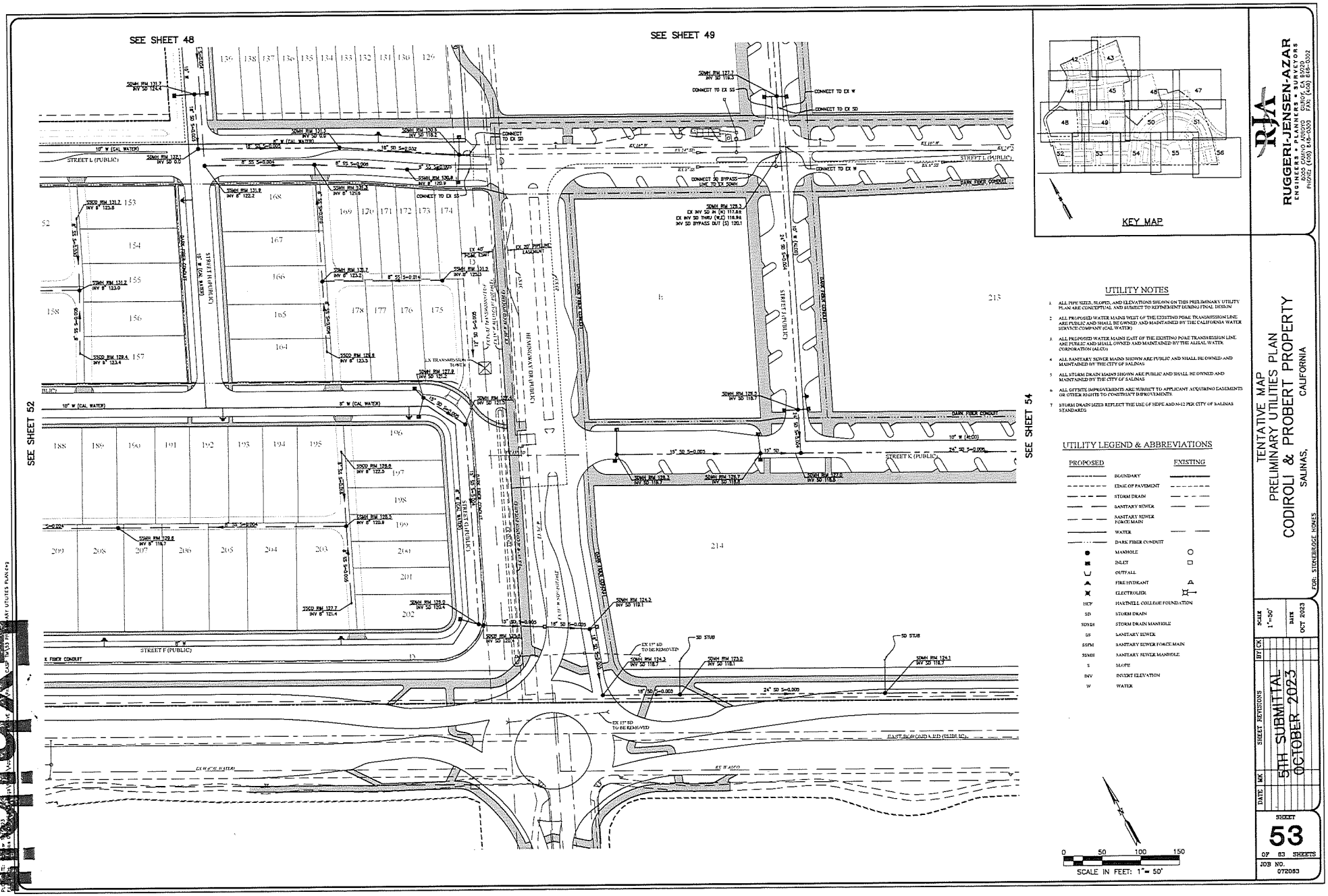
DATE	BY	SHEET REVISIONS	BY (CK)
MK		5TH SUBMITTAL OCTOBER 2023	

SCALE 1"=50'
DATE OCT 2023

SHEET 52 OF 63 SHEETS
JOB NO. 072083

PLOTTED: October 19, 2023 @ 11:08am BY: MARK KOLSTAD
FILE PATH: K:\Projects\072083\Drawings\Tentative Map\Phase 1 CASP UTILITIES PLAN.dwg

EXHIBIT 53



UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN.
2. ALL PROPOSED WATER ALONG WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS.
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD M-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED	EXISTING
BOUNDARY	
EDGE OF PAVEMENT	
STORM DRAIN	
SANITARY SEWER	
SANITARY SEWER FORCE MAIN	
WATER	
DARK FIBER CONDUIT	
MANHOLE	
INLET	
OUTFALL	
FIRE HYDRANT	
ELECTROLIER	

HCF	HARTNELL COLLEGE FOUNDATION
SD	STORM DRAIN
SDMH	STORM DRAIN MANHOLE
SS	SANITARY SEWER
SSFM	SANITARY SEWER FORCE MAIN
SSMH	SANITARY SEWER MANHOLE
S	SLOPE
INV	INVERT ELEVATION
W	WATER

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERING • PLANNING • SURVEYING
8355 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-3300 FAX (408) 848-3302

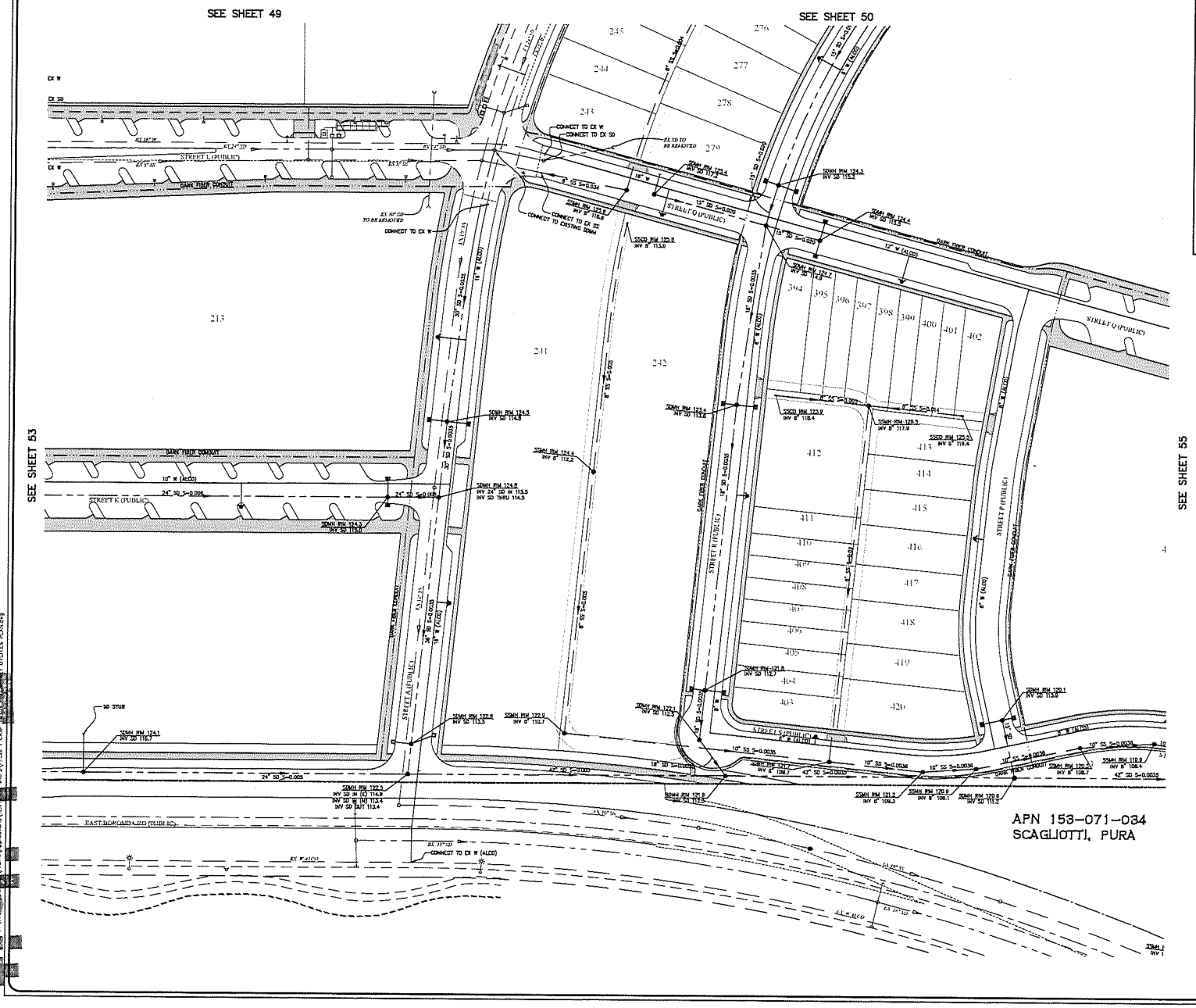
TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

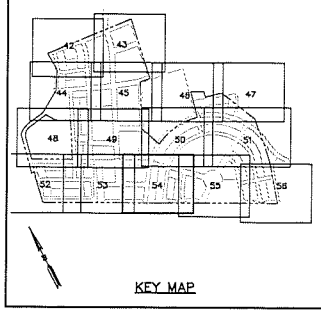
DATE	BY	SHEET REVISIONS	BY CK
		5TH SUBMITTAL OCTOBER 2023	

SCALE: 1"=50'
DATE: OCT 2023

SHEET 53 OF 83 SHEETS
JOB NO. 072083

EXHIBIT





UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE AND N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED	EXISTING
BOUNDARY	
EDGE OF PAVEMENT	
STORM DRAIN	
SANITARY SEWER	
SANITARY SEWER FORCE MAIN	
WATER	
DARK FIBER CONDUIT	
MANHOLE	
INLET	
OUTFALL	
FIRE HYDRANT	
ELECTROLIER	

HCY	HARTNELL COLLEGE FOUNDATION
SD	STORM DRAIN
SDMH	STORM DRAIN MANHOLE
SS	SANITARY SEWER
SSFM	SANITARY SEWER FORCE MAIN
SSMH	SANITARY SEWER MANHOLE
S	SLOPE
INV	INVERT ELEVATION
W	WATER

SCALE IN FEET: 1" = 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
PHONE: (408) 848-0300 FAX: (408) 848-0302

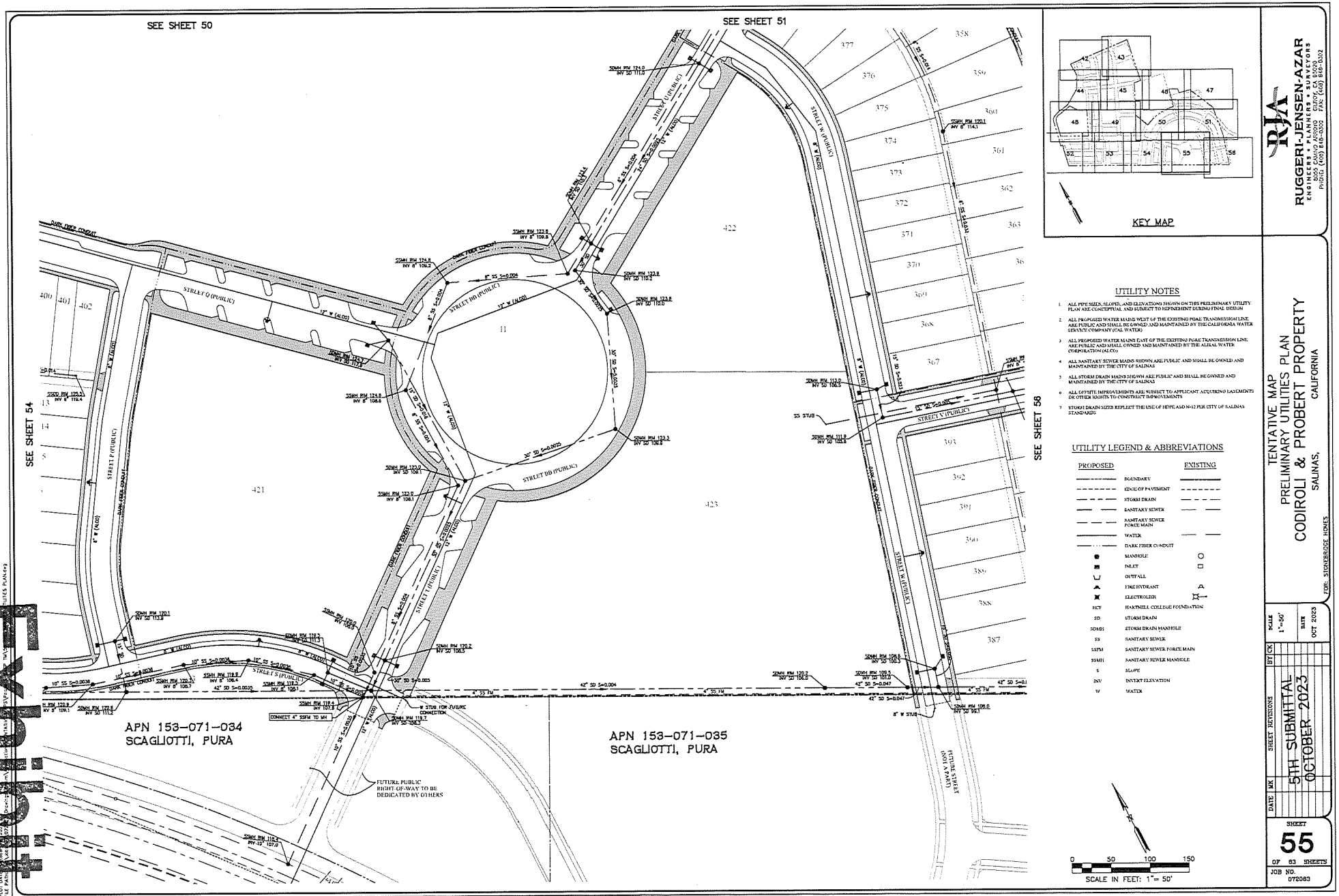
TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE: 1"=50'
DATE: OCT 2023

SHEET 54 OF 83 SHEETS
JOB NO. 072063

EXHIBIT 57



UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE ASD N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
▲	FIRE HYDRANT	▲
✖	ELECTROLIER	✖
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8005 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 847-4380 FAX (408) 847-0302

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

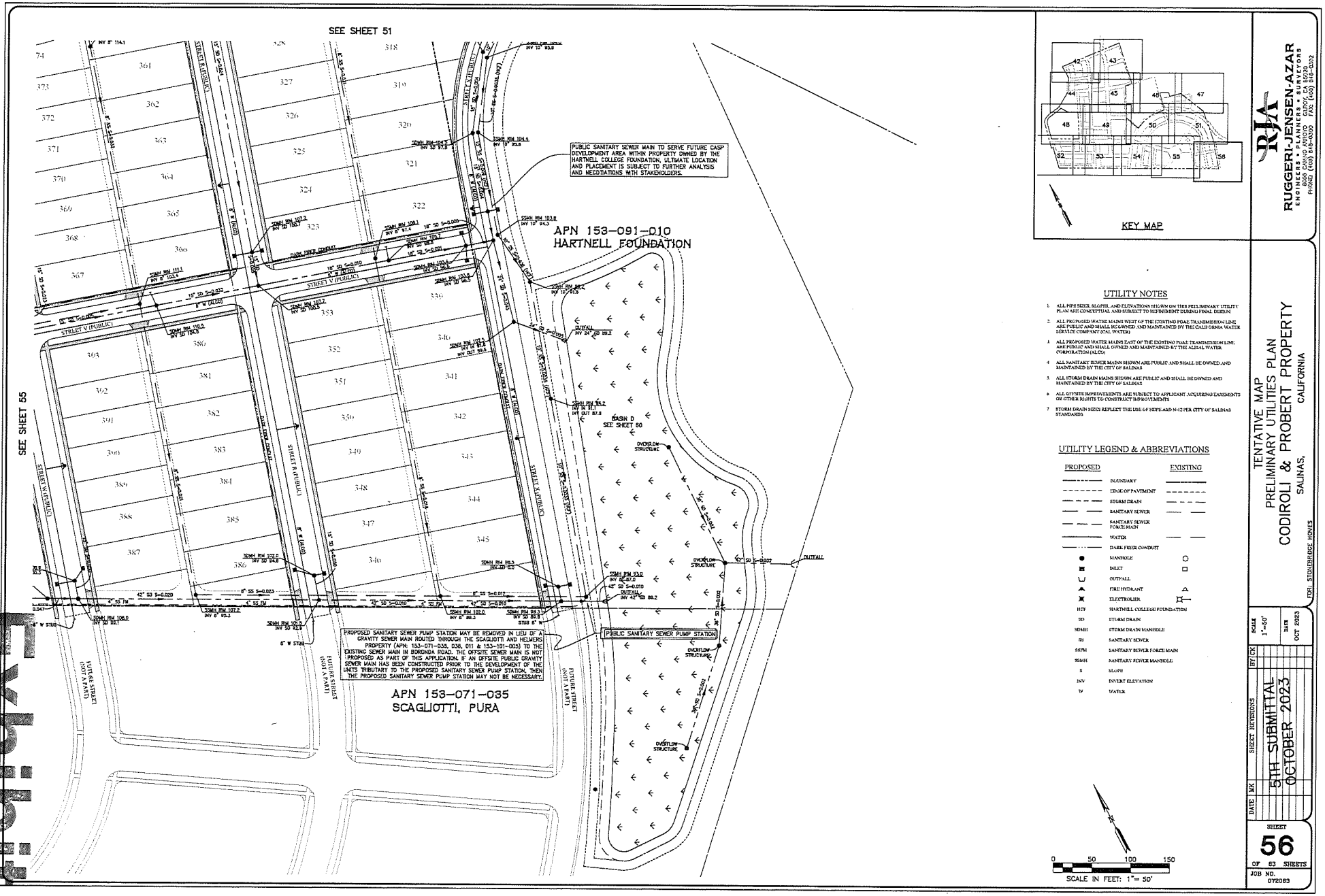
DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023

SHEET 55 OF 83 SHEETS
JOB NO. 072083

EXHIBIT 1

95



UTILITY NOTES

1. ALL PIPE SIZES, SLOPES, AND ELEVATIONS SHOWN ON THIS PRELIMINARY UTILITY PLAN ARE CONCEPTUAL AND SUBJECT TO REFINEMENT DURING FINAL DESIGN
2. ALL PROPOSED WATER MAINS WEST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CALIFORNIA WATER SERVICE COMPANY (CAL WATER)
3. ALL PROPOSED WATER MAINS EAST OF THE EXISTING PG&E TRANSMISSION LINE ARE PUBLIC AND SHALL OWNED AND MAINTAINED BY THE ALISAL WATER CORPORATION (ALCO)
4. ALL SANITARY SEWER MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
5. ALL STORM DRAIN MAINS SHOWN ARE PUBLIC AND SHALL BE OWNED AND MAINTAINED BY THE CITY OF SALINAS
6. ALL OFFSITE IMPROVEMENTS ARE SUBJECT TO APPLICANT ACQUIRING EASEMENTS OR OTHER RIGHTS TO CONSTRUCT IMPROVEMENTS
7. STORM DRAIN SIZES REFLECT THE USE OF HDPE AND N-12 PER CITY OF SALINAS STANDARDS

UTILITY LEGEND & ABBREVIATIONS

PROPOSED		EXISTING
	BOUNDARY	
	EDGE OF PAVEMENT	
	STORM DRAIN	
	SANITARY SEWER	
	SANITARY SEWER FORCE MAIN	
	WATER	
	DARK FIBER CONDUIT	
●	MANHOLE	○
■	INLET	□
	OUTFALL	
▲	FIRE HYDRANT	△
✖	ELECTROLIER	
HCF	HARTNELL COLLEGE FOUNDATION	
SD	STORM DRAIN	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
SSFM	SANITARY SEWER FORCE MAIN	
SSMH	SANITARY SEWER MANHOLE	
S	SLOPE	
INV	INVERT ELEVATION	
W	WATER	

0 50 100 150
SCALE IN FEET: 1"= 50'

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
1020 CENTRAL AVENUE GILROY, CA 95020
PHONE (408) 848-4300 FAX (408) 848-4315

TENTATIVE MAP
PRELIMINARY UTILITIES PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

DEV: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE 1"=50'
DATE OCT 2023
SHEET 56 OF 83 SHEETS
JOB NO. 072083

EXHIBIT 67

TENTATIVE MAP
STORMWATER CONTROL PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES
SCALE 1"=200'
DATE OCT 2023
5TH SUBMITTAL
OCTOBER 2023
SHEET 57
SHEETS 01
JOB NO. 07120B3
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8005 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-0300 FAX (408) 848-0302
LEGEND
BASIN WATERSHED BOUNDARY
DMA 1 DMA NUMBER
DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
POTENTIAL LOCATION OF STORMWATER PRETREATMENT FACILITY
AREA REQUIRED TO TREAT AND RETAIN STORMWATER WITHIN ITS DMA PARCEL
NOTE: VCA, VCR, AND THE PUBLIC LIBRARY PARCELS WILL BE REQUIRED TO FULLFIL PERFORMANCE REQUIREMENTS 1, 2, & 3 OF PHASE 1 POST-CONSTRUCTION STORMWATER MANAGEMENT, UNLESS DIRECTED TO THE REGIONAL BASINS WHERE REQUIREMENT 4, PEAK FLOW MANAGEMENT, WILL BE ADDRESSED.
SCALE IN FEET: 1" = 200
0 200 400 600
DMA A1
DMA A2
DMA A3
DMA A4
DMA B
DMA C
DMA D1
DMA D2
DMA D3
DMA D4
DMA D5
DMA D6
DMA D7
DMA D8
DMA D9
DMA D10
DMA D11
DMA D12
DMA D13
DMA D14
DMA D15
DMA D16
DMA D17
DMA D18
DMA D19
DMA D20
DMA D21
DMA D22
DMA D23
DMA D24
DMA D25
DMA D26
DMA D27
DMA D28
DMA D29
DMA D30

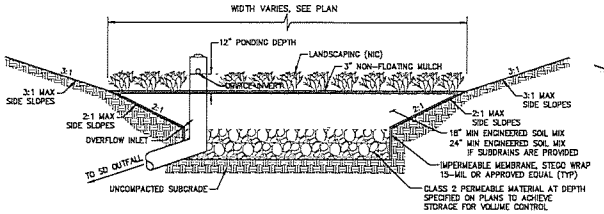
Exhibit 58

STORMWATER CONTROL PLAN NOTES:

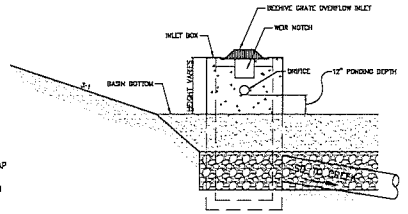
1. PER THE THRESHOLD DETERMINATION SPREADSHEET, THE PROJECT WILL BE SUBJECT TO REQUIREMENT 1, REQUIREMENT 2, REQUIREMENT 3, & REQUIREMENT 4.
2. THE CENTRAL AREA SPECIFIC PLAN IDENTIFIES STORMWATER BASINS LOCATED ADJACENT TO OAKLAN, AND NATIVIDAD CREEK IN ORDER TO TAKE ADVANTAGE OF HIGHER INFILTRATION RATES THEREFORE, THE PROJECT PROPOSES THREE (3) STORMWATER BASINS AS THE PRIMARY STORMWATER CONTROL FACILITIES INTENDED TO MEET REQUIREMENTS 2, 3, & 4 OF THE SWDS THE BASIN ON THE EASTERLY SIDE OF THE PROJECT AREA IS LOCATED IN ITS ULTIMATE LOCATION ADJACENT TO NATIVIDAD CREEK. TWO (2) BASINS ON THE WESTERLY SIDE OF THE PROJECT AREA ARE LOCATED IN THE OAKLAN CREEK WATERSHED. THE BASINS LOCATED IN THE OAKLAN CREEK WATERSHED ARE IN THEIR ULTIMATE LOCATION, HOWEVER THEIR OUTFLOW STRUCTURES WILL NEED TO CONNECT TO FUTURE STORM DRAIN IMPROVEMENTS UPON FURTHER DEVELOPMENT OF THE SPECIFIC PLAN AREA.
3. STORMWATER BASINS WERE SIZED USING HYDRAULIC ROUTING EMBEDDED IN THE *CIVILSTORM* SOFTWARE BY BENTLEY SYSTEMS INCORPORATED IN CONJUNCTION WITH THE SCS CURVE NUMBER METHOD REQUIREMENT 3 WAS MET USING USING THE "SIMPLE METHOD" DESCRIBED IN THE CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD (CCRWQCB) RESOLUTION R3-2013-0032. REQUIREMENT 4 WAS MET USING USING *CIVILSTORM* AND THE SCS CURVE NUMBER METHOD OUTPUT FOR 2-YEAR THROUGH 100-YEAR STORM EVENTS. REFER TO SHEETS 59 & 60 FOR MORE INFORMATION ON BASIN SIZING AND *CIVILSTORM* SIZING RESULTS.
4. PRETREATMENT CAN BE PROVIDED IN THE FORM OF PRECAST OR CAST-IN-PLACE PLANTER BOXES WITH MEDIA INFILTRATION RATES UP TO 150 IN/HR. WHERE SITE CONDITIONS ALLOW, THE PRETREATMENT FACILITIES MAY HAVE OPEN BOTTOMS, WHICH WOULD ALLOW FOR INFILTRATION INTO NATIVE SOILS AND PROVIDE DISTRIBUTED INFILTRATION ACROSS THE SITE. REFER TO SHEET 57 FOR POTENTIAL LOCATIONS OF PRETREATMENT FACILITIES. TYPICAL DETAILS OF PRETREATMENT CONFIGURATIONS CAN BE FOUND ON THIS SHEET.
5. SEE SHEET 6 FOR LAND USE PLAN.

GENERAL NOTES:

1. THE PROJECT IS LOCATED IN THE CITY OF SALINAS. CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD (CCRWQCB) JURISDICTION. STORM WATER RUNOFF MANAGEMENT SHALL ADHERE TO THE CRITERIA IDENTIFIED IN THE RESOLUTION NO. R3-2019-0033 "NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT AND WASTE DISCHARGE REQUIREMENTS FOR CITY OF SALINAS MUNICIPAL STORMWATER DISCHARGES" DATED OCTOBER 1, 2019 AND RESOLUTION R3-2013-0032 "POST-CONSTRUCTION STORMWATER MANAGEMENT REQUIREMENTS FOR DEVELOPMENT PROJECTS IN THE CENTRAL COAST REGION", DATED JULY 12, 2013.
2. STORMWATER FACILITIES WERE DESIGNED PER THE CITY OF SALINAS STORMWATER DEVELOPMENT STANDARDS (SWDS) FOR NEW AND REDEVELOPMENT PROJECTS, DATED OCTOBER 2019.
3. THIS PRELIMINARY STORM WATER CONTROL PLAN IS CONCEPTUAL AND SUBJECT TO REVISION BASED ON FINAL DESIGN AND SITE SPECIFIC INFILTRATION TESTING.
4. ALL STORMWATER CALCULATIONS SHOWN HEREIN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN. THE LID MEASURES AND STORMWATER CONTROL FACILITIES MAY BE CHANGED OR MODIFIED DURING FINAL DESIGN AS LONG AS THE PROJECT CAN SHOW CONFORMANCE WITH THE CITY OF SALINAS AND CCRWQCB POST-CONSTRUCTION STORMWATER REGULATIONS IN EFFECT AT THE TIME OF THE TENTATIVE MAP APPROVAL.



TYPICAL BIORETENTION BASIN DETAIL
NO SCALE



TYPICAL BASIN OUTLET STRUCTURE
NO SCALE

PRELIMINARY STORMWATER TABLE

Project Name: CASP Phase 1 TM
Project Location: Salinas, CA
Date: June 2023

Project Information

	Area = 8,320,632 ft²	*Total project area*
Existing Impervious Area =	142,950 ft²	
	2%	*Existing Percent impervious area*
Ex Imperv Area To Remain =	142,950 ft²	*Total existing impervious surface to remain*
Replaced Imperv Area =	0 ft²	*Total existing impervious surface to be replaced as part of project*
New Imperv Area =	5,154,110 ft²	*Total new impervious surface to be installed as part of project*
Total Impervious Area =	5,297,060 ft²	*Total project impervious area*
	64%	*Percent impervious area*
Water Management Zone =	1	

Performance Requirements

No. 1 = Reduce impervious coverage and implement source control measures
No. 2 = Implement site design and low impact development strategies
No. 3 = Provide water quality treatment for 85% storm event
No. 4 = Prevent offsite discharge from events up to the 95thN storm event via optimizing infiltration
No. 5 = Reduce peak flows to pre-project levels for 2-yr through 100-yr storm events.

Rainfall Design Information

MAP =	16.0 in	*Mean Annual Precipitation*
P_{85th} =	0.80 in	*85thN 24-hr rainfall depth*
P_{95th} =	1.20 in	*95thN 24-hr rainfall depth*

Soil Type Design Information

Site HSG = C/D *NRCS Hydrologic Soil Group Classification*

THRESHOLD DETERMINATION SPREADSHEET

Project Name:	Central Area Specific Plan		
Street address:	Boronda Road and Hemingway Drive		
APN:	N/A	Project Type:	Mixed-use
Project Site Area:	8,486,695 ft²		
Pre-Project Impervious Area:	142,950 ft²	Unchanging Impervious Area:	- ft²
Post-Project Impervious Area:	5,334,721 ft²	Unchanging Pervious Area:	- ft²

Impervious Area

	New	Replaced	
Building Footprint:	ft²	ft²	New impervious area is impervious area placed on existing pervious area and replaced impervious area is where existing impervious area is modified.
Parking:	ft²	ft²	
Driveways:	ft²	ft²	
Patios:	ft²	ft²	
Sidewalks:	ft²	ft²	
All or Other:	5,191,771 ft²	142,950 ft²	
Total:	5,191,771 ft²	142,950 ft²	
Total New and Replaced Impervious Area:		5,334,721 ft²	

Pervious Area

	New	Replaced	
Turf:	ft²	ft²	New pervious area is pervious area placed on existing impervious area and replaced pervious area is where existing pervious area is modified.
Landscaping:	ft²	ft²	
Parking:	ft²	ft²	
Driveways:	ft²	ft²	
Patios:	ft²	ft²	
Sidewalks:	ft²	ft²	
All or Other, except			
Turf:	ft²	3,151,974 ft²	
Total:	-	3,151,974 ft²	
Total New and Replaced Pervious Area:		3,151,974 ft²	

Conclusion

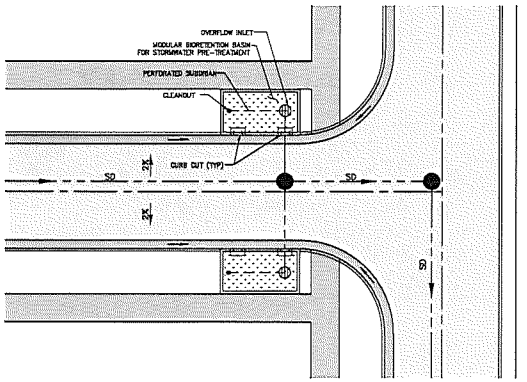
Is the project in an Urban Sustainability Area? No
Is there existing detention on the site? No

Applicable Requirement:	1, 2, 3 & 4
Impervious Area for Treatment Design:	5,334,721.15 ft²
Impervious Area for Runoff Reduction:	5,263,246.15 ft²
Impervious Area for Peak Management:	5,191,771.15 ft²
Area check, set F11=E24+C17-C11=0:	-
Area check, set C9-C11-E37-C24=0:	-
Area check, set C9-C13-E39=0:	-
Land disturbance estimate:	8,486,695 ft²

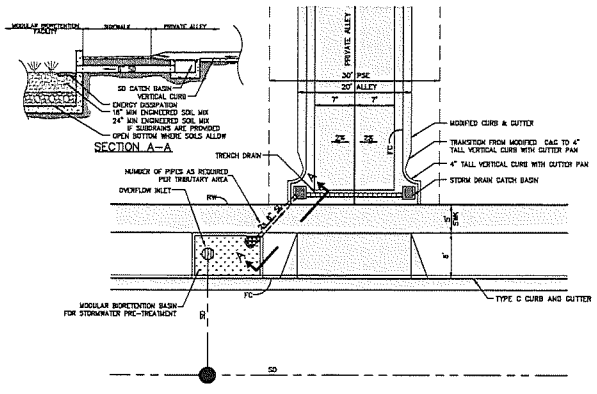
95% RAINFALL DEPTH RUNOFF RETENTION VOLUME & POTENTIAL PRETREATMENT

		Impervious Surface (SF)				Pervious Surface (SF)			Runoff Retention Volume Calculation			
DMA	Total Area (SF)	Public Street/ Parking Infrastructure	Lot Impervious Area (Each Every Lot)	Existing Impervious Area	Total	Landscape/ Grass	TCAP AREA	Total	% Impervious	Runoff Coefficient	85thN Volume, V_{85} (ft³)
A1	305,151	93,418	114,566		207,984	94,902	265	95,167	68%	0.67	14,373
A2	190,998	54,069	77,098		131,167	59,663	168	59,831	69%	0.68	9,198
A3	102,133	36,278	33,622		69,900	32,143	90	32,232	68%	0.68	4,887
A4	181,640	0	0		0	171,823	9,817	181,640	0%	0.04	727
Total	779,922	181,765	225,287	0	407,051	362,531	10,340	372,871	52%	0.35	29,184
B	467,230	99,280	134,780		234,060	227,405	5,765	233,170	50%	0.34	15,879
C	82,369	33,219	0		33,219	47,570	1,580	49,150	40%	0.28	2,319
D1	226,455	49,566	103,278		152,844	73,414	197	73,611	67%	0.67	10,663
D2	428,036	100,574	304,976		405,550	21,907	488	22,485	95%	0.80	34,367
D3	355,513	73,378	246,550		318,928	36,196	387	36,583	90%	0.73	26,811
D4	117,960	31,118	45,143		76,261	41,599	100	41,699	65%	0.45	3,766
D5	117,801	24,595	86,401		110,996	6,673	136	6,809	94%	0.79	8,360
D6	340,597	60,820	216,456		266,276	73,989	332	74,321	78%	0.58	18,686
D7	164,110	0	0	131,288	131,288	32,822	0	32,822	80%	0.60	8,615
D8	265,289	48,266	112,637		160,903	104,172	213	104,385	61%	0.41	10,862
D9	390,410	56,424	0		56,424	333,852	134	333,986	14%	0.14	5,284
D10	217,424	47,539	81,242		128,781	88,472	171	88,643	59%	0.40	6,764
D11	373,375	89,990	117,723		207,713	165,281	281	165,562	56%	0.38	14,873
D12	189,160	42,809	66,696		111,505	77,706	149	77,855	59%	0.40	7,524
D13	122,379	46,834	0		46,834	75,474	71	75,545	38%	0.27	3,305
D14	234,381	40,011	151,415		208,426	33,309	246	33,555	86%	0.67	18,718
D15	205,762	40,410	123,472		184,082	21,456	224	21,680	89%	0.72	14,867
D16	209,353	16,717	124,382		161,614	48,132	200	48,332	77%	0.56	11,913
D17	177,884	41,280	77,170		118,450	59,281	153	59,434	67%	0.46	8,234
D18	206,226	53,719	77,406		131,125	74,930	171	75,101	64%	0.44	8,819
D19	137,882	43,847	160,016		203,863	113,724	270	113,994	60%	0.41	13,905
D20	117,375	22,898	42,017		64,915	52,372	89	52,460	55%	0.37	4,287
D21	133,912	23,891	46,648		70,539	63,476	97	63,573	53%	0.36	4,762
D22	172,900	0	0		0	74,495	98,305	172,800	0%	0.04	691
D23	346,912	74,947	273,108		347,755	48,731	424	49,157	89%	0.70	27,642
D24	231,462	75,395	114,223		189,618	27,658	236	27,894	87%	0.68	15,152
D25	403,314	117,917	239,776		357,693	45,446	455	45,901	89%	0.71	28,624
D26	130,945	34,501	42,444		76,944	53,856	101	54,001	59%	0.40	5,232
D27	14,578	0	0	11,662	11,662	2,916	0	2,916	80%	0.60	874
D28	159,033	50,564	49,722		100,286	58,615	132	58,747	63%	0.43	6,867
D29	344,146	85,834	112,733		198,567	145,311	266	145,579	58%	0.39	13,482
D30	216,560	27,876	0		27,876	188,613	71	188,684	13%	0.11	2,784
Total	6,991,111	1,462,529	3,017,251	142,950	4,622,730	3,264,301	104,080	3,368,381	66%	0.46	348,326
Project Total	8,320,632	1,776,793	3,377,318	142,950	5,297,060	3,901,807	121,768	4,023,577	64%	0.44	387,716

SCM Description & Area		
Pretreatment SCM	Pretreatment Bioretention Area Area (SF)	Stormwater Retention Facility
Biofiltration	265	BASIN A
Biofiltration	168	BASIN A
Biofiltration	90	BASIN A
Biofiltration	16	BASIN A
Total	558	
Biofiltration	125	BASIN B
-	-	Basin C
Biofiltration	196	BASIN D
Biofiltration	487	BASIN D
Biofiltration	387	BASIN D
Biofiltration	99	BASIN D
Biofiltration	135	BASIN D
Biofiltration	332	BASIN D
Biofiltration	n/a	BASIN D
Biofiltration	232	BASIN D
Biofiltration	133	BASIN D
Biofiltration	171	BASIN D
Biofiltration	280	BASIN D
Biofiltration	148	BASIN D
Biofiltration	71	BASIN D
Biofiltration	246	BASIN D
Biofiltration	223	BASIN D
Biofiltration	301	BASIN D
Biofiltration	153	BASIN D
Biofiltration	171	BASIN D
Biofiltration	249	BASIN D
Biofiltration	88	BASIN D
Biofiltration	96	BASIN D
Biofiltration	34	BASIN D
Biofiltration	424	BASIN D
Biofiltration	236	BASIN D
Biofiltration	434	BASIN D
Biofiltration	102	BASIN D
Biofiltration	n/a	BASIN D
Biofiltration	131	BASIN D
Biofiltration	265	BASIN D
Biofiltration	71	BASIN D
Total	5,794	
Project Total	#VALUE!	



POTENTIAL STORMWATER PRETREATMENT AT STREET
NO SCALE



POTENTIAL STORMWATER PRETREATMENT AT ALLEY
NO SCALE

PRELIMINARY PEAK FLOW MANAGEMENT ANALYSIS

Allowable (Pre-Development) Stormwater Peak Flow Rates				
Storm Event	DMA A (cfs)	DMA B (cfs)	DMA C (cfs)	DMA C (cfs)
2-year	4.84	1.38	0.53	32.00
10-year	9.80	6.83	1.07	64.90
25-year	13.39	9.31	1.45	88.60
100-year	20.72	14.44	2.26	131.00

Post-Development Stormwater Peak Flow Rates				
Storm Event	DMA A (cfs)	DMA B (cfs)	DMA C (cfs)	DMA C (cfs)
2-year	0.615	0.446	0.294	24.0
10-year	2.89	2.14	0.92	47.5
25-year	8.76	6.00	1.28	64.0
100-year	13.40	13.56	1.95	123.2

Notes:
1. The peak flow rate results were determined using the SCS Curve Number Method in conjunction with CivilStorm's Hydrograph Routing.
2. Post Development Peak Flow Rates were determined by routing the design storm through the basin and outlet control structure identified on Sheets 63 and 64.
3. Basin sizes and flow control structures are preliminary and subject to change during final design.

Land Use	Lot Area % Impervious
NE-A	45%
NE-B	50%
NG-A	55%
NG-B	60%
NG-C	65%
VC-A	90%
VC-B	95%
School	40%

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
365 E. CUNG AVENUE GILROY, CA 95020
PHONE (408) 848-4300 FAX (408) 848-0302

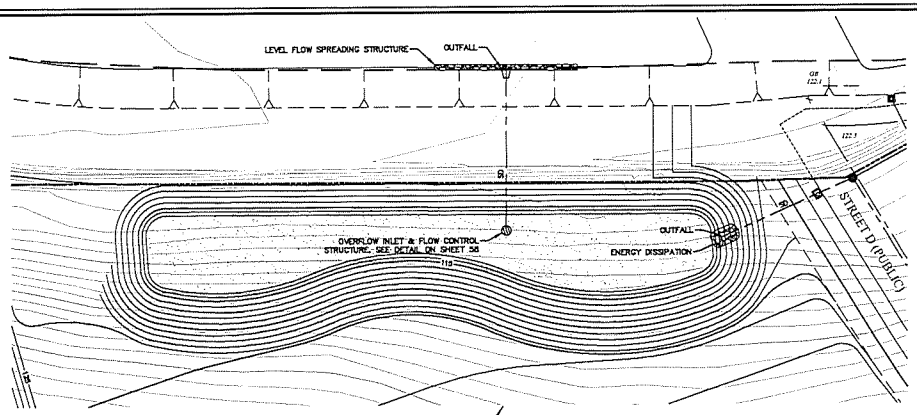
TENTATIVE MAP
STORMWATER CONTROL NOTES & DETAILS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK

SCALE: NONE
DATE: OCT 2023
5TH SUBMITTAL
OCTOBER 2023

SHEET 58 OF 83 SHEETS
JOB NO. 072063

Exhibit 57

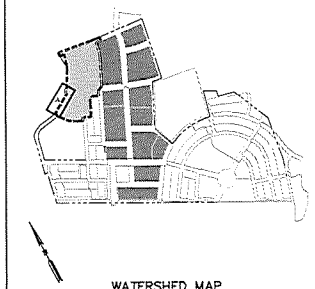


BASIN A
SCALE: 1"=30'

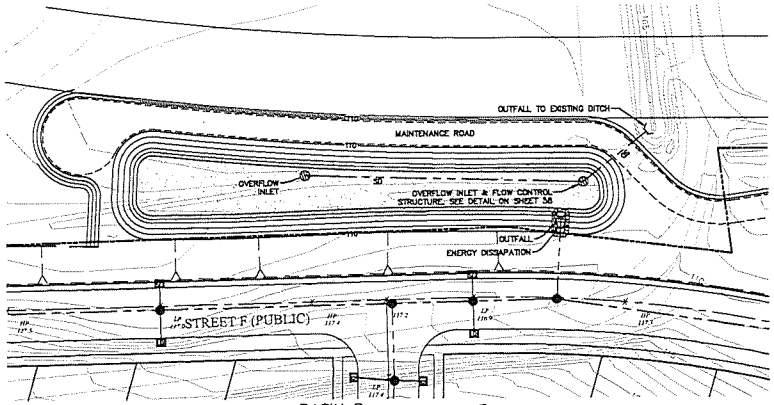
STORMWATER BASIN A - PRELIMINARY SIZING PARAMETERS:							
Total Volume (ft³)	Retention Volume[1] (ft³)	Detention Volume (ft³)	Gravel Depth (ft)	Soil Media Depth (ft)	Ponding Depth (ft)	Freeboard (ft)	Basin Infiltration Rate (in/hr)
83,900.0	30,770.0	53,220.0	3.0	2.0	1.0	3.0	0.25
Basin Outlet Structure Parameters:							
Overflow Riser Height	Overflow Weir				Orifice:		
(ft)	Length (ft)		Height[2] (ft)		Diameter (in)	Height[3] (ft)	
2.0	-		-		8.0	1.0	

Note:
1. Retention volume is the volume below the orifice invert
2. Weir height is measured from bottom of opening to top of riser
3. Orifice height is measured from top of media

STORMWATER BASIN NOTES:
1. STORMWATER BASIN SIZES, AND OUTLET STRUCTURE PARAMETERS ARE SHOWN FOR REFERENCE ONLY AND ARE SUBJECT TO CHANGE BASED ON THE FINAL DESIGN LAYOUT, SITE SPECIFIC INFILTRATION RATES, AND FINAL GRADING AND DRAINAGE DESIGN.



WATERSHED MAP

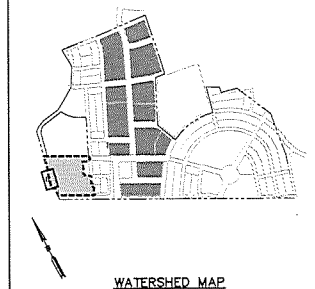


BASIN B
SCALE: 1"=30'

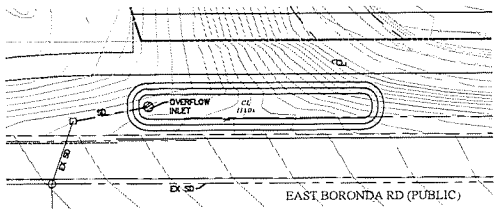
STORMWATER BASIN B - PRELIMINARY SIZING PARAMETERS:							
Total Volume (ft³)	Retention Volume[1] (ft³)	Detention Volume (ft³)	Gravel Depth (ft)	Soil Media Depth (ft)	Ponding Depth (ft)	Freeboard (ft)	Basin Infiltration Rate (in/hr)
38,070	16,040	22,030	2.0	2.0	1.0	2.0	0.50
Basin Outlet Structure Parameters:							
Overflow Riser Height	Overflow Weir				Orifice:		
(ft)	Length (ft)		Height[2] (ft)		Diameter (in)	Height[3] (ft)	
2.0	-		-		8.0	1.0	

Note:
1. Retention volume is the volume below the orifice invert
2. Weir height is measured from bottom of opening to top of riser
3. Orifice height is measured from top of media

STORMWATER BASIN NOTES:
1. STORMWATER BASIN SIZES, AND OUTLET STRUCTURE PARAMETERS ARE SHOWN FOR REFERENCE ONLY AND ARE SUBJECT TO CHANGE BASED ON THE FINAL DESIGN LAYOUT, SITE SPECIFIC INFILTRATION RATES, AND FINAL GRADING AND DRAINAGE DESIGN.



WATERSHED MAP

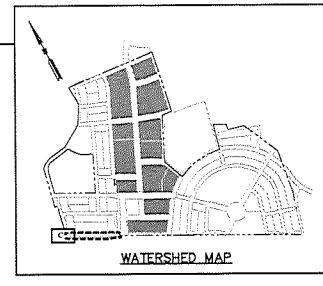


BASIN C
SCALE: 1"=30'

STORMWATER BASIN C - PRELIMINARY SIZING PARAMETERS:					
Total Volume (ft³)	Retention Volume[1] (ft³)	Detention Volume (ft³)	Total Depth (ft)	Freeboard (ft)	Basin Infiltration Rate (in/hr)
4,825.0	500.0	4,325.0	2.0	0.8	2.0
Basin Outlet Structure Parameters:					
Overflow Riser Height	Overflow Weir			Orifice:	
(ft)	Length (ft)	Height[2] (ft)		Diameter (in)	Height[3] (ft)
1.3	0.8	1.0		n/a	n/a

Note:
1. Retention volume is the volume below the orifice invert
2. Weir height is measured from bottom of opening to top of riser
3. Orifice height is measured from bottom of basin

STORMWATER BASIN NOTES:
1. STORMWATER BASIN SIZES, AND OUTLET STRUCTURE PARAMETERS ARE SHOWN FOR REFERENCE ONLY AND ARE SUBJECT TO CHANGE BASED ON THE FINAL DESIGN LAYOUT, SITE SPECIFIC INFILTRATION RATES, AND FINAL GRADING AND DRAINAGE DESIGN.



WATERSHED MAP

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS PLANNERS SURVEYORS
1672 N. Main Street, Suite 150, Salinas, CA 93906
PH(831) (408) 916-0300 FAX: (408) 916-0302

TENTATIVE MAP
STORMWATER BASIN WEST
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

CDR: STONEBRIDGE HOMES

DATE	BY	CK	SHEET REVISIONS	BY	CK
MK			5TH SUBMITTAL		
			OCTOBER 2023		

SCALE: AS SHOWN
DATE: OCT 2023

SHEET 59 OF 63 SHEETS

JOB NO. 072063

EXHIBIT
PLOT DATE: 10/27/2023 FILE PATH: P:\072063\Civil\Exhibits\Stormwater\072063 STORMWATER BASIN WEST.dwg
09

TENTATIVE MAP
STORMWATER BASIN EAST
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
6005 CAMINO ARROYO EL DIVOT CA 93930
FRESNO (559) 449-2700 FAX (559) 449-2715
SALINAS (831) 443-7336 FAX (831) 443-7358
DATE BY CK SHEET REVISIONS
MK 5TH SUBMITTAL OCTOBER 2023
SCALE AS SHOWN
DATE OCT 2023
SHEET 60
SHEETS 60
JOB NO. 07020B3
WATERSHED MAP
STORMWATER BASIN NOTES:
1. SEE GRADING NOTES, DETAILS, AND OUTLET STRUCTURE PARAMETERS ARE SHOWN FOR REFERENCE ONLY AND ARE SUBJECT TO CHANGE BASED ON THE FINAL DESIGN LAYOUT, SITE SPECIFIC INFILTRATION RATES, AND FINAL GRADING AND DRAINAGE DESIGN.
STORMWATER BASIN D - PRELIMINARY SIZING PARAMETERS:
Total Volume (ft³) 651,830
Retention Volume¹ (ft³) 310,430
Detention Volume² (ft³) 341,400
Gravel Depth (ft) 2.0
Soil Media Depth (ft) 2.0
Ponding Depth (ft) 1.0
Freeboard (ft) 3.0
Basin Infiltration Rate (in/hr) 0.25
Overflow Riser Height (ft) 1.0
Basin Outlet Structure Parameters:
Overflow Weir: Length (ft) -, Height³ (ft) -
Orifice: Diameter (in) -, Height³ (ft) -
Spillway: Length (ft) 200, Height⁴ (ft) 3.0
Note
1. Retention volume is the volume below the orifice invert
2. Detention volume is the volume above the invert of orifice up to top of berm
3. Orifice height is measured from the invert of the orifice
4. Spillway Height is measured from the top of media
WATERSHED MAP
SCALE IN FEET: 1" = 30'
0 30 60 90
BASIN D
SCALE: 1"=30'
OUTFALL TO EXISTING DITCH
SPILLWAY
OVERFLOW INLET
ENERGY DISSIPATION (TYP)
OUTFALL
MAINTENANCE ROAD
STREET X (PUBLIC)
INLET
Exhibit 61
PLOT DATE: 10/19/23
FILE PATH: C:\Projects\07020B3\Civil\Exhibits\Basin\07020B3 Basin D EAST.dwg

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8205 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-8333 FAX: (408) 848-0302

TENTATIVE MAP
PRELIMINARY TRAFFIC CALMING
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

SCALE	DATE	BY	CK	DATE	SHEET REVISIONS
	OCT 2023				5TH SUBMITTAL OCTOBER 2023

SHEET 61 OF 63 SHEETS
JOB NO. 070363

NOTES

1. TRAFFIC CONTROL MEASURES AND STREET CROSSINGS SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.

SCALE IN FEET: 1" = 200'
0 200 400 600

Exhibit 62



LEGEND

—— OR ——	NOISE CONTOUR (DB)
—— - ——	EXISTING BOUNDARY
- - - - -	PROPOSED BOUNDARY

NOTES

1. CONTOUR DATA CAN BE FOUND IN APPENDIX B OF THE CENTRAL AREA SPECIFIC PLAN NOISE TECHNICAL REPORT BY J.C. BRENNAN & ASSOCIATES, INC., DATED NOVEMBER 7, 2018. THIS DOCUMENT IS APPENDIX H WITHIN THE PUBLIC DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DRAFT CENTRAL AREA SPECIFIC PLAN, VOLUME II (APPENDICIES).
2. NOISE CONTOURS SHOWN REPRESENT THE PREDICTED NOISE LEVELS FOR CUMULATIVE PROJECT + CASP + WEST AREA SPECIFIC PLAN
3. NOISE CONTOURS ARE MEASURED FROM THE CENTERLINE OF THE ROAD

* INDICATES LOTS WHICH MAY REQUIRE SIDE YARD SOUNDWALLS OR ALTERNATIVE NOISE REDUCTION MEASURES

0 200 400 600
SCALE IN FEET: 1" = 200'

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
6055 CAMINO ARROYO GILROY, CA 95020
PHONE: (408) 848-0300 FAX: (408) 848-0302

TENTATIVE MAP
CUMULATIVE NOISE LEVELS
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA

FOR: STONEBRIDGE HOMES

DATE	MK	SHEET REVISIONS	BY	CK
		5TH SUBMITTAL OCTOBER 2023		

SCALE

DATE OCT 2023

SHEET 62 OF 83 SHEETS

JOB NO. 072063

Exhibit 63

TENTATIVE MAP
PHASING PLAN
CODIROLI & PROBERT PROPERTY
SALINAS, CALIFORNIA
FOR: STONEBRIDGE HOMES

DATE	BY	SHEET REVISIONS	BY	CK
OCT 2023	MK	5TH SUBMITTAL OCTOBER 2023		

SCALE: NONE
DATE: OCT 2023
SHEET 63 OF 63 SHEETS
JOB NO. 07202.0

RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
8050 CAMINO ARROYO GILROY, CA 95020
PHONE (408) 848-0303 FAX (408) 848-0302

Exhibit 64

DocuSign Envelope ID: 2F8EE3E3-ADBD-4C0E-9E33-97B9C3809991

City of Salinas
COMMUNITY DEVELOPMENT DEPARTMENT
65 W. Alisal Street, 2nd Floor • Salinas, California 93901
(831) 758-7387 • (831) 775-4258 (Fax) • www.ci.salinas.ca.us

Affordable Housing Plan

Stonebridge Bridge Homes
Codirolli & Probert Property

Date: April 5, 2024

Project Description: This development is in the Central Area Specific Plan (CASP) (APN 153-091-015-000) and the closest cross street to the parcel is the Hemingway Drive and Boronda Road intersection. This Tentative Map is planned for approximately 487 for sale Single family homes, Townhomes, Lane Homes, and Green Court Dwellings. There will also be approximately 615 for sale Condominiums, Apartments and Courtyard Apartments/Condominiums and approximately 572 for rent Condominiums, Apartments and Courtyard Apartments. This should generate approximately 134 for sale Moderate and Work Force Inclusionary units. The single-family homes will range between 1,378 square feet three-bedroom, two bath homes to 2,650 square feet 5-bedroom 3 bath homes. Lots range from 3,000 square feet to 7,500 square feet. Each home will have a two-car detached or attached garage. Apartments will range from 800 Square feet to 1,400 square feet one-, two-, three- and four-bedroom units. Condominiums will range from 1,100 square feet to 1,550 square feet two, three and maybe four-bedroom units with two baths. Townhouses will be three bedroom – two and a half bathrooms approximately 1550 square feet.

There will be a variety of plans offered, each one with different floor plans and exteriors. Stonebridge Homes has yet to complete the designs for any of the units described above, which makes it difficult to be precise this early in the entitlement process. There will be multiple subdivision maps over the 20 plus years to build this development. Each subdivision map will include a more precise count of units to be built of market rate and inclusionary units. Each map will be more precise as to how many Townhomes, Condominiums and Apartments are for sale or for rent. The developer will work with the City of Salinas as these subdivision plans are being finalized to adjust the number of units to be included in the Inclusionary Program or the in–lieu fees to be paid by the developer.

Entitlement App. Date: 04/08/2021

Project Address(es): TBD

Project APN(s): 153-091-015-000

Exhibit 65

DocuSign Envelope ID: 2F8EE3E3-ADBD-4C0E-9E33-97B9C3809991

Owner(s):	East Boronda LLC
Developer(s):	Stonebridge Homes Inc. Hugh Walker & Bob Bikle 1540 Constitution Boulevard Salinas, CA 93905
Project Link To:	TM 2021-001 / CASP
Affordability Restriction:	30 Year Affordability (Inclusionary)
Inclusionary Option:	Option 1 (Tentative Map estimates 1674 units to be built)
Inclusionary Restricted Units:	335 Units
Inclusionary Restricted Unit Mix:	67 Very Low Income (All rental units) (Pay rental impact fee / Section 8 restricted units apply) 134 Low Income (All rental units) (Pay rental impact fee / Section 8 restricted units apply) 67 Moderate Income (All for sale units) 67 Workforce Income (All for sale units)
Fee Selection:	Rental Housing Impact Fee on Rental Units (As of July 1, 2023, the fee $2.50 per sq. ft. of gross floor area[1]). This fee will be subject to change on annual basis based on the City of Salinas Schedule of Fees and Charges for City Services. In-Lieu Impact Fee on For-Sale Units (As of July 1, 2023, the fee $14.75 per sq. ft. of gross floor area[1]). This fee will be subject to change on annual basis based on the City of Salinas Schedule of Fees and Charges for City Services.
Density Bonus Request:	TBD
Density Bonus Restricted Units:	TBD
Density Bonus Restricted Unit Mix:	TBD
Density Bonus Concessions Requested:	TBD

[1] Gross floor area" is as defined in Municipal Code Section 37.10.300 under "Floor area, gross."

DocuSign Envelope ID: 2F8EE3E3-ADBD-4C0E-9E33-97B9C3809991

Other Affordable Alternative: There may be opportunities to work with a non–profit. Too early in the process to determine.

Project Units: The table below shows the unit distribution on the project.

Affordable Housing Plan

Stonebridge Bridge Homes / Codirolli & Probert Property
11/27/2023

Parcel ID	Zoning	Proposed SFH and Townhomes - for Sale	Housing Type Multi Family, Condo's and Courtyard Units	Proposed Unit Average Multi Family, Condo's and Courtyard Units per parcel	Lot Description or Proposed inclusionary location for sale - Option #1, Subject to change	Unit Type	Phases of Parcels Providing Affordable Housing
107	NE-A	5			medium to large lots	Market Rate	
108	NE-A	10			medium to large lots	Market Rate	
109	NE-A	4			medium to large lots	Market Rate	
110	NE-A	6			medium to large lots	Market Rate	
111/319	NE-A	17			medium to large lots	Market Rate	
112	NE-A	7			medium to large lots	Market Rate	
113/213	NE-A	6			medium to large lots	Market Rate	
119	NE-A	13			medium to large lots	Market Rate	
124	NE-A	9			medium to large lots	Market Rate	
114	NE-B	12			medium to large lots	Market Rate	
115	NE-B	6			medium to large lots	Market Rate	
128	NE-B	5			medium to large lots	Market Rate	
129	NE-B	5			medium to large lots	Market Rate	
118	NE-B	13			medium to large lots	Market Rate	
120	NE-B	13			medium to large lots	Market Rate	
121	NE-B	16			medium to large lots	Market Rate	
122	NE-B	8			medium to large lots	Market Rate	

123	NE-B	8			medium to large lots	Market Rate	
125/253	NE-B	11			medium to large lots	Market Rate	
116	NG-A	19	Courtyard	8	23 medium to large lots	Market Rate	
					4 medium to large lots	Workforce	
117	NG-A	16	Courtyard	8	20 medium to large lots	Market Rate	
					4 medium to large lots	Workforce	
151	NG-A	13			medium to large lots	Market Rate	
152	NG-A	7			medium to large lots	Market Rate	
127	NG-B	7			medium to large lots	Market Rate	
130	NG-B	10			4	Inclusionary - Workforce	1
132	NG-B	11			3	Inclusionary - Workforce	1
134	NG-B	10	Courtyard	8	3	Inclusionary - Workforce	3
138	NG-B	7			2	Inclusionary - Workforce	5
140	NG-B	9			3	Workforce	5
141	NG-B	9				Market Rate	
142	NG-8	9				Market Rate	
146	NG-B	8			2	Inclusionary - Workforce	2
147	NG-B	9			3	Inclusionary - Workforce	2
148	NG-B	29			4	Inclusionary - Workforce	2
149	NG-B	44			7	Inclusionary - Workforce	6
150	NG-B	16			5	Inclusionary - Workforce	6
131	NG-C	9			4	Inclusionary - Workforce	1
133	NG-C	9			3	Inclusionary - Workforce	3
135	NG-C	8	Courtyard	24	4	Inclusionary - Workforce	3
136	NG-C	9			3	Inclusionary - Workforce	3
137	NG-C	8	Courtyard	8		–Market Rate	5
139	NG-C	8	Courtyard	8		–Market Rate	5
143	NG-C	20				Inclusionary - Workforce	5
144	NG-C		TBD	28	9	Inclusionary - Workforce	2
145	NG-C	9	Courtyard	8		Market Rate	
153	VC-B			81		Market Rate	1

			Multi Family/condo's		35	Section 8	
154	VC-B		Multi Family/condo's	57		Market Rate	1
					20	Section 8	
155	VC-B		Multi Family/condo's	120		Market Rate	2
					50	Section 8	
156	VC-B		Multi Family/condo's	76		Market Rate	3
					35	Section 8	
157	VC-B		Multi Family/condo's	137		Market Rate	3
					61	Section 8	
158	VC-A		Multi Family/condo's	52	10	Inclusionary - Moderate	3
159	VC-A		Multi Family/condo's	80	10	Inclusionary - Moderate	3
160	VC-A		Multi Family/condo's	146	10	Inclusionary - Moderate	5
161	VC-A		Multi Family/condo's	149	10	Inclusionary - Moderate	5
162	VC-A		Multi Family/condo's	62	10	Inclusionary - Moderate	5
176	VC-A		Multi Family/condo's	83		Retail	
177	VC-A		Multi Family/condo's	44	17	Inclusionary - Moderate	1
TOTALS		**487**		**1187**	**335**		
Est. 615 For Sale			**Inclusionary Moderate - 67**		**Section 8 Voucher Units - 201**		
Est. 615 For Sale			**Inclusionary Workforce - 67**				

Unit Placement:

Units offered to Inclusionary Housing participants shall represent an equitable distribution of unit types and bedroom mix in the overall development. Every phase within the development that includes residential units should include affordable housing units, either for-sale or for-rent units. See **Exhibit A** for more details.

Phasing:

There will be multiple Subdivision Maps over a twenty year build out of the units. There will be sales offices offering the different models with upgrades. A deposit will be taken, and the homes will start construction after the prospective buyers have loan approval. Final location of For Sale Inclusionary Houses will be submitted with each Subdivision Map and Final Map. It's too early in the process to know what Condominium and Apartment units will be for sale or be for rent. The map attached shows potential locations for Inclusionary homes. It's impossible to be exact on a

project that will last twenty plus years. None of the units for the CASP have been designed at this time. See **Exhibit A** for more details.

Construction Schedule: Once the Tentative Map is approved, work on the first Subdivision Map will begin as well as the house plans and multi-family/condominium product. The pace of construction is dictated by the pace of sales which is a result of the housing market and interest rates. There is no reliable estimate as to how the pace of construction will proceed for the CASP Area. There is uncertainty about a start date or first units to be delivered. There are too many issues/factors that are out of the developer's control at this specific point in time.

Follow-up Items: Items to be completed prior to issuance of the Building Permit:

- This Affordable Housing Plan is compliant with the Inclusionary Housing Ordinance and will be re-evaluated at each phase of this subdivision to ensure continued compliance with the Ordinance.
- An Affordable Housing Agreement will be recorded on each lot subject to the Housing Inclusionary Ordinance at each of the different phases of the subdivision (Recorded Covenant).

Items to be completed prior to issuance of the final Certificate of Occupancy (CofO):

- Marketing Plan
- Management Plan
- Payment of Rental Impact Fee
- Calculation of Unit Income and Rent Limits per the Inclusionary Housing Program
- Calculation of Unit Income and Rent Limits per the Density Bonus Program (if applicable)
- Proof that the designated affordable rental units at each of the different phases of the subdivision have been offered to the Housing Authority of the County of Monterey for the Section 8 Program so long as the program exist.

DocuSigned by:
Hugh Walker
8973E0F02BF041C...

4/5/2024 | 1:49 PM PDT

Hugh Walker
Authorized Owner/Project Representative

Date

DocuSigned by:
Francisco Brambila
63BA7CFA2A00489...

4/5/2024 | 1:10 PM PDT

Francisco Brambila, Acting Planning Manager
Community Development Department

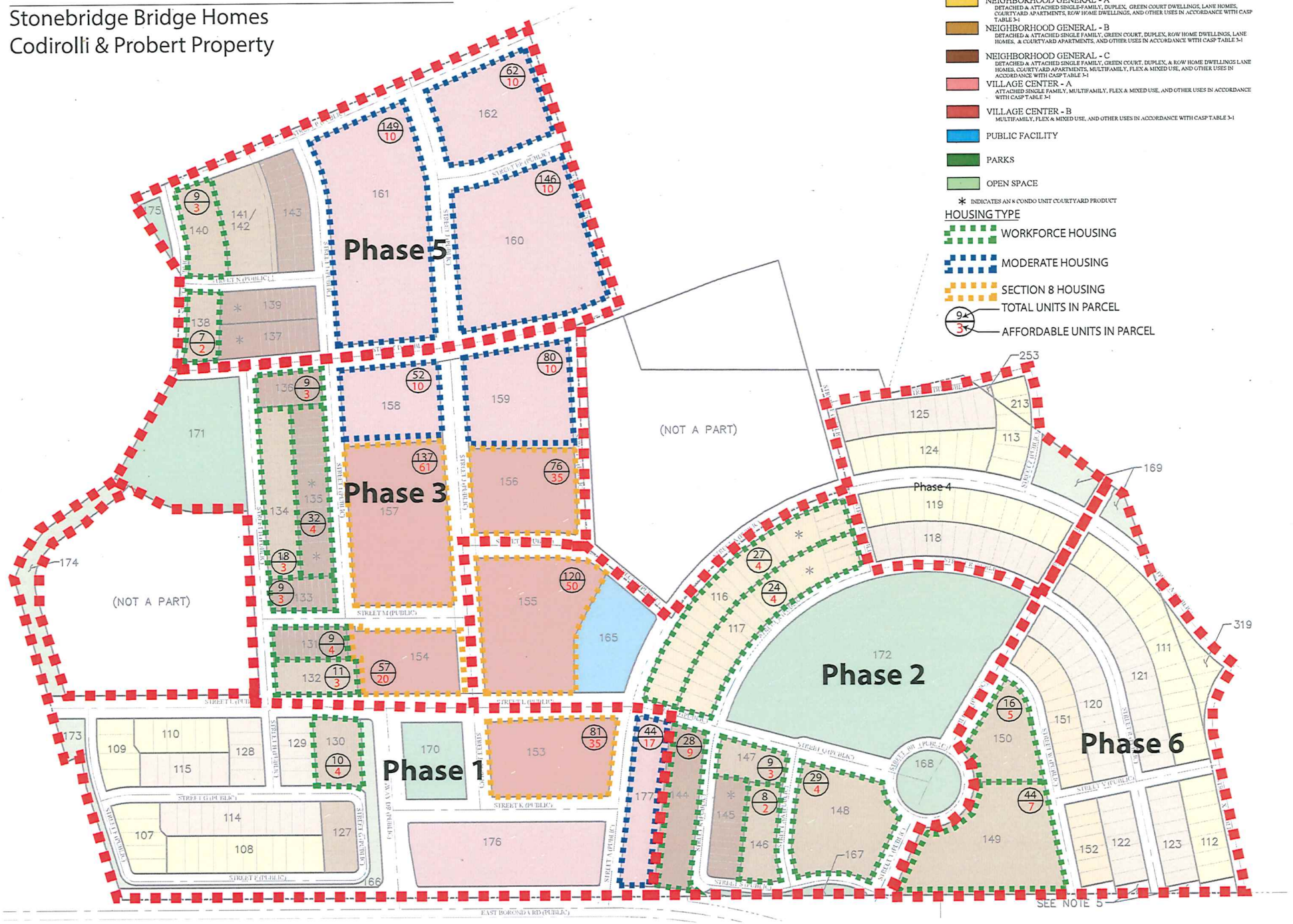
Date

DocuSign Envelope ID: 2F8EE3E3-ADBD-4C0E-9E33-97B9C3809991

Exhibit A

AFFORDABLE HOUSING PLAN MAP

Stonebridge Bridge Homes
Codirolli & Probert Property



City of Salinas
DEVELOPMENT ENGINEERING (PW) • 65 West Alisal Street • Salinas, California
Phone: (831) 758-7251 • www.cityofsalinas.org

ENGINEERING REVIEW

DATE: 11/22/2023
PLANNER: Jill Miller
OWNER/APPLICANT: Stonebridge Homes/ Codiroli Family Trust and Probert Family Trust

PURPOSE: TM2021-001 & SPA2023-001
LOCATION: CASP
REVIEWER: Adriana Robles, PE, CFM City Engineer

DEVELOPMENT PROPOSAL: Major subdivision of three parcels (APN 153-091-022, 153-091-023, 153-091-024) totaling 186.94 ac into 427 residential lots, commercial uses, mixed-use, public parks and open space along with associated site improvements consistent with the Central Area Specific Plan.

RECOMMENDATION: Approve with Conditions

SWDS CATEGORY: Priority Project (>10 lot subdivision)
SWDS THRESHOLD: Requirements 1-4 and 100-yr peak
NDPES CATEGORY: High Priority (SWPPP)

REVIEW FEES: Prior to approval, applicant shall provide payment for review of tentative map pursuant to the Council-approved fee schedule. Invoice attached.

Notice: The Conditions of Approval for this Site Plan Review include certain fees and development requirements. Pursuant to Government Code Section 66020 (d)(1), this hereby constitutes written notice stating the amount of said fees and describing the development requirements. The applicant is hereby notified that the 90-day appeal period in which he/she/they may protest these fees and development requirements, pursuant to Government Code Section 66020 (a), begins on the date the office land use permit is approved. If applicant files a written protest within this 90-day period complying with all requirements of Section 66020, he/she/they will be legally barred from challenging such fees and/or requirements at a later date.

CONDITIONS OF APPROVAL

TENTATIVE MAP: The developer has submitted a Tentative Map to create 427 lots. The tentative map has been found to be consistent with the Subdivision Ordinance, Chapter 31 of the Salinas Municipal Code (SMC) with the following exemption.

1. Tentative Map – Applicant is requesting a waiver from SMC Section 31-909(b). Pursuant to SMC Section 31-401.3(p), the design has been found to provide the required right of way. Prior to approval of a final map, applicant shall confirm the proposed right of way at the intersections provides the required space to incorporate all right of way improvements or the required easement shall be provided.
2. Prior to approval of a Final Map, lands shown to be developed outside of the property lines shall be acquired by the applicant.
3. Prior to approval of a Final Map, the applicant shall provide proposed street names pursuant to Municipal Code Section 31-401.4(a).
4. Prior to approval of a Final Map, the applicant shall provide a title report which incorporates all

Exhibit 66

the lands to be subdivided, easements, covenants and encumbrances.

5. Prior to approval of a Final Map, the applicant shall pay all map check fees pursuant to the Council-approved fee schedule.
6. Prior to issuance of a Grading Permit, the applicant shall provide an engineer's estimate of all the proposed improvements, stamped by a licensed civil engineer.
7. Prior to approval of a Final Map and pursuant to Municipal Code Section 31-1001, the applicant shall sign a Subdivision Improvement Agreement and provide surety bonds or cash deposits for Subdivision, Performance and monumentation.
8. Prior to issuance of a Grading Permit and pursuant to Municipal Code Section 31-1000.1, applicant shall construction plans for improvements of all offsite improvements, including, but not limited to, roadways, sidewalks, curbs, gutters, curb ramps, storm drainage systems, sanitary sewer systems, water systems, street lighting, fire hydrants, joint trench (gas, telephone, cable tv, City-owned dark fiber conduit, high speed internet), landscaping and irrigation, street signs and street amenities. Joint trench utilities shall be placed underground.
9. The project is proposing onsite and offsite grading that will fill the existing wetlands (north area of development, lands of Joseph P Ferry Trust). Prior to issuance of Grading Permit and pursuant to Municipal Code Section 37-50.180(h)(1)(G), prior to any site grading, the applicant shall receive authorization/approval to fill the wetland from the USACE, the Regional Water Quality Control Board and the Department of Fish and Wildlife. Improvement plans shall clearly identify limits of existing wetlands.
10. Prior to issuance of a Grading Permit, the applicant shall provide site specific soils reports that include infiltration testing for any stormwater control measure.
11. Prior to issuance of a Grading Permit, applicant shall provide R-values for each of the proposed roadways to confirm the proposed pavement sections provide adequate lifespan of the improvements.
12. Prior to issuance of a Grading Permit, applicant shall final Stormwater Control Plans consistent with the most current Stormwater Development Standards and City's NPDES permit.
13. Prior to issuance of a Grading Permit, the applicant shall provide hydrology and hydraulic calculations stamped by a licensed civil engineer for the sanitary sewer and storm drainage systems.
14. Prior to issuance of a Grading Permit, the applicant shall provide a Storm Water Pollution Prevention Plan prepared by a Qualified SWPPP Developer.
15. Prior to issuance of a Grading Permit, the applicant shall provide approved improvement plans from any utility company or regulating agency that has authority over the subdivision.
16. Prior to issuance of a Grading Permit, the applicant shall pay all plan review and inspection fees pursuant to the Council-approved fee schedule.
17. Prior to acceptance of any subdivision improvements, applicant shall provide records, video recordings, testing and as-built documentation of all constructed improvements.
18. Prior to acceptance of any subdivision improvements and pursuant to Municipal Code Section 31-1002.4, applicant shall provide a warranty security for no less than 10% of the total cost of construction of the improvements.

CITY OF SALINAS

Planning Division - Community Development
65 W. Alisal Street, 2nd Floor, Salinas, CA 93901
(831) 758-7206 * (831) 758-7215 Fax
www.ci.salinas.ca.us

FEES DUE

Project Number: TM2021-001
Address:
Invoice Date: 8/9/2023

Description
CASP 466 lots (456 residential)

Fee Description	Account	Amount
NPDES TENANTIVE MAP 20+	1000.50.5115-56.5080	$12,459.00
	TOTAL AMOUNT DUE:	**$12,459.00**

Appendix D:

Mitigation Monitoring and Reporting Program

Exhibit 67

FINAL MITIGATION MONITORING AND REPORTING PROGRAM

4.0

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the Salinas Central Area Specific Plan Project (Project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." A FMMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR, some of which were revised after the Draft EIR were prepared. These revisions are shown in Chapter 3.0 of the Final EIR. All revisions to mitigation measures that were necessary as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this FMMRP. The FMMRP also includes mitigation measures which are required by the *Final Environmental Impact Report, Salinas General Plan* (Cotton Bridges Associates 2002) and the *Final Supplement for the Salinas General Plan Final Program EIR* (EDAW, 2007).

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Salinas will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the Project.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures**: The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing**: Identifies at which stage of the Project mitigation must be completed.
- **Monitoring Responsibility**: Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification**: This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

This page left intentionally blank.

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
AIR QUALITY				
Impact 3.1-2: Project operation has the potential to cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation	***Mitigation Measure 3.1-1:*** *Prior to approval of tentative maps, conditional use permits or site plan review, the project applicant(s) shall incorporate the following features into project plans and specifications, as directed by the City of Salinas:* • *Provide traffic calming measures (such as speed bumps, traffic circles, and/or other standard measures) on at least 50% of streets and intersections within the Plan Area;* • *Require the parking lots or parking structures for new commercial, office, retail, and multifamily development to provide enough parking spaces for carpools and vanpools to accommodate reasonably foreseeable consumer demand at the time of the approval of such development, consistent with State of California laws and policies intended to encourage the use of carpools and vanpools;* • *Require the use of low-VOC paint for all new building architectural coatings within the Plan Area, consistent with or better than, what is required by the City's Municipal Code.*	City of Salinas Community Development Department	Prior to approval of tentative maps, conditional use permits or site plan review	
	Mitigation Measure 3.1-2: *Prior to approval of development review permit(s), the project applicant(s) shall incorporate effective methods to facilitate the use of cleaner alternative fuel (e.g., electric vehicles, carpooling, etc.) within the Plan Area. Effective methods may include the installation of alternative fuel (e.g. electric) charging stations at locations spaced throughout the Plan Area including but not limited to those specified in this Draft EIR, as applicable, consistent with or better than what is required by the City's Municipal Code and Specific Plan. Additionally, this can be achieved by providing preferential parking for alternatively-powered vehicles, including electric cars, and/or by providing carpool/vanpool parking spaces.*	City of Salinas Community Development Department	Prior to approval of development review permit(s)	
	Mitigation Measure 3.1-3: *Prior to approval of development review permit(s), the project applicant(s) shall incorporate the use of alternative*	City of Salinas	Prior to	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	energy for the residential and mixed use/commercial developments, including by implementing alternative energy (e.g. PV solar) building requirements, consistent with or better than, what is required by the City's Municipal Code and State requirements (e.g. the 2019 California Solar Mandate). Project applicant(s) shall also ensure that pre-installed electrical hookups and/or charging stations, as applicable, are incorporated into all project plans and specifications.	Community Development Department	approval of development review permit(s)	
	Mitigation Measure 3.1-4: *Prior to the issuance of building permits, the project applicant(s) shall provide plans that demonstrate that low-flow (high-efficiency) indoor water fixtures will be installed throughout the Plan Area, including for bathroom and kitchen faucets, toilet fixtures, and showers, in both residential and non-residential buildings, in compliance with or better than the standards required within the most recent version of the California Green Building Standards Code.*	City of Salinas Community Development Department	Prior to the issuance of building permits	
	Mitigation Measure 3.1-5: *Prior to the issuance of building permits, the project applicant(s) shall provide plans that demonstrate that water-efficient irrigation systems will be installed throughout the Plan Area, consistent with or better than the requirements contained within the State's Model Water Efficient Landscape Ordinance, the City's Water Conservation Ordinance and the Salinas Zoning Code Landscaping and Irrigation requirements.*	City of Salinas Community Development Department	Prior to the issuance of building permits	
	Mitigation Measure 3.1-6: *Prior to approval of improvement plans or development review permits, as applicable, the project applicant(s) shall ensure that pedestrian/bicycle facilities (e.g. pedestrian paths, outdoor bike racks, etc.) are provided within the Specific Plan Area, in coordination with and subject to approval by the City of Salinas. The project proponent shall also provide bicycling parking near the entrance to commercial establishments within the Specific Plan Area, consistent with or better than the requirements contained within the City's Municipal Code.*	City of Salinas Community Development Department	Prior to approval of improvement plans or development review permits, as applicable	
	Mitigation Measure 3.1-7: *Prior to the issuance of development review permit(s), the project applicant(s) shall incorporate the following additional Plan Area requirements, as applicable:* • *Install secured bicycle storage facilities (bike lockers, cages, interior*	City of Salinas Community Development Department	Prior to approval of development review	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	space, or similar as approved by the City Engineer) at all commercial and public facilities with 50 employees or more; • *Incorporate park-and-ride lots.* • *Install Level 2 electric vehicle (EV) charge stations at workplace sites with 50 or more employees (10% or more of total available parking spaces, dependent on the existing and anticipated overall electric vehicle fleet mix in Monterey County at time of development); and* • *Install publicly-available dual post Level 2 charge stations within the VC or NG zones, and/or other zones as deemed acceptable by the City of Salinas. (Note: The 'level' of the charging station refers to the voltage that the electric vehicle charger uses. Level 1 charging is your typical traditional home outlet, while level 2 is a 240 Volt Portable Cordset or Wall-mounted Charging Station (2-10 hours charging).* ***Mitigation Measure 3.1-8**: Prior to the approval of individual phases (i.e. tentative maps, site plan review, etc.), the project applicant(s) shall develop a reasonably feasible offsite mitigation program that provides funding to offset the project-generated air emissions that are still above the Air District's operational criteria pollutant thresholds after the adoption of other applicable air quality mitigation measures. The offsite mitigation program is subject to the review and approval of the Air District and the City of Salinas on a project-by-project basis (of phase-by-phase), and is intended to be in addition to offsets that are obtained through any on-site mitigation measures. Example projects that could be included in the offsite mitigation program may include, but are not limited to, the following:* • *Replace existing agricultural combustion-based generators/pumps with electric agricultural water pumps (in place of generators/pumps;* • *Replace combustion school buses with electric school buses within the local community;*	City of Salinas Community Development Department	permit(s) Prior to approval of individual phases (i.e. tentative maps, site plan review, etc.)	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	• *Install adaptive traffic control systems;* *Install solar photovoltaic (PV) systems.*			
Impact 3.1-3: Project construction has the potential to cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation	***Mitigation Measure 3.1-9**: Prior to the issuance of grading permits, the project applicant shall prepare a grading plan subject to review and approval by the City. In the event that ground-disturbance exceeds 2.2 acres per day for initial site preparation activities that involve extensive earth-moving activities (e.g., grubbing, excavation, rough grading), and 8.1 acres per day for activities that involve minimal earth-moving (e.g., finish grading), the required grading plans shall include the following measures to be implemented as needed to prevent visible dust emissions:* • *Water all active construction sites to prevent visible dust emissions. Frequency should be based on the type of operation, soil, and wind exposure;* • *Prohibit grading and earthmoving activities, and cover stock piles, during periods of high wind (over 15 mph);* • *Limit vehicle speed on construction sites to 15 mph.* • *Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days);* • *Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area;* • *Maintain at least 1-foot of freeboard in each haul truck;* • *Provide windbreaks on the windward perimeter of construction projects where adjacent to open land;* • *Cover inactive storage piles;* • *Sweep streets if visible soil material is carried out from the construction site; and/or* • *Post a publicly visible sign written in English and Spanish which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District (MBARD) shall be visible to*	City of Salinas Community Development Department Monterey Bay Air Resources District	Prior to the issuance of grading permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	ensure compliance with Rule 402 (Nuisance). The sign shall be in accordance with MBARD and/or City requirements, as applicable • *Use cleaner construction equipment that conforms to EPA's second or first-most stringent Tier emission standards (e.g. Tier 3 or Tier 4 emission standards in 2019), or better; and/or* • *Further, where reasonably feasible, construction equipment should include the use of alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.*			
Impact 3.1-5: The proposed project has the potential for public exposure to toxic air contaminants	***Mitigation Measure 3.1-10:*** *Prior to issuance of building permits or commencing operation of any commercial building/use that would emit toxic air contaminants (such as gas stations or dry cleaning operations), the project applicant shall, at a minimum, perform prioritization screening in accordance with the Air Toxics "Hot Spots" Program, Facility Prioritization Guidelines (July 1990) and the Air Toxics "Hot Spots" Information and Assessment Act. The prioritization screening shall be performed in accordance with the California Air Pollution Control Officers Association Air Toxic "Hot Spots" Program guidance. The prioritization screening shall also be conducted consistent with the guidance provided by the Monterey Bay Air Resources District, which will be responsible for determining which facilities based on their prioritization screening score, must perform a health risk assessment. In determining the need to prepare a health risk assessment, the Monterey Bay Air Resources District considers the potency, toxicity, quantity, and volume of hazardous materials released from the facility, the proximity of the facility to potential receptors, and any other factors specific to the facility that indicate that it may pose a significant health risk.* *If a health risk assessment is warranted for a facility based on its prioritization score, the project applicant shall assess the facilities for the potential to expose the public to toxic air contaminants in excess of the applicable thresholds (utilizing an air dispersion modelling program such as AERMOD). As of the time of this writing, the commonly accepted threshold for cancer risk is 10 in a million for carcinogens, and the reference exposure level for non-carcinogens (HI = 1). Facilities that exceed the applicable threshold(s) have the potential to expose the public to toxic air contaminants*	City of Salinas Community Development Department Monterey Bay Air Resources District	Prior to issuance of building permits or commencing operation of any commercial building/use that would emit toxic air contaminants (such as gas stations or dry cleaning operations)	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	levels that would be considered significant. Facilities that exceed the applicable threshold(s) must incorporate mitigation to reduce the risks from emission of toxic air contaminants to an acceptable level (i.e., to a level that does not exceed the applicable threshold[s]). Potential mitigation includes: reducing the size of the facility area; rearranging the site to reduce the potential for impacts on the nearest sensitive receptors; and utilizing products that reduce the level of toxic air contaminants, or removal of such products from the operational phase of the project.			
Impact 3.1-7: Cumulative impact on the region's air quality	*Implement Mitigation Measures 3.1-1 through 3.1-10.*	See Mitigation Measures 3.1-1 through 3.1-8	See Mitigation Measures 3.1-1 through 3.1-8	
BIOLOGICAL RESOURCES				
Impact 3.2-2: The proposed project has the potential to, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS - Reptile and Amphibian	***Mitigation Measure 3.2-1**: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CTS. It is anticipated that the applicant would need to coordinate with the USFWS and CDFW on any additional survey needs, beyond the surveys, assessments, and genetic testing that has already been performed on this site for this species, during the consultation process. The surveys, assessments, and genetic testing that has already been performed, in addition to any additional survey needs, will inform what, if any, take authorization is required from CDFW to comply with CESA. Consultation with CDFW and the USFWS shall be conducted well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities.* *The regulatory approvals are anticipated to include the need to submit an application for incidental take to both the USFWS (Section 7 Consultation) and CDFW (2081 incidental take permit). The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-*	City of Salinas Community Development Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist	Prior to issuance of grading and/or building permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	treatment activities in areas deemed to be viable CTS habitat. *It is anticipated that compensatory mitigation will be necessary for the loss of aquatic habitat associated with the 0.25-acre agricultural basin located on the east side of Natividad Road, approximately 0.4 miles north of East Boronda Road. At a minimum, the restoration and habitat creation of up to 30 acres along Gabilan Creek and 74 acres along Natividad Creek (net of any recreational amenities and public facilities required to facilitate the project) shall include ponded/basin areas that provide aquatic breeding habitat opportunities for CTS within the Specific Plan Area. The required amount of ponded/basin areas shall not be less than the 0.25 acres which is equivalent to the anticipated habitat loss, but the final calculation of aquatic habitat needed to compensate for that loss shall be determined by the USFWS and/or CDFW through the permit process. Additionally, the replacement aquatic habitat shall be designed with similar characteristics as the known 0.25-acre breeding pond including depths of at least five feet, and establishment of submergent and emergent vegetation around the perimeter of the pond/basin. All submergent and emergent vegetation around the pond/basin shall be from mature plantings to ensure that significant vegetation is established in the first year (i.e. no seeding or hydroseeding).* *CTS migration and dispersal functions between breeding and aestivation sites shall be appropriately considered when designing and locating new aquatic breeding habitat within the creek corridors. The final restoration and habitat creation design shall be subject to the approval of the USFWS and CDFW.* ***Mitigation Measure 3.2-2**: Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to California tiger salamander to the extent feasible, the proposed project activities shall be compliant with all Avoidance and Minimization Measures imposed by the USFWS and CDFW during Construction Activities. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with an incidental take permit (ITP) for CTS to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the*	City of Salinas Community Development Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist City of Salinas Community Development	Prior to issuance of grading and/or building permits Prior to issuance of grading and/or	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with an ITP every 72 hours during the migration/breeding season 5) installation of pit traps to capture CTS migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CTS found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report. Any disturbance/decommissioning of the basin that is a known breeding site, shall be performed under the direction of the USFWS and/or CDFW. The decommissioning of this basin shall be performed during the non-breeding season. *In addition, the project applicant shall consult with the CDFW to determine if the Project can avoid take. If take cannot be avoided, take authorization would be required prior to initiating ground-disturbing activities to comply with CESA. Take authorization would occur through issuance of an ITP by CDFW pursuant to Fish and Game Code section 2081(b). In the absence of protocol surveys, the applicant can assume presence of CTS within the Plan Area and obtain an ITP from CDFW.* ***Mitigation Measure 3.2-3**: Prior to issuance of grading and/or building permits, the project applicant, assisted by a qualified biologist, shall consult with the USFWS and CDFW to obtain the appropriate regulatory approvals and authorizations regarding CRLF. This is anticipated to include the need to submit an application for incidental take to both the USFWS (Section 7 Consultation) and CDFW (2081 incidental take permit). The project applicant's qualified biologist shall report the conclusions reached through such consultation to the City's Community Development Director. If either USFWS or CDFW determines that an incidental take permit is required, the project applicant shall obtain such a permit before engaging in any grading or other site-treatment activities in areas deemed to be viable CRLF habitat.* *The Gabilan and Natividad Creek are CRLF habitat and both are anticipated to be expanded through habitat creation/restoration. The restoration and habitat creation include up to 30 acres along Gabilan Creek and 74 acres (net of any recreational amenities and public facilities required to facilitate the project) along Natividad Creek. Given that the creation/restoration is an*	Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist City of Salinas Community Development Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist City of Salinas Community	building permits Prior to issuance of grading and/or building permits Prior to issuance of	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	expansion of habitat beyond what exists presently, it is anticipated that there would be a net increase in CRLF habitat. There is, however, the potential for temporary impacts to CRLF during the creation/restoration effort. The final restoration and habitat creation design shall be subject to the approval of the USFWS and CDFW. ***Mitigation Measure 3.2-4**: Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to CRLF to the extent feasible, the proposed project activities shall be compliant with all Avoidance and Minimization Measures imposed by the USFWS and CDFW during Construction Activities. Examples of standard avoidance and minimization measures include: 1) conducting environmental education training for all construction personnel, 2) having a biologist with a scientific collecting permit for CRLF to be responsible for overseeing any hand excavation of burrows using hand-trowels and spades per the regulatory agency protocols, 3) erecting drift fencing around the work areas if occurring during the migration/breeding season, 4) inspection of drift fencing by biologist with a scientific collecting permit every 72 hours during the migration/breeding season 5) installation of pit traps to capture CRLF migrating during the rain events with a check twice daily (morning prior to construction start and evening after construction ends), 6) relocation of any CRLF found immediately to a site designated by the USFWS and CDFW per protocol; and 7) post construction report.* ***Mitigation Measure 3.2-5**: Prior to issuance of grading and/or building permits, in order to avoid and minimize impacts to WPT to the extent feasible, the proposed project activities shall be compliant with the following Avoidance and Minimization Measures: 1) conduct environmental education training for all construction personnel, 2) conduct western pond turtle surveys within creek corridors, ponded/basin areas, and irrigation ditches by a qualified biologist, 3) survey upland areas within 0.5 miles of the aquatic features for evidence of nests as well as individual turtles, 4) make a reasonable effort to capture and relocate as many western pond turtles as possible to minimize take, 5) if a nest is observed, move eggs to a suitable location or facility for incubation, and release hatchlings into the creek corridor the following autumn, 6) design habitat elements within the creek corridor to benefit western pond turtle (i.e. include logs or rafts for emergent basking sites, and upland areas adjacent to ponds in a relatively open condition), and 7) post construction report. All survey and/or handling of WPT shall be performed by a qualified biologist in consultation with the*	Development Department California Department of Fish and Wildlife U.S. Fish and Wildlife Service Qualified Biologist	grading and/or building permits	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	CDFW.			
Impact 3.2-3: The proposed project has the potential to, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or USFWS - Birds	***Mitigation Measure 3.2-6**: Building and grading permits and plans issued for development in the project area shall note the following: If construction activities occur during the avian breeding season (February 1 – September 15) then the project proponent shall conduct pre-construction surveys to prevent impacts to nesting birds. No more than 15 days prior to the start of construction a bird survey shall be conducted by a qualified biologist to identify any active nests within the Specific Plan Area, and shall be submitted to the City. If construction stops for a period of 15 days or more during the avian breeding season than an additional bird survey shall be conducted. The biologist will conduct a survey in the Specific Plan Area for all special-status birds protected by the federal and state ESA, MBTA and CFGC. The biologist shall map all nests that are within, and visible from, the Specific Plan Area. If nests are identified, the biologist shall map the location and establish a minimum 300-foot buffer zone around active nests. Construction activity shall be prohibited within the buffer zones until the young have fledged. Nests shall be monitored at least twice per week during the nesting season and a report submitted to the City and CDFW monthly.*	City of Salinas Community Development Department Qualified Biologist California Department of Fish and Wildlife	In conjunction with issuance of building and grading permits and plans	
Impact 3.2-5: The proposed project has the potential to, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special status in local or regional plans, policies, regulations, or by the CDFW or	***Mitigation Measure 3.2-7**: Grading and/or building permits and plans issued for development in the project area shall note the following:* • *Monterey Dusky-Footed Woodrat: Any vegetation/ground disturbance to the Gabilan Creek associated with the crossings or restoration should be conducted when woodrats are least likely to breed in October through November. No more than 30 days prior to construction located within 50-feet of Gabilan Creek, a qualified biologist shall conduct a preconstruction survey for Monterey dusky-footed woodrat middens. At the discretion of a qualified biologist, an exclusion buffer shall be established around any woodrat middens that can be avoided, and these exclusion zones shall be fenced as Environmentally Sensitive Areas to protect the nest. If a woodrat midden cannot be avoided, potential dismantling and relocation strategies shall be developed and presented to the*	City of Salinas Community Development Department Qualified Biologist	In conjunction with issuance of building and/or grading permits and plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
USFWS - Mammals	*City of Salinas Community Development Department by a qualified biologist for review and/or approval. Potential dismantling and relocation strategies may include hiring a qualified biologist to dismantle the middens by hand for relocation within the restored/created habitat along Gabilan and Natividad Creeks, or outside of the project site as appropriate. If approved by the City, a qualified wildlife biologist may dismantle only middens within the project site that would be disturbed by construction activities. If young are encountered during dismantling of the midden, any removed material may be replaced and a 50-foot no-disturbance buffer would be established around the active midden. The buffer would remain until young are weaned and are able to disperse on their own accord (typically for a period of 14 days). All removed midden substrate would be collected and relocated to suitable woodland habitat outside of the project footprint. Appropriate personal protective equipment (e.g., respirator, gloves, and Tyvek suit) shall be used while dismantling and relocating woodrat nest material to protect against disease carried by rodents (e.g. hantavirus).* • *Bats: Fifteen days prior to construction activities within 200 feet of potential bat roosting habitat, the project applicant shall retain a qualified biologist familiar with bat biology to perform a preconstruction survey for roosting special-status bats, which shall be submitted to the City. The areas with potential bat roosting habitat include: 1) the three residential complexes located between Natividad Road and Gabilan Creek, 2) the outbuildings/structures located throughout the Specific Plan Area, and 3) Gabilan Creek. The survey shall include a minimum of one daytime and one evening survey. The survey shall cover the trees, structures, and debris located within these complexes. If active roosting is observed, removal of the tree or building shall be avoided until the bats can be excluded. All active non-maternity roosting sites shall be fitted with passive exclusion devices, such as one-way flaps or doors, and all bats shall be allowed to leave voluntarily. Once it is confirmed that all bats have left the roost (minimum of five days), crews shall be allowed to continue work in the area. If a maternity roosting site is discovered, a minimum 50-foot buffer shall be established around*			

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	the roost. The project applicant shall consult with the qualified biologist in order to determine if a greater buffer is warranted based on the bat species, roost location, and specific construction activities to be performed in the vicinity. The buffer shall stay in effect until all young are determined to be volant (i.e., able to fly and feed independently) by a qualified biologist. Once it is determined that all young are volant (generally by August 1st), passive exclusion devices shall be installed and all bats shall be allowed to leave voluntarily. Once it is determined by the qualified biologist that all bats have left the roost (minimum of five days), crews shall be allowed to work within the buffer zone. Project Improvement Plans will include this measure as a note in the plans.			
Impact 3.2-7: The proposed project has the potential to have substantial adverse effect on federally - or state- protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	***Mitigation Measure 3.2-8**: Prior to grading/building permit issuance in an area that would disturb the Gabilan Creek, Natividad Creek (and its tributaries), the project applicant shall obtain jurisdictional determinations from the USACE, RWQCB, and CDFW for the creeks and ditches that are proposed to be disturbed. The creeks are confirmed jurisdictional and authorization for fill from the regulatory agencies (USACE-404 permit, RWQCB-Procedures for the Discharge of Dredged or Fill Material to Waters of the State and 401 certification, CDFW-1600 Streambed Alteration Agreement) will be necessary. The irrigation ditches are anticipated to be exempt. If these regulatory agencies concur that these irrigation ditches are exempt, then no further mitigation is necessary for the irrigation ditches. If it is determined that these ditches are not exempt, authorization for fill from the regulatory agencies (USACE-404 permit, RWQCB-Procedures for the Discharge of Dredged or Fill Material to Waters of the State and 401 certification, 1600 Streambed Alteration Agreement) will be necessary. At a minimum, the project applicant shall replace on a "no net loss" basis (minimum 1:1 ratio) the acreage and function of all wetlands and other waters that would be removed, lost, or degraded as a result of project implementation or operations, although a higher mitigation measure may be required by the USACE, RWQCB, and CDFW through their permitting processes. It is anticipated that the restoration of Gabilan and Natividad Creeks will result in up to 104 acres of wetland and riparian habitat creation (net of any recreational amenities and public facilities required to facilitate the project), which will serve as onsite mitigation; however, a mitigation plan must be submitted and approved by the USACE, RWQCB, and CDFW through the permitting processes conducted pursuant to Clean Water Act Sections 401 and 404, Fish and Game Code Section 1600, and State Water Board*	City of Salinas Community Development Department U.S. Army Corps of Engineers Regional Water Quality Control Board California Department of Fish and Wildlife	Prior to grading / building permit issuance in an area that would disturb the Gabilan Creek, Natividad Creek	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	Procedures for the Discharge of Dredged or Fill Material to Waters of the State.			
CULTURAL AND TRIBAL RESOURCES				
Impact 3.3-1: Project implementation may cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5	***Mitigation Measure 3.3-1:*** *Grading and/or building permits and plans for development in the project area shall note the following: In the event that evidence of archaeological or historical features or deposits (e.g., ceramic shard, trash scatters, lithic scatters) are uncovered (discovered) during excavation and/or grading, all work shall stop in the area of the find until an appropriate avoidance or data recovery program can be developed and implemented by a qualified archaeologist. This archaeologist shall determine whether the uncovered deposits or features qualify as either "historical resources" within the meaning of CEQA Guidelines section 15064.5, subdivision (a), "unique archaeological resources" as defined in Public Resources Code section 21083.2, subdivision (g), or "tribal cultural resources," as defined in Public Resources Code section 21074. If historical resources, unique archaeological resources, or tribal cultural resources are present, the project proponent shall preserve any such resources in place if feasible as determined by the City Planner and/or implement any other feasible mitigation measures identified by the archaeologist and approve and imposed by the City. In assessing whether avoidance is feasible, the City Planner shall consider project design, logistics, and cost considerations. All costs associated with the City's Planner's determination of project design, logistics and cost considerations shall be borne by the developer/applicant. Avoidance is infeasible where it would preclude the construction of important structures or infrastructure or require exorbitant expenditures. Recommended mitigation measures shall be reviewed by the City Planner and shall be approved if feasible in light of project design, logistics, and cost considerations and, if approved, shall be implemented and completed prior to commencing further work for which grading or building permits were issued, unless otherwise directed by the City Planner. Data recovery, including photo documentation, excavation and recovery, laboratory analysis, etc., shall be an option if preservation in place is infeasible. Where resources have been determined to be "unique archaeological resources" but not "historical resources" or "tribal cultural resources," the project proponent's obligations shall be limited as set forth in Public Resources Code section 21083.2, subdivisions (d), (e), and (f). Grading/building permits and plans shall note this measure.*	City of Salinas Community Development Department Qualified Archaeologist	In the event that evidence of archaeological or historical features or deposits (e.g., ceramic shard, trash scatters, lithic scatters) are uncovered (discovered) during excavation and/or grading	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
Impact 3.3-2: Project implementation may cause a substantial adverse change in the significance of archaeological resource pursuant to CEQA Guidelines §15064.5	*Implement Mitigation Measure 3.3-1.*	See Mitigation Measure 3.3-1	See Mitigation Measure 3.3-1	
Impact 3.3-3: Project implementation may directly or indirectly destroy a unique paleontological resource	***Mitigation Measure 3.3-2:*** Grading and/or building permits and plans for development in the project area shall note the following: *If paleontological resources are discovered during the course of construction, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Salinas shall be notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. If the paleontological resource is considered significant, it should be excavated by a qualified paleontologist and given to a local agency, State University, or other applicable institution, where the resource could be curated and displayed for public education purposes.*	City of Salinas Community Development Department Qualified Paleontologist	If paleontological resources are discovered during the course of construction	
Impact 3.3-4: Project implementation may disturb human remains, including those interred outside of formal cemeteries	***Mitigation Measure 3.3-3****: Grading and/or building permits and plans for development in the project area shall note the following: If human remains are found during construction within the Specific Plan Area, or at off-site infrastructure improvement locations, there shall be no further excavation or disturbance of the area of the find or any nearby area reasonably suspected to overlie adjacent human remains until a qualified archeological monitor and the coroner of Monterey County are contacted. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if:* *a) the Native American Heritage Commission is unable to identify a*	City of Salinas Community Development Department Monterey County Coroner Native American Heritage Commission	If human remains are discovered during the course of construction within the Specific Plan Area	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; *b) the descendent identified fails to make a recommendation; or* *c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*			
Impact 3.3-5: Project implementation may cause a substantial adverse change in the significance of a tribal cultural resource	*Implement mitigation measures 3.3-1 through 3.3-3.*	See Mitigation Measures 3.3-3 and 3.3-4	See Mitigation Measures 3.3-3 and 3.3-4	
GREENHOUSE GASES AND CLIMATE CHANGE				
Impact 3.4-1: Potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	***Mitigation Measure 3.4-1****: Prior to the approval of the tentative maps, conditional use permits or site plan review, as applicable, the project applicant shall prepare a Greenhouse Gas Reduction Plan (GGRP) aimed at achieving specific performance standards. The GGRP may be prepared pursuant to CEQA Guidelines section 15183.5(b) and shall include the following:* *1) The GGRP shall, if feasible, achieve a per capita operational emissions level of 1.44 MT CO2e/service population/year by year 2040, and 0.80 MT CO2e/service population/year by year 2050.* *2) Calculation of GHG emissions projection using an acceptable modeling tool such as the most recent version of CalEEMod.* *GHG reduction measures may include building and site energy reduction measures, measures to reduce project-generated vehicle miles traveled, or other measures. Off-site measures such as participation in a community-wide GHG reduction program(s), if any are adopted, or payment of GHG reduction fees (carbon offsets) into a qualified existing program, may be considered after all feasible on-site reduction measures are considered. Any carbon offsets must be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code section 38562, subdivisions (d)(1) and (d)(2). Such offsets shall be based on protocols*	City of Salinas Community Development Department	Prior to the approval of the tentative maps and development review permits	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	consistent with the criteria set forth Section 95972, subdivision (a) of Title 17 of the California Code of Regulations, and shall not include offsets originating outside of California, except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by the City and/or the Monterey Bay Air Resources District (MBARD). Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) through the CAPCOA GHG Rx and any program adopted the MBARD. The effectiveness of the GHG reduction measures included in the GGRP must be verifiable based on evidence presented in the GGRP. Representative GHG reduction measures which may be considered may include, but are not limited to: • *Measures identified by the California Air Pollution Control Officers' Association in Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures or updates to this document as may occur from time to time.* • *Applicable measures identified in guidance from MBARD, if any, and/or in guidance provided by the California Air Resources Board, other regional air districts such as the Bay Area Air Quality Management District, Sacramento Metropolitan Air Quality Management District, San Luis Obispo County Air Pollution Control District, or other agencies with adopted GHG reduction guidance that is applicable on the date the project application is deemed complete by the City.* *If the project applicant concludes that sufficient feasible GHG reduction measures are unavailable to reduce GHG emissions to below the threshold of significance (i.e., per capita operational emissions level of 1.44 MT CO2e/service population/year by 2040, and 0.80 MT CO2e/service population/year by 2050), the project applicant shall include substantial evidence in the GGRP to this effect. The GGRP shall be subject to review and approval of the City of Salinas Community Development Department prior to*			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	approval of the tentative map or development review application, as applicable. Where the applicant concludes that the GGRP meets the threshold of significance, the Community Development Department shall determine whether, in its independent judgment, the GGRP actually does meet the threshold of significance, and shall ensure that all proposed measures will be effective and enforceable. In determining whether, as the applicant may assert, sufficient feasible GHG reduction measures are unavailable to reduce GHG emissions to below the threshold of significance, the Community Development Department shall determine, in its independent judgment, whether there might be additional feasible measures, including qualifying carbon offsets, available to meet the thresholds of significance. In making this determination, the Community Development Department shall consider the feasibility of imposing additional measures, including requiring the applicant to purchase any additional qualifying carbon offsets that might be available in the marketplace or through development of a local or regional program that could produce additional qualifying offsets. "Feasibility" in this context shall focus on the technical viability and overall cost of such additional measures, including carbon offsets, and, specifically, whether such measures (i) are technologically feasible, (ii) would substantially increase the cost of proposed housing, or (iii) would render the proposed project economically infeasible within the meaning of CEQA case law such as Uphold Our Heritage v. Town of Woodside (2007) 147 Cal.App.4th 587, 598-601. After the Community Development Department has approved a GGRP, the GGRP shall be forwarded to the City Planning Commission for its consideration and potential approval. The Planning Commission shall consider the GGRP at a noticed public hearing or meeting at which public testimony shall be considered. Any decision of the Planning Commission approving, conditioning, or denying a GGRP may be appealed to the City Council within 10 days of the Planning Commission decision. Upon appeal, the City Council shall consider the GGRP at a noticed public hearing or meeting at which public testimony shall be considered. *Implementation of this mitigation measure shall not be required if the City has a qualified GHG reduction plan in place on the date a future individual project application subject to the GHG reduction plan is deemed complete, the qualified GHG reduction plan reflects the most recent legislatively-adopted GHG reduction targets (e.g., the 2030 target set by SB 32), includes*			

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	an inventory of projected GHG emissions from development within the Plan Area, and includes GHG reduction measures applicable to development within the Plan Area whose implementation is required as a condition of approval of such projects.			
Impact 3.4-2: Potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases	*Implement Mitigation Measure 3.4-1.*	See Mitigation Measures 3.4-1	See Mitigation Measures 3.4-1	
Impact 3.4-4: Cumulative impact on climate change from increased project-related greenhouse gas emission		See Mitigation Measures 3.4-1	See Mitigation Measures 3.4-1	
HAZARDS AND HAZARDOUS MATERIALS				
Impact 3.5-1: Potential to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment	***Mitigation Measure 3.5-1:*** *Prior to issuance of grading permits or building permits, (including the issuance of demolition permits for agricultural support buildings) as applicable, the applicant shall hire a qualified consultant to:* *1) Provide a final evaluation of the soils around the agricultural operations support buildings (residences, warehouses, barns, etc.) before they are demolished. If toxic levels of residual agrichemicals or surface staining are found, the contaminated soil shall be excavated and disposed of at an off-site disposal facility permitted to accept such waste. Any contaminated areas shall be remediated by the project applicant in accordance with recommendations made by the Monterey County Health Department Hazardous Materials Management Services, Regional Water Quality Control Board, Department of Toxic Substances Control, or other appropriate federal, State, or local regulatory agencies.* *2) Investigate structures for asbestos-containing materials and lead. If asbestos-containing materials and/or lead are found in the buildings, or around the perimeters of the foundations if structures have*	City of Salinas Community Development Department	Prior to issuance of grading permits or building permits, (including the issuance of demolition permits for agricultural support buildings) as applicable	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	already been removed, a Cal-OSHA certified ACBM and lead based paint contractor shall be retained to remove the asbestos-containing materials and lead in accordance with U.S. EPA and California Occupational Safety and Health Administration (Cal/OSHA) standards. In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal/OSHA asbestos and lead worker construction standards. Any ACBM and lead shall be disposed of properly at an appropriate offsite disposal facility. *In addition, any construction activity that involves the disturbance or removal of building materials or structures must be thoroughly inspected for asbestos by a California Certified Asbestos Consultant (CAC) prior to the construction activity, as regulated by the Federal EPA Asbestos NESHAP (National Emission Standards of Hazardous Air Pollutants) and Air District Rule 424. Work to remove any regulated quantities of asbestos must be notified to the Air District at least 10 working days prior to the beginning of work.* *Any load-bearing removal in the structures is defined as a demolition activity by the Federal EPA Asbestos NESHAP regulation and District Rule 424. This activity must also be notified to the Air District at least 10 working days prior to the beginning of work.* 3) *The two known gasoline USTs located on APNs 211-013-003 or -010 and -011 and APN 153-091-001 shall require proper removal in accordance with Monterey County permit requirements prior to planned development. Any unused fuel and oil ASTs and containers located in the vicinity of the agricultural buildings and equipment yards shall be properly removed and recycled or disposed of. Any associated petroleum hydrocarbon subsurface impacts associated with the USTs, ASTs and fuel and oil containers/storage areas shall require proper removal in accordance with all applicable regulatory requirements and recommendations by the Monterey County Health Department Hazardous Materials Management Services, Regional Water Quality Control Board, Department of Toxic Substances*			

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Control, or other appropriate federal, State, or local regulatory agencies. 4) *Investigation and reporting for Polychlorinated biphenyls (PCBs) related soil impacts (associated with pole-mounted transformers) at the fenced former substation located on the southern portion of APN 211-013-012 shall be required prior to disturbance of the area. Soil sampling and analytical testing shall be required to determine if subsurface impacts require further assessment or remediation prior to planned development. If the investigation and analytical results of the soil samples determines the soils contain threshold levels of PCBs, materials must be disposed of as a hazardous waste and shall require proper removal in accordance with all applicable regulatory requirements and recommendations by the Monterey County Health Department Hazardous Materials Management Services, Regional Water Quality Control Board, Department of Toxic Substances Control, or other appropriate federal, State, or local regulatory agencies.* 5) *Observations and a screening level Phase II ESA soil sampling and analytical testing shall be completed for APNs 211-013-003, -007, -010 and -011 prior to any development approvals. Any contaminated areas shall be remediated by the project applicant in accordance with recommendations made by the Monterey County Health Department Hazardous Materials Management Services, Regional Water Quality Control Board, Department of Toxic Substances Control, or other appropriate federal, State, or local regulatory agencies.* ***Mitigation Measure 3.5-2:*** *Prior to the issuance of grading permits, existing water wells within the grading area shall be destroyed under permit from the City of Salinas and/or the Monterey County Health Department, as applicable. Any destruction of these facilities shall be in accordance with the Monterey County Well Standards for Abandonment/Destruction. The project applicant shall provide the City of Salinas with a copy of the permit and a report or other information documenting the appropriate destruction of*	City of Salinas Community Development Department Monterey County Health Department City of Salinas Community Development Department Monterey County Health Department	Prior to the issuance of grading permits Prior to the issuance of building permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	these facilities. ***Mitigation Measure 3.5-3:*** *Prior to the issuance of building permits, the water well or wells that will be providing water for the applicable portion of the Specific Plan Area, shall be constructed and tested for water quality under permit from the Monterey County Health Department. The project applicant shall provide the City of Salinas with a copy of the permit and a report or other information documenting the appropriate construction and operation of these facilities.*			
Impact 3.5-2: Create a significant hazard to school sites due to siting or the placement of infrastructure	***Mitigation Measure 3.5-4:*** *The property line of all school sites (even if it is a joint use agreement as described in subsection (o) of § 14010) shall be at least the following distance from the edge of respective power line easements as identified in the California Code of Regulations Title 5, Article 2. School Sites § 14010, Standards for School Site Selection (c):* • *100 feet for power lines that are between 50 and 133 kV.*	City of Salinas Community Development Department	Prior to approval of improvement plans for any school site	
HYDROLOGY AND WATER QUALITY				
Impact 3.6-1: The proposed project has the potential to violate water quality standards or waste discharge requirements during construction	***Mitigation Measure 3.6-1:*** *Prior to issuance of grading permits, the project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the City of Salinas prior to submitting to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best Management Practices (BMPs) that the RWQCB has deemed to be effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and shall not preclude the use of equally or more effective new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City of Salinas. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB or the*	City of Salinas Public Works Department Regional Water Quality Control Board	Prior to issuance of grading permits	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	City of Salinas.			
Impact 3.6-2: The proposed project has the potential to violate water quality standards or waste discharge requirements during operation	***Mitigation Measure 3.6-2:*** *Prior to the issuance of grading permits, the project proponent shall submit to the Salinas Public Works Department the project Improvement Plans. The Improvement Plans shall be consistent with the City's Development Standards, Standard Plans, and current NPDES permit requirements at the time of permitting. The NPDES permit granted to the City of Salinas by the Central Coast RWQCB (RWQCB – Central Coast Region, 2019) requires the following:* *I. Erosion and Sediment Control BMPs – Erosion control and sediment control BMPs shall be designed, installed, and maintained to reduce the discharge of pollutants from construction sites to the maximum extent practical (MEP) and protect water quality;* *II. Erosion and sediment from slopes and channels shall be controlled by implementing an effective combination of erosion control (source control) and other sediment control BMPs; and* *III. Soil Stabilization – Stabilization of disturbed areas shall, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased.* *Additionally, the Improvement Plans shall be consistent with the requirements of the City's most current Stormwater Development Standards for New and Redevelopment Projects. The City of Salinas Stormwater Standards for New and Redevelopment Projects (City of Salinas, 2013) require the following practices:* *I. Limit disturbance of creeks and natural drainage features and provide setbacks according to the City's latest NPDES permit;* *II. Minimize compaction of highly permeable soils; and* *III. Limit clearing and grading of native vegetation to the minimum needed to build the project and provide fire*	City of Salinas Public Works Department	Prior to the issuance of grading permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	protection. ***Mitigation Measure 3.6-3:*** *Prior to the approval of site improvement plans, the project applicant shall submit to the Salinas Public Works Department a Stormwater Control Plan detailing plans and calculations for water quality best management practices (BMPs) and water quality detention/retention basins designed to meet the applicable regulatory requirements and to reduce contaminant loadings to receiving waters to the maximum extent practicable.* *The approved Stormwater Control Plans shall be submitted to the Central Coast RWQCB through SMARTS as part of the project's SWPPP permit documents.*	City of Salinas Public Works Department	Prior to the approval of site improvement plans	
	Mitigation Measure 3.6-4: *Prior to the approval of site improvement plans, the project applicant shall submit to the Salinas Public Works Department a Stormwater Control Plan detailing plans and calculations for operational water quality best management practices (BMPs) and water quality detention basins designed to prevent to the maximum extent practicable the creation of new sources of polluted runoff. Operational water quality BMPs may include extended detention basins, wet ponds/detention basins, porous pavement, inlet filters, vegetative BMPs, underground infiltration systems, vegetative swales, or storm drain stenciling and posting of signage. The detailed plans and calculations shall be subject to review and approval by the Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to the approval of site improvement plans	
	Mitigation Measure 3.6-5: *Prior to the approval of site improvement plans, the project applicant shall submit a Hydrologic study as part of the Stormwater Control Plan to the Salinas Public Works Department detailed plans and calculations for supplemental retention and peak flow control. BMPs will be designed to meet regulatory requirements and to reduce peak flows during storm events below peak flows under pre-project conditions. The detailed plans and calculations shall be subject to review and approval by the Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to the approval of site improvement plans	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
Impact 3.6-3: The proposed project has the potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge	***Mitigation Measure 3.6-6:*** *Prior to the approval of site improvement plans, the project applicant shall site, and design and include an Operation and Maintenance Plan for stormwater retention/infiltration basins and infiltration promoting BMPs sufficient to assure that there is no reduction in groundwater recharge. In order to assure there is no reduction in recharge, the plan shall result in circumstances which maintain infiltration to support baseflow and interflow to wetlands and surface waters, and deep vertical infiltration to groundwater. The site, design, and installation shall be consistent with the requirements of the City's Stormwater Development Standards for New and Redevelopment Projects. The contents of the site, landscaping (ground cover, bushes and trees, etc.) and irrigation (as applicable), design, and installation shall be included in a Stormwater Control Plan. The Stormwater Control Plan shall be reflected on the Improvement Plans and subject to review and approval by the Salinas Public Works Department and the City Planner. All basins shall be designed to have a natural appearance through the use of varied bank slopes (through grading) and appropriate landscaping (ground cover, bushes, trees, etc.) and irrigation (as applicable). A landscaping plan, irrigation plan and maintenance plan (all prepared by a qualified professional) shall be submitted for the review and approval of the Public Works Department and the City Planner.* ***Mitigation Measure 3.6-7:*** *Prior to the approval of site improvement plans, the project applicant shall site, design, and include an Operation and Maintenance Plan for post-construction BMPs and supplemental stormwater detention basins in accordance with City of Salinas stormwater development standards. Maintenance procedures (including frequency of procedure, cleaning schedules, applicant responsibility for each procedure, performance standards, or other means) and funding mechanisms shall be established for those facilities to assure adequate long-term performance and success in treating the water and controlling infiltration into the groundwater. The Improvement Plans and Operation and Maintenance Plan shall be subject to review and approval by the Salinas Public Works Department.*	City of Salinas Public Works Department City of Salinas Public Works Department	Prior to the approval of site improvement plans Prior to the approval of site improvement plans	
Impact 3.6-6: Place housing or structures that would impede/redirect flows within a 100-year, or 200-year flood	***Mitigation Measure 3.6-8****: Prior to the approval of site improvement plans, the project applicant shall submit an application for a letter of map revision based on fill (LOMR-F) to the City of Salinas floodplain administrator and FEMA with pertinent information and studies for approval that indicates no*	City of Salinas Public Works Department	Prior to the approval of site improvement	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map	*building construction would take place within remapped FEMA flood zones AE and A and that no changes to the regulated floodway will result in an increase in the base flood elevation or impact the downstream waterways.* ***Mitigation Measure 3.6-9**: Prior to the approval of site improvement plans, the project applicant shall submit for review and approval by the Salinas Public Works Department detailed grading plans and calculations designed to place enough fill onto the shaded Zone X area as to raise the land surface elevation above the base flood elevation so that flooding hazards are minimized to a FEMA flood standard. The project applicant shall submit an application for a LOMR-F to the City of Salinas floodplain administrator and FEMA with pertinent information for approval.* ***Mitigation Measure 3.6-10**: Prior to the approval of site improvement plans, the project applicant shall submit for review and approval by the Salinas Public Works Department and the City Planner, detailed plans, calculations, landscaping (and irrigation, as applicable) plans, and design basis reports for creek corridor restoration, including detention/retention/water quality basins, within the flood hazard extents identified as Zones A and AE that provide assurances that during large storm events, creek flows and sediment transport from upstream sources are not impeded at the same time as when the adjacent basins are at or near capacity. The design basis reports for creek corridor restoration shall also be submitted to the USACE, USFWS, and RWQCB and any required permitting processed prior to City approval. All basins shall be designed to have a natural appearance through the use of varied bank slopes (through grading) and appropriate landscaping (ground cover, bushes, trees, etc.) and irrigation (as applicable). A landscaping plan, irrigation plan and maintenance plan (all prepared by a qualified professional) shall be submitted for review and approval of the Public Works Department and the City Planner.* ***Mitigation Measure 3.6-11**: Prior to the approval of site improvement plans, the project applicant shall submit a Stormwater Control Plan that provides sufficient supporting documentation and calculations to the Salinas Public Works Department to address sediment transport issues of fine-grained materials from upstream and local sources that could clog*	City of Salinas Public Works Department City of Salinas Public Works Department City of Salinas Public Works Department	plans Prior to the approval of site improvement plans Prior to the approval of site improvement plans Prior to the approval of site improvement	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	infiltration capacities and could fill required storage space within the stormwater basins at the downstream boundaries of the project area to the extent practicable. *The calculations to address these sediment transport issues may include:* • *A streamflow and sediment transport (bedload and suspended sediment) data collection monitoring program that begins one- to two-years pre-construction and continues through a mandated post-project timeframe and would provide volumetric information for calculations related to the potential for sediment deposition.* • *Pre-project measurements could be used to estimate sediment loading, which could inform the design of mitigation measures and enable estimates of maintenance frequencies needed ensure ongoing efficacy of the measures. During project execution and after project completion, measurements of bedload and suspended sediment in the channel at the downstream boundary of the project could be used to verify performance of sediment management measures and avoidance of associated sediment transport impacts.* • *The United States Geological Survey gage record on Gabilan Creek (#11152600) contains limited suspended sediment data that was collected in March and April of 2017. These data could be used to compare to and/or validate measurements obtained via field data collection.* *Strategies and measures to address these sediment transport issues may include:* • *Bioretention Basins: Bioretention basin features provide multiple water quality functions for stormwater systems, including performing as depositional areas for sediments that settle and get trapped in the bioretention media.* *An operations and maintenance plan shall be used to address specific*		plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	maintenance requirements related to sediment accumulation, such that basin media remediation would take place when a threshold condition (such as a certain amount of sediment accumulation on the basin floor) is reached. For instance, if sediment deposition exceeds a depth of 2-inches, even a small patch, the sediment would require removal to keep the basin functioning properly. *Furthermore, the functional lifespan of bioretention media (mulch, soils, drain rock, underdrain) is generally about 15 years. Annual monitoring reports could be used to track basin performance under varying wet season conditions and used to guide media replacement timing.* • *Treatment Wetlands: Treatment wetlands are designed to mimic the natural infiltration, nutrient cycling, habitat, and a myriad of other important ecological functions provided by natural wetlands. Treatment wetlands could be constructed at storm drain outfall locations or adjacent to or off-channel from a creek channel. Wetlands could vary between those that are highly designed and may need relatively high levels of maintenance to more naturally based designs that may need more limited maintenance, each with varying levels of treatment potential.* *Treatment performance is a function of wetland to watershed ratio, wetland treatment design, area hydrology, hydraulic residence time, and source pollutants. The preferred residence time through wetlands varies based on vegetation type and quantity, water depth, temperature, and design flow rates. Having a lower design flow rate can result in longer hydraulic residence time, which is preferred particularly at the start of a rainy season, since the "first flush" volume of stormwater runoff will generally contain the highest concentrations of pollutants. Treatment wetland design generally considers dry season irrigation return flows and first flush principles.* • *Vegetated Banks/Riparian Corridor: Trees and other riparian corridor vegetation appropriate to the environment, such as willows, could*			

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	grow rapidly on channel banks and trap sediments, removing sediment from streamflows as well as from local surface runoff. • *Floodplains: Floodplains provide one of the most important storage spaces for sediment as it moves discontinuously through a watershed. Naturally functioning floodplains generally extend laterally past the immediate riparian buffer zone into relatively flat areas. Floodplain access could be provided by bank and channel grading at specified design storm flows. The rate of sediment deposition on floodplains is largely dependent on the frequency of inundating flows, the suspended sediment loads in the river, available floodplain area, and presence of vegetation.* ***Mitigation Measure 3.6-12**: Prior to the approval of site improvement plans, the project applicant shall provide an Operation and Maintenance Plan as part of the Stormwater Control Plan with sufficient supporting documentation and calculations for review and approval by the Salinas Public Works Department demonstrating that risks associated with reduction of infiltration capacity in the detention/retention/water quality basins shall be minimized to the maximum extent practicable.* ***Mitigation Measure 3.6-13**: Prior to the approval of site improvement plans, the project applicant shall provide the Salinas Public Works Department with sufficient supporting documentation and calculations that the risks associated with basin embankment side slope failure because of the non-cohesive nature of Gabilan and Natividad Creek corridor sediments will be minimized to the extent practicable.* ***Mitigation Measure 3.6-14**: Prior to the approval of site improvement plans, the project applicant shall provide operations, maintenance, and SWPPP procedures for review and approval by the Salinas Public Works Department such that any detention/retention/water quality basin issues associated with sedimentation or loss of infiltration capacities are addressed by the operations, maintenance, and SWPPP procedures. Should the Salinas Public Works Department find that sedimentation or loss of infiltration capacities are addressed and subsequently approve the operations,*	City of Salinas Public Works Department City of Salinas Public Works Department City of Salinas Public Works Department	Prior to the approval of site improvement plans Prior to the approval of site improvement plans Prior to the approval of site improvement plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	maintenance, and SWPPP procedures, the applicant shall implement the procedures through the lifetime of the project. ***Mitigation Measure 3.6-15**: Prior to the approval of site improvement plans, the project applicant shall provide the Salinas Public Works Department with operations, maintenance, and SWPPP procedures such that any detention/retention/water quality basin issues associated with embankment side slope failures are addressed by the operations, maintenance, and SWPPP procedures. Should the Salinas Public Works Department find that any detention/retention/water quality basin issues associated with embankment side slope failures are addressed and subsequently approve the operations, maintenance, and SWPPP procedures, the applicant shall implement the procedures through the lifetime of the project.* *All basins shall be designed to have a natural appearance through the use of varied bank slopes (through grading) and appropriate landscaping (ground cover, bushes, trees, etc.) and irrigation (as applicable). A landscaping plan, irrigation plan and maintenance plan (all prepared by a qualified professional) shall be submitted for review and approval of the Public Works Department and the City Planner.*	City of Salinas Public Works Department	Prior to the approval of site improvement plans	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
NOISE				
Impact 3.7-2: The proposed project has the potential to increase noise levels associated with construction activities	***Mitigation Measure 3.7-1:*** *Prior to the approval of site improvement plans and respective permits, plans shall note that construction activities shall adhere to the requirements of the City of Salinas Municipal Code with respect to hours of operation.* ***Mitigation Measure 3.7-2:*** *Prior to the approval of site improvement plans and respective permits, plans shall note that all equipment shall be fitted with factory equipped mufflers and in good working order. All stationary noise generating equipment (i.e. generators) shall be located at least 200 feet from a sensitive receptor. All construction staging areas shall be located at least 200 feet from a sensitive receptor.*	City of Salinas Community Development Department City of Salinas Community Development Department	Prior to the approval of site improvement plans Prior to the approval of site improvement plans	
Impact 3.7-4: The proposed project has the potential to expose new sensitive receptors to excessive transportation noise	***Mitigation Measure 3.7-3:*** *Prior to the approval of site improvement plans and respective permits, the plans shall note the location, design, and construction details of the eight-foot to nine-foot tall sound walls and/or landscaped berm/wall combinations, as applicable, that will be constructed along the primary Specific Plan Area roadways, adjacent to proposed residential dwellings, in order to achieve the City's exterior noise standards. At the City's discretion, wall heights which achieve the City's conditionally acceptable 60-70 dB L_{dn} noise standard may be allowed. See the Draft EIR Table 3.7-14 for specific noise barrier/wall heights along each roadway. Additionally, at the City's discretion, alternative noise reduction measures which achieve the City's conditionally acceptable 60-70 dB L_{dn} noise standard may be allowed. Alternative noise reduction measures, such as building orientation and use of noise-attenuating features, can be utilized provided that a site-specific acoustical analysis is conducted that demonstrates that the alternative methods would ensure that noise levels do not exceed the City's conditionally acceptable 60-70 dB L_{dn} noise standard.* *Noise barrier walls shall be constructed of concrete panels, concrete masonry units, stucco or manufactured materials (with a density of four pounds per square foot or greater), earthen landscaped berms, or any combination of these materials as determined appropriate by the City of Salinas based upon the standards contained in the Central Area Specific Plan and the Salinas Zoning Code, as applicable. The design/appearance of the wall is subject to*	City of Salinas Community Development Department	Prior to approval of improvement plans and respective permits	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	the design approval by the City of Salinas to ensure that it is visually pleasing. Wood is not permitted due to eventual warping and degradation of acoustical performance. The walls shall not have gaps or penetrations which allow sound to flank through or around the walls. Small gaps which may occur using materials such as "keystone" blocks shall be avoided. Additionally, in accordance with Section 5-03.19 of the City's Municipal Code, best management practices shall be incorporated into the sound wall design in order to control graffiti and/or mitigate the potential impacts of graffiti. These graffiti prevention best management practices may include, without limitation: *(1) The use or the installation and maintenance of ant-graffiti materials and surface treatments approved by the City on likely graffiti-attracting surfaces.* *(2) Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.* *(3) Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.* *(4) Immediate removal of graffiti by appropriate means within seventy-two hours.* *(5) Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).* *(6) Authorizing right of access by city employees or contract agents to remove graffiti if not removed within specified time periods.* *(7) Supplying the city at its request with paint (of the appropriate color and type), cleaning agents, and/or other materials acceptable to the city to abate or to deter graffiti.* *(8) Other requirements, as deemed reasonably feasible by the city planner, to deter, to protect or to reduce the potential for graffiti*			

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	defacement. ***Mitigation Measure 3.7-4:*** *Prior to the approval of building permits, the first row of residential dwellings located along E. Boronda Road and Constitution Boulevard shall include windows having a Sound Transmission Class (STC) 35, or higher, rating installed in second floor facades and rooms that have windows or doors that abut or face E. Boronda Road and/or Constitution Boulevard. Exterior walls shall also require 3-coat stucco and RC-channels, sheathing, or another acceptable construction application that effectively attenuates noise intrusion to the interior of the house. The exterior wall specifications would specifically apply to the first row of homes that abut or face E. Boronda Road and/or Constitution Boulevard and only apply to the facades facing these roadways. The specifications do not apply to single story homes, or the first floor of a two-story home, both of which are attenuated by the sound wall. These requirements shall be included in the building plans for the specific dwelling units and noted on the building permits. A detailed analysis of any additional interior mitigation measures shall be conducted when building plans are available and prior to building permit issuance to verify these requirements. These requirements shall also be noted in the site improvement plans prior to approval by the City.* ***Mitigation Measure 3.7-5:*** *Prior to the approval of building permits, mechanical ventilation shall be required in the first row of all residential dwellings that abut E. Boronda Road and Constitution Boulevard, as desired for acoustical isolation, to keep their doors and windows closed and still maintain acceptable interior temperature and noise levels. This requirement shall be included in the building plans for the specific dwelling units and noted on the building permits. This requirement shall also be noted in the site improvement plans prior to approval by the City.*	City of Salinas Community Development Department City of Salinas Community Development Department	Prior to approval of building permits Prior to approval of building permits	
Impact 3.7-5: The proposed project has the potential to expose sensitive receptors to substantial noise from proposed park and school uses	***Mitigation Measure 3.7-6:*** *Prior to the approval of site improvement plans, as applicable, when parks or play areas are located near residential uses, the center of active play areas, such as football fields, soccer fields or other athletic fields, shall be located at a minimum distance of 90-feet from the nearest residential property lines. Large active play areas shall comply with the 60 dB L_{eq} and 70 dB L_{max} standards, and shall include these further noise level evaluations during the design phases of future park areas.*	City of Salinas Community Development Department	Prior to the approval of site improvement plans	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Parks shall be designed such that residences front, or side in limited locations where approved by the City Planner, to the park. Minimum 6-foot tall sound walls and/or landscaped berms shall be constructed where school site directly abuts a residential property line in instances where site design (i.e., minimum distances, siting of activity areas, etc.) cannot achieve the 60 dB L_{eq} and 70 dB L_{max} noise standards. No wall shall be required where residential uses are fronted towards a park or school site and separated by a roadway or a walkway. *Noise barrier walls shall be constructed of concrete panels, concrete masonry units, stucco or manufactured materials (with a density of four pounds per square foot or greater), earthen landscaped berms, or any combination of these materials as determined appropriate by the Salinas Public Works Department and the City Planner. The design/appearance of the walls is subject to the design approval by the Salinas Public Works Department and the City Planner based upon the standards contained in the Central Area Specific Plan and the Salinas Zoning Code, as applicable to ensure that it is visually pleasing. Wood is not permitted due to eventual warping and degradation of acoustical performance. The walls shall not have gaps or penetrations which allow sound to flank through or around the walls. Small gaps which may occur using materials such as "keystone" blocks shall be avoided. Additionally, in accordance with Section 5-03.19 of the City's Municipal Code, best management practices shall be incorporated into the sound wall design in order to control graffiti and/or mitigate the potential impacts of graffiti (see Mitigation Measure 3.7-3 for further discussion of best management practices).*			
Impact 3.7-6: The proposed project has the potential to expose sensitive receptors to substantial noise from proposed commercial mixed-uses	***Mitigation Measure 3.7-7:*** *Prior to the approval of development review permits, the plans shall demonstrate: where mixed use commercial, business professional, office, or similar uses face residential uses or where loading docks or truck circulation routes face residential areas, the following measures shall be included in the project design:* • *All HVAC equipment shall be located within mechanical rooms where possible or shielded from view with solid or grated barriers;* • *Emergency generators shall comply with the City's noise criteria at the nearest noise-sensitive receivers;*	City of Salinas Community Development Department	Prior to the approval of development review permits	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	• *Delivery/loading activities shall comply with the Salinas Zoning Code standards and regulations; and* *The applicant shall submit a noise study to verify that the appropriate noise control measures have been incorporated into the project design and will achieve compliance with the City's noise level standards.*			
Impact 3.7-7: The proposed project has the potential to expose sensitive receptors to substantial noise from proposed well sites	***Mitigation Measure 3.7-8:*** *The potential well sites are shown in the Specific Plan. The actual wells are subject to the approval of a Conditional Use Permit (CUP) by the City pursuant to the requirements of the Salinas Zoning Code and the Central Area Specific Plan. The potential well sites and the CUP requirement for said facilities shall be clearly noted on the site improvement plans.* *Prior to approval of the CUP and subsequent issuance of the building permits for the wells, the plans shall demonstrate that the following measures shall be included in the project design:* • *The wells have been designed and will be built to not exceed a noise level of 55 dB L_{eq} at the nearest residential or school property line during normal operation of the facilities;* • *The generators shall not be permitted to exceed the City's daytime noise standard of 60 dB L_{eq};* • *The generators shall be tested only during daytime hours; and* *Additionally, that the wells have been designed (in accordance with the Central Area Specific Plan) to incorporate decorative screen walls, landscaping and other features to ensure compatibility with surrounding land uses.*	City of Salinas Community Development Department	Prior to approval of the CUP and subsequent issuance of the building permits for the well and treatment plant facilities	
PUBLIC SERVICES AND RECREATION				
Impact 3.9-1: The proposed project may require the construction of fire department facilities which may cause substantial adverse physical	***Mitigation Measure 3.9-1:*** *Prior to the issuance of a Certificate of Occupancy for each dwelling unit (and prior to issuance of building permits for non-residential uses), the applicant shall pay all applicable project impact fees per the impact fee schedule.*	City of Salinas Community Development Department	Prior to the issuance of a Certificate of Occupancy for each dwelling	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
environmental impacts			unit (and prior to issuance of building permits for non-residential uses)	
Impact 3.9-3: Project implementation may result in the need for the construction of new schools, which has the potential to cause substantial adverse physical environmental impacts	***Mitigation Measure 3.9-2:*** *Prior to the issuance of building permits for each dwelling unit, the applicant shall pay applicable school fees mandated by SB 50 to the Salinas Union High School District (SUHSD), Alisal Union School District (AUSD), and/or Santa Rita Union School District (SRUSD) (only required for the SRUSD if the school district boundary adjustment between the SRUSD and the AUSD is not completed as anticipated) and provide documentation of said payment to the City.*	City of Salinas Community Development Department	Prior to the issuance of building permits for each dwelling unit	
TRANSPORTATION AND CIRCULATION				
Impact 3.10-1: Under Existing Plus Project conditions, implementation of the proposed Specific Plan would conflict with the performance measures established by the City of Salinas, Monterey County, and Caltrans	***Recommended Condition of Approval 3.10-1****: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings at North Main Street/Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.* ***Recommended Condition of Approval 3.10-2****: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the widening of the intersection at Natividad Road/East Laurel Drive to add additional northbound and southbound through lanes, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). This improvement is part of the City's Traffic Improvement Program. Total fees shall be determined by the City of Salinas. The final*	City of Salinas Public Works Department City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	improvement plans shall note this improvement and the fair-share funding requirement.		development	
	***Recommended Condition of Approval 3.10-3**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a roundabout at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-4**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings and to add an eastbound left turn pocket at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. This condition includes the addition of an eastbound left turn pocket and optimization of the existing signal timing to better accommodate the expected changes in traffic distribution and volume with implementation of the proposed project. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-5**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of existing signal timings and splits at the South Sanborn/North Sanborn/John Street intersection, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design. ***Recommended Condition of Approval 3.10-6**: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall contribute its fair-share funding to the Transportation Agency for Monterey County (TAMC) Regional Development Impact Fee (RDIF) Program and the City of Salinas' Traffic Impact Fee (TIF) Program, as determined by the TAMC and the City of Salinas, respectively, in proportion to the area planned for development by such project applicant. These programs include improvements to U.S. 101 that would improve mainline and ramp junction operations, which would mitigate the proposed project's impact to the U.S. 101 ramp junctions affected by the proposed project (i.e. the Northbound Boronda Road Off-Ramp and Northbound West Laurel Drive Off-Ramp.*	City of Salinas Public Works Department	issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
Impact 3.10-2: Under Existing Plus Project and Central Area Specific Plan conditions, implementation of the proposed Specific Plan may conflict with the performance measures established by the City of Salinas, Monterey County, and Caltrans	***Recommended Condition of Approval 3.10-7**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the installation of a traffic signal at San Juan Grade Road/Van Buren Avenue, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans for each stage of project development shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.* ***Recommended Condition of Approval 3.10-8**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to optimize the existing traffic signal timing and splits at intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall*	City of Salinas Public Works Department City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.		non-residential development	
	***Recommended Condition of Approval 3.10-9**: Each project applicant for development within the Specific Plan Area shall provide its fair-share funding for the optimization of the existing signal timing at San Juan Grade Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-10**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to convert the eastbound right turn lane to a shared through-right turn lane at Natividad Road/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-11**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of a roundabout at the intersection of North Sanborn Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and*	City of Salinas Public Works	Prior to issuance of Certificate of Occupancy for	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design. ***Recommended Condition of Approval 3.10-12**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of a traffic signal at the intersection of Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.* ***Recommended Condition of Approval 3.10-13**: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding to add a southbound left turn pocket and optimize traffic signal timings at the traffic signal at Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	Department City of Salinas Public Works Department City of Salinas Public Works Department	residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
Impact 3.10-3: Under Cumulative Plus Project conditions, implementation of the proposed Specific Plan may conflict with the transportation performance	***Recommended Condition of Approval 3.10-14**: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of funding to the TAMC Regional Development Impact Fee to provide improvements addressing this impact identified as the installation of a*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
measures established by the City of Salinas, Monterey County, and Caltrans	*traffic signal at intersection of U.S. 101 Southbound Ramps/Echo Valley Road/Crazy Horse Canyon Road. Regional fees shall be determined by the City of Salinas in consultation with TAMC. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*		prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-15**: Each project applicant for development within the Specific Plan Area shall contribute its fair-share of the TAMC Regional Development Impact Fee to provide improvements addressing this impact identified as the installation of a traffic signal at intersection of U.S. 101 Northbound Ramps/Crazy Horse Canyon Road. Total fees shall be determined by the City of Salinas in consultation with TAMC. Fees are payable prior to final improvement plans for each tentative map.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-16**: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Crazy Horse Canyon Road/San Juan Grade Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall consider the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-17**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Rogge Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall consider the use of currently available Adaptive Traffic Control Systems*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	(ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.		issuance for non-residential development	
	***Recommended Condition of Approval 3.10-18**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Natividad Road/Russell Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-19**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of southbound and westbound left turn lanes at the intersection of North Main Street/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-20:** Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound right turn overlap phase at the intersection of North Main Street/West Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	improvement plans shall note this improvement and the fair-share funding requirement.		development	
	***Recommended Condition of Approval 3.10-21**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a southbound left turn lane at the intersection of Constitution Boulevard/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Public Works Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-22**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at the intersection of Old Stage Road/Williams Road/Private Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design, as specified by the City of Salinas Public Works Department.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-23**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound through lane, the addition of a northbound right turn overlap phase, and the conversion of the westbound through lane to a westbound shared through-left turn lane at the intersection of North Main Street/East Bernal Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	improvement plans shall note these improvements and the fair-share funding requirement.		development	
	***Recommended Condition of Approval 3.10-24**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound and southbound through lanes at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-25:** Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of an eastbound left turn lane at the intersection of Williams Road/East Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-26**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a westbound left turn lane at the intersection of South Davis Road/Blanco Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-27**: Each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a northbound left turn lane at the*			

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	intersection of Main Street/Blanco Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.			
Impact 3.10-4: Under Cumulative Plus Project with Central Area Specific Plan conditions, implementation of the proposed Specific Plan may conflict with the transportation performance measures established by the City of Salinas, Monterey County, and Caltrans	***Recommended Condition of Approval 3.10-28**: Prior to the approval of final improvement plans for each tentative map, each project applicant for development within the Specific Plan Area shall provide its fair-share contribution for the installation of a traffic signal at intersection of Old Stage Road/Hebert Road, in proportion to the area planned for development by such project applicant. Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement. This condition shall include the use of currently available Adaptive Traffic Control Systems (ATCS) in the intersection design.* ***Recommended Condition of Approval 3.10-29:** Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of an eastbound left turn lane at Constitution Boulevard/East Laurel Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.* ***Recommended Condition of Approval 3.10-30:** Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of an appropriately sized roundabout at North Sanborn Road/Boronda Road, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Public Works Department City of Salinas Community Development Department City of Salinas Community Development Department	Prior to the approval of final improvement plans for each tentative map Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	Recommended Condition of Approval 3.10-31: *Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of a southbound left turn lane at East Front Street/Sherwood Drive/Market Drive, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Recommended Condition of Approval 3.10-32*: Each project applicant for development within the Specific Plan Area shall provide its fair-share of funding for the installation of an eastbound through lane at Salinas Street/North Main Street/West Market Street/East Market Street, in proportion to the area planned for development by such project applicant, in accordance with City policies (payable prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development). Total fees shall be determined by the City of Salinas. The final improvement plans shall note this improvement and the fair-share funding requirement.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Recommended Condition of Approval 3.10-33*: Implement previously identified Recommended Condition of Approval 3.10-14, which identifies the need to install a traffic signal at the intersection at U.S. 101 Southbound Ramps/Echo Valley Road/Crazy Horse Canyon Road.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	Recommended Condition of Approval 3.10-34*: Implement previously identified Recommended Condition of Approval 3.10-15, which identifies the need to install a traffic signal at the intersection at U.S. 101 Northbound Ramps/Crazy Horse Canyon Road.*	City of Salinas Community Development Department		
	Recommended Condition of Approval 3.10-35*: Implement previously identified Recommended Condition of Approval 3.10-16, which identifies the need to install a traffic signal at the intersection at Crazy Horse Canyon Road/San Juan Grade Road.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to	
	Recommended Condition of Approval 3.10-36*: Implement previously*	City of Salinas Community Development		

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	identified Recommended Condition of Approval 3.10-28, which identifies the need to install a traffic signal at the intersection at Old Stage Road/Hebert Road.	Department	building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-37**: Implement previously identified Recommended Condition of Approval 3.10-17, which identifies the need to install a traffic signal at the intersection at Natividad Road/Rogge Road.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-38**: Implement previously identified Recommended Condition of Approval 3.10-18, which identifies the need to install a traffic signal at the intersection at Natividad Road/Russell Road.*	City of Salinas Community Development Department		
	***Recommended Condition of Approval 3.10-39**: Implement previously identified Recommended Condition of Approval 3.10-7, which identifies the need to install a traffic signal at the intersection at San Juan Grade Road/Van Buren Avenue.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-40**: Implement previously identified Recommended Condition of Approval 3.10-8 and 3.10-19, which identifies the need to install southbound and westbound left turn lanes, and to optimize signal timing, at North Main Street/East Boronda Road.*	City of Salinas Community Development Department		
	***Recommended Condition of Approval 3.10-41**: Implement previously identified Recommended Condition of Approval 3.10-2, which identifies the need to install northbound and southbound through lanes at Natividad Road/East Laurel Drive.*	City of Salinas Community Development Department	Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	
	***Recommended Condition of Approval 3.10-42**: Implement previously identified Recommended Condition of Approval 3.10-21 and 3.10-29, which identify the need to Install southbound left turn lane and an eastbound left turn lane at Constitution Boulevard/East Laurel Drive.*	City of Salinas Community Development Department		
	***Recommended Condition of Approval 3.10-43**: Implement previously identified Recommended Condition of Approval 3.10-3, which identifies the need to install a roundabout at the intersection at North Sanborn*	City of Salinas Community Development	Prior to issuance of	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	Road/Boronda Road. ***Recommended Condition of Approval 3.10-44**: Implement previously identified Recommended Condition of Approval 3.10-22, which identifies the need to install a traffic signal at the intersection at Old Stage Road/Williams Road/Private Road.* ***Recommended Condition of Approval 3.10-45**: Implement previously identified Recommended Condition of Approval 3.10-23, which identifies the need to install a northbound through lane, add in a northbound right turn overlap phase, and convert the westbound through lane to a westbound shared through-left turn lane at the intersection of North Main Street/East Bernal Drive.* ***Recommended Condition of Approval 3.10-46**: Implement previously identified Recommended Condition of Approvals 3.10-4 and 3.10-24, which identify the need to install northbound and southbound through lanes, Optimize existing signal timings, and add an eastbound left turn pocket, at the intersection of Sherwood Drive/Natividad Road & East Bernal Drive/La Posada Way.* ***Recommended Condition of Approval 3.10-47**: Implement previously identified Recommended Conditions of Approval 3.10-12 and 3.10-25, which identify the need to* traffic signal or roundabout, to improve the intersection's LOS to A during the evening peak hour, and to install an eastbound left turn lane, at the intersection of Williams Road/East Boronda Road. ***Recommended Condition of Approval 3.10-48**: Implement previously identified Recommended Condition of Approval 3.10-31, which identifies the need install a southbound left turn lane at the intersection of East Front Street/Sherwood Drive/Market Drive.* ***Recommended Condition of Approval 3.10-49**: Implement previously identified Recommended Condition of Approval 3.10-26, which identifies the need* install a westbound left turn lane at the intersection of South Davis	Department City of Salinas Community Development Department City of Salinas Community Development Department City of Salinas Community Development Department City of Salinas Community Development Department City of Salinas Community Development Department City of Salinas Community Development Department	Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	Road/Blanco Road. ***Recommended Condition of Approval 3.10-50:*** *Implement previously identified Recommended Conditions of Approval 3.10-13 and 3.10-32, which identify the need to install a southbound left turn lane and optimize signal timings, and to install an eastbound through lane, at the intersection of Salinas Street/North Main Street/West Market Street/East Market Street.* ***Recommended Condition of Approval 3.10-51:*** *Implement previously identified Recommended Condition of Approval 3.10-27, which identifies the need to install a northbound left turn lane at the intersection at South Main Street/Blanco Road.* ***Recommended Condition of Approval 3.10-52:*** *Implement previously identified Recommended Condition of Approval 3.10-6, which identifies the need to contribute to the TAMC RDIF Program and payment of the City of Salinas's Traffic Impact Fees for the U.S. 101 Mainline Segments.*	City of Salinas Community Development Department City of Salinas Community Development Department City of Salinas Community Development Department	development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development Prior to issuance of Certificate of Occupancy for residential and prior to building permit issuance for non-residential development	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
OTHER ISSUES ADDRESSED IN THE FINAL SUPPLEMENT FOR THE 2002 SALINAS GENERAL PLAN FINAL PROGRAM EIR				
AESTHETICS				
A1	The City will implement General Plan Implementation Program CD-1 – City Gateway Guidelines. Implementation Program CD-1 requires the City to implement the City's Gateway Guidelines addressing identification graphics and entry signs, lighting, and landscaping for the City's major entry points identified in Figure CD-1.	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	
A2	The City will implement General Plan Implementation Program CD-2 – Architectural Design. Implementation Program CD-2 requires the City to strengthen the City's Design Guidelines and require compliance to enhance the City's visual appeal and ensure compatible, aesthetically pleasing development with particular emphasis on: 1) historic areas of the community; and 2) properties visible from Highway 101.	Community Development, Redevelopment Agency	Ongoing – the City is required to implement this measure everywhere it applies.	
A3	The City will implement General Plan Implementation Program CD-3 – Lighting Ordinance, on an ongoing basis. Implementation Program CD-3 requires the City to improve the City Lighting Ordinance to ensure that: 1) all future outdoor lights include cut-off lenses to minimize light dispersion above the fixture head; 2) a lighting study is required to be performed when appropriate to ensure adequate light levels, while not exceeding industry standards; and 3) sky glow is reduced.	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	
A4	The City will implement General Plan Implementation Program CD-4 – Landscaping Standards, on an ongoing basis. Implementation Program CD-4 requires the City to implement landscaping requirements for public and private development and redevelopment projects to promote greater visual and functional compatibility with residential development and pedestrian/bicycle use.	Community Development, Redevelopment Agency	Ongoing – the City is required to implement this measure everywhere it applies.	
A5	The City will implement General Plan Implementation Program CD-5 – Review Discretionary Development Projects, on an ongoing basis. Implementation Program CD-5 requires the City to review discretionary development proposals for potential aesthetics impacts per the California Environmental Quality Act (CEQA). The standards established in the Zoning Code, the City's Design Guidelines, Landscaping Standards, Lighting Ordinance, Gateway Guidelines, the projects incorporation of Traditional	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	Neighborhood Development (TND) characteristics, and the projects potential to damage or block scenic resources and views will be used to determine the significance of impacts. If potential impacts are identified, mitigation in the form of project redesign (e.g., bulk, height, architectural details, lighting) will be required to reduce the impact to a level less than significant.			
A6	The City will implement General Plan Implementation Program COS-10 – Buffers, on an ongoing basis. Implementation Program COS-10 requires the City to encourage the provision and maintenance of buffers, such as roadways, topographic features, and open space, to prevent incompatibilities between agricultural and non-agricultural land uses. A number of factors shall be used to determine the appropriate buffer, including type of agricultural use, topography, and pesticide and machinery use, among others.	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	
A7	The City will implement General Plan Implementation Program COS-9 – Boronda Memorandum of Understanding, on an ongoing basis. Implementation Program COS-9 requires the City to continue to cooperate with the County of Monterey to implement the Boronda Memorandum of Understanding, which directs that City growth occur generally to the north and east away from the most productive farmland.	Community Development, County of Monterey	Ongoing – the City is required to implement this measure everywhere it applies.	
A8	The City will implement General Plan Implementation Program LU-7 – City-Centered Growth, on an ongoing basis. Implementation Program LU-7 requires the City to give priority to redevelopment and infill projects that reduce development pressure on agricultural lands and establish an incentive program to promote these projects, such as priority permit processing and density bonuses, for such developments.	Community Development, Redevelopment Agency	Ongoing – though the project convert existing agricultural lands to urban development, the City is required to implement this measure everywhere it applies.	
A9	The City will implement General Plan Implementation Program CD-8 – California Main Street Program on an ongoing basis. Implementation Program CD-8 requires the City to expand community participation in the	Community Development, Public Works,	Ongoing – the City is required to implement	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	Main Street Program and continue to work with the Program to create an identity that emphasizes our cultural heritage and attracts businesses and consumers to the downtown area.	Redevelopment Agency, Oldtown Salinas organization	this measure everywhere it applies.	
A10	The City will implement General Plan Implementation Program COS-14 – Historic/Architectural Preservation, on an ongoing basis. Implementation Program COS-13 requires the City to consider implementing a historic/architectural preservation program and a historic/architectural preservation ordinance that encourages public/private partnerships to preserve and enhance historically significant buildings in the community. Measures to implement may include, but are not limited to, Transfer of Development Rights (TDR), establishment of criteria for a historic/architectural resources review process, and implementation of a Mills Act program. TDR could benefit the community by protecting historic resources through an agreement that allows the development potential ("rights") on the historic property to be transferred to another property when the historic resources on the original property is preserved. The Mills Act program would involve the City entering into a contract with a property owner to change how the County Assessor calculates taxes on their property in exchange for the continued preservation of the property by the property owner. The adjusted property taxes are recalculated using a formula in the Mills Act and Revenue and Taxation Code.	Community Development, Redevelopment Agency, City Manager's Office, City Council, County Assessors Office	Ongoing – the City is required to implement this measure everywhere it applies.	
AGRICULTURAL RESOURCES				
AG1	The City will implement General Plan Implementation Program COS-9 – Boronda Memorandum of Understanding, which requires the City to continue to cooperate with the County of Monterey to implement the Boronda Memorandum of Understanding, which directs that City growth occur generally to the north and east away from the most productive farmland.	Community Development, County of Monterey	Ongoing – the project would comply with this measure.	
AG2	The City will implement General Plan Implementation Program LU-7 – City-Centered Growth, which requires the City to give priority to redevelopment and infill projects that reduce development pressure on agricultural lands. Establish an incentive program to promote these projects, such as priority permit processing and density bonuses for such	Community Development, Redevelopment Agency	Ongoing – although the project would develop agricultural	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	developments.		lands, the City gives infill development priority for development an ongoing basis.	
AG3	The City will implement General Plan Implementation Program COS-11, which requires the City to be consistent with the County of Monterey's "Right-to-Farm" Ordinance, and the County of Monterey Draft General Plan Policy LU-7.8 and Actions LU-7.b and LU-7.c, revise the City's Zoning Ordinance to require the recordation of a Right-to-Farm Notice as a condition of discretionary permit approval for residential development within 1,000 feet of an established agricultural operation. The purpose of the Notice is to acknowledge that residents in the area may experience inconveniences and discomfort associated with the normal farming and grazing activities, such as noise and dust. The Notice shall specifically state that a variety of activities may occur that may be incompatible with the proposed development and that an established agricultural operation in full compliance with applicable laws, shall not be considered a nuisance due to changes in the surrounding area. The Notice shall also state that a person's right to recover under a nuisance claim against these activities may be restricted.	Community Development, ACOE, FWS, CDFG	Ongoing – the City is required to implement this measure everywhere it applies.	
AG4	The City will implement General Plan Implementation Program COS-10 - Buffers, which requires the City to encourage the provision and maintenance of buffers, such as roadways, topographic features, and open space, to prevent incompatibilities between agricultural and non-agricultural land uses. A number of factors shall be used to determine the appropriate buffer, including type of agricultural use, topography, and pesticide and machinery use, among others.	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	
AG5	The City will work with the County of Monterey, and other local jurisdictions, to create and implement an agricultural land conservation easement program including such measures as securing the dedication of easements or by paying a mitigation fee that could be used to purchase easements through a mitigation bank.	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	

FINAL MITIGATION MONITORING AND REPORTING PROGRAM 4.0

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
LAND USE AND PLANNING				
LU1	The City will implement General Plan Implementation Program LU-3 – Zoning and Subdivision Ordinances Update, which requires the City to review and update the Zoning Code and Subdivision Ordinance to ensure consistency with the General Plan and to help implement the General Plan policies and New Urbanism principles.	Community Development, Public Works	Ongoing – the project is consistent with the General Plan and follows New Urbanism principles.	
LU2	The City will implement General Plan Implementation Program LU-8 – Local Agency Formation Commission, which requires the City to be consistent with a portion of Draft Policy LU 3.4 of the Monterey County Draft General Plan, and to cooperate with LAFCO and the County of Monterey to direct growth outside the City limits to the Future Growth Area, on lands that are served or are planned to be served, with a full range of urban services, such as public water and sewer, an extensive road network, public transit, safety and emergency response services, parks, trails, and open space.	Community Development, LAFCO, County of Monterey	Ongoing – the Central Area Specific Plan is consistent these requirements.	
LU3	The City will implement General Plan Implementation Program LU-22 – Salinas Municipal Airport Master Plan, which requires the City to update and implement the Airport Master Plan. Funding has been approved to update the Salinas Municipal Airport Master Plan. The update should contain the following: address minimum distance for the Eastern bypass south of airport, define how the Eastern bypass can best be integrated with ILS approach, and determine limitations on surrounding land uses and new roadways to allow continuation of airport operations, including the potential lengthening of runway 31/13, and the California International Airshow. Upon any update of the Airport Master Plan, the Monterey County Airport Land Use Plan or the California Airport Land Use Planning Handbook, the Salinas General Plan will be reviewed and revised, as necessary.	Community Development, Salinas Airport	Ongoing – the City is required to implement this measure everywhere it applies.	
LU4	The City will implement General Plan Implementation Program LU-23 – Monterey County Airport Land Use Plan, which requires the City to continue to support the implementation of the Monterey County Airport Land Use Plan (MCALUP) and support the timely update of the MCALUP to	Community Development, Salinas Airport, County of	Ongoing – the City is required to implement this measure everywhere it	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	meet new State guidelines.	Monterey	applies.	
LU5	The City will implement General Plan Implementation Program COS-9 – Boronda Memorandum of Understanding, which requiring the City to continue to cooperate with the County of Monterey to implement the Boronda Memorandum of Understanding, which directs that City growth occur generally to the north and east away from the most productive farmland.	Community Development, County of Monterey	Ongoing – the City is required to implement this measure everywhere it applies.	
LU6	The City will implement General Plan Implementation Program LU-7, which requires the City to encourage City-Centered Growth and give priority to redevelopment and infill projects that reduce development pressure on agricultural lands. The City will also establish an incentive program to promote these projects, such as priority permit processing and density bonuses for such developments.	Community Development, Redevelopment Agency	Ongoing – though the project convert existing agricultural lands to urban development, the City is required to implement this measure everywhere it applies.	
HAZARDS AND HAZARDOUS MATERIALS				
H1	The City will implement General Plan Implementation Program S-8 – Household Hazardous Waste Program, which requires the City to continue to work with the Salinas Valley Solid Waste Authority to implement the Household Hazardous Waste program to protect resident from dangers resulting from the use, transport, and disposal of hazardous materials used in the home.	County of Monterey Environmental Health Division, Salinas Valley Solid Waste Authority	Ongoing – the City is required to implement this measure everywhere it applies.	
H2	The City will implement General Plan implementation Program S-9 – Small Business Hazardous Waste Program, which requires the City to continue to work with the Salinas Valley Solid Waste Authority to implement the Small Business Hazardous Waste Program, which allows qualified small businesses to dispose of their hazardous wastes at the Salinas Hazardous Household Waste Collection Facility.	County of Monterey Environmental Health Division, Salinas Valley Solid Waste	Ongoing – the City is required to implement this measure everywhere it applies.	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
		Authority		
H3	The City will implement General Plan Implementation Program S-7 – Hazardous Materials, which requires the City to minimize public health risks and environmental risks from the use, transport, storage, and disposal of hazardous materials by: • Cooperating with federal, state, and county agencies to effectively regulate the management of hazardous materials and hazardous waste; • Cooperating with the County of Monterey to implement the applicable portions of the County Hazardous Waste Management Plan; • Identifying roadway transportation routes for conveyance of hazardous materials (the City does not exercise jurisdictional over transportation of freight along railroad right-of- way or state highways); • Implementing the Multi-Hazard Emergency Plan for accidents involving hazardous materials; and • Cooperating with the Certified Unified program Agency (CUPA) for Salinas (the County of Monterey, Environmental Health Division) and the Salinas Fire Department to administer Risk Management Plans for businesses within the City. • Requiring development project applicants to provide a hazardous materials report documenting past uses of the property and reporting the results of soil sampling where needed to determine whether remediation is required.	County of Monterey, Environmental Health Division, Salinas Fire Department, California Department of Transportation	Ongoing – the City is required to implement this measure everywhere it applies.	
H4	The City will implement General Plan Implementation Program S-6 – Pesticide Use, which requires the City to continue to monitor regulations governing the use of pesticides and work with the County Agricultural Commission to promote the responsible use of pesticides.	Community Development, Fire Department, County Agriculture Commission	Ongoing – the City is required to implement this measure everywhere it applies.	
H5	The City will implement General Plan Implementation Program S-18 – Flood Control Insurance, which requires the City to continue to participate in the National Flood Insurance Program (NFIP).	Community Development, Development and Permit Services, Public	Ongoing – the City is required to implement this measure everywhere it	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
		Works	applies.	
H6	The City will implement General Plan Implementation Program S-19 – Flood Overlay District Regulations, which requires the City to continue to apply the Flood Overlay District regulations, pursuant to the City's Zoning Code and implement Section 9, Article VI of the Municipal Code, to minimize the potential impact to and from new development in areas subject to flooding. Update the boundaries of the District as needed to reflect current hydrologic conditions.	Community Development, Development and Permit Services, Public Works	Ongoing – the City is required to implement this measure everywhere it applies.	
H7	The City will implement General Plan Implementation Program LU-17 – Project-Related Flood Control and Stormwater Management, which requires, as a condition of project approval, new development to provide adequate storm water and flood management facilities as determined by the Public Works Department. In order to determine the facility and Best Management Practices (BMP) needs, the City may require a hydrological/drainage analysis to be performed by a certified an City-approved engineer, with the cost of said analysis the responsibility of the project applicant.	Public Works	Ongoing – the City is required to implement this measure everywhere it applies.	
H8	The City will implement General Plan Implementation Program S-22 – Promote Fire Prevention, which requires the City to promote fire prevention in Salinas by: • Working closely with the Salinas Fire Department to implement fire hazard education and fire prevention programs; • Coordinating with Cal Water and Alco water districts and the Salinas Fire Department to ensure that water pressure for existing developed areas and sites to be developed is adequate for fire fighting purposes; • Conform to Fire Department requirements for individual projects; • Adopting and implementing the most recent Uniform Fire Code provisions and appropriate amendments; and • Continue to require sprinklers in new buildings.	Development and Permit Services, Fire Department, water companies	Ongoing – the City is required to implement this measure everywhere it applies.	
H9	The City will implement General Plan Implementation Program CD-10 – Weed Abatement, which requires the City to continue to monitor and abate weeds throughout the community.	Weed Abatement Specialist	Ongoing – the City is required to implement this measure everywhere it	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
			applies.	
H10	The City will implement General Plan Implementation Program LU-12 – Fire Protection, Emergency Services, and Law Enforcement Annual Level Of Service Review, which requires the City to review the level of services and funding levels at budget time, adjusting when necessary to ensure that adequate levels of service are provided and facilities are maintained.	Fire Department, Police Department	Ongoing – the City is required to implement this measure everywhere it applies.	
H11	The City will implement General Plan Implementation Program LU-21 – Salinas Municipal Airport Master Plan, which requires the City to continue working with the Salinas Airport Commission to implement the Airport Master Plan, providing technical assistance and information to the Commission when necessary. Funding has been approved to update the Salinas Municipal Airport Master Plan. The update should contain the following: address minimum distance for Eastern bypass south of airport, define how Eastern bypass can best be integrated with ILS approach, and determine limitations on surrounding land uses and new roadways to allow continuation of airport operations, including the potential lengthening of runway 31/13, and the California International Airshow. Upon any update of the Airport Master Plan, the Monterey County Airport Land Use Plan or the California Airport Land Use Planning Handbook, the Salinas General Plan will be reviewed and revised, as necessary.	Community Development, Salinas Airport	Ongoing – the City is required to implement this measure everywhere it applies.	
H12	The City will implement General Plan Implementation Program C-8 – Monterey County Airport Land Use Commission, which requires the City to continue to coordinate with the Monterey County Airport Land Use Commission (ALUC) on projects near the airport. Encourage ALUC to update its County Airport Land Use Plan.	Community Development, Salinas Airport, Public Works, County of Monterey, Development and Permit Services	Ongoing – the City is required to implement this measure everywhere it applies.	
H13	The City will implement General Plan Implementation Program S-11 – Air Transportation Safety, which requires the City to minimize the potential for accidents related to aircraft operation by coordinating with the Monterey County Airport Land Use Commission (ALUC) to review development proposals for compatibility with the Salinas Municipal Airport Master Plan, Monterey County Airport Land Use Plan, and	Community Development, Development and Permit Services, Monterey	Ongoing – the City is required to implement this measure everywhere it	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	California Airport Land Use Planning Handbook for comprehensive airport land use planning.	County ALUC, Salinas Airport	applies.	
H14	The City will implement General Plan Implementation Program S-12 – Salinas Municipal Airport Master Plan, which requires the City to revise the Airport Master Plan in order to update operational and safety procedures, reflect State and Federal mandates, better utilize airport property, and recommend land use compatibility standards for land surrounding the airport.	Community Development, Salinas Airport, ALUC	Ongoing – the City is required to implement this measure everywhere it applies.	
H15	The City will implement General Plan Implementation Program N-4 – Salinas Municipal Airport Master Plan, which requires the City upon any update of the Salinas Municipal Airport Master Plan, the County Airport Land Use Plan, or California Airport Land Use Planning Handbook, review and revise as necessary Table N-4, Figure N-2, and the goals, policies, and noise plan within the General Plan Noise Element to correspond with the updated Airport Master Plan.	Community Development, Salinas Airport Commission, ALUC	Ongoing – the City is required to implement this measure everywhere it applies.	
H16	The City will implement General Plan Implementation Program S-23 – Multi-hazard Emergency Plan, which requires the City to annually review and update the Multi-Hazard Emergency Plan under the provision of the State Emergency Management System format to maximize the efforts of emergency service providers (e.g., fire, medical, and law enforcement) and minimize human suffering and property damage during disasters. Provide annual practice sessions to the City. Support high-level multi-jurisdictional cooperation and communication for emergency planning and management. Solicit private individuals and organizations to enhance service provider communications and response with cellular telephones, ham radios, AM/FM radio, and cable television.	Community Development, Police Department, Fire Department, public and private medical facilities, Monterey County Emergency Communications, Monterey County Mobile Emergency Coordination Unit, Federal Emergency Management Agency (FEMA),	Ongoing – the City is required to implement this measure everywhere it applies.	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
		American Red Cross, Monterey County Office of Emergency Services		
H17	The City will implement General Plan Implementation Program S-23 – Emergency Preparedness Education, which requires the City to coordinate with local agencies and organizations to educate all citizens to take appropriate action to safeguard life and property during and immediately after emergencies.	Fire Department, Federal Emergency Management Agency (FEMA), American Red Cross, Monterey County Office of Emergency Services	Ongoing – the City is required to implement this measure everywhere it applies.	
GEOLOGY/SOILS				
GS1	The City will implement General Plan Implementation Program S-14, Natural Hazards Risk Reduction, prior to the approval of a discretionary permit. Implementation Program S-14 requires the City to assess development proposals for potential hazards pursuant to the California Environmental Quality Act, requiring measures when necessary to mitigate all identified public safety hazards.	Community Development, Fire Department, Public Works	Ongoing – the City is required to implement this measure everywhere it applies.	
GS2	The City will implement General Plan Implementation Program S-15 – Open Space Easements for Natural Hazards, when the threat from natural hazards cannot be mitigated through geotechnical and structural design methods. Implementation Program S-15 requires the City to use open space easements and other regulatory techniques to prohibit development and avoid unmitigable public safety hazards.	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	
GS3	The City will implement General Plan Implementation Program S-16 – Structural Design, on an ongoing basis. Implementation Program S-16 requires the City to implement the most recent state building and seismic	Development and Permit	Ongoing – the City is required to implement	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	requirements for the structural design of new development and redevelopment projects.	Services	this measure everywhere it applies.	
GS4	The City will implement General Plan Implementation Program S-17 – Soil and Geologic Surveys, on an ongoing basis. Implementation Program S-17 requires that during the review of development and redevelopment proposals, the City require surveys of soil and geologic conditions by state licensed Engineering Geologists and Civil Engineers where appropriate. When potential geologic impacts are identified, the City shall require project applicants to mitigate the impacts per the recommendations contained within the geologic survey.	Community Development, Development and Permit Services, Public Works	Ongoing – the City is required to implement this measure everywhere it applies.	
GS5	The City will implement General Plan Implementation Program S-23 – Multi-hazard Emergency Plan, on an ongoing basis. Implementation Program S-23 requires the City to maintain the Multi-hazard Emergency Plan under the provision of the State Emergency Management System format to maximize the efforts of emergency service providers (e.g., fire, medical, and law enforcement) and minimize human suffering and property damage during disasters. Support high-level multi-jurisdictional cooperation and communication for emergency planning and management. Solicit private individuals and organizations to enhance service provider communications and response with cellular telephones, ham radios, AM/FM radio, and cable television.	Community Development, Police Department, Fire Department, public and private medical facilities, Monterey County Emergency Communications, Monterey County Mobile Emergency Coordination Unit, Federal Emergency Management Agency (FEMA), American Red Cross, Monterey County Office of Emergency	Ongoing – the City is required to implement this measure everywhere it applies.	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
		Services		
GS6	The City will implement General Plan Implementation Program S-24 – Emergency Preparedness Education, on an ongoing basis. Implementation Program S-23 requires the City coordinate with local agencies and organizations to educate all residents and businesses to take appropriate action to safeguard life and property during and immediately after emergencies.	Fire Department, Federal Emergency Management Agency (FEMA), American Red Cross, Monterey County Office of Emergency Services	Ongoing – the City is required to implement this measure everywhere it applies.	
POPULATION AND HOUSING				
PH1	The City will implement General Plan Implementation Program HE-2 – Provision of Future Sites, which requires the City to continue to work with the Local Agency Formation Commission to ensure that sufficient land, infrastructure, and services are available to support housing development.	Community Development	Ongoing – the City is required to implement this measure everywhere it applies.	
PH2	The City will implement General Plan Implementation Program LU-12 – Fire Protection, Emergency Services, and Law Enforcement Annual Level of Service Review, which requires the City to review the level of services and funding levels at budget time, adjusting when necessary to ensure that adequate levels of service are provided and facilities are maintained.	Fire Department, Police Department	Ongoing – the City is required to implement this measure everywhere it applies.	
PH3	The City will implement General Plan Implementation Program C-3 – Capital Improvement Plan, which requires the City to continue to update on an annual basis the Capital Improvement Plan to plan for and fund future improvements to the circulation system, as well as other public facilities, including improvements to the existing pedestrian and bicycle system, within the community.	Public Works	Ongoing – the City is required to implement this measure everywhere it applies.	

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
PH4	The City will implement General Plan Implementation Program COS-9 – Boronda Memorandum of Understanding, which requires the City to continue to cooperate with the County of Monterey to implement the Boronda Memorandum of Understanding, which directs that City growth occur generally to the north and east from the most productive farmland.	Community Development, County of Monterey	Ongoing – the City is required to implement this measure everywhere it applies.	
PH5	The City will implement General Plan Implementation Program COS-33 – Promote Energy Retrofit Programs, which requires the City to promote retrofit programs by the City to reduce energy usage and consequently reduce emissions from energy consumption. Encourage utility companies to provide informational literature about available retrofit programs at City offices, the Permit Center, and libraries.	Development and Permit Services, utility companies	Ongoing – the City is required to implement this measure everywhere it applies.	
PH6	The City will implement General Plan Implementation Program CD-11 – Smart Growth Principles, which requires the City to use the Smart Growth Network's Getting to Smart Growth: 100 Policies for Implementation (ICMA, 2002) or other similar policy manual, perform an "audit" of the City's Zoning and Subdivision Ordinances to identify potential impediments to the development of smart growth and traditional neighborhood development projects. Revise, adopt, and implement new standards and procedures as necessary to encourage smart growth and traditional neighborhood development in Salinas.	Community Development, Public Works	Ongoing – the City is required to implement this measure everywhere it applies.	
PH7	The City will implement General Plan Implementation Program COS-23 – Monterey Bay Unified Air Pollution Control District Air Quality Management Plan, which requires the City to continue to cooperate with the Monterey Bay Unified Air Pollution Control District to implement the most recent Air Quality Management plan to address regional motor vehicle emissions. In particular, coordinate with the District and AMBAG, providing technical assistance and demographic data when available, during the development of future population projections by AMBAG.	Community Development, Monterey Bay Unified Air Pollution Control District, AMBAG	Ongoing – the City is required to implement this measure everywhere it applies.	

FINAL MITIGATION MONITORING AND REPORTING PROGRAM

4.0

This page left intentionally blank.

Sloan R. Simmons, SBN 233752
Megan E. Macy, SBN 227002
Michael R. Linden, SBN 192485
LOZANO SMITH
4 Lower Ragsdale Drive, Suite 200
Monterey, CA 93940-5758
Telephone: (831) 646-1501
Facsimile: (831) 646-1801

Attorneys for Petitioners and Plaintiffs
ALISAL UNION SCHOOL DISTRICT and
SALINAS UNION HIGH SCHOOL DISTRICT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MONTEREY

ALISAL UNION SCHOOL DISTRICT and SALINAS UNION HIGH SCHOOL DISTRICT,

Petitioners and Plaintiffs,

vs.

CITY OF SALINAS; and DOES 1 THROUGH 10, inclusive,

Respondents and Defendants.

BRIAN FINEGAN; and DOES 11 THROUGH 20, inclusive,

Real Parties in Interest.

Case No. 20CV003402

PETITIONERS' OPENING BRIEF IN SUPPORT OF FIRST AMENDED PETITION FOR PEREMPTORY WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Date: November 14, 2022
Time: 8:30 a.m.
Dept.: 14
Judge: The Hon. Carrie M. Panetta

(Exempt from Filing Fees Pursuant to Gov. Code, § 6103)

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

Exhibit 68

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

TABLE OF CONTENTS

TABLE OF AUTHORITIES 2

INTRODUCTION 5

STATEMENT OF FACTS 6

A. THE SPECIFIC PLAN. 6

B. THE CITY'S DRAFT EIR. 6

C. SCHOOL DISTRICT COMMENTS ON THE DEIR. 7

D. THE CITY'S FEIR. 8

E. THE CITY PLANNING COMMISSION'S CONSIDERATION OF THE PROJECT. 9

F. THE CITY COUNCIL'S APPROVAL OF THE PROJECT.. 9

G. THE DISTRICTS' PETITION AND COURSE OF LITIGATION 9

STANDARD OF REVIEW 10

ARGUMENT 11

I. THE CITY AGAIN VIOLATED CEQA BY CERTIFYING AN EIR THAT CONTAINED ERRONEOUS ASSUMPTIONS REGARDING ENVIRONMENTAL IMPACTS RELATED TO SCHOOLS.. 11

A. The Doctrine of Offensive Non-Mutual Collateral Estoppel Applies. 12

B. The Districts Are Entitled to Judgment Based on the CASP Record and the Law. 13

1. It is Undisputed that There is Insufficient Funding for New Schools. 13

2. The City's Responses to the Districts' Comments Provided No Justification for Not Analyzing Significant Environmental Impacts Related to Existing School Facilities. 15

II. THE CITY VIOLATED GENERAL PLAN POLICIES AND GOALS RELATED TO THE EDUCATION OF ITS CITIZENS, WHICH CONSTITUTES INDEPENDENT GROUNDS TO ISSUE WRIT OF MANDATE. 19

III. CONSISTENT WITH THE COURT'S ISSUANCE OF WRIT RELIEF TO THE DISTRICTS, THE COURT SHOULD ALSO ISSUE JUDGMENT AWARDING DECLARATORY AND INJUNCTIVE RELIEF....20

CONCLUSION....21

CERTIFICATE OF WORD COUNT....22

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

TABLE OF AUTHORITIES

Cases

In re Alberto
(2002) 102 Cal.App.4th 421 12

Banning Ranch Conservancy v. City of Newport Beach
(2017) 2 Cal.5th 918, 935 ..... 10, 11, 15

Chawanakee Unified School District v. County of Madera
(2011) 196 Cal.App.4th 1016 ..... 7, 16, 17, 18

Citizens of Goleta Valley v. Bd. of Supervisors
(1990) 52 Cal.3d 553 ..... 18, 19

Corona-Norco Unified School Dist. v. City of Corona
(1993) 17 Cal.App.4th 985 19

Coscia v. McKenna Cuneo
(2001) 25 Cal.4th 1194 12

Families Unafraid to Uphold Rural El Dorado County v. Bd. of Supervisors of El Dorado County (1998) 62 Cal.App.4th 1332 19

Gafcon, Inc. v. Ponsor & Assoc.
(2002) 98 Cal.App.4th 1388 20

Galzinski v. Somers
(2016) 2 Cal.App.5th 1164, 1175 11

Goleta Union School Dist. v. Regents of Univ. of Cal.
(1995) 37 Cal.App.4th 1025 18

Las Tunas Beach Geologic Hazard Abatement Dist. v. Super. Ct.
(1995) 38 Cal.App.4th 1002 20

Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.
(1988) 47 Cal.3d 376 ..... 10, 14, 16, 18

Los Angeles Police Protective League v. City of Los Angeles
(2002) 102 Cal.App.4th 85 12

Mycogen Corp. v. Monsanto Co.
(2002) 28 Cal.4th 888 12

People v. Woodard
(1982) 131 Cal.App.3d 107 12

Planning & Conservation League v. Dept. of Water Resources
(2000) 83 Cal.App.4th 892 ..... 16, 19

Roos v. Red
(2005) 130 Cal.App.4th 870 12

Sierra Club v. State Board of Forestry
(1994) 7 Cal.4th 1215 19

Sutton v. Golden Gate Bridge, Highway & Transportation Dist.
(1998) 68 Cal.App.4th 1149 12

Topanga Assn. for a Scenic Community v. County of Los Angeles
(1974) 11 Cal.3d 506 11

Vallejo Police Officers Assn. v. City of Vallejo
(2017) 15 Cal.App.5th 601 11

Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova
(2007) 40 Cal.4th 412 ..... 11, 16, 18

Statutes and Codes

California Code of Regulations

Cal. Code Regs., tit. 14, § 15088 15

Cal. Code Regs., tit. 14, § 15126.4 ..... 11, 14, 18

Cal. Code Regs., tit. 14, § 15131 8

Cal. Code Regs., tit. 14, § 15144 15

Code of Civil Procedure

Code Civ. Proc., § 389 1

Code Civ. Proc., § 526 20

Code Civ. Proc., § 1060 20

Code Civ. Proc., § 1085 ..... 5, 11

Code Civ. Proc., § 1094 11

Code Civ. Proc., § 1094.5 ..... 5, 10

Government Code

Gov. Code, § 65996 ..... 5, 8, 16, 18

///

///

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

Public Resources Code

Pub. Resources Code, §§ 21000 et seq. .....

Pub. Resources Code, § 21082.2 11

Pub. Resources Code, § 21100 19

Pub. Resources Code, § 21151.8 .....15, 16

Pub. Resources Code, § 21167 5

Pub. Resources Code, § 21168 5

Pub. Resources Code, § 21168.5 .....5, 10

Other Authorities

(Stats. 1998, ch. 407), Senate Bill No. 50 (1997–1998 Reg. Sess.)..... *passim*

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

Petitioners ALISAL UNION SCHOOL DISTRICT ("SRUSD") and SALINAS UNION HIGH SCHOOL DISTRICT ("SUHSD") (together "Petitioners" or "Districts") hereby submit the following Opening Brief in support of their First Amended Petition for Peremptory Writ of Mandate under Code of Civil Procedure sections 1085 and 1094.5, and Public Resources Code sections 21167, 21168, and 21168.5 ("FAP").

INTRODUCTION

In the related action *Santa Rita Union School District, et al. v. City of Salinas* (Monterey County Superior Court Case No. 20CV000242), SUHSD along with the Santa Rita Union School District ("SRUSD") brought suit under the California Environmental Quality Act ("CEQA") against Respondent City of Salinas ("Respondent" or "City") based on the approval of the West Area Specific Plan ("WASP"), including its environmental impact report ("EIR"). (See Request for Judicial Notice ["RJN"], Request No 1; Decl. of Michael R. Linden in Supp. of Opening Brief ["Linden Decl."], Ex. D.) As the Districts herein argue here in relation to the Central Area Specific Plan ("CASP" or "Project"), in the WASP case the school district petitioners argued that since the record there demonstrated that developer fees pursuant to Government Code section 65996 (Stats. 1998, ch. 407), Senate Bill No. 50 (1997–1998 Reg. Sess.) (hereinafter "SB 50") were not going to be sufficient to fund the construction of new schools that the EIR represented would be constructed within the WASP, the EIR violated CEQA because it did not analyze environmental impacts with the assumption that the school districts would have to add significant capacity to their existing facilities due to this lack of funding. (See RJN, No. 1.) This Court agreed, and Judgment was entered in the petitioners' favor on January 18, 2022.[1]

Similar to the WASP case, the instant action arises under CEQA and Planning and Zoning Law, ("PZL") related to approvals for the CASP made by the City on November 17, 2020, including the Final Environmental Impact Report ("FEIR"). Same as the WASP, the CASP FEIR evaluated environmental impacts based on the assumption that several new schools would be constructed to accommodate the new students within the CASP area, and that SB 50 developer fees would constitute complete school facilities mitigation under CEQA. During the CEQA process the City recognized the existence of the then-pending WASP action, and admitted that "[t]he same logic" of the arguments later rejected by this

[1] This case is currently on appeal. (Sixth Appellate District Case No. H049854.)

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

Court in the WASP action applied to the CASP. (Administrative Record ["AR"] 001349.) As this Court found that the City violated CEQA in the WASP case, the only proper legal conclusion here is that the CASP also has significant environmental impacts that were intentionally left unanalyzed in the FEIR, in violation of both CEQA and PZL.

STATEMENT OF FACTS

A. THE SPECIFIC PLAN.

The CASP was created for the development of approximately 760 acres of land located within the City's North of Boronda Future Growth Area ("FGA"). (AR019169.) The CASP proposes the development of up to 3,911 residential dwelling units, up to 489,700 square feet of commercial uses, approximately 61 net acres of public facilities, and approximately 148 net acres dedicated to parks and open space uses. (AR000723.)

When drafted, the CASP fell within non-party SRUSD as well as Petitioners AUSD and SUHSD. (AR019196.) Identified as sites to satisfy the needs of the districts were one 18-acre elementary/middle school site (K-8) within SRUSD, one 12-acre elementary school site within AUSD; and one 18-acre middle school site within SUHSD. (AR019197.) The K-8 site was the subject of a district boundary adjustment had been initiated between the three districts, where SRUSD would relinquish that elementary school site to AUSD (and no longer have a site in the CASP). (AR019197.) This site would be reserved for purchase by either SRUSD or AUSD, while the other two sites had already been purchased by AUSD and SUHSD. (AR019197.) The CASP noted that proposed funding sources for schools were the SB 50 fee as well as "TAMC (Transportation Agency for Monterey County) and State and Federal." (AR019359.)

B. THE CITY'S DRAFT EIR.

On June 26, 2020, the City presented its public draft of the Draft EIR ("DEIR") for the CASP. (AR000838-5854.) Per the DEIR, the CASP is expected to generate approximately between 3,591 and 4,033 additional students for the Districts (depending on whether there would be a boundary change between SRUSD and AUSD, such that the SRUSD would not serve the CASP area). (AR001346.) However, the DEIR represents that the Districts' existing schools were at or near full capacity. (AR001325-29.) The DEIR also noted that in May of 2020, AUSD represented to one of the developers

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

interested in the CASP that a third elementary school site may be needed within the CASP. (AR001348.)

In a reference to the adjacent WASP, where SUHSD "questioned what the District saw as the City's apparent assumption that the District had access to the financial resources necessary to build a new high school within that project area," the City noted that it "responded that potential scenarios described by the commenter are too speculative to give rise to meaningful environmental assessment, particularly since, if they occur, they will occur over an extended period of time (perhaps 20 to 30 years), consistent with buildout of the proposed Specific Plan Area." (AR001350-51.) The City then stated that the "*same logic applies*" *to the CASP*. (AR001351, emphasis added.) The City represented that the CASP "would contribute to significant and unavoidable impacts related to air quality (Impacts 3.1-2, and 3.1-7), biological resources (Impacts 3.2-2, 3.2-9 and 3.2-12), greenhouse gases (Impacts 3.4-1 and 3.4-4), noise (Impacts 3.7-1, and 3.7-8), and transportation and circulation (Impacts 3.10-3, and 3.10-4)." (AR001351-52.) However, the only mitigation measure (3.9-2) was the payment of SB 50 fees prior to the issuance of building permits. (AR001352.)

C. SCHOOL DISTRICT COMMENTS ON THE DEIR.

During the 45-day comment period for the DEIR, the City received letters from both Districts as well as SRUSD. (AR005961-72, 6001-09, 6029-33.) All three letters pointed out that funding may not be available for the construction of new school sites and, as such, there was no environmental evaluation of impacts related to the housing of new students at existing sites. (AR005965-68, 6004-06, 6029-33.)

In its letter, AUSD addressed the subject of inadequate school funding, and how the FEIR did not address the very real possibility that due to this lack of funding the new schools contemplated by the CASP would not be built, and instead there would be modifications to existing school sites resulting in environmental impacts that had not been analyzed in the FEIR. (AR005965-69.) AUSD pointed out that the DEIR stated that the payment of SB 50 impact amounted to "full and complete facilities mitigation" for CEQA, which was not accurate because pursuant to "*Chawanakee* developer fees"[2] "do not constitute full and complete mitigation for school-related impacts other than school overcrowding." (AR005965.) AUSD provided a detailed description of the "three-legged stool" for school funding

[2] *Chawanakee Unified School District v. County of Madera* (2011) 196 Cal.App.4th 1016.

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

pursuant SB 50 (State bond fund grants, developer fees, and local funding), and represented that due the high improbability of obtaining sufficient state and local funding, AUSD would not be able to construct the three new educational facilities assumed by the FEIR, especially as the buildout of the CASP was estimated to be over a 20 to 30 year period. (AR005965-68) As a result, the district "will be forced to consider other means of serving the students who will reside there, including "massive bussing and other transportation to existing District sites, as well as overcrowding of those sites." (AR005968.) These highly likely environmental impacts went unanalyzed in the DEIR.

D. THE CITY'S FEIR.

Thereafter, the City prepared the FEIR for the CASP. (AR005855-6136.) In the FEIR, the City provided responses comments made by the Districts regarding the likelihood that funding will not be available to fund new school facilities, and thus what the CASP's impacts on the environment will be when the Districts' existing sites receive the influx of new students. (AR006010-28, 6034-44.) However, the City made a series of arguments as to why such impacts did not need to be analyzed.

First, the City claimed that it could not account for the environmental effects of this lack of funding because this analysis would be "speculative." (AR005988.) The City argued that it had "no way of knowing how, over a 20-year period . . . each individual school might deal with its inability to build a particular school within the Specific Plan Area." (AR005988.) The City took the position that it had complied with CEQA because it "addressed the physical effects of school construction and operation" in the EIR but did not address school overcrowding because of SB 50:

> The City's approach to CEQA compliance has been correct. Consistent with SB 50 (see Draft EIR, pp. 39-14 - 3.9-15, 3.9-20), the City addressed the physical effects of school construction and operation, along with all other land uses within the Specific Plan Area (e.g., effects on biological resources, cultural resources, air quality, greenhouse gases, etc.) but did not treat school overcrowding as an environmental impact category subject to CEQA. Rather, the City is requiring the applicants to pay their school impact fees, as contemplated by Government Code Section 65996, which provides that the payment of such fees is deemed to be "full and complete school facilities mitigation" for any demands on school facilities caused by new development. The Districts' demand for analysis of impacts on the Districts' financial condition goes beyond what the Legislature has declared is required or allowed under CEQA. The demand is also contrary to long-standing distinctions between environmental impacts, on the one hand, and economic or social impacts, on the other. (See, e.g., CEQA Guidelines, § 15131.)

(AR005990)

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

E. THE CITY PLANNING COMMISSION'S CONSIDERATION OF THE PROJECT.

On October 21, 2020, the Project approvals came for consideration before the Planning Commission in a public hearing, including: (1) the CASP; (2) the FEIR; (3) a rezoning ordinance; and (4) a development agreement. (AR00002-17.) Counsel for Petitioner AUSD submitted, on Petitioner AUSD's behalf, a public comment, in the form of an email attachment, to the Commission's designated public comment email address in advance of the meeting. The comment was accompanied by a cover email, which explained that the comment was attached. However, during the public comment portion of the meeting, the Commission merely read the cover email into the record and entirely disregarded Petitioner AUSD's comment. (AR016043.) After the close of public comment, the Planning Commission recommended approval of the Project to the City Council. (AR016049-64.)

F. THE CITY COUNCIL'S APPROVAL OF THE PROJECT.

The City Council's hearing for the Project's approvals, including the FEIR, took place on November 17, 2019. (AR006165-285.) Nancy Pfeiffer, Petitioner AUSD's Associate Superintendent for Business Services, provided public comment on the Districts' concerns and also submitted a letter for the record. (AR016154-55.) Furthermore, counsel for AUSD (Manuel Martinez from Lozano Smith) submitted an emailed comment concerning school funding that was read into the record. (AR016156-57.) The CASP, FEIR, and the CEQA findings of fact and statement of overriding considerations were approved at this meeting, while the zoning ordinance and DA were introduced. (AR016174-76.) The next day, November 18, 2020, the City filed Notice of Determination with the County Clerk's office. (AR000001.) On December 1, 2020, the zoning ordinance and DA were approved. (AR016206-14.)

G. THE DISTRICTS' PETITION AND COURSE OF LITIGATION.

On December 16, 2020, the Districts served the City with a Notice of Intent to bring suit under CEQA related to the FEIR. On December 17, 2020, the Districts filed their original Petition for Administrative and/or Traditional Writ of Mandate and Complaint for Declaratory and Injunctive Relief ("Petition"). On March 8, 2021, the City filed a Demurrer to the original Petition and Complaint, arguing that the Districts' action was time-barred because local attorney Brian Finegan, the purported

///

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

CEQA "applicant," was not named and served as an indispensable party within the applicable limitations period. On April 30, 2021, Petitioners filed their FAP, rendering the demurrer moot.

On May 25, 2021, the City filed a Demurrer to the FAP, making the same statute of limitations argument that was made before. However, this Demurrer was overruled by Judge Marla O. Anderson at the hearing on June 28, 2021, and the Order on the Demurrer was filed on October 8, 2021. On October 22, 2021, the City filed its Answer to the FAP.

In 2022, the complex civil judge assignment changed from Judge Anderson to Judge Carrie M. Panetta. Shortly thereafter, on January 6, 2022, the City filed a Motion for Judgment pursuant to Code of Civil Procedure section 1094, arguing again that the Districts' action was time-barred for failure to name and serve an indispensable party within the applicable limitations period. During the course of the briefing, the motion was transferred to Judge Thomas W. Wills, and Judge Wills heard the matter on April 22, 2022. Judge Wills then ordered and received further briefing from the parties, and took the matter on submission. On July 7, 2022, Judge Wills issued an order denying the City's motion.

STANDARD OF REVIEW

Under Code of Civil Procedure section 1094.5, a trial court determines whether the agency proceeded in a manner authorized by law, and whether the findings supporting the agency's decision are supported by substantial evidence. (See *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.) Consistent with this authority, the trial court in a CEQA determines whether there was a prejudicial abuse of discretion, which is established "if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence." (Pub. Resources Code, § 21168.5; see also *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392-93 ["*Laurel Heights*"].)

Under this two-pronged framework, a court will "determine de novo whether the agency has employed the correct procedures, 'scrupulously enforc[ing] all legislatively mandated CEQA requirements,'" but accord "greater deference to the agency's substantive factual conclusions." (*Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 935 ["*Banning Ranch*"], citations omitted). As such, when reviewing a public agency's CEQA compliance, the "court must adjust its scrutiny to the nature of the alleged defect, depending on whether the claim is predominantly

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

one of improper procedure or a dispute over the facts." (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435 ["*Vineyard*"].) When an agency's EIR "omit[s] essential information," or does not address a necessary issue, that constitutes a procedural matter subject to de novo review. (*Banning Ranch*, 2 Cal.5th at 935.) Distinct, the court applies "substantial evidence" review when considering an agency's "substantive factual conclusions." (*Id.*)

The Districts also are seeking a traditional writ of mandate under Code of Civil Procedure section 1085 based on the WASP's inconsistency with the City's General Plan. In this situation, the trial court determines whether the agency's action was arbitrary, capricious, lacking in evidentiary support, contrary to established public policy, or otherwise unlawful. (See *Vallejo Police Officers Assn. v. City of Vallejo* (2017) 15 Cal.App.5th 601, 611-12; *Galzinski v. Somers* (2016) 2 Cal.App.5th 1164, 1175.)

ARGUMENT

I. THE CITY AGAIN VIOLATED CEQA BY CERTIFYING AN EIR THAT CONTAINED ERRONEOUS ASSUMPTIONS REGARDING ENVIRONMENTAL IMPACTS RELATED TO SCHOOLS.

CEQA requires a lead agency to prepare an EIR for any proposed project that may have a significant effect on the environment. (Pub. Resources Code, § 21082.2, subd. (d).) Under CEQA, the purposes of an EIR are: (a) to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; (b) to list ways in which the significant effects of such a project might be minimized; and (c) to indicate alternatives to such a project. (*Id.*, § 21061.) An EIR ***must*** identify all significant effects on the environment caused by a proposed project that cannot be avoided, and must evaluate feasible measures for minimizing or avoiding such impacts. (See Cal. Code Regs., tit. 14, § 15126.4.)

Here, neither the DEIR nor the FEIR for the CASP adequately informed the public that due to the high probability of a lack of sufficient funding to build new schools, there will be significant environmental impacts, including impacts related traffic, utilities, and public services, due to the inevitable need to modify the Districts' facilities to accommodate the influx of new students. Therefore, judgment in the Districts' favor should be granted.

///

///

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

A. The Doctrine of Offensive Non-Mutual Collateral Estoppel Applies.

As admitted to by the City in its DEIR, this the exact same issue that was litigated by the parties in the WASP action and was decided in favor of the petitioner school districts. (See RJN, No. 1; Linden Decl., Ex. D.) Since the City has a full and fair opportunity to litigate the same issue in the WASP action, the doctrine of offensive non-mutual collateral estoppel applies, and forecloses in this case any outcome different from that reached in the WASP case.

Collateral estoppel applies when: (1) the party against whom the plea is raised was a party or was in privity with a party to the prior adjudication, (2) there was a final judgment on the merits in the prior action, and (3) the issue necessarily decided in the prior adjudication is identical to the one that is sought to be relitigated. (See *Coscia v. McKenna Cuneo* (2001) 25 Cal.4th 1194, 1201.) When collateral estoppel would prevent a defendant from relitigating an issue that was previously litigated and lost, the courts also consider whether the party against whom the earlier decision is asserted had a full and fair opportunity to litigate the issue. (See *Roos v. Red* (2005) 130 Cal.App.4th 870, 879-80; *Sutton v. Golden Gate Bridge, Highway & Transportation Dist.* (1998) 68 Cal.App.4th 1149, 1157.)

Here, while AUSD was not a party to the WASP case, the doctrine of offensive non-mutual collateral estoppel is applicable because the legal issue is the instant action exactly the same. (See *Roos*, 130 Cal.App.4th at 879-80; *Los Angeles Police Protective League v. City of Los Angeles* (2002) 102 Cal.App.4th 85, 91.) While ordinarily a judgment that is the subject of an appeal does not have full res judicata effect, the Court should not issue a ruling contrary to that issued by Judge Anderson because of the strong interest in preventing wasted effort and expense in judicial administration. (See *Mycogen Corp. v. Monsanto Co.* (2002) 28 Cal.4th 888, 896.) Another strong, and related, interest is the requirement that a superior court sits as a single court. (See *In re Alberto* (2002) 102 Cal.App.4th 421, 427; *People v. Woodard* (1982) 131 Cal.App.3d 107, 111.) Even though Judge Anderson's order came from the WASP action, the City recognized in its DEIR that the legal issue in the WASP case is the same as the issue that the Districts have raised here. (AR001349.) Thus, judicial economy counsels in favor of either a ruling and judgment in the Districts' favor or a stay of proceedings in this Court.

///

///

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

B. The Districts Are Entitled to Judgment Based on the CASP Record and the Law.

Even if the doctrine of offensive non-mutual collateral estoppel is not applied, the record nevertheless demonstrates that the City violated CEQA in certifying the CASP's FEIR because it is undisputed that there were potentially significant environmental impacts related to the need of the Districts to modify their existing facilities that went unanalyzed in the FEIR, and intentionally so.

1. It is Undisputed that There is Insufficient Funding for New Schools.

First, the record is clear that there is insufficient funding for new schools. As stated in the CASP, the Initial Study identified one 18-acre elementary/middle school site (K-8) within the SRUSD, one 12-acre elementary school site within the AUSD; and one 18-acre middle school site within the SUHSD. (AR006155.) The Statement of Overriding Considerations, which represented that "[p]roject implementation may result in the need for the construction of ***new schools***, which has the potential to cause substantial adverse physical environmental impacts," including "significant and unavoidable impacts related to air quality (Impacts 3.1-2, and 3.1-7), biological resources (Impacts 3.2-2, 3.2-9 and 3.2-12), greenhouse gases (Impacts 3.4-1 and 3.4-4), noise (Impacts 3.7-1, and 3.7-8), and transportation and circulation (Impacts 3.10-3, and 3.10-4). (DEIR, pp. 3.9-23 through 3.9-31)." (AR000769, emphasis added.)

In the DEIR, the City recognized the significant environmental impacts that would result from the need to accommodate the influx of new students from CASP development. (AR001349.) The DEIR represented that the Districts' existing schools were at or near full capacity. (AR001325-29.) However, the City preemptively called the Districts' contentions regarding a lack of funding for new schools "too speculative ... to give rise to meaningful environmental assessment." (AR001351.) The City then changed the subject by arguing that "[w]hile school districts in California face funding challenges, the Legislature and Governor keep reminding cities of the importance of building housing units to address a statewide housing crisis." (AR01351.) Nowhere was it suggested that the Districts would have the funding for the new schools promised by the CASP.

As anticipated by the City, the Districts (as well as SRUSD) all provided comment letters to the DEIR related to the school funding issue. (AR005965-68, 6004-06, 6029-33.) The City was informed (or reminded) that because a lack of funding it was highly unlikely that the new schools contemplated by

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

the CASP would be built, and instead there would be modifications to existing school sites. (AR005965-69.) The letters provided by the Districts contained a detailed description of the school funding apparatus in California, and demonstrated that due the high improbability of obtaining sufficient funding, AUSD would not be able to construct the three new educational facilities assumed by the FEIR. (AR005965-68.) As a result, the Districts "will be forced to consider other means of serving the students who will reside there," including "massive bussing and other transportation to existing District sites, as well as overcrowding of those sites." (AR005968.) Therefore, the City was fully on notice of the significant environmental impacts related to an influx of students on the existing school facilities, which CEQA required the City to address. (See Cal. Code Regs., tit. 14, § 15126.4; *Laurel Heights*, 47 Cal.3d at 396.)

Responding to the Districts' comments in the FEIR, the City did not dispute the Districts' conclusion regarding the funding shortfall. Instead, the City argued that the environmental effects would be "speculative," and that it had "no way of knowing how, over a 20-year period . . . each individual school might deal with its inability to build a particular school within the Specific Plan Area." (AR005988.) The City again claimed that the only thing it had to do was require CASP developers to pay SB 50 fees, which it argued "covered any demands on school facilities caused by new development." (AR005990.) Therefore, as was the case with the DEIR, the FEIR did not dispute the fact that it was highly likely that there would be insufficient funding for new schools.

Based on the foregoing, the record indisputably demonstrates that the information related to school funding provided by the Districts was never disputed by the City. (AR005988-90.) However, rather than addressing this situation, significant environmental impacts related to school facilities were evaluated exclusively with the erroneous assumption that new schools would be constructed. (AR000769, 1349-51, 5988-91.) As discussed below, no reasonable argument that can be made that the FEIR sufficiently informed the public about what would take place inside of the CASP with respect to environmental impacts related to schools. (See Part II., *infra*.)

///

///

///

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

2. The City's Responses to the Districts' Comments Provided No Justification for Not Analyzing Significant Environmental Impacts Related to Existing School Facilities.

As it is undisputed that no evidence exists in the record for the proposition that new schools will be constructed within the CASP, the analysis now turns to a de novo review of whether the FEIR omitted necessary information or did not address necessary issues. (See *Banning Ranch*, 2 Cal.5th at 935.) In responding to comments on a Draft EIR, a lead agency must provide good faith, reasoned analysis. (Cal. Code Regs., tit. 14, § 15088, subd. (c).) When another local agency discloses new or conflicting data demonstrating that the lead agency may not have fully evaluated the project and its alternatives, these comments *may not* simply be ignored. (See *Banning Ranch,* 2 Cal.5th at 938-40.) As discussed below, there was nothing in the City's responses that provided adequate explanation for the City's decision to not evaluate significant environmental impacts related to an influx of students on existing facilities.

With respect the comment identified as I-3 (related to the suitability of a school site), the City argued that the DEIR "was not required to undertake a site-specific analysis for the school sites," and that

> under CEQA and the Education Code, school districts have the ultimate say over school sites, and, in their capacity as lead agencies for such site-specific projects, they are responsible for addressing site specific issues under criteria found in the Education Code and CEQA (e.g., in Public Resources Code section 21151.8, described in detail above).

(AR005977.) This response is completely irrelevant to the issue raised by the Districts, which is that the DEIR did not inform the public about what is far more likely to take place within the CASP.

Next, for comment I-5 (related to insufficient school funding), as discussed above the City first argued that evaluating environmental impacts related to adding new facilities at existing sites or changing transportation patterns would be "speculative," and then blamed the Districts "not offered any specific scenarios for the City to consider, despite being in a far better position than the City to predict how the school districts might react to funding shortfalls over the coming years." (AR005988.) The Districts are not aware of any CEQA authority standing for this sort of burden-shifting, and furthermore the CEQA Guidelines recognize that "[d]rafting an EIR . . . necessarily involves some degree of forecasting." (Cal. Code Regs., tit. 14, § 15144.) Here, the reasonably foreseeable situation with

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

schools was repeatedly presented by the Districts to the City, and the City was required to analyze such consequences. (See *Laurel Heights*, 47 Cal.3d at 396; *Planning & Conservation League v. Dept. of Water Resources* (2000) 83 Cal.App.4th 892, 920.)

The City then posited that "no land use plan (general plan or specific plan) is understood to guarantee that the planned uses will materialize," but instead "such plans set forth a vision of land use that might materialize if market conditions and public financing allow it to happen." (AR005988.) The problem is that the City represented that "new schools" would be built to accommodate the increase of students within the Districts, and then analyzed the environmental effects based on this scenario. (AR000769, 1349.) The City is not entitled to then discard the more likely scenario of no new schools by claiming that the CASP only "set forth a vision of land use that might materialize ...." (AR005988.) It is undisputed that students are going to be generated by CASP development, so the FEIR is required to analyze the probable environmental effects of this generation. (See *Laurel Heights*, 47 Cal.3d at 396.)

In attempt to paint itself as the facilitator between the developers and the Districts (instead of a lead agency), the City also argued that "the Education Code and CEQA (Pub. Resources Code, § 21151.8) task the school districts with the responsibility for design and construction of their own schools, and for conducting their own project-specific CEQA analyses in doing so," but that "[i]t is standard for the City to require all development projects to adhere to the State's laws regarding the funding of school facilities," and that "[t]he City will fully cooperate with the school district, as it has in the past, in the collection of the school impact fees that have been established by school district." (AR005989.) Again, the issue is ***where*** the environmental impacts related to new student generation are likely to take place. Contrary to the City's argument, lead agencies are not allowed to defer environmental analysis just because another agency will make a future approval. (See *Vineyard*, 40 Cal.4th at 435; *Laurel Heights*, 47 Cal.3d at 393.) Instead, an EIR is required to contain an analysis of the effects of future actions if it is a reasonably foreseeable consequence of the initial project. (See *Laurel Heights*, 47 Cal.3d at 396.)

The City attempted to justify its approach by citing SB 50 and arguing that in *Chawanakee Unified School District v. County of Madera* (2011) 196 Cal.App.4th 1016 ("*Chawanakee*"), "[t]he court said that, though Senate Bill 50 from 1998 relieves lead agencies of considering school

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

overcrowding, lead agencies must still look at the physical environmental effects of school construction, such as effects on traffic, air quality, biological resources, and the like." The City then argued that the holding in *Chawanakee* supported its approach because "the City considered school construction as part of full buildout of the project area," and "[t]he physical impacts of school construction are not different than the impacts of any kind of development" because "[g]rading and site alteration are required for any kind of development." (AR005990.) This argument is completely misleading because the issue is not about the environmental impacts that may eventually take place on a designated new school site, but rather ***where*** the environmental impacts related to new student generation will take place. In fact, SB 50 is limited to "impacts on school facilities," and thus even if impacts are near school facilities and related to students accessing the facilities, they do not fall under the purview of SB 50. (*Chawanakee,* 196 Cal.App.4th at 1028-29.)

In *Chawanakee*, the defendant county argued that Government Code section 65996 ("section 65996") stands for the proposition that an EIR for a development project did not need to identify, analyze, evaluate, or propose to mitigate "any impacts on a school district's ability to accommodate enrollment (i.e., overcrowding, interim facilities, permanent facilities and all other physical and financial aspects)." (*Chawanakee*, 196 Cal.App.4th at 1026.) The Court of Appeal disagreed.

As a threshold matter, the *Chawanakee* court recognized that section 65996, subdivision (a), "obviates the need for an EIR to contain a description and analysis of a development's impact on school facilities." (*Id.*) However, the court analyzed the statutory text noted that section 65996 had been amended such that it only applied to "impacts **on** school facilities," while the previous version of the statute addressed impacts "**related to**" school facilities." (*Id.* at 1028.) The court characterized this change as a narrowing of the statute because "[i]n contrast to the breadth of 'related to,' the use of the term 'on' indicates a direct relationship between the object (i.e., school facilities) and the impact and excludes impacts to other parts of the physical environment." (*Id.*) Thus, "the project's indirect impacts on parts of the physical environment that are not school facilities are not excused from being considered and mitigated." (*Id.*)

The City's arguments in the FEIR related to SB 50 and *Chawanakee* do not justify its approach and avoid addressing the issue. The City first claimed that it "addressed the physical effects of school

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

construction and operation, along with all other land uses within the Specific Plan Area (e.g., effects on biological resources, cultural resources, air quality, greenhouse gases, etc.) but did not treat school overcrowding as an environmental impact category subject to CEQA." (AR005990.) According to the City, it does not matter where environmental impacts take place. Such a proposition is contrary to the law, which requires an EIR to contain an analysis of reasonably foreseeable consequence of the project. (See *Laurel Heights*, 47 Cal.3d at 396; Cal. Code Regs., tit. 14, § 15126.4.) Thus, the EIR was required to have evaluated the environmental impacts associated with constructing additional facilities at the Districts' existing school sites,

The City also argued that "[t]he Districts' demand for analysis of impacts on the Districts' financial condition goes beyond what the Legislature has declared is required or allowed under CEQA." (AR005990.) However, the impact is not "on" the Districts' financial condition, but rather relates to what this condition will cause in terms of environmental impacts. The informational purpose of CEQA is not satisfied by an EIR that "simply ignores or assumes a solution" to a problem that has no support in the record. (*Vineyard*, 40 Cal.4th at 430-31.) As the FEIR analyzed a scenario that is almost certain not to take place, and ignored what is highly likely to take place, the City violated CEQA.

The City further argued that "[t]he demand is also contrary to long-standing distinctions between environmental impacts, on the one hand, and economic or social impacts, on the other." (AR005990.) However, an EIR is still required to analyze environmental impacts related to increased enrollment and propose mitigation measures. (See *Goleta Union School Dist. v. Regents of Univ. of Cal.* (1995) 37 Cal.App.4th 1025, 1029.) As recognized in *Chawanakee*, SB 50 only addresses impacts "on" a school facility, and impacts "on the non-school physical environment that might result from the construction" are required to be considered in the EIR. (*Chawanakee*, 196 Cal.App.4th at 1029.) If construction takes place at locations other than the "new school" sites identified in the FEIR, more than "economic" or "social" impacts are going to take place, so the City's argument does not provide an excuse for its approach.

Based on the foregoing, the City was required to analyze the CASP's impacts on parts of the physical environment that are not school facilities. The *Chawanakee* court made it clear that section 65996 does not exempt these impacts from discussion in an EIR. Thus, these changes should have been

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

analyzed in the FEIR, and their absence precludes both proper decision-making by the City and informed participation by the public. (See Pub. Resources Code, § 21100, subd. (b)(1); *Sierra Club v. State Board of Forestry* (1994) 7 Cal.4th 1215, 1236-37; *Planning & Conservation League v. Dept. of Water Resources, supra,* 83 Cal.App.4th at 911, 920.) Therefore, this Court should issue a writ of mandate requiring the City to comply with the requirements of CEQA with the CASP FEIR.

II. THE CITY VIOLATED GENERAL PLAN POLICIES AND GOALS RELATED TO THE EDUCATION OF ITS CITIZENS, WHICH CONSTITUTES INDEPENDENT GROUNDS TO ISSUE WRIT OF MANDATE.

It is well-settled that "[t]he propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 570.) A project is consistent with a General Plan "if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*Corona-Norco Unified School Dist. v. City of Corona* (1993) 17 Cal.App.4th 985, 994.) It is "the nature of the policy and the nature of the inconsistency" that are the crucial elements of this analysis. (*Families Unafraid to Uphold Rural El Dorado County v. Bd. of Supervisors of El Dorado County* (1998) 62 Cal.App.4th 1332, 1341.) When a violated policy is "fundamental, mandatory, [and] clear," it is more likely that a court will conclude that a project has violated the consistency doctrine. (*Id.* at 1342.)

As set forth in the Petition, there are several General Plan goals and policies that are relevant to the City's interaction with the local school districts. General Plan Goal LU-9 states that the City will "(w)ork with local school districts and other educational organizations to ensure that a level of public education is provided that meets community educational needs." (Linden Decl., Ex. A; RJN, Nos. 2-6.) The General Plan policies with respect to the impacts of proposed projects on school facilities and enrollment are Policy LU-9.1 (work in partnership with local school districts and assist them in identifying land needed for new school sites so that sufficient facilities are provided for students) and Policy LU-9.2 (consider impacts of proposed projects on school enrollment and facilities when acting on annexation applications to ensure that public services and facilities service standards identified in Table LU-4 are met). (Linden Decl., Ex. A.) Table LU-4 of the General Plan states that the service standard for "EDUCATION" is that school sites shall be "identified and donated concurrently with new

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

development in compliance with SB 50 requirements and any applicable law." (Linden Decl., Ex. B.) Also, Housing Element Policy H-1.2 states as follows: "New residential developments shall be adequately served by services and facilities, including park and recreation areas, libraries, sanitary and storm sewers, transportation, public safety and other services. Ensure impact fees are adequate to provide these services and facilities to residential development." (Linden Decl., Ex. C.)

In this case, the CASP directly violates the General Plan's fundamental and mandatory requirements related to schools. (Linden Decl., Exs. A-C.) First, representing that the developers will pay developer fees does nothing to "(w)ork with local school districts" because the developers would already be required by SB 50 to pay these fees. As set forth above, the mere payment of developer fees is not going to "ensure that a level of public education is provided that meets community educational needs." Instead, the Districts are left without the ability to do long-term planning, and will have to scramble to react to whatever the WASP presents with respect to the influx of students, which due to the lack of project phasing cannot be predicted. (AR005990-91.) For this reason, simply identifying land for new sites in the CASP does not adequately meet the dictate in Policy LU-9.1 that "sufficient facilities are provided for students." (Linden Decl., Ex. A.) Additionally, the CASP violates the requirement that impacts on school enrollment and facilities be considered because it only considers the unlikely scenario of multiple new schools being built. (AR019197.) As the CASP clearly violates the General Plan, a writ of mandate should be issued compelling the City to vacate its approval of CASP and requiring the City to comply with the General Plan with respect to any renewed approval.

III. CONSISTENT WITH THE COURT'S ISSUANCE OF WRIT RELIEF TO THE DISTRICTS, THE COURT SHOULD ALSO ISSUE JUDGMENT AWARDING DECLARATORY AND INJUNCTIVE RELIEF.

The Fourth Cause of Action in the FAP is for declaratory relief pursuant to Code of Civil Procedure section 1060, where a court may issue a binding declaration as to the rights and duties of the parties to the litigation. (*Gafcon, Inc. v. Ponsor & Assoc.* (2002) 98 Cal.App.4th 1388, 1401-02; *Las Tunas Beach Geologic Hazard Abatement Dist. v. Super. Ct.* (1995) 38 Cal.App.4th 1002, 1015.) The Fifth Cause of Action in the FAP is for injunctive relief pursuant to Code of Civil Procedure section 526, which states that an injunction may be granted "[w]hen it appears by the complaint or affidavits

///

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

that the commission or continuance of some act during the litigation would produce waste, or great or irreparable injury to a party to the action." (*Id.*, § 526, subd. (a)(1).)

In this case, declaratory and injunctive relief are warranted so as to properly implement the Court's order on the Motion for Judgment, issued on July 7, 2022. In this order, the Court included the following provision regarding the CASP approvals other than the FEIR:

> [T]he Court will allow the CEQA claim to proceed in the absence of the Finegan but hereby orders that there shall be protective provisions in any judgment in this action in favor of Petitioners, to lessen or avoid the prejudice to these individuals, as can be done under the second factor of Section 389, subdivision (b). … The City would remain free to process and approve additional development applications for entitlements such as tentative subdivision maps, use permits or the like, *none of which shall become effective until proper environmental analysis, documentation and review have become final*. The Court agrees this would be an acceptable protective provision.

(Order at 22:11-22, emphasis added.)

Based on the Court's order on the Motion for Judgment, a declaratory relief order is warranted to clarify that while the City can process development applications, until such time that the FEIR has "become final" based on compliance with the directives contained in a writ of mandate no such approvals can "become effective" such that physical development and construction can commence. Similarly, an injunction should be issued to enjoin the City from allowing individual development projects to move forward until such time that the FEIR has been re-certified and has become final.

CONCLUSION

Based on the foregoing, the Districts respectfully request that the Court grant the FAP and issue a peremptory writ of mandate commanding the City to comply with CEQA with respect to the preparation of any EIR for the Project, accompanied by appropriate declaratory relief and an injunction or stay concerning construction activities inside the CASP pending the City's compliance with the writ.

Dated: August 5, 2022

Respectfully submitted,

LOZANO SMITH

SLOAN R. SIMMONS
MEGAN E. MACY
MICHAEL R. LINDEN
Attorneys for Petitioners and Plaintiffs
ALISAL UNION SCHOOL DISTRICT and
SALINAS UNION HIGH SCHOOL DISTRICT

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

CERTIFICATE OF WORD COUNT

I, Michael R. Linden, counsel for the Districts hereby certify, under Local Rule 15.06 that I prepared the foregoing memorandum of points and authorities on behalf of my client, and that the word count for this briefing is 6,829 which does not include the cover, the tables, signature blocks, or this certification. I certify that I prepared this document in Microsoft Office® Word 2013, and that this is the word count generated for this document.

Dated: August 5, 2022

Respectfully submitted,

LOZANO SMITH

MICHAEL R. LINDEN
Attorneys for Petitioners and Plaintiffs
SANTA RITA UNION SCHOOL DISTRICT and
SALINAS UNION HIGH SCHOOL DISTRICT

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

PROOF OF SERVICE

I, **Stephen Scudder** am employed in the County of Fresno, State of California. I am over the age of eighteen years and not a party to the within entitled cause; my business address is 7404 N. Spalding Avenue, Fresno, California 93720. My email address is sscudder@lozanosmith.com.

On August 5, 2022, I served the attached **PETITIONERS' OPENING BRIEF IN SUPPORT OF PETITION FOR PEREMPTORY WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF** on the interested parties in said cause, by causing delivery to be made by the mode of service indicated below:

Christopher A. Callihan City Attorney Michael Mutalpassi Asst. City Attorney 200 Lincoln Avenue Salinas, CA 93901-2639 Email: chrisc@ci.salinas.ca.us Michaelmu@ci.salinas.ca.us	Attorney for Respondent, City of Salinas
James Moose, Esq. Remy Moose Manley 555 Capitol Mall, Ste. 800 Sacramento, CA 95814 Email: jmoose@rmmenvirolaw.com epollock@rmmenvirolaw.com	Attorney for Respondent, City of Salinas
Brian Finegan, Esq. Michael Harrington Finegan & Harrington, LLP 60 W. Alisal St., Ste. 1 Salinas, CA 93901 Email: brian@bfinegan.com mharrington@bfinegan.com	Attorney for Real Parties in Interest
Joel Franklin Law Offices of Joel Franklin 225 Crossroads Blvd., Suite 407 Carmel, CA 93923-8674 Email: Joel@JFranklinLaw.net	

[X] (***Regular U.S. Mail***) on all parties in said action in accordance with Code of Civil Procedure Section 1013, by placing a true and correct copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth above, at Lozano Smith, which mail placed in that designated area is given the correct amount of postage and is deposited at the Post Office that same day, in the ordinary course of business, in a United States mailbox in the County of Fresno.

[X] (***By Electronic Mail***) on all parties in said action by transmitting a true and correct to the persons at the email addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on August 5, 2022, at Fresno, California.

Stephen Scudder

LOZANO SMITH
4 Lower Ragsdale Drive, Monterey, CA 93940-5758
Tel (831) 646-1501 Fax (831) 646-1801

ELECTRONICALLY FILED BY
Superior Court of California,
County of Monterey
On 03/19/2024
By Deputy: Olalia, Sonia

CHRISTOPHER A. CALLIHAN, SBN 203010
City Attorney
CITY OF SALINAS
200 Lincoln Avenue
Salinas, CA 93901-2639
Telephone: (831) 758-7256
Email: chrisc@ci.salinas.ca.us

JAMES G. MOOSE, SBN 119374
ELIZABETH R. POLLOCK, SBN 259645
REMY MOOSE MANLEY, LLP
555 Capitol Mall, Suite 800
Sacramento, CA 95814
Telephone: (916) 443-2745
Email: jmoose@rmmenvirolaw.com
Email: epollock@rmmenvirolaw.com

JOEL FRANKLIN, SBN 69705
LAW OFFICES OF JOEL FRANKLIN
225 Crossroads Blvd., Suite 407
Carmel, California 93923-8674
Telephone: (831) 649-2545
Email: Joel@JFranklinLaw.net

Attorneys for Respondent
CITY OF SALINAS

[*Additional counsel on next page*]

EXEMPT FROM FILING FEES
[GOVERNMENT CODE § 6103]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MONTEREY

ALISAL UNION SCHOOL DISTRICT,

Petitioners and Plaintiffs,

v.

CITY OF SALINAS; and DOES 1 THROUGH 10, inclusive,

Respondent and Defendant,

BRIAN FINEGAN and DOES 1 1 THROUGH 20, inclusive,

Real Parties in Interest.

Case No. 20CV003402

California Environmental Quality Act (CEQA)

PARTIES' JOINT STIPULATION AND REQUEST; AND ~~[PROPOSED]~~ STIPULATED JUDGMENT DENYING FIRST AMENDED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Judge: The Hon. Carrie M. Panetta
Dept.: 14

Filing Date of Action: December 17, 2020

Exhibit 69

SLOAN R. SIMMONS, SBN 233752
MEGAN E. MACY, SBN 227002
LOZANO SMITH
Lower Ragsdale Drive, Suite 200
Monterey, CA 93940-5758
Telephone: (831)646-1501
Facsimile: (831) 646-1801

Attorneys for Petitioner
ALISAL UNION SCHOOL DISTRICT

TO THE HONORABLE COURT:

IT IS HERBY STIPULATED by and between Petitioner ALISAL UNION SCHOOL DISTRICT ("District" or "AUSD") and Respondent CITY OF SALINAS ("City") (collectively, the "Parties") as follows:

RECITALS

1. The District's First Amended Petition for Writ of Mandate and Request for Declaratory and Injunctive Relief ("First Amended Petition") attacked the legal adequacy of the City's approval of the so-called Central Area Specific Plan ("CASP") and the accompanying Environmental Impact Report ("EIR") under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA"), the Planning and Zoning Law (Gov. Code, § 65000 et seq.), and the Ralph M. Brown Act (Gov. Code, § 54950 et seq.).

2. On December 19, 2022, the Honorable Carrie M. Panetta held a hearing in Department 14 of the above-captioned court on the merits of the then only remaining causes of action in the First Amended Petition, at the end of which the Court took the matter under submission.

3. At the time of the merits hearing on the First Amended Petition, the Court was aware of parallel litigation against the City entitled, *Santa Rita Union School District et al. v. City of Salinas*, Monterey County Superior Court Case No. 20CV000242, which involved very similar, almost identical, CEQA issues aimed at a different specific plan located immediately west of the CASP area, the so-called West Area Specific Plan ("WASP"). Judge Marla O. Anderson of the Monterey County Superior Court previously ruled against the City in that parallel case, but the Real Parties in Interest appealed. Judge Panetta was aware that the ultimate outcome of the appeal in the WASP litigation could very well affect the ultimate outcome in the instant (CASP) litigation. Indeed, the Judge asked counsel for AUSD and the City during the merits hearing on the First Amended Petition whether their clients might be willing to stay the Court's time frame for issuing a decision until such time as the Court of Appeal had issued its decision on the WASP EIR. Near the end of the hearing, counsel committed to raise this issue with their respective clients and get back to the Court.

///

4. On January 18, 2023, AUSD filed a document entitled, Petitioner's Notice Regarding Proposed Stay of Proceedings, which informed the Court that the City had declined to agree to a stay.

5. On March 10, 2023, the Court issued an Order Granting Petition for Writ of Mandate and Request for Declaratory Relief ("Order"), which granted the First Amended Petition as to the CEQA cause of action but denied it with respect to the Planning and Zoning Law cause of action. On the CEQA issues, Judge Panetta's ruling generally followed the approach taken by Judge Anderson in the earlier ruling in the WASP litigation.

6. On April 21, 2023, the Court entered judgment in favor of AUSD and against the City based on the Order.

7. On May 11, 2023, the City filed a Notice of Appeal, commencing Court of Appeal Case No. H051077.

8. On November 15, 2023, the Sixth District Court of Appeal's decision in *Santa Rita School District v. City of Salinas* (2023) 94 Cal.App.5th 298 (the WASP case) became final and enforceable as a binding legal precedent when the California Supreme Court denied a Petition for Review and Request for Depublication filed by Plaintiff/Respondent Santa Rita Union School District.

9. On December 21, 2023, AUSD and the City together filed with the Superior Court a document entitled, Joint Request for Case Management Conference to Facilitate Settlement. In that document, the Parties requested the Court schedule an informal case management conference ("CMC") at which the Parties could explain why they were asking the Court to use its inherent powers to reverse its April 21, 2023, judgment in favor of AUSD and to issue in its stead a stipulated judgment in favor of the City. In making this request, the Parties urged that the precedent set in *Santa Rita School District v. City of Salinas* (2023) 94 Cal.App.5th 298 was dispositive in light of the factual and legal similarities between the WASP and CASP cases.

10. On January 18, 2024, the Court conducted the requested CMC and listened to discussion by the Parties in favor of a stipulated reversal. The Court indicated that it was favorably disposed towards the Parties' proposal to resolve the CASP litigation through a stipulated reversal.

/ / /

11. On January 21, 2024, the Court of Appeal sent notice to the parties of the completion and filing of the record on appeal in this case.

12. On February 6, 2024, the Superior Court held a follow-up CMC after having received draft copies of the Parties' Settlement Agreement and this Proposed Stipulated Judgment. The court indicated that it remained favorably disposed towards the concept of a stipulated reversal and did not request that the Parties alter any wording within the two draft documents submitted to her.

13. On February 7, 2024, the Parties executed a settlement resolving this matter, including inter alia as to the dismissal of the appeal in this case, the submittal of an agreed upon stipulated judgment to the Court set forth herein, and to forgo any right to appeal the stipulated judgment.

14. On February 8, 2024, the City filed with the Court of Appeal a request for dismissal of Case No. H051077; and on February 13, 2024, the Court of Appeal issued a remittitur, returning jurisdiction to the superior court.

15. The Parties agree that the Court has the inherent authority to modify its previously-issued judgment, even absent any direction to do so from the Court of Appeal and even after the expiration of timelines for the kinds of motions by which a party that has lost on the merits can seek a different outcome, such as motions for reconsideration, for vacation of judgment, for a new trial, or for relief from judgment based on surprise (see Code Civ. Proc., §§ 1008, 663, 657, 659, & 473, subd. (b)).

16. The Parties further agree that Code of Civil Procedure section 128, subdivision (a)(8), recognizes every court's inherent power to "amend and control its process and orders so as to make them conform to law and justice." This statutory language "'is consistent with and codifies the courts' traditional and inherent judicial power to do whatever is necessary and appropriate, in the absence of controlling legislation, to ensure the prompt, fair, and orderly administration of justice.'" (*Kinney v. Clark* (2017) 12 Cal.App.5th 724, 740.) "[I]t is well settled that independent of statutory provisions a trial court has the inherent power on its own motion to correct mistakes in its proceedings and within a reasonable time to annul its orders and judgments inadvertently made." (*Burbank v. Continental Life Ins. Co.* (1934) 2 Cal.App.2d 664, 667.)

///

17. The Parties further agree that, Code of Civil Procedure section 187 provides that "[w]hen jurisdiction is, by the Constitution or this Code, or by any other statute, conferred on a Court or judicial officer, all the means necessary to carry it into effect are also given; and in the exercise of this jurisdiction, if the course of proceeding be not specifically pointed out by this Code or the statute, any suitable process or mode of proceeding may be adopted which may appear most conformable to the spirit of this Code."

18. The Parties further note that, Government Code section 68070 provides that "[e]very court may make rules for its own government . . . not inconsistent with law or with the rules adopted and prescribed by the Judicial Council." (See also *Cottle v. Superior Court* (1992) 3 Cal.App.4th 1367, 1376-1377 ["California courts have fashioned new forms of procedures when required to deal with the rights of the parties and to manage the caseload of the court"]; *People v. Eggers* (1947) 30 Cal.2d 676, 692 [trial court "has jurisdiction to modify, revoke, or set its orders aside"]; *In re Scoggins* (2001) 94 Cal.App.4th 650, 658 ["trial court has inherent power to modify or set aside its pronounced judgment if ... execution of its terms has not commenced"]; and *People v. Hales* (1966) 244 Cal.App.2d 507, 508 ["[t]he trial court does have power and authority to vacate its judgment in criminal matters on proper showing"].)

STIPULATED JUDGMENT

NOW, THEREFORE, having reviewed *Santa Rita Union School District v. City of Salinas* (2023) 94 Cal.App.5th 298, having heard the Parties' positions in favor of the Court's inherent power to reverse its original judgment despite any lack of direction to do so by the Court of Appeal, and having received jurisdiction from the Court of Appeal via a remittitur in the above-entitled action in response to the City's request for dismissal of its appeal from the earlier April 21, 2023, judgment in this case, the Court hereby ADJUDGES, ORDERS, AND DECREES as follows:

Under the circumstances, in which the Parties have jointly requested the reversal of an earlier judgment based on new dispositive precedent not in existence when the earlier judgment was entered, the Court determines that it has the inherent authority to make such a change.

///

The reversal of the prior judgment for the District in favor of a new judgment for the City represents a legally appropriate and just outcome in light of the binding legal principles set forth in *Santa Rita School District v. City of Salinas* (2023) 94 Cal.App.5th 298. Requiring the City to pursue its appeal in order to obtain from the Court of Appeal both a decision on the merits and a directive requiring this Court to reverse its judgment of April 21, 2023, would lead to a waste of time and resources both in the Court of Appeal and for the Parties, which would have to pay their attorneys for their time spent on appellate briefing and oral argument.

For the foregoing reasons, the Judgment entered in Petitioner's favor on April 21, 2023, is hereby vacated.

Based upon *Santa Rita Union School District v. City of Salinas* (2023) 94 Cal.App.5th 298, the Court denies the CEQA Cause of Action in the First Amended Petition and enters Judgment in favor of the City on all Causes of Action. Based upon this conclusion and the denial of the other causes of action in the First Amended Petition, judgment is hereby entered in favor of the City and against the District.

This stipulated judgment incorporates by reference the terms of the Parties' Settlement Agreement, which is attached hereto as Exhibit 1.

Each side shall bear its own costs and attorneys' fees.

IT IS SO ADJUDGED, ORDERED, AND DECREED.

Dated: March, 19,2024

The Honorable Carrie M. Panetta
Judge of the Superior Court

EXHIBIT 1
SETTLEMENT AGREEMENT

DocuSign Envelope ID: 3E34CD42-ABE8-42BC-9652-02654CBAC5D4

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is made by and between Petitioner Alisal Union School District ("AUSD" or "District") and Respondent City of Salinas ("City"), referred to together herein as "the Parties" or individually as "Party." The purpose of the Agreement is to resolve all claims, issues, disputes, and appeals between the Parties at issue the litigation entitled, *Alisal Union School District v. City of Salinas et al.* (Monterey County Superior Court Case No. 20CV003402; Sixth District Court of Appeal Case No. H051077) ("CASP Litigation").

I.
RECITALS

1. On November 17, 2020, the City Council for the City of Salinas approved, and certified a Final Environmental Impact Report ("EIR") for, a specific plan known as the Central Area Specific Plan ("CASP"). (See Gov. Code, § 65450 [provisions dealing with specific plans].)

2. On December 17, 2020, AUSD and Salinas Union High School District (SUHSD) filed a Petition for Writ for Administrative and/or Traditional Writ of Mandate and Complaint for Declaratory and Injunctive Relief ("CASP Petition"), initiating the CASP Litigation. (Monterey County Superior Court Case No. 20CV003402.) The CASP Petition raised contentions under the California Environmental Quality Act ("CEQA") (Pub. Resource Code, § 21000 et seq.), the Planning and Zoning Law (Gov. Code, § 65000 et seq.), and the Brown Act (Gov. Code, § 54950 et seq.). Most relevant, the CASP Petition argued that the City's EIR for the CASP was inadequate for failing to address potential environmental impacts on schools.

3. The legal claims, issues, and arguments in the CASP Petition were very similar or identical to those raised in an existing lawsuit then pending against the City and various real parties in interest, filed by both SUHSD and the Santa Rita Unified School District (SRUSD), challenging the adequacy the City's EIR for the West Area Specific Plan ("WASP"), located immediately west of, and adjacent to, the CASP. (*Santa Rita Union School District et al. v. City of Salinas*, Monterey County Superior Court Case No.: 20CV000242 ["WASP Litigation"].)

4. On June 23, 2021, after a hearing on the merits of the WASP Litigation, the Monterey County Superior Court issued an "Order Granting Petitioners' Petition for Peremptory Writ of Mandate and Request for Declaratory and Injunctive Relief." Therein, Judge Marla O. Anderson rejected a claim based on the Planning and Zoning Law but determined that the WASP Final EIR was insufficient under CEQA "because the

DocuSign Envelope ID: 3E34CD42-ABE8-42BC-9652-02654CBAC5D4

FEIR failed to include discussion of potential off-site environmental impacts resulting from the WASP due to Petitioner school districts' presented concerns that [they] will lack sufficient funding to build the proposed new school sites identified within the WASP. The FEIR also failed to adequately respond to comments made by Petitioners with regard to potential off-site impacts. As such, Respondent failed to proceed in accordance with the law under CEQA." This order was subsequently reduced to judgment on January 18, 2022. On February 8, 2022, Real Parties in Interest in the WASP Litigation filed a Notice of Appeal.

5. On December 14, 2022, the City reached a settlement agreement with SUHSD, by which the latter agreed to dismiss its lawsuit with prejudice, leaving SRUSD to prosecute the CASP Litigation on its own.

6. On December 19, 2022, the superior court held a hearing on the merits of the CASP Litigation (i.e., on the CEQA and Planning and Zoning Law claims). Near the end of the hearing, Judge Carrie M. Panetta expressed her awareness of the pending appeal in the WASP Litigation and asked the City and AUSD if they might be willing to stipulate to a stay of the court's time frame for issuing a decision on the merits, so as to give the court and the Parties time to await a decision from the Court of Appeal in the WASP Litigation. On January 18, 2023, AUSD made a filing with the superior court which informed the court that the City would not agree to the stay proposed by the court.

7. On March 13, 2023, the superior court issued its decision on the merits in the CASP case via an "Order Granting Petition for Writ of Mandate and Request for Declaratory Relief." Although Judge Panetta found in the City's favor on AUSD's Planning and Zoning Law claims, she found CEQA problems with the EIR similar to those previously identified by Judge Anderson for the EIR in the WASP Litigation. Consistent with an earlier June 7, 2022 ruling by the Court on the City's Motion for Judgment, however, the court did not order the City to void its EIR certification resolution or any of its project approvals or other actions.

8. On April 21, 2023, the superior court entered judgment based on its recent Order Granting Petition for Writ of Mandate and Request for Declaratory Relief.

9. On May 11, 2023, the City filed a Notice of Appeal in the CASP Litigation.

10. On August 10, 2023, the Court of Appeal issued a published opinion in the WASP Litigation, finding the City's EIR to be legally adequate under CEQA and reversing the superior court's judgment in favor of SRUSD. At the end of the opinion, the

DocuSign Envelope ID: 3E34CD42-ABE8-42BC-9652-02654CBAC5D4

Court of Appeal stated that, "[o]n remand, the trial court is directed to (1) vacate its order granting the Districts' mandate petition as to the first and fifth causes of action; (2) enter a new order and judgment denying the petition in full; and (3) recall the writ of mandate." The appellate opinion in the WASP Litigation subsequently became final.

11. Counsel for the City and AUSD reached conceptual agreement on a framework intended to finalize the CASP litigation with a minimum of additional financial expenditures. Counsel understood that the specific terms of a full-blown settlement agreement still had to be drafted. The Parties understood that the terms of the conceptualized settlement must account for the fact that, at the time the final Settlement Agreement would be finalized, the City would still be facing an adverse trial court judgment in the CASP Litigation and would still be pursuing an appeal seeking to overturn that judgment. The Parties were also aware that, given the Court of Appeal decision in *Santa Rita School District v. City of Salinas* (2023) 94 Cal.App.5th 298, the City was very likely to prevail in its appeal, with the foreseeable result that the superior court judgment in the CASP Litigation would be reversed and entered in the City's favor.

12. On January 18, 2024, in response to a Joint Request by the Parties, Judge Panetta of the Superior Court held an informal case management conference to discuss the issues raised therein, including the Parties' proposed framework for closing out the CASP Litigation. During that conference, the court indicated its willingness to reverse its original judgment and to enter instead a stipulated judgment. The court's assurances allowed the Parties to proceed with the settlement strategy contained herein.

13. This Settlement Agreement builds on the conceptual agreement described in Paragraph 11 above and has been finalized after the Parties spoke with Judge Panetta on January 18, 2024.

II.
TERMS AND CONDITIONS

1. **Incorporation of Recitals.** The above recitals are true and correct and are hereby incorporated by reference as part of this Agreement.

2. **Joint Request for Stipulated Judgment.** The Parties will file with the Monterey County Superior Court a Joint Request and Stipulated Judgment with the intent that, upon the issuance of a remittitur from the Sixth District Court of Appeal in response to the City's request for the dismissal of its appeal in *AUSD v. City of Salinas* (Court of Appeal Case No. H051077), the Superior Court will vacate its judgment entered on April 21, 2023, in Superior Court Case. No. 20CV003402 and will enter in its stead the

Stipulated Judgment memorializing the terms of this Agreement. The Joint Request and Stipulated Judgment shall be in a form substantially identical to Exhibit A attached hereto.

3. **City Dismissal of Appeal.** After this joint filing, the City will request that the Court of Appeal dismiss that appeal under Rule 8.244, subdivisions (c)(1) and (2), of the California Rules of Court.

4. **AUSD Agreement not to Appeal from Stipulated Judgment.** AUSD agrees not to file an appeal from, or support any attempt by any third party to seek relief from, the Stipulated Judgment.

5. **Attorneys' Fees and Costs.** The Parties shall bear their own attorneys' fees and litigation costs in Monterey County Superior Court Case No. 20CV003402 and Court of Appeal Case No. H051077.

6. **Execution and Effective Date.** This Agreement shall be executed by the Parties as indicated below. This Agreement shall become binding and effective upon the execution by the signatories and thereafter upon ratification by both the AUSD Board of Trustees and the City Council of the City of Salinas or an individual officer within the City to whom the City Council has delegated ratification authority.

7. **No Admission of Liability**. It is understood and agreed that this Agreement is a compromise of disputed claims and that nothing in this Agreement shall be construed as an admission of liability by any Party.

8. **Enforcement of this Agreement and Attorneys' Fees & Costs Therefor.** This Agreement and its individual terms and conditions shall be enforced, if necessary, by the filing of a Motion with the Monterey County Superior Court in Case No. 20CV003402 pursuant to Code of Civil Procedure section 664.6, and shall be subject to normal law and motion deadlines, as set forth in Code of Civil Procedure section 1005. Any such Motion shall be preceded by a good faith attempt by the Parties to meet and confer and therefore obviate the need for a Motion. If such a Motion is filed and pursued in the superior court, the prevailing Party (whether in pursuit of, or opposition to, the Motion) shall be entitled to recover reasonable attorneys' fees and other costs and expenses, including expert witness fees, incurred in connection with such action or proceeding.

9. **Representation by Counsel**. Each of the Parties acknowledges and agrees that it has been represented by independent legal counsel of its own choice

DocuSign Envelope ID: 3E34CD42-ABE8-42BC-9652-02654CBAC5D4

throughout the negotiation of this Agreement and that the Party is executing this Agreement having had sufficient opportunity to investigate the facts and obtain advice of such counsel.

10. **Voluntary Agreement**. Each Party affirms and acknowledges that it has read, fully appreciates, and understands the words, terms, and provisions of this Agreement, is entirely satisfied with the settlement described, and has duly executed this Agreement voluntarily and of its full free will and accord.

11. **Entire Agreement**. This Agreement constitutes the entire agreement between the Parties regarding Monterey County Superior Court Case No. 20CV003402 and Court of Appeal Case No. H051077. No other promises, agreements, or statements between the Parties shall be binding unless made in writing and signed by all Parties hereto.

12. **Amendments**. This Agreement cannot be changed or supplemented orally and may be modified or superseded only by written instrument executed by all Parties.

13. **Interpretation**. Each of the Parties acknowledges and agrees that this Agreement is to be construed as a whole according to its fair meaning and not in favor of or against any of the Parties as drafting entity or otherwise.

14. **Other Documents**. The Parties hereby agree to execute all such other documents and to take all such other action as may be reasonably necessary to effectuate the purposes of this Agreement.

15. **Choice of Law**. This Agreement shall be governed by and interpreted under the laws of California.

16. **Severability**. If any provision of this Agreement is held to be invalid, void or unenforceable, the remaining portions of the Agreement shall remain in full force and effect.

17. **Warranty of Authority**. Each of the persons signing this Agreement represents and warrants that such person has been duly authorized to sign this Agreement on behalf of the Party indicated, and each of the Parties by signing this Agreement warrants and represents that such party is legally authorized and entitled to enter into this Agreement.

18. **Binding Effect**. This Agreement is for the benefit of an shall be binding on all Parties and their successors, assigns, heirs, executors, administrators, predecessors, partnerships, employees, attorneys, insurers sureties, agents, representatives, directors, officers, receivers, trustees, and/or stockholders.

19. **Execution in Counterparts**. This Agreement may be executed in several counterparts and, subject to the ratification requirements of paragraph 6 herein, shall be deemed legally effective at such time as counterparts thereof duly executed on behalf of all Parties have been furnished and delivered to the attorneys for the Parties to this Agreement. Signed copies and facsimile versions of this Agreement shall have the same force and effect as signature of the original.

IN WITNESS WHEREOF the Parties hereto have executed the Agreement as dated below.

Dated: February 6, 2024

ALISAL UNION SCHOOL DISTRICT

By: _____
Jim Koenig, Superintendent

Dated: _____, 2024

CITY OF SALINAS

By: _____
Jim Pia, Interim City Manager

Dated: _____, 2024

CITY OF SALINAS

By: _____
Kimbley Craig, Mayor of Salinas

Approved as to form:

Dated: February 6, 2024

LOZANO SMITH

By: _____
Sloan R. Simmons
Attorneys for District

DocuSign Envelope ID: DBBDA6D5-A733-40BA-9245-1A517B229F87

18. **Binding Effect**. This Agreement is for the benefit of an shall be binding on all Parties and their successors, assigns, heirs, executors, administrators, predecessors, partnerships, employees, attorneys, insurers sureties, agents, representatives, directors, officers, receivers, trustees, and/or stockholders.

19. **Execution in Counterparts**. This Agreement may be executed in several counterparts and, subject to the ratification requirements of paragraph 6 herein, shall be deemed legally effective at such time as counterparts thereof duly executed on behalf of all Parties have been furnished and delivered to the attorneys for the Parties to this Agreement. Signed copies and facsimile versions of this Agreement shall have the same force and effect as signature of the original.

IN WITNESS WHEREOF the Parties hereto have executed the Agreement as dated below.

Dated: _____, 2024 ALISAL UNION SCHOOL DISTRICT

By:_____
Jim Koenig, Superintendent

2/6/2024 | 1:50 PM PST
Dated: _____, 2024 CITY OF SALINAS

DocuSigned by:
By: Jim Pia
95AF7118EAC049A...
Jim Pia, Interim City Manager

2/7/2024 | 11:48 AM PST
Dated: _____, 2024 CITY OF SALINAS

DocuSigned by:
By: Kimbley Craig
E554E94F4CE64C0...
Kimbley Craig, Mayor of Salinas

Approved as to form:

Dated: _____, 2024 LOZANO SMITH

By:_____
Sloan R. Simmons
Attorneys for District

DocuSign Envelope ID: 3E34CD42-ABE8-42BC-9652-02654CBAC5D4

Dated: 2/6/2024 | 1:29 PM PST, 2024

CITY OF SALINAS

DocuSigned by:
By: Christopher A. Callihan
DF600E62071044E...
Christopher A. Callihan
Attorney for City

DocuSign Envelope ID: 3E34CD42-ABE8-42BC-9652-02654CBAC5D4

EXHIBIT A

PARTIES' JOINT STIPULATION AND REQUEST; AND [PROPOSED] STIPULATED JUDGMENT DENYING FIRST AMENDED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND

CHRISTOPHER A. CALLIHAN, SBN 203010
City Attorney
CITY OF SALINAS
200 Lincoln Avenue
Salinas, CA 93901-2639
Telephone: (831) 758-7256
Email: chrisc@ci.salinas.ca.us

JAMES G. MOOSE, SBN 119374
ELIZABETH R. POLLOCK, SBN 259645
REMY MOOSE MANLEY, LLP
555 Capitol Mall, Suite 800
Sacramento, CA 95814
Telephone: (916) 443-2745
Email: jmoose@rmmenvirolaw.com
Email: epollock@rmmenvirolaw.com

JOEL FRANKLIN, SBN 69705
LAW OFFICES OF JOEL FRANKLIN
225 Crossroads Blvd., Suite 407
Carmel, California 93923-8674
Telephone: (831) 649-2545
Email: Joel@JFranklinLaw.net

Attorneys for Respondent
CITY OF SALINAS

[*Additional counsel on next page*]

EXEMPT FROM FILING FEES
[GOVERNMENT CODE § 6103]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MONTEREY

ALISAL UNION SCHOOL DISTRICT,

Petitioners and Plaintiffs,

v.

CITY OF SALINAS; and DOES 1 THROUGH 10, inclusive,

Respondent and Defendant,

BRIAN FINEGAN and DOES 1 1 THROUGH 20, inclusive,

Real Parties in Interest.

Case No. 20CV003402

California Environmental Quality Act (CEQA)

PARTIES' JOINT STIPULATION AND REQUEST; AND [PROPOSED] STIPULATED JUDGMENT DENYING FIRST AMENDED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Judge: The Hon. Carrie M. Panetta
Dept.: 14

Filing Date of Action: December 17, 2020

SLOAN R. SIMMONS, SBN 233752
MEGAN E. MACY, SBN 227002
LOZANO SMITH
Lower Ragsdale Drive, Suite 200
Monterey, CA 93940-5758
Telephone: (831)646-1501
Facsimile: (831) 646-1801

Attorneys for Petitioner
ALISAL UNION SCHOOL DISTRICT

TO THE HONORABLE COURT:

IT IS HERBY STIPULATED by and between Petitioner ALISAL UNION SCHOOL DISTRICT ("District" or "AUSD") and Respondent CITY OF SALINAS ("City") (collectively, the "Parties") as follows:

RECITALS

1. The District's First Amended Petition for Writ of Mandate and Request for Declaratory and Injunctive Relief ("First Amended Petition") attacked the legal adequacy of the City's approval of the so-called Central Area Specific Plan ("CASP") and the accompanying Environmental Impact Report ("EIR") under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA"), the Planning and Zoning Law (Gov. Code, § 65000 et seq.), and the Ralph M. Brown Act (Gov. Code, § 54950 et seq.).

2. On December 19, 2022, the Honorable Carrie M. Panetta held a hearing in Department 14 of the above-captioned court on the merits of the then only remaining causes of action in the First Amended Petition, at the end of which the Court took the matter under submission.

3. At the time of the merits hearing on the First Amended Petition, the Court was aware of parallel litigation against the City entitled, *Santa Rita Union School District et al. v. City of Salinas*, Monterey County Superior Court Case No. 20CV000242, which involved very similar, almost identical, CEQA issues aimed at a different specific plan located immediately west of the CASP area, the so-called West Area Specific Plan ("WASP"). Judge Marla O. Anderson of the Monterey County Superior Court previously ruled against the City in that parallel case, but the Real Parties in Interest appealed. Judge Panetta was aware that the ultimate outcome of the appeal in the WASP litigation could very well affect the ultimate outcome in the instant (CASP) litigation. Indeed, the Judge asked counsel for AUSD and the City during the merits hearing on the First Amended Petition whether their clients might be willing to stay the Court's time frame for issuing a decision until such time as the Court of Appeal had issued its decision on the WASP EIR. Near the end of the hearing, counsel committed to raise this issue with their respective clients and get back to the Court.

/ / /

4. On January 18, 2023, AUSD filed a document entitled, Petitioner's Notice Regarding Proposed Stay of Proceedings, which informed the Court that the City had declined to agree to a stay.

5. On March 10, 2023, the Court issued an Order Granting Petition for Writ of Mandate and Request for Declaratory Relief ("Order"), which granted the First Amended Petition as to the CEQA cause of action but denied it with respect to the Planning and Zoning Law cause of action. On the CEQA issues, Judge Panetta's ruling generally followed the approach taken by Judge Anderson in the earlier ruling in the WASP litigation.

6. On April 21, 2023, the Court entered judgment in favor of AUSD and against the City based on the Order.

7. On May 11, 2023, the City filed a Notice of Appeal, commencing Court of Appeal Case No. H051077.

8. On November 15, 2023, the Sixth District Court of Appeal's decision in *Santa Rita School District v. City of Salinas* (2023) 94 Cal.App.5th 298 (the WASP case) became final and enforceable as a binding legal precedent when the California Supreme Court denied a Petition for Review and Request for Depublication filed by Plaintiff/Respondent Santa Rita Union School District.

9. On December 21, 2023, AUSD and the City together filed with the Superior Court a document entitled, Joint Request for Case Management Conference to Facilitate Settlement. In that document, the Parties requested the Court schedule an informal case management conference ("CMC") at which the Parties could explain why they were asking the Court to use its inherent powers to reverse its April 21, 2023, judgment in favor of AUSD and to issue in its stead a stipulated judgment in favor of the City. In making this request, the Parties urged that the precedent set in *Santa Rita School District v. City of Salinas* (2023) 94 Cal.App.5th 298 was dispositive in light of the factual and legal similarities between the WASP and CASP cases.

10. On January 18, 2024, the Court conducted the requested CMC and listened to discussion by the Parties in favor of a stipulated reversal. The Court indicated that it was favorably disposed towards the Parties' proposal to resolve the CASP litigation through a stipulated reversal.

///

11. On January 21, 2024, the Court of Appeal sent notice to the parties of the completion and filing of the record on appeal in this case.

12. On February 6, 2024, the Superior Court held a follow-up CMC after having received draft copies of the Parties' Settlement Agreement and this Proposed Stipulated Judgment. The court indicated that it remained favorably disposed towards the concept of a stipulated reversal and did not request that the Parties alter any wording within the two draft documents submitted to her.

13. On February __, 2024, the Parties executed a settlement resolving this matter, including inter alia as to the dismissal of the appeal in this case, the submittal of an agreed upon stipulated judgment to the Court set forth herein, and to forgo any right to appeal the stipulated judgment.

14. On February __, 2024, the City filed with the Court of Appeal a request for dismissal of Case No. H051077; and on _____ , 2024, the Court of Appeal issued a remittitur, returning jurisdiction to the superior court.

15. The Parties agree that the Court has the inherent authority to modify its previously-issued judgment, even absent any direction to do so from the Court of Appeal and even after the expiration of timelines for the kinds of motions by which a party that has lost on the merits can seek a different outcome, such as motions for reconsideration, for vacation of judgment, for a new trial, or for relief from judgment based on surprise (see Code Civ. Proc., §§ 1008, 663, 657, 659, & 473, subd. (b)).

16. The Parties further agree that Code of Civil Procedure section 128, subdivision (a)(8), recognizes every court's inherent power to "amend and control its process and orders so as to make them conform to law and justice." This statutory language "'is consistent with and codifies the courts' traditional and inherent judicial power to do whatever is necessary and appropriate, in the absence of controlling legislation, to ensure the prompt, fair, and orderly administration of justice.'" (*Kinney v. Clark* (2017) 12 Cal.App.5th 724, 740.) "[I]t is well settled that independent of statutory provisions a trial court has the inherent power on its own motion to correct mistakes in its proceedings and within a reasonable time to annul its orders and judgments inadvertently made." (*Burbank v. Continental Life Ins. Co.* (1934) 2 Cal.App.2d 664, 667.)

/ / /

17. The Parties further agree that, Code of Civil Procedure section 187 provides that "[w]hen jurisdiction is, by the Constitution or this Code, or by any other statute, conferred on a Court or judicial officer, all the means necessary to carry it into effect are also given; and in the exercise of this jurisdiction, if the course of proceeding be not specifically pointed out by this Code or the statute, any suitable process or mode of proceeding may be adopted which may appear most conformable to the spirit of this Code."

18. The Parties further note that, Government Code section 68070 provides that "[e]very court may make rules for its own government . . . not inconsistent with law or with the rules adopted and prescribed by the Judicial Council." (See also *Cottle v. Superior Court* (1992) 3 Cal.App.4th 1367, 1376-1377 ["California courts have fashioned new forms of procedures when required to deal with the rights of the parties and to manage the caseload of the court"]; *People v. Eggers* (1947) 30 Cal.2d 676, 692 [trial court "has jurisdiction to modify, revoke, or set its orders aside"]; *In re Scoggins* (2001) 94 Cal.App.4th 650, 658 ["trial court has inherent power to modify or set aside its pronounced judgment if ... execution of its terms has not commenced"]; and *People v. Hales* (1966) 244 Cal.App.2d 507, 508 ["[t]he trial court does have power and authority to vacate its judgment in criminal matters on proper showing"].)

STIPULATED JUDGMENT

NOW, THEREFORE, having reviewed *Santa Rita Union School District v. City of Salinas* (2023) 94 Cal.App.5th 298, having heard the Parties' positions in favor of the Court's inherent power to reverse its original judgment despite any lack of direction to do so by the Court of Appeal, and having received jurisdiction from the Court of Appeal via a remittitur in the above-entitled action in response to the City's request for dismissal of its appeal from the earlier April 21, 2023, judgment in this case, the Court hereby ADJUDGES, ORDERS, AND DECREES as follows:

Under the circumstances, in which the Parties have jointly requested the reversal of an earlier judgment based on new dispositive precedent not in existence when the earlier judgment was entered, the Court determines that it has the inherent authority to make such a change.

///

The reversal of the prior judgment for the District in favor of a new judgment for the City represents a legally appropriate and just outcome in light of the binding legal principles set forth in *Santa Rita School District v. City of Salinas* (2023) 94 Cal.App.5th 298. Requiring the City to pursue its appeal in order to obtain from the Court of Appeal both a decision on the merits and a directive requiring this Court to reverse its judgment of April 21, 2023, would lead to a waste of time and resources both in the Court of Appeal and for the Parties, which would have to pay their attorneys for their time spent on appellate briefing and oral argument.

For the foregoing reasons, the Judgment entered in Petitioner's favor on April 21, 2023, is hereby vacated.

Based upon *Santa Rita Union School District v. City of Salinas* (2023) 94 Cal.App.5th 298, the Court denies the CEQA Cause of Action in the First Amended Petition and enters Judgment in favor of the City on all Causes of Action. Based upon this conclusion and the denial of the other causes of action in the First Amended Petition, judgment is hereby entered in favor of the City and against the District.

This stipulated judgment incorporates by reference the terms of the Parties' Settlement Agreement, which is attached hereto as Exhibit 1.

Each side shall bear its own costs and attorneys' fees.

IT IS SO ADJUDGED, ORDERED, AND DECREED.

Dated: _____, __ 2024

_____
The Honorable Carrie M. Panetta
Judge of the Superior Court

EXHIBIT 1
SETTLEMENT AGREEMENT

PROOF OF SERVICE

I, Kaitlyn E. Hubbard, am employed in the County of Sacramento. My business address is 555 Capitol Mall, Suite 800, Sacramento, California 95814, and email address is khubbard@rmmenvirolaw.com. I am over the age of 18 years and not a party to the above-entitled action.

I am familiar with Remy Moose Manley, LLP's practice for collection and processing mail whereby mail is sealed, given the appropriate postage and placed in a designated mail collection area. Each day mail is collected and deposited in a USPS mailbox after the close of each business day.

On the date set forth below, I served the following:

PARTIES' JOINT STIPULATION AND REQUEST; AND [PROPOSED] STIPULATED JUDGMENT DENYING FIRST AMENDED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

☐ **BY FIRST CLASS MAIL** by causing a true copy thereof to be placed in a sealed envelope, with postage fully prepaid, addressed to the following person(s) or representative(s) as listed below, and placed for collection and mailing following ordinary business practices.

☐ **BY ELECTRONIC TRANSMISSION** by causing a true copy thereof to be electronically delivered to the following person(s) or representative(s) at the email address(es) listed below, via the Court's approved electronic filing service provider. I did not receive any electronic message or other indication that the transmission was unsuccessful.

☒ **BY ELECTRONIC TRANSMISSION** By submitting an electronic version of the document(s) to OneLegal, LLC, through the user interface at www.onelegal.com.

☐ **BY PERSONAL SERVICE** by causing a true copy thereof to be hand-delivered to the following person(s) or representative(s) at the address(es) listed below.

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14th day of February 2024, at Sacramento, California.

K Hubbard

Kaitlyn Hubbard

SERVICE LIST

Sloan R. Simmons Megan Macy LOZANO SMITH 4 Lower Ragsdale Drive, Ste. 200 Monterey, CA 93940-5748 ssimmons@lozanosmith.com mlinden@lozanosmith.com	Counsel for Petitioners, ALISAL UNION SCHOOL DISTRICT and SALINAS UNION HIGH SCHOOL DISTRICT
Christopher A. Callihan City Attorney CITY OF SALINAS 200 Lincoln Avenue Salinas, CA 93901-2639 Phone: (831) 758-7256 Email: chrisc@ci.salinas.ca.us	Co-Counsel for Respondent, CITY OF SALINAS
JOEL FRANKLIN LAW OFFICES OF JOEL FRANKLIN 225 Crossroads Blvd., Suite 407 Carmel, California 93923-8674 Phone: (831) 649-2545 Email: Joel@JFranklinLaw.net	Co-Counsel for Respondent, CITY OF SALINAS

CENTRAL AREA SPECIFIC PLAN
ANALYSIS OF SCHOOL ENROLLMENTS, CAPACITY, AND CAPITAL FUNDING IN ALISAL UNION SCHOOL DISTRICT

OCTOBER 24TH, 2022



Prepared by
JCJ Partners

Exhibit 70

This page was intentionally left blank.

TABLE OF CONTENTS

EXECUTIVE SUMMARY 1

SECTION 1: BACKGROUND & DISTRICT ENROLLMENT 1

ENROLLMENT PROJECTIONS INCLUDING CASP IMPACTS 2

EXISTING & AVAILABLE SCHOOL CAPACITY 2

IMPACTS SUMMARY 3

SECTION 2: DISTRICT CAPITAL FUNDS & PROJECT CONTRIBUTIONS 4

CAPITAL FUNDS CONCLUSIONS 5

SECTION 1: BACKGROUND & DISTRICT ENROLLMENT PROJECTIONS 6

Introduction and Purpose 6

Enrollment Trends 8

Chart 1 8

Chart 2 9

Enrollment Trends in 4 Schools Nearest to CASP 9

Birth Trends 10

Chart 3 10

Student Generation from CASP Project 11

Student Generation Rates 11

Table 1 11

CASP Project Student Generation 12

Table 2 12

Historical & Projected Enrollment 13

Form 50-01 Projection Scenarios 13

JCJ Partners Cohort Projection Scenarios 13

Chart 4 14

Chart 5 16

District-Reported Existing Capacity by Source 17

Table 3 18

Calculated Capacity Based on Classroom Loading Standards 18

Table 4 19

Summary & Analysis of Available Capacity 20

Short-Term Available Capacity 20

Chart 6 20

Existing Capacity at Schools Nearest to CASP 21

Chart 7 21

SECTION 2: DISTRICT CAPITAL FUNDS & PROJECT CONTRIBUTION 22
Capital Budget 22
State Funding 22
Background 22
Future Bonds 23
2022-23 State Budget and Future Budget Surplus 24
State Funding Eligibility 24
Potential Grants for Future New Construction 25
Developer Fees 26
Background 26
Developer Fee Sharing Agreement 27
Current Developer Fees 27
Table 5 27
Table 6 28
Bonding Capacity 29
Impact of Development of CASP on Bonding Capacity 29
Table 7 30
Summary and Significance of Findings 31
State Funding 31
GO Bonds & Project AV 31
Developer Fees 32
Available Funds for Future Facilities 33
Table 8 34
Conclusion 34
INFORMATION & MATERIALS REVIEWED 35
EXHIBITS 38

EXECUTIVE SUMMARY

SECTION 1:

BACKGROUND & DISTRICT ENROLLMENT

1. The Central Area Specific Plan ("CASP" or "Project") currently proposes the construction of approximately 3,534 dwelling units on the Eastern edge of Salinas, CA.
2. These units will be served by the Alisal Union [Elementary] School District ("District" or "AUSD" or "Alisal USD") for Pre-K through 6th grade.
3. The District enrolled 7,851 students in the 2021-22 school year. Enrollment has declined by 1,431 students from the peak of 9,282 total students in 2015-16.
4. Birth rates in the District area have declined by 18.6% from 2010 to 2020, a larger decrease than the county overall (-17.2%) and the statewide birth rate (-17.6%) over the same period.
    a. Birth rate decline leads to lower incoming preschool and Kindergarten classes in 4-5 years, increasing districtwide decline over time.
5. School districts with declining enrollment suffer adverse impacts on the operational budget, as the state operational budget model is based on the number of students attending schools.
    a. Planned growth from new development that is anticipated, comes in regular increments, and is understood by the school district facility and fiscal planners is the most beneficial to the school district and the community.
    b. This growth helps declining districts in particular by both offsetting operational budget losses due to potential enrollment decline and creating efficiencies when students enter existing facilities.

ENROLLMENT PROJECTIONS INCLUDING CASP IMPACTS

6. This report uses the Student Generation Rates ("SGR") from the AUSD 2022 School Facilities Needs Analysis ("SFNA") to estimate future students generated from CASP.
7. Under these rates, the CASP will generate a total of 1,384 K-6 students over a twenty year buildout.
    a. Direct addition of 1,384 students to current enrollment would return the District enrollment to levels of the 2016-17 school year, but this ignores recent demographic and birth trends in local ZIP codes.
8. Using the State Office of Public School Construction (OPSC) methodology for projecting students (outlined in CA Code of Regulations Title 2, Sections 1859.40-1859.43)), the maximum estimated 5-year districtwide student enrollment is 6,913 students in 2026-27, 938 students fewer than the enrollment of 7,851 in 2021-22.
9. JCJ Partners used several other methodologies (outlined on pages 13-14) to estimate future students, which include birth data, historical enrollment, the addition of a complete grade level under the new Universal Transitional Kindergarten Program, and student enrollment from the CASP.
    a. Even when all CASP students are added to the four nearest schools, **enrollment may only increase back to 2020-21 school year enrollment levels.** See pages 14-21 for visualizations of these projections.

EXISTING & AVAILABLE SCHOOL CAPACITY

10. This report reviews existing and available school capacity on a districtwide basis and at the four schools nearest to the Project, including the Creekside, Frank Paul, John Steinbeck, and Virginia Rocca Barton Elementary Schools.
11. The District's School Facilities Needs Analyses published in 2018 through 2022 provide estimates of existing capacity that vary from year to year. This is due to special exclusions permitted in government code for calculation of school fees. The highest of these was 8,853 seats, reported in 2019-20, which decreased to 7,016 seats in the following year (2020-21).
    a. SFNA figures were utilized in the 2018 Draft Environmental Impacts Report and 2020 Final Environmental Impacts Report for CASP, and are therefore provided in this report, even though the fluctuation of these existing capacities makes them unreliable as a benchmark for available capacity for future enrollment.
    b. It is important to note that while the published existing capacity figures in School Facility Needs Analyses vary, in practice the school district does not modify classroom inventory frequently.

12. The 2015 District Facility Master Plan ("FMP") reports a total of 406 classrooms across the District and 136 classrooms at the four nearest schools to the CASP area. Projects completed since 2015 or currently under construction are not expected to change the net existing capacity of school campuses. These classroom counts were used to provide several existing capacity estimates as explained below.
    a. The FMP identifies the total existing capacity of each campus, equal to 9,320 total seats in the District and 3,010 total seats in the four nearest schools to the CASP area.
13. JCJ Partners provides two additional estimates of District existing capacity based on different "Loading Standards," or students per classroom, applied to the reported number of classrooms in the 2015 FMP. It should be noted that 10% of classrooms were assumed to be used for Special Day Class ("SDC") classrooms and Transitional Kindergarten ("TK") classrooms.
    a. The first Loading Standard is from the State School Facilities Program that funds new school construction projects ("State Loading Standards"). These standards, as described on page 18, result in a total existing capacity of 9,647 seats for the District, or 3,231 existing seats at the four nearest schools.
    b. The second Loading Standard set is based on the maximum number of students per class as agreed upon between the Alisal Teachers Association and District. These "Maximum Local Loading Standards" are described on page 19 and result in 11,523 total existing seats in the District, as well as 3,860 existing seats at the four nearest schools.

IMPACTS SUMMARY

14. JCJ Partners enrollment projections and State 50-01 projections both indicate available existing capacity without needing to construct new classrooms, even with the addition of CASP development.
    a. Based on projections that include all 20 years of CASP development, enrollment at the four nearest schools would plateau at close to the 2020-21 school year enrollment level. At the end of the current decade, projections of enrollment range from 6,555 to 7,228 students while District existing capacity could house between 9,320 and 11,523 students, depending on loading assumptions.
    b. **Unless birth rate trends change significantly and regain the losses of the past decade in the District area ZIP Codes, current plans for future development will not result in the need for additional capacity.**

SECTION 2:

DISTRICT CAPITAL FUNDS & PROJECT CONTRIBUTIONS

1. Historically, the AUSD has received almost $95 million in capital funding from the State Facility Program ("SFP"). The program is currently backlogged, but school districts continue to submit new projects, which are placed on the "Applications Received Beyond Bond Authority" List.
2. This list will be reviewed and funded when funding is made available. While new construction projects are typically funded by statewide bonds, Governor Newsom allocated $1.3 billion from the 2022 State Budget Surplus to projects currently in line.
    a. The District is currently eligible for 650 K-6 new construction seats, and it has one application awaiting review. Upon review, the District must use the SAB Form 50-01 projections to update its eligibility.
    b. If eligible, the District could apply for and receive funding to build new classrooms. Lack of eligibility for new construction funding would indicate the District has sufficient existing capacity for future students.
3. The District has received voter approval on two General Obligation (GO) bond measures in the last twenty years: Measure A for $90 million in 2006, and Measure M for $70 million in 2016. The District has approved the issuance of the entirety of Measure M funds, but approximately $58.7 million remains authorized under Measure A.
    a. The District has applied for and received two waivers from the State Board of Education ("SBE") to allow issuing debt over the statutory maximum of 1.25% of Assessed Value ("AV") of property within the District. The SBE waiver allows the District to levy up to 2.7% of District AV from Measure M or Measure A bonds until the beginning of 2035.
    b. Under 2022 estimates, the buildout of the CASP will add approximately $1.75 billion in assessed value (in 2022$) to the existing real property value within the District. Under the statutory limit of 1.25%, this represents $21.8 million in potential bonding capacity, while the 2.7% waiver limit would allow $47.2 million in new bonding capacity for Measure A funding.
    c. The District is still collecting property taxes for the repayment of the local General Obligation bonds issued under approval from as far back as 1990.
    d. If not used to issue debt, the additional property value from the Project would reduce the tax rates for all taxpayers in Alisal USD over the next twenty years.

4. The District is planning to adopt a Level 2 school impacts mitigation fee of $4.27 per square foot of residential construction, upon adoption of the 2022 School Facilities Needs Analysis ("SFNA") on October 26, 2022.
    a. CASP will include an estimated 5.9 million square feet of residential construction that would generate approximately $25.1 million in district revenues under 2022 Level 2 fees. These fees will increase with inflation over the 20-year build out of the Project. Fees are paid when building permits are pulled, meaning proceeds to school districts will grow accordingly.
5. According to January 2021 information, the District budgeted $10 million of Measure M funds for the construction of a new elementary school. In September 2022, the District entered into a contract with architects to design the new school's master plan. However, District representatives admitted no short-term need for a new school, and enrollment projections in this report indicate that the need will not arise in the long-term.

CAPITAL FUNDS CONCLUSIONS

6. If the District chooses to construct a new elementary school, a majority of costs would be covered by the estimated $25 million in one-time developer fees and the $10 million budgeted from Measure M. In addition, the growth in the assessed value from CASP buildout can also generate local funding through voter-approved local bonds of at least $21.8 million and as much as $47.2 million.
    a. Alternatively, the District can decide to focus on existing capacity and avoid issuing more debt.

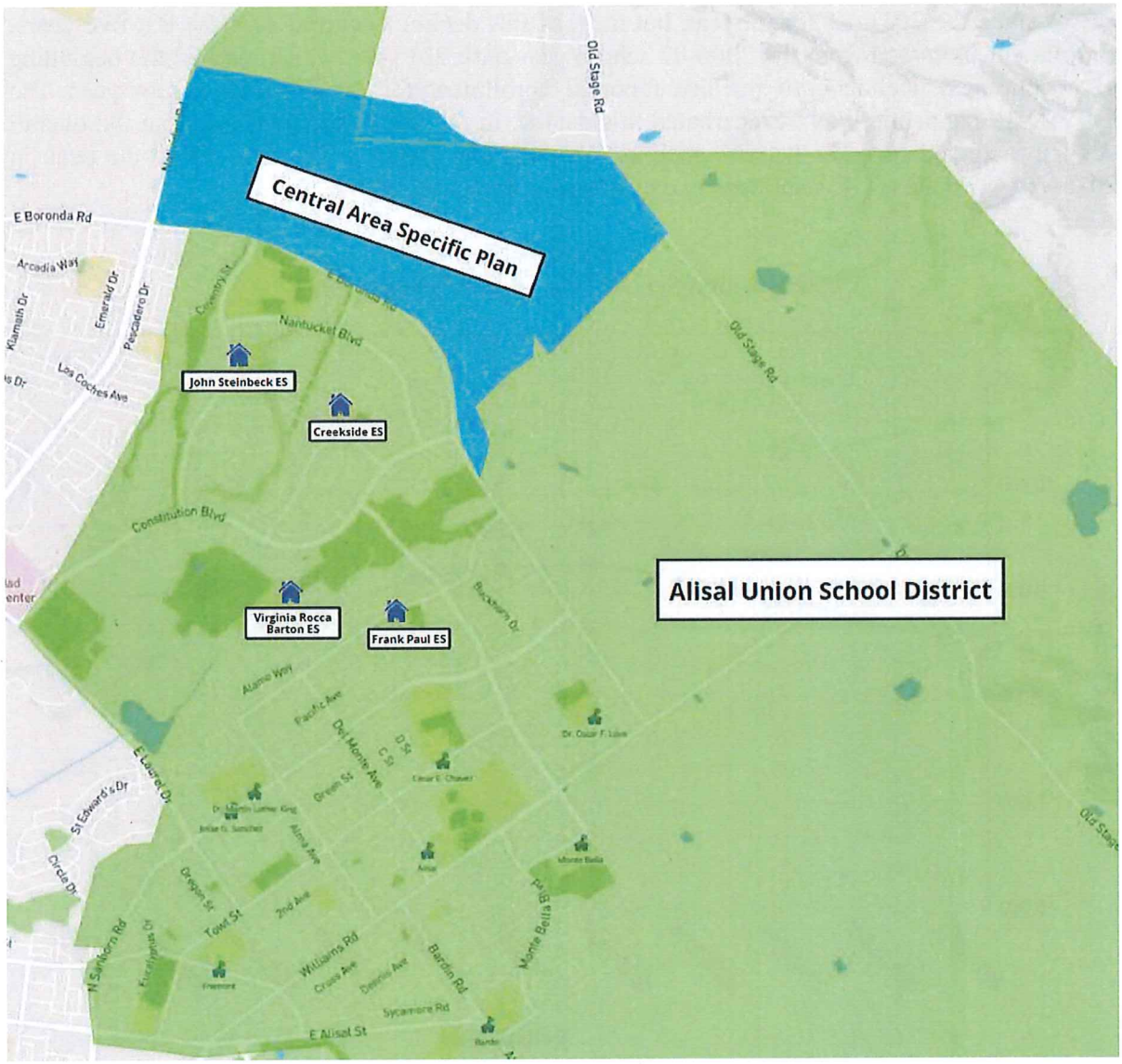
SECTION 1:
BACKGROUND & DISTRICT ENROLLMENT PROJECTIONS

INTRODUCTION AND PURPOSE

Under current planning estimates, the Central Area Specific Plan (CASP/Project) proposes the construction of approximately 3,534 dwelling units on the Eastern edge of Salinas, CA. School attendance boundaries assign residents to a particular school district and individual schools. CASP housing units will be entirely within the attendance boundaries of the Alisal Union [Elementary] School District ("District" or "AUSD" or "Alisal USD") for the instruction of PK-6th grade students.

The nearest schools in reference to the Project and school district boundaries can be viewed in **Exhibit A.**

The graphic below identifies the Project location relative to school district boundaries. CASP residential development is entirely within Alisal USD.

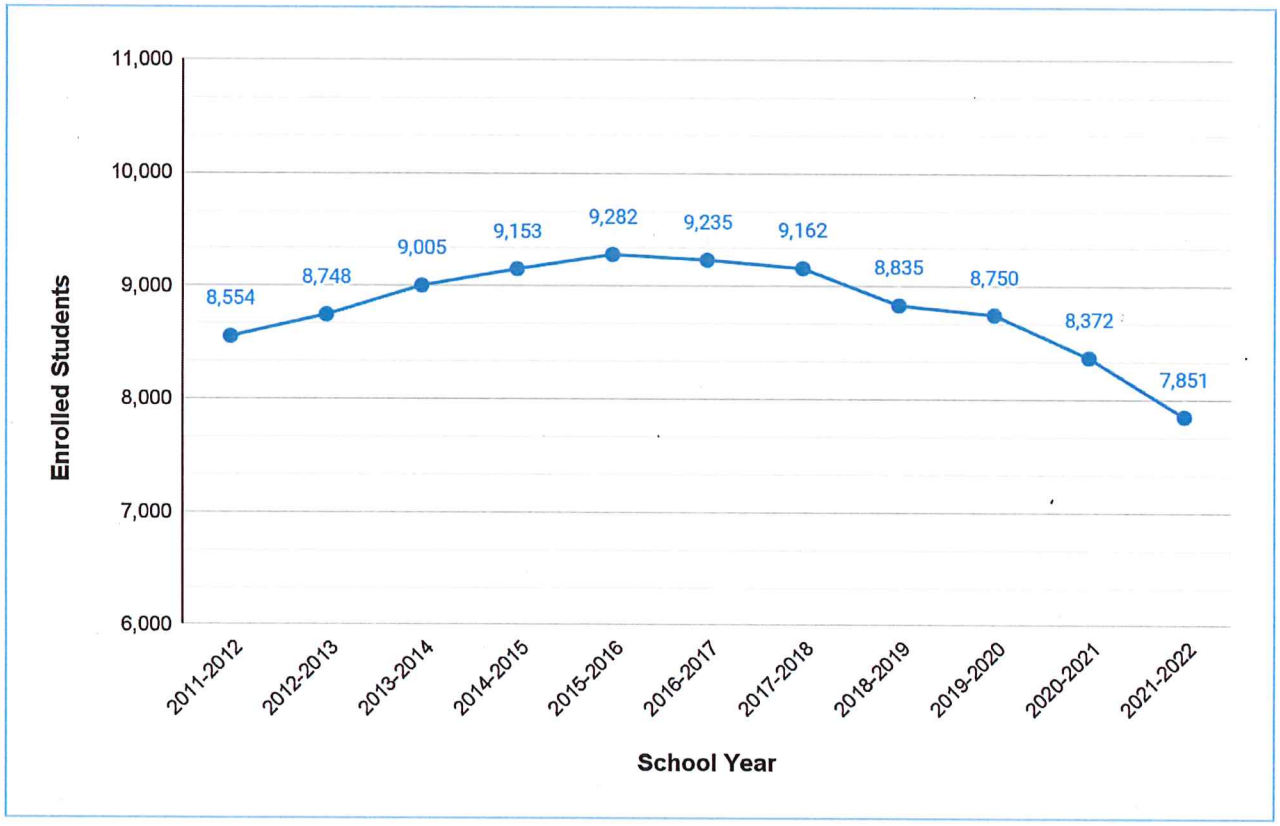


This Report provides an analysis of existing school district enrollment and financial conditions, as well as an assessment of potential impacts produced by students generated from the Project ("Project Students"), plus capital budget benefits for the school district.

ENROLLMENT TRENDS

As illustrated in **Chart 1 (below)**, AUSD experienced a ten-year decline of 703 students (or 8.2%) since the 2011-12 school year, but most of this decline occurred over the last five years. Enrollment increased from the 2006-07 school year until 2015-16, which marked the beginning of a continued decline until the last reported enrollment for the 2021-22 school year. The COVID-19 pandemic likely exacerbated this decline in the 2020-21 school year, but the overall decline is linked to other factors, such as the declining births in the area. Since the peak in 2015-16, AUSD lost 1,431 students in enrollment, a decline of 15.4%.

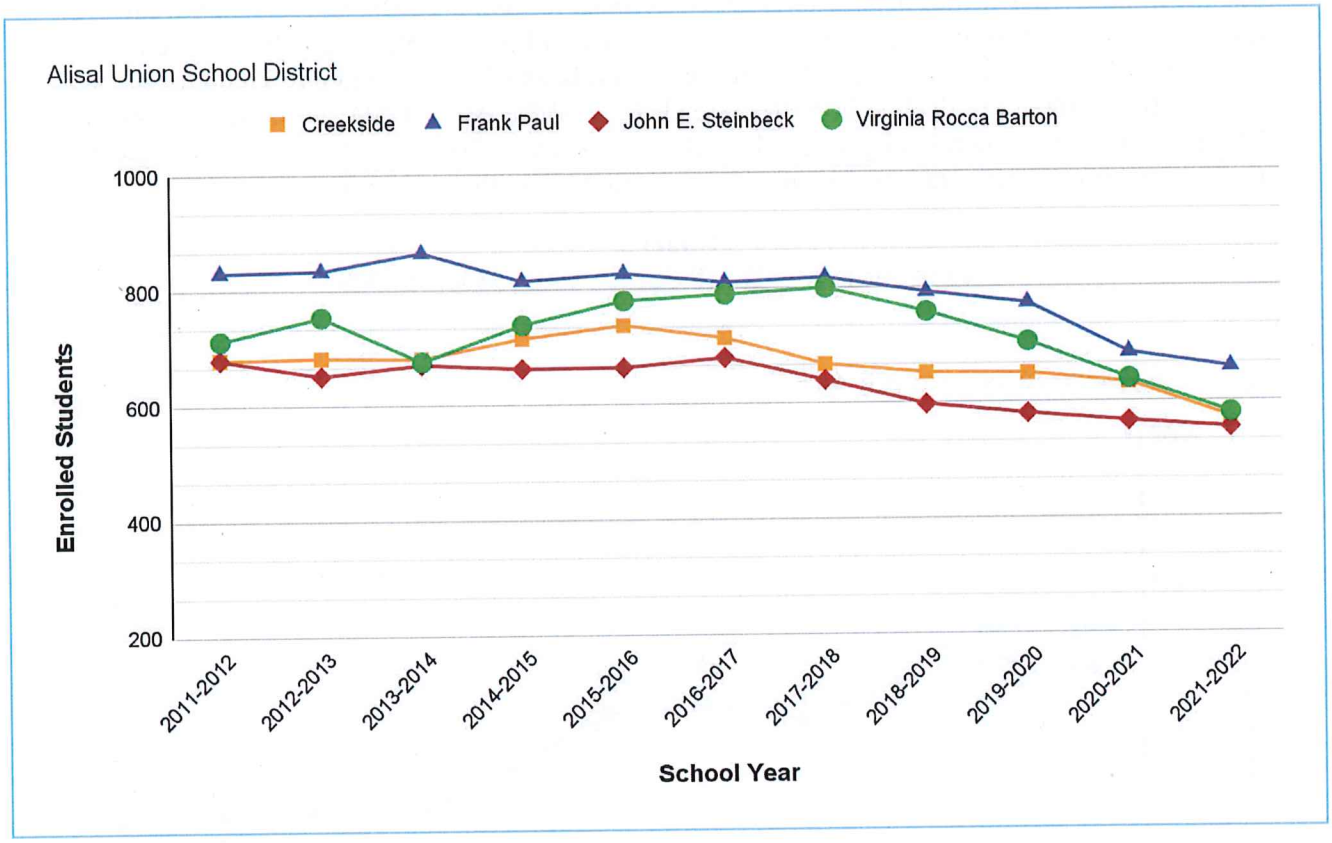
Chart 1
Alisal Union School District Enrollment Trends



School districts rely on enrollment to determine how much operational funding they receive from the State. Under the Local Control Funding Formula ("LCFF"), the Average Daily Attendance ("ADA") of district pupils determines how many funding grants are received. Additional grants are made available for districts with high percentages of socio-economically disadvantaged students. Therefore, districts with declining enrollment risk significant impact on operational budgets. Any growth from new development is, therefore, beneficial to school districts with declining enrollment, as it offsets the loss of students and resulting operational funding.

Like the districtwide enrollment trends, the four closest schools to the Project Area, **Chart 2 (below)** also experienced declining enrollment within the last 10 years, most of which occured over the last five years. Enrollment at the four schools experienced a total decline of 630 students (21.1%) over the last five years. A detailed table with enrollment data can be found in **Exhibit B**.

Chart 2
Enrollment Trends in 4 Schools Nearest to CASP

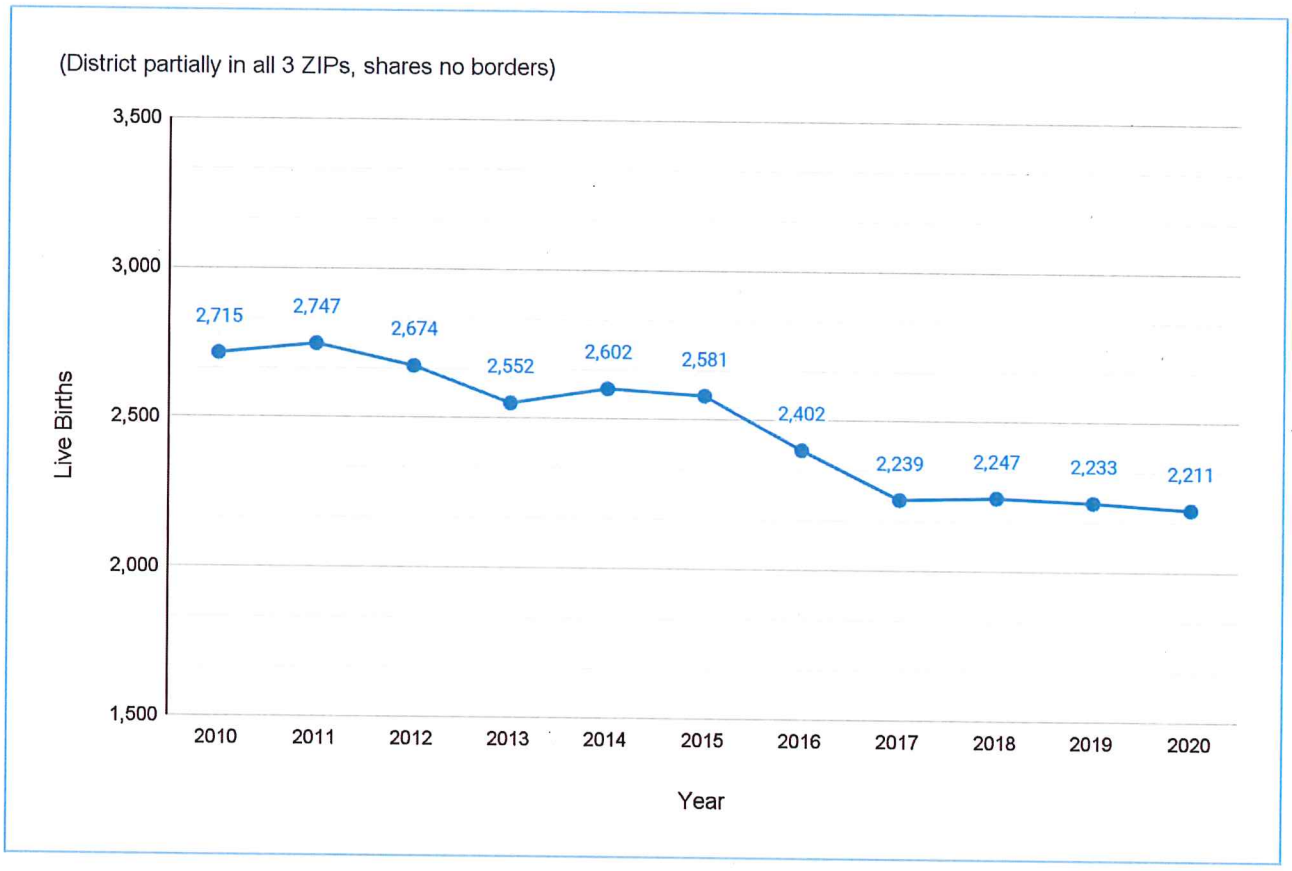


BIRTH TRENDS

Decline in enrollment within a district can be attributed to many factors. One critical variable connected with decline is the trend of live births within the ZIP codes of a district. Trends in birth data translate to similar patterns in Kindergarten enrollment after five years, as children are enrolled in Kindergarten when they reach 5 years old.

For example, children born in the year 2011 will generally start school 5 years later in 2016. **Chart 3 (below)** depicts the history of live births from 2010 to 2020 within the three ZIP codes that span the AUSD school district jurisdiction boundary: 93905, 93906, and 93908. We can see this relationship by comparing Chart 3 to Chart 1 (District Enrollment), where the decline in live births from 2011 to 2013 and from 2015 to 2017 correlates with declining enrollment at AUSD from 2016 to 2021. The decline in births extends beyond the Alisal USD, with the surrounding Monterey County experiencing a decline of -17.8% from 2010 to 2020, and the state of California seeing a statewide decline of -17.6% in births over the same time span.

Chart 3
Live Births in AUSD ZIP Codes 93905, 93906, 93908



STUDENT GENERATION FROM CASP PROJECT

Student Generation Rates

Student Generation Rates ("SGR") project the number of students generated from residential development. The SGR is a ratio of students per home, which is usually based on recent home construction history or district-wide data. The SGR is also usually grouped by grade level, elementary, middle, and high school, and by housing product type. Different types of housing products, e.g., Single Family (SF) and Multifamily (MF), generate students at different rates. Factors in addition to housing product type, including suburban or urban location, aging of the community, size of the district, availability of neighborhood schools, and its location in the state, all affect SGRs.

Districts utilize these rates to assess impacts from future development. Some districts have School Facilities Needs Analysis ("SFNA") reports prepared each year that include the SGR calculated from the last five years of development. SGR can also be sourced from Developer Fee Justification Study ("DFJS") reports, prepared every two years, which typically considers the student generation from all dwelling units within the district. At the time of writing, the District has prepared/adopted a SFNA each year for the last five years, and has also adopted DFJS reports in 2018 and 2020.[1] The different sets of SGR from these reports are listed below in **Table 1**.

Table 1
Alisal USD Student Generation Rates

Report Year	Single Family SGR	Multi-Family SGR
AUSD Developer Fee Justification Studies (DFJS)		
2018 DFJS (DEIR)	**0.6755**	**0.7398**
2020 DFJS	0.5765	0.5832
AUSD School Facility Needs Analyses (SFNA		
2018 SFNA	0.7833	0.1944
2019 SFNA	0.7458	0.2976
2020 SFNA (FEIR)	**0.4180**	**0.2857**
2021 SFNA	0.3830	0.4400
2022 SFNA	0.3470	0.4380

[1] The District is likely to adopt a 2022 DFJS before 2024, but no draft report has been made available at the time of writing.

It should be noted that the 2018 Draft Environmental Impact Report ("DEIR") for the Central Area Specific Plan utilized the districtwide SGR from the 2018 DJFS. However, from the **Table 1 (previous page)**, there is a clear decline in districtwide student generation from 2018 to 2020. According to the 2020 DFJS, the report utilizes 2019-20 school year information, meaning that this drop in districtwide SGR was not a result of COVID-19 impacts on enrollment.[2] The Final Environmental Impact Report ("FEIR") was published in 2020 and utilized the 2020 SFNA rates, resulting in 1,566 fewer projected students from Project units.[3]

Since the publication of the 2018 SFNA, the SGR from Single Family units show a consistent decline, corresponding with the overall decline in enrollment for the District. The Multifamily SGR increased for homes built within the last five years (SFNA SGR), while declining for homes districtwide (DFJS SGR). From a facility planning perspective, 5-year SGR from SFNA reports better represent housing product types that would be constructed in a future community, providing a more accurate estimate of student generation from new construction. Therefore, this report will utilize the 2022 SFNA rates to estimate total student generation from CASP units, as well as an estimated annual student generation for use in enrollment projections.

CASP Project Student Generation

The current planning estimates for the Central Area Specific Plan include 1,791 Single Family units and 1,743 Multi-Family units to be developed over twenty years. See **Table 2 (below)** for an estimate of the total student generation from CASP units at buildout.

Table 2
Projected Students from CASP

	Single Family SGR	Multi-Family SGR	Combined Total
2022 SFNA SGR	0.3470	0.4380	-
Total CASP Units	1,791	1,743	*3,534*
Projected Students (K-6)	**621**	**763**	***1,384***

It should be noted that adding this estimate to 2021-22 enrollment, without any other factors, would only increase District enrollment back to the level of enrollment in 2016-17 (9,235 students), slightly below the peak enrollment level experienced in 2015-16 (9,282 students). However, enrollment projections indicate that declines will eclipse the students from new development, when key existing demographic trends are considered.

[2] The 2020 DFJS included an additional 218 SFD units and 510 MF units, but lost 646 students from SFD units and another 475 students from MF units, compared to the 2018 DFJS.
[3] The DEIR projected 3,591 students from 3,911 total units, while the FEIR estimates 2,025 students from the same unit count (1,408 students in K-6). In Table 2, this decreases to 1,384 K-6 students projected using 2022 SFNA rates, from 377 fewer units.

HISTORICAL & PROJECTED ENROLLMENT

Form 50-01 Projection Scenarios

Under the current regulations of the CA School Facility Program ("SFP"),[4] Districts use SAB Form 50-01 as the first step in certifying eligibility for New Construction funding. Form 50-01 provides a projection of District enrollment after five or ten years under the current trends, including births and new development. Governed by CA Code of Regulations Title 2, Sections 1859.40-1859.43, the methodology of these projections can be adjusted with variations of weighting the average of each grade's growth by grade.[5]

The Office of Public School Construction ("OPSC") website provides a tool to help districts calculate these projections, and districts are encouraged to utilize whichever methodology leads to the highest enrollment possible to achieve eligibility for funding.[6] The projection methodology is sensitive to recent decline in enrollment, especially when it takes place in three consecutive years.

Utilizing reported District enrollment for the last 4 years, JCJ Partners performed numerous projections using the OPSC Web Tool. We included County birth data from 2013-2020 and the 5-year projected future units and Student Generation Rates ("SGR") reported in the 2022 School Facilities Needs Analysis ("SFNA"). **The largest 5-year enrollment projection our office estimated reached 6,913 students in the 2026-27 school year, or 938 students (12%) fewer than enrolled in 2021-22.** Our projection using the ten-year enrollment option, which uses 8 years of data, calculated as few as 3,945 students by the 2031-32 school year, a drop of almost 50% from 2021-22.

However, 50-01 projections have not yet been adjusted for the impacts of Transitional Kindergarten/Preschool on CA school districts over the next four years. Signed into law as part of the 2021-22 Budget Trailer Bill, CA schools will begin opening enrollment to students born four years ago, with 100% of 4-year-olds eligible by the 2025-26 school year. Many of the declining school districts across the state are preparing for this addition of an entire grade of students.

JCJ Partners Cohort Projection Scenarios

For a second, more comprehensive estimate of future enrollment in the District, JCJ Partners performed several different scenarios of cohort survival projections.[7] We projected annual cohort changes from one grade level to the next using various scenarios of by-grade average changes over the previous one, three, or five years. The goal in preparation of multiple scenarios was to evaluate the effect of various existing circumstances from the last five years on future

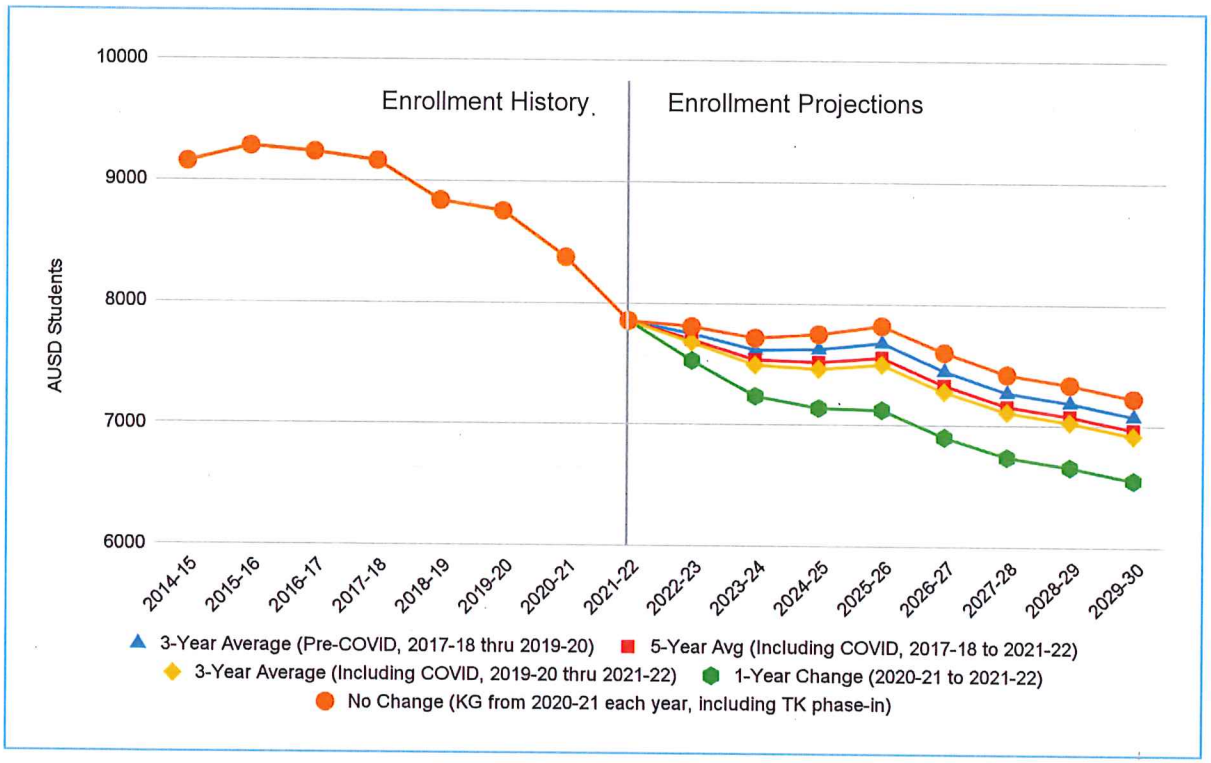
[4] For more background on the SFP, see the State Funding portion of the following section.
[5] For example, the "3-2-1 Weighting" multiplies the 3rd most recent change by 3 and the second most by 2 before taking the average cohort survival count for each year. Other weighting methods include "1-2-3" and "1-1-1".
[6] SFP Enrollment Projection Certification/Projection Calculator. OPSC. DGS. Web Retrieved September 19, 2022. https://www.dgsapps.dgs.ca.gov/OPSC/AB1014/sab5001projection.asp
[7] Cohort survival factors represent the changes in the number of students that matriculate through the school system as a group, on a per grade and districtwide level.

enrollment. Additionally, the projections apply birth rate data to the Kindergarten class of each year, corresponding with the annual change in births between 2015 and 2020, sourced from the three ZIP Codes in which the District has jurisdiction.[8]

Next, to estimate the CA school system allowing 4-year-old students to enroll in Transitional Kindergarten ("TK"), to be phased in over the next four school years, a percentage of the current Kindergarten classes was duplicated for each year according to the approximate number of 4-year-olds eligible per school year. Finally, an estimate of students generated from future development was added to each grade for the 20 years of CASP planned development. These assumptions estimate occupancy of units starting in 2024-25 and aligns with the assumptions reported in the District's 2022 SFNA report.

JCJ Partners methodology creates a more detailed picture of potential District enrollment trends over the next five years (2026-27) and at the end of the decade (2029-30). **According to JCJ Partners cohort enrollment projections, the District enrollment will continue to decline even with the average annual development of CASP and the addition of 4-year-old students in a new grade level.** See **Exhibit C** for specific methodology of JCJ Partners cohort projections, and see **Chart 4 (below)** for a summarized visualization of these projection scenarios.

Chart 4
Districtwide Cohort Enrollment Projection Scenarios



[8] The District boundaries include ZIP Codes 93905, 93906, and 93908, although none of these are completely within the District and none share boundaries with the District. To account for births of students who would attend a neighboring district, the annual change of these births was utilized rather than actual birth numbers.

As displayed previously, this trend of enrollment decline began several years before the impacts of COVID-19. Furthermore, although both the State and Monterey county experienced a smaller rate of decline after reopening in 2021-22, AUSD experienced an additional decrease of 521 students (6.2%) in enrollment from 2020-21 to 2021-22, an even larger decrease than from 2019-20 to 2020-21 (a loss of 376 K-6 students, or 4.3%).

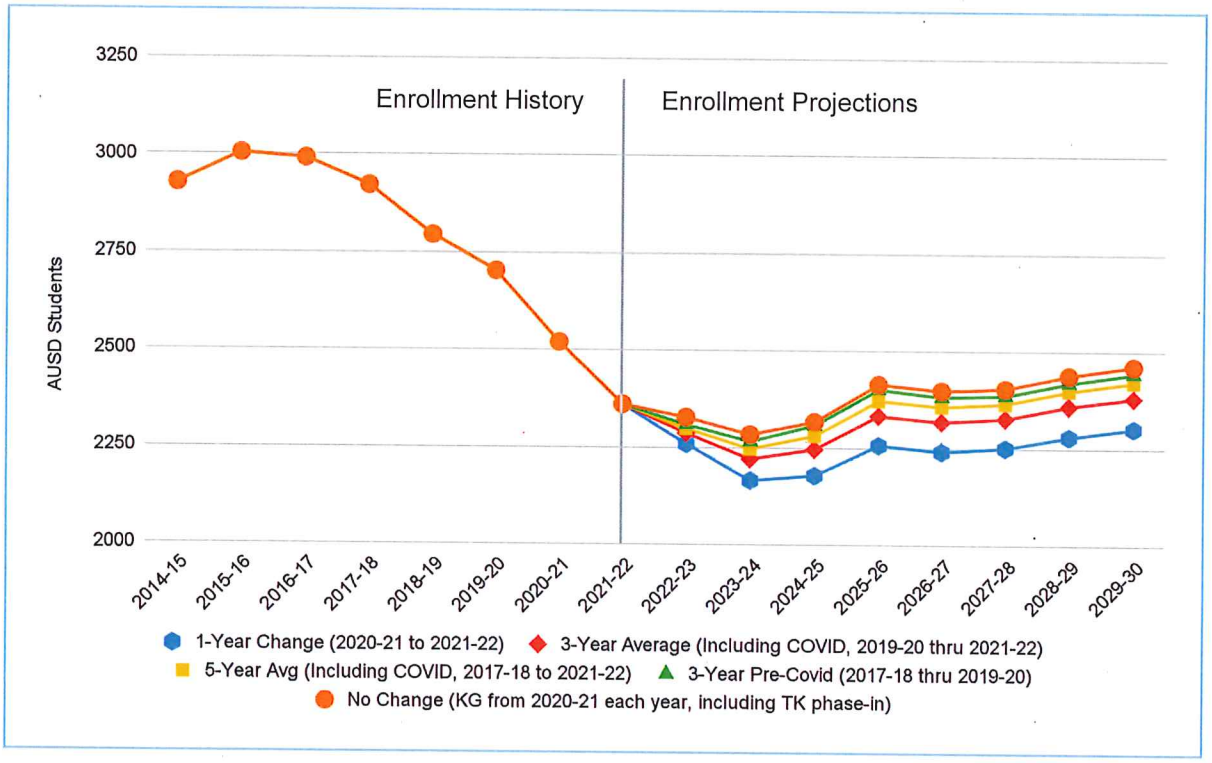
Regardless of the historical average cohort change utilized in the projections, recent trends indicate a continued decline. These 3- and 5-year averages are compounded by the downturn in birth rates in the District area and the county overall over the last five years. All of the forecasts show stable enrollment at current levels only due to the addition of a full TK grade level, from 2022-23 to 2025-26. In 2024-25, CASP starts generating approximately 10 students per grade per year for TK-6. Therefore, the projections provide an aggressive estimate that incorporates the latest educational program changes from the State[9]. However, even the additional projected students do not reverse the overall trend of enrollment decline.

[9] For the purpose of JCJ Partners projections, addition of the completed TK grade increases the total projected number of projected CASP students from 1,384 to the total of 1,590 at buildout.

Schools Nearest to Central Area Specific Plan

Using the same methodology, JCJ Partners performed a second set of cohort projections for the four schools closest to the CASP Project area. These forecasts assume the entirety of the students generated by CASP units would attend the four nearest schools (Creekside ES, Frank Paul ES, John E. Steinbeck ES, and Virginia Rocca Barton ES), including the extra students due to inclusion of TK. **Chart 5 (below)** shows that the all of different cohort trends result in an apparent short-term reversal in enrollment trend, returning almost to 2020-21 enrollment levels (the year COVID decreased enrollments state-wide).

Chart 5
4 Nearest Schools Cohort Enrollment Projection Scenarios
Includes CASP Enrollment



However, despite the appearance of increased levels of enrollment at the four nearest schools, historical trends point to a plateau in enrollment over the course of CASP development. **Exhibit D** provides the long-term projections of the 4 nearest schools through buildout of CASP.

Even under the most optimistic scenario, enrollment does not increase back to the levels of the 2019-20 school year or prior enrollment peak.

EXISTING CAPACITY

District-Reported Existing Capacity by Source

Facility Master Plan

In 2015, the District employed Aedis Architects to prepare a Facilities Master Plan ("FMP") for the District. The FMP collected all the recommended updates needed on each campus and estimated the cost of these updates. However, the FMP also reported all the classrooms at each school, as well as the existing capacity of all schools in the District ("FMP Existing Capacity").

The FMP reported a total of 9,320 seats of existing districtwide capacity in 2015, and an FMP Existing Capacity of 3,010 seats at the four schools closest to the Project. JCJ Partners surveyed satellite imagery to observe whether the District performed any significant construction on existing campuses, but only found an overall addition of five portable classrooms across the District. For the purposes of this report, the current reconstruction of Fremont ES and Alisal Community ES will presumably create the same level of existing capacity as reported for the two schools in the FMP. This report will utilize the FMP Existing Capacity as reported in 2015, as well as several other estimates of existing capacity calculated using the FMP-reported number of classrooms, discussed further in the following sections.

District SFNAs

As previously mentioned, and as discussed Further in Section 2, the District must prepare a SFNA to levy Development Impact Fees in excess of the State minimum (Level 1 fees).[10] SFNAs must prove a nexus between future development and new students, to help districts mitigate impacts of new students on current facilities. For this purpose, SFNAs calculate the existing capacity of a school district using the baseline capacity, or classroom inventory established when districts first apply for state funding through the SFP, plus any new seats of capacity added through state funds for New Construction. For the purposes of SFNA calculations, existing district capacity may be adjusted to exclude portable/relocatable classrooms under certain scenarios (defined under Education Code Title 1, Sections 17071.10 - 17071.46). However, these adjustments do not accurately represent the actual existing capacity of a district's existing classroom inventory.

Alisal USD has employed two different consulting firms to prepare SFNAs over the last five years. Cooperative Strategies prepared the 2018, 2019, and 2020 SFNAs, while School Facility Consultants prepared the most recent two reports (2021 & 2022). These five separate SFNAs report a wide range of existing capacities for the District, see **Table 3 (next page)**.

[10] Level 1 fees are set every even year in January by the State Allocation Board based on the changes in a construction cost index over the previous two years..

Table 3
SFNA School Facilities Existing Capacity

Consultant	SFNA Year	Existing Capacity
Cooperative Strategies	**2018 SFNA - DEIR SOURCE**	**8,503 seats**
Cooperative Strategies	2019 SFNA	8,853 seats
Cooperative Strategies	2020 SFNA	8,808 seats
School Facility Consultants	2021 SFNA	7,016 seats
School Facility Consultants	2022 SFNA	7,375 seats
Aedis Architects	2015 FMP	9,320 seats

The DEIR utilized the capacity calculated in the 2018 SFNA and DFJS for its estimation of excess available capacity for students generated from the CASP. However, it is clear from the table above that the process for calculating existing capacity for an SFNA is much more flexible than the actual building/demolishing activities of the District, especially when compared to the FMP Existing Capacity of 9,320 total seats. Having this flexibility, districts can report a lack of available space for students from future development, and then levy higher fees to mitigate impacts from those students.

Calculated Capacity Based on Classroom Loading Standards

JCJ Partners estimated the existing capacity of each school in the District based on the number of classrooms reported in the FMP. However, the FMP does not distinguish between either TK classrooms or Special Day Class ("SDC") classrooms, both of which affect the number of students generally allowed to utilize a classroom at one time (referred to as a "loading standard"). To account for this, our office applied the assumption that an estimated 10% of classrooms in the District are utilized for SDC and TK instruction. This report applies two sets of loading standards, the first set by the State and the second representing the maximum class size District teachers agreed to instruct.

State Loading Standards

Under the SFP, classrooms for grades K-6 are loaded with 25 students per classroom. SDC pupils are loaded at a ratio of 13 Non-Severe students or 9 Severe students per SDC classroom. Finally, TK classrooms are loaded with 12 students, each. Utilizing these loading standards and the assumption of 10% TK and SDC classrooms, JCJ Partners estimated existing capacity of **approximately 9,647 total seats within the District, including 3,231 seats at the four nearest schools to the Project.** (See a summary of classroom and existing capacity in the following Table 4.)

Teachers Association Agreement Loading Standards

As part of the Collective Bargaining Agreement between the District and the Alisal Teachers' Association, Teachers agreed to a maximum number of students in any one class before the District must pay additional stipends. Article Twelve of the 2018-21 Agreement defines these maximums as 29 students per class in grades KG-1st, 30 per grade in 2nd-3rd, 31 per grade in 4th-6th, and 12 SDC students per class.

While this is not technically a loading standard, it can be seen as a maximum number of students the District is willing to load to accommodate enrollment, and this report will refer to it as Maximum Local Loading Standards. Under an average of these maximums, **the District is theoretically able to house up to 11,523 students, while the four nearest schools may house up to 3,860.**

Table 4 (below) provides a summary of assumptions of classrooms at each site and comparison of the resulting estimated capacities calculated under the State and Maximum Local Loading Standards, along with the FMP Capacities at each school.

Table 4
Summary of Classroom Assumptions & Calculated Existing Capacity for District Schools

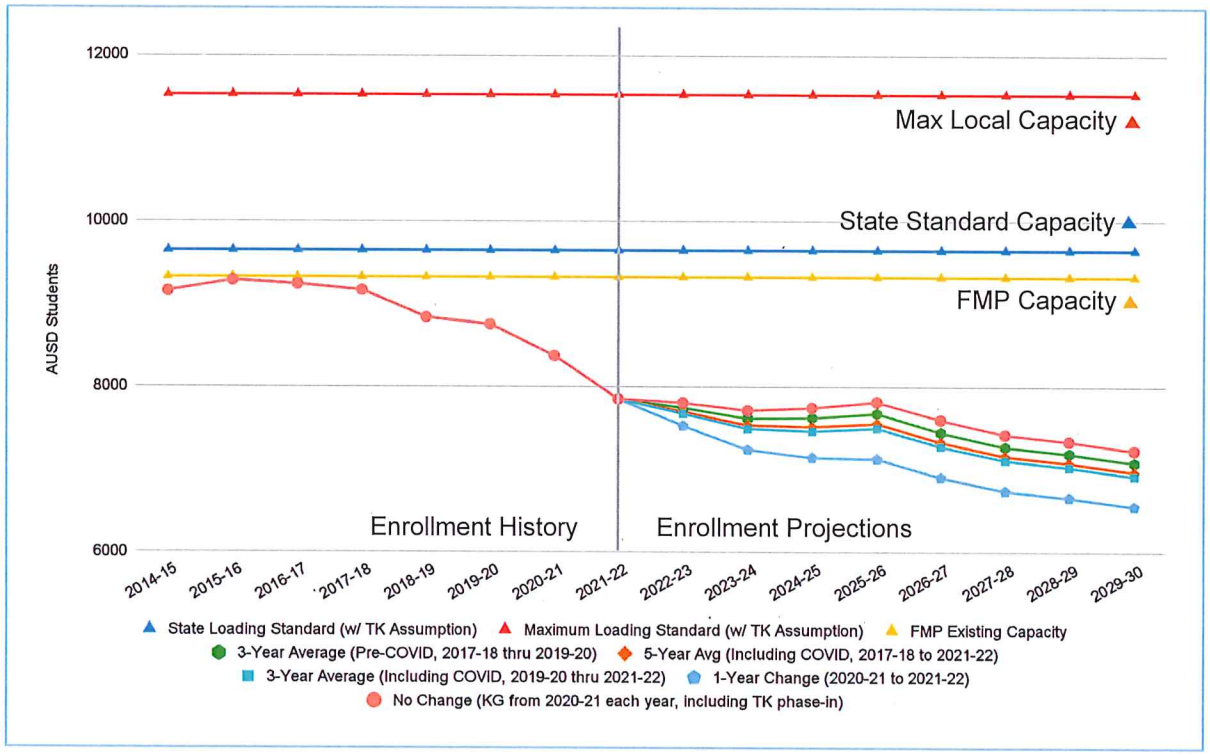
School Name	Total Classrooms	TK/SDC Classroom Estimate	Existing Capacity			2021-22 Enrollment
			State Loading	Maximum Local Loading	FMP Target	
Alisal Community School	31	3	737	879	810	562
Bardin ES	34	3	808	965	750	626
Chavez ES	34	3	808	965	825	682
Dr. Oscar F. Loya ES	39	4	926	1,107	800	628
Fremont ES	38	4	903	1,079	875	783
Jesse Sanchez School	34	3	808	965	850	771
MLK Jr. Academy	24	2	571	681	600	603
Tiburcio Vasquez ES	36	4	855	1,022	800	835
Creekside ES	32	3	760	908	675	571
Frank Paul ES	34	3	807	965	800	658
John Steinbeck ES	34	3	808	965	735	553
Virginia Rocca Barton School	36	4	856	1,022	800	579
Four Closest School Subtotal	**136**	**13**	**3,231**	**3,860**	**3,010**	**2,361**
Total	**406**	**39**	**9,647**	**11,523**	**9,320**	**7,851**

SUMMARY & ANALYSIS OF AVAILABLE CAPACITY

Short-Term Available Capacity

Under all five scenarios of cohort projection, short-term District enrollment fails to reach the levels of the past year, much less the capacities reported by the District FMP, or the two estimates of existing capacity calculated using the reported number of classrooms. See **Chart 6 (below)** for the cohort projections compared to these three levels of existing capacity.

Chart 6
Districtwide Cohort Enrollment Projection
Capacity vs. Enrollment Projections

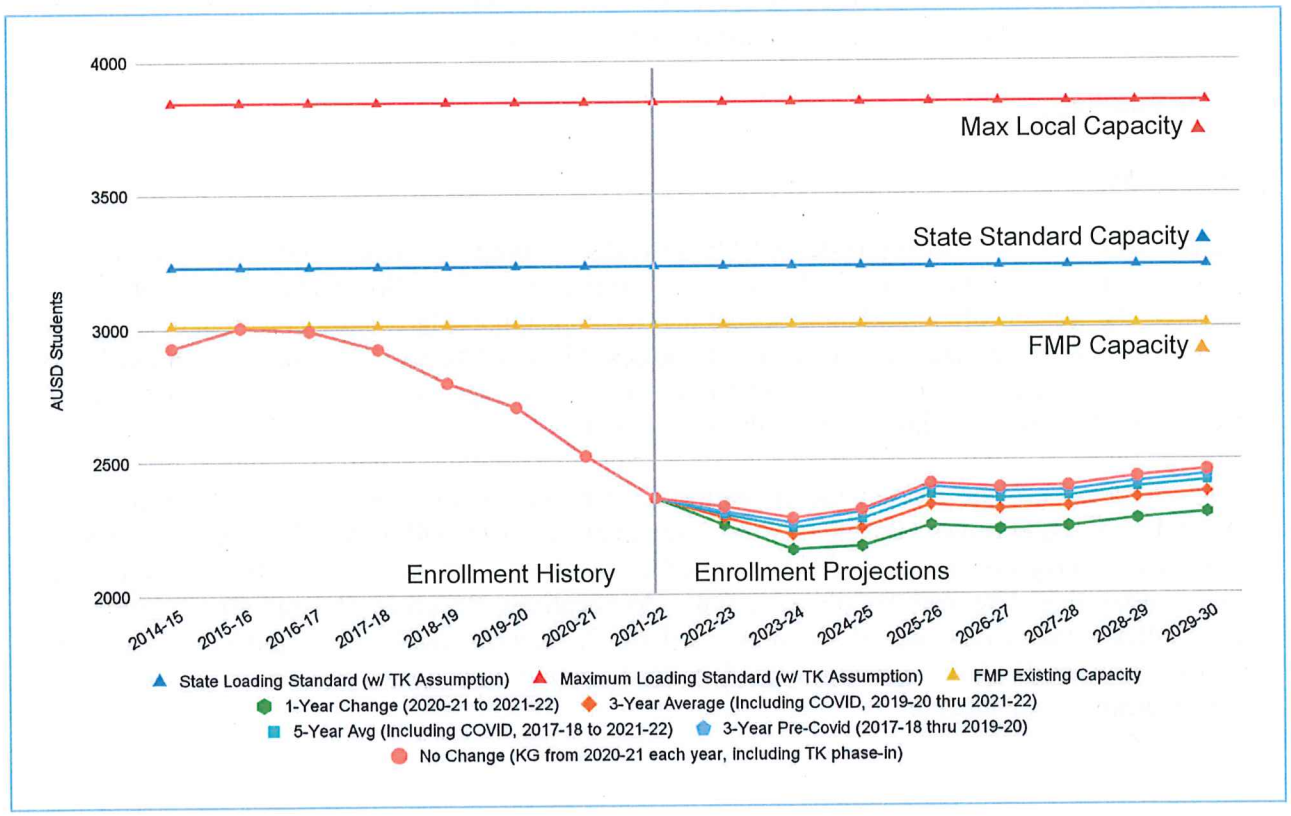


From **Chart 6 (above)**, the projection utilizing the latest one-year change in cohort enrollment offers the most pessimistic estimate of enrollment at the end of the decade (an estimated 6,555 students in 2029-30), despite the addition of students from the Project. This falls below even the lowest reported existing capacity of 7,016 seats in the 2021 SFNA. Meanwhile, the most optimistic scenario (the average cohort change over the course of 2017-18 to 2019-20) results in 7,228 students by the 2029-30 school year. Both of these extremes would result in future available seats when compared to the FMP-reported District existing capacity of 9,320.

Existing Capacity at Schools Nearest to CASP

Chart 7 (below) compares projections for the 4 Nearby Schools to their reported & calculated capacities.

Chart 7
4 Nearest Schools Cohort Enrollment Projections
Existing Capacity vs. Enrollment Projections



As previously mentioned, compared to Districtwide projections, enrollment trends increase when we assume all CASP students attend the four nearby schools closest to the Project area. Nevertheless, enrollment from existing students and future CASP development is unlikely to increase back to the peak levels of pre-2020, much less to the FMP-reported level of existing capacity for all four schools.

As shown in **Charts 6 and 7** and supported by long-term projections through buildout of CASP in **Exhibit D**, existing school capacity exceeds enrollment districtwide and at the nearest schools even with the addition of CASP students and the complete TK grade. Unless local trends for birth data change significantly, existing capacity and other planning methods (such as reorganization of school attendance boundaries) to accommodate new students over the next two decades provide the District with capital and operational efficiency that would be lost with construction of a new school.

SECTION 2:
DISTRICT CAPITAL FUNDS & PROJECT CONTRIBUTION

CAPITAL BUDGET

School District capital funds can include state funding, developer fees, local general obligation bonds, and special district taxes. The capital budget funds modernization, construction and equipment of school facilities used to house students. Capital funding such as school developer fees cannot be used for operations, i.e., hiring teachers or administrators.

State Funding

Background

Senate Bill (SB) 50, which passed in 1998, provided a comprehensive school facility financing and reform program and enabled a bond issue to be placed on the ballot. The provisions of SB 50 allowed the state to offer funding to school districts to acquire school sites, construct new school facilities, and modernize existing school facilities. Since 1998, five statewide obligation bond measures (Propositions 51, 1A, 47, 55 and 1D) have been approved by voters for a total of over $42 billion to fund the School Facility Program ("SFP").

The most recent of these statewide obligation bond measures was approved in November 2016. A total of $9 Billion was allocated. As of September 12, 2018, OPSC received requests for new construction projects that exceeded the available bond authority, and any applications received on or after this date will be placed on the Applications Received Beyond Bond Authority ("ARBBA") list. CA Code of Regulations Title 2, Section 1859.95.1 requires that all new construction applications placed on this list must contain a school board resolution specifying certain acknowledgements.[11]

[11] Executive Officer's Statement. Financial Reports. State Allocation Board Meeting Agenda. August 15, 2018. Web retrieved November 14, 2018. www.opsc.dgs.ca.gov.

Future Bonds

CA Statewide bonds have a record of support by voters. Since the 1980s, 17 bonds have been placed on the ballot, of which 14 bonds received approval and three failed. In the CA State Legislature, there are two bills focused on providing more bond funds to the SFP, Senate Bill 22 ("SB-22") and Assembly Bill 75 ("AB-75"), both of which would place a state bond measure on an undetermined statewide election. However, these two bills were tabled for the 2020-21 legislative session, and are likely to be tabled again due to the allocation of $4.24 billion from the State Budget surplus to the SFP program as discussed in detail below.[12] The next statewide bond is now anticipated to be considered by the Legislature in 2024. While the existing bills would likely be replaced by new similar bills in future legislative sessions, their details are as follows, at the time of writing:

- AB-75 (O'Donnell), proposes $12 billion in state bonds for facilities from Kindergarten to Community College (K-14), for voter approval at an unspecified election. However, the funds have not yet been split between K-12 and Community Colleges, or between different types of projects (i.e. New Construction, Modernization, etc.). AB-75 includes funding for lead testing/remediation, funding for small school districts, and adds general modernization funding for buildings over 75 years old. Additionally, AB-75 would authorize districts to expand or construct one of the following essential facilities including the gym, MPR, library, or kitchen, and would increase access to financial hardship funding by increasing the bonding capacity requirements. A new requirement proposed under AB-75 would be a district-wide summary of age, capacity, and facilities information for all schools. Finally, AB-75 would require the CA Department of General Services to process all applications received under the program within 120 days of receipt. AB 75 was set for hearing by the CA Senate Education Committee on June 22, 2022. However, the hearing was canceled, and the school community expects the next statewide bond to be placed on the ballot beyond 2022, in anticipation of the budget surplus funds, discussed in the following section.

- SB-22 (Glazer), would put $15.5 billion in bonds up for election in an unspecified election. Of the total, $9.5 billion would be allocated to K-12 districts, with $2.8 billion made available for New Construction projects, both future and those already on the SAB's Acknowledged List. SB-22 includes provisions for seismic mitigation, drinking water lead testing/remediation, and increased funding access for Small School Districts. The Bill also increases the limit on district bonding capacity compared to assessed valuation from 1.25% to 2% of Assessed Value ("AV") for Elementary & High School Districts, and from 2.5% to 4% for Unified Districts. Finally, the Bill requires districts to submit a 5-year Facilities Master Plan to participate in the School Facilities Program.

[12] According to LegInfo Status information, AB-75 was set for a hearing in the Assembly Committee on Education and Governance & Finance on 06/13/22, but the hearing was canceled at the request of the author.

2022-23 State Budget and Future Budget Surplus

As part of the 2022-23 State Budget, Governor Newsom proposed a series of one-time payments totaling approximately $4.24 billion from the CA General Fund to fund New Construction and Modernization projects on the ARBBA list, utilizing higher-than-expected excess levels of state revenues. While the first $1.3 billion of this allocation was made in 2022-23, the remaining funds are proposed for the 2023-24 and 2024-25 fiscal years. The funds dedicated from future fiscal years may be affected by California fiscal conditions, and would have a signifcant impact on the number of projects on the ARBBA list.

State Funding Eligibility

Historically, the Alisal USD has actively participated in the SFP, and has received more state funding for New Construction than for Modernization/Rehabilitation. According to state records, the AUSD received approximately $78.5 million in New Construction funding and approximately $16 million in Modernization/Rehabilitation.[13]

Under the existing program rules, a school district must establish districtwide or high school attendance area ("HSAA") state funding eligibility to be able to participate in any of the programs listed above. Essentially, districtwide eligibility is a comparison of expected enrollment to seat capacity at existing schools. The resulting "unhoused projected students" determine the amount of eligibility a district receives. State funding eligibility varies with projected enrollment growth, including growth from new development, as compared to the number of existing seats in the district. When an application that is currently on the ARBBA list is reviewed current regulations require an update of the enrollment projections.

According to the 2022 SFNA, District eligibility was last adjusted at the June 24, 2020 meeting of the SAB. According to the meeting agenda, the District's adjusted eligibility was 119 seats of K-6 eligibility. However, the OPSC Application Tracker website shows remaining eligibility increased to 650 at the time of writing. Since this adjustment, the District submitted an application for New Construction at its existing Fremont Elementary campus, which is currently waiting on the ARBBA list. The Fremont Elementary application requests 375 seats of K-6 grants, which will be adjusted according to the District's remaining eligibility after submitting new 50-01 projections.

[13] Office of School Construction Data Dashboard. Alisal Union School District District Data. All Types & Bond Measures. https://www.dgsapps.dgs.ca.gov/OPSC/Dashboard/.

Based on the position of the application on the ARBBA list, the Fremont Elementary project will not receive funding from the first allocation of the one-time funds in the 2022-23 State Budget. The total amount of funding for these grants depends on the year in which the applications are approved. Based on adjustment of all projects on the ARBBA list to 2022 dollars, the Fremont Elementary application would receive funding under the second one-time payment, once the SAB had approved 814 other applications, at most, worth approximately $3.1 billion (2022$). It should be noted that applications may be denied funding, moving the Fremont application up the list. Furthermore, costs will increase as the OPSC reviews applications past 2022, leaving less funding for projects further down the list.

Potential Grants for Future New Construction

As discussed in a previous section, based on the OPSC Form 50-01 5th year projection, the District's 5-year enrollment projections indicate a steady decline in enrollment. In order to establish eligibility for state funds, the District would need to project a 5-year increase in enrollment to over 7,375 students, according to the latest existing capacity calculated in the 2022 SFNA. Therefore, it is unlikely that state funding will be available after the remaining grants are apportioned for the existing Fremont ES project. The process of determining eligibility indicates whether districts will have "unhoused students" and require additional capacity for future enrollment. With this in mind, Alisal USD projections imply the District will have sufficient available capacity for future students.

Developer Fees

Background

SB 50 established a process for determining the amount of fees that developers may be charged to mitigate the impact of development on school facilities. Under this legislation, a school district could charge fees above the statutory cap only under specified conditions, and then only up to the amount of funds that the district would be eligible to receive from the State. According to Government Code Title 7, Section 65995, the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation." SB 50 provides that a state or local agency may not deny or refuse to approve the planning, use or development of real property on the basis of a developer's refusal to provide mitigation in amounts in excess of that established by SB 50.

SB 50 established three levels of Developer Fees that may be imposed upon new development by the governing board of a school district depending upon certain conditions within a district. The district may levy one of these three levels at a time, after meeting the requirements described below:

Level 1: Level 1 fees are the base statutory fees. These predetermined amounts are the statutory maximum that can be legally imposed upon new construction projects by a school district unless the district qualifies for a higher level of funding.

These rates are established by the SAB, and may be increased bi-annually to adjust for inflation. Adjustments are based upon a statewide cost index for Class B construction, currently provided by RS Means Index (previously provided by Marshall & Swift). After adoption by the SAB, school district boards may review and approve a Developer Fee Justification Study (DFJS) to implement current Level 1 fees. Pursuant to the California Government Code Title 7, Section 65995, as of February 2022, the statutory maximum Level 1 school fees that may be levied by a K-12 school district on new development are $4.79 per assessable SF of residential construction and of $0.78 per SF of enclosed and covered space for commercial/industrial development.

Level 2 & 3 (Alternative): Level 2/3 (Alternative) fees allow the school district to impose developer fees above the statutory level. In theory, Level 2 fees provide up to 50 percent of new school construction costs. Level 3 fees apply if the state runs out of bond funds, allowing the school district to impose 100 percent of the cost of the school facility or mitigation, minus any local dedicated school funds. To implement Level 2 and 3 fees, the governing board of the school district must adopt a School Facilities Needs Analysis ("SFNA") annually and meet other pre-requisites in accordance with Title 7, Section 65995.6 of the California Government Code.

A development project applicant pays developer fees to a school district at the time building permits are issued, unless an alternative school impact mitigation agreement states otherwise. Payment of the adopted fees provides full and complete mitigation of school impacts.[14]

[14] CA Senate Bill 50. Leroy F. Greene School Facilities Act of 1998: Class Size Reduction Kindergarten-University Public Education Facilities Bond Act of 1998. Government Code Title 7, Section 65995.(h.). http://www.leginfo.ca.gov/pub/97-98/bill/sen/sb_0001-0050/sb_50_bill_19980827_chaptered.html

Developer Fee Sharing Agreement

When non-unified school districts serve grades K-12 in a geographic area, such as with Alisal USD and Salinas Union High School District, these districts must come to an agreement on how to split Level 1 developer fees. The District receives 53.85% of Level 1 fees, according to the 2020 DFJS prepared for AUSD.[15]

Current Developer Fees[16]

The Alisal Union Board of Trustees ratified the contract for preparation of the 2022 SFNA at their September 14th meeting.[17] The Draft 2022 SFNA proposes a fee of $4.27 per SF of residential construction.[18] The Level 2 fees will go into effect the day after adoption, currently scheduled for October 26, 2022.

At the time of writing, the Project plans for an estimated total square footage (SF) of 5.9 million SF of assessable space for all residential units. JCJ Partners applied developer fees per square foot to the total square footage to estimate potential residential developer fees from the Project as detailed below in **Table 5**. All square footage assumptions are subject to change and developer fees are provided as estimates.

Table 5
Developer Fee Estimates for Central Area Specific Plan

Developer Fee Source	Residential Developer Fee per SF	Total SF	Estimated Total Developer Fees Collected
2022 SFNA	**$4.27/SF**	5,886,900 SF	**$25,137,063**

Future Developer Fees

It should be noted that the Project will be constructed over the course of 20 years, in which time developer fees will likely be increased. It is unknown whether the District will levy fees under the Alternative (Level 2/3) fees, which must be adopted annually, or under Level 1 fees, which are approved every even year in January.

[15] Sourced from page 25 of 2020 DFJS prepared for Alisal USD.
[16] The District currently levies its agreed-upon percentage split of the 2020 maximum Level 1 fees of $4.08 per SF ("/SF") of residential construction, or $2.20/SF, and the percentage split of $0.66/SF of commercial/industrial construction, or $0.33/SF. However, the District entered into a contract for preparation of a 2022 DFJS, which would permit the District to levy $2.58/SF of residential and $0.43/SF of commercial/industrial construction. Based on Project total SF of 5,886,900 SF, the Project would generate $12,933,990 in 2020 Level 1 fees, or $15,184,758 in 2022 Level 1 fees.
[17] Information retrieved from September 14th, 2022 AUSD board meeting agenda.
[18] 2022 SFNA Contract Ratification from September 14th, 2022 AUSD Board Meeting https://go.boarddocs.com/ca/alisal/Board.nsf/files/CHRQEJ68F2B6/$file/2022_6_28_Alisal%20Union%20School%20District%20SFNA%20Prop.pdf

General Obligation ("GO") Bonds

To finance capital improvements and new school construction, school districts in California may also borrow money in the form of a General Obligation ("GO") bond. As a result of the passage of Proposition 39, school districts can seek either two-thirds or 55 percent voter approval, with additional accountability requirements for the lower percentage.

In light of the fact that state funding is currently limited, school districts are actively placing new GO bonds on local ballots. Alisal USD has placed multiple GO Bond Measures up for election over the last two decades, all of which have received voter approval. **Table 6 (below)** lists the details of the last two bond measures.

Table 6
Alisal USD School District GO Bond History

MEASURE A - Approved Date Of Election: November 7, 2006 Proposed Bond: $90 Million Vote In Favor: 64.83% (55% Required)
Purpose: • To improve safety, upgrade classrooms, and make repairs at every neighborhood elementary school by: • Replacing leaky roofs and outdated electrical wiring; • Repairing deteriorating restrooms and plumbing; • Upgrading classrooms and computer labs to teach math and science; and • Adding new classrooms to existing schools and building new elementary schools to prepare for growing student enrollment;
MEASURE M- Approved Date Of Election: November 8, 2016 Proposed Bond: $70 Million Vote In Favor: 73.22% (66.7% Required)
Purpose: • Improve access to classrooms and facilities for disabled students and community members. • Repair/Replace deteriorated roofs, plumbing, heating, ventilation, and electrical systems. • Update classrooms for science, math, music, art programs and other core academics. • Rebuild/Renovate Alisal Community School and Fremont Elementary School. • Upgrade safety and security systems. • Modernize outdated systems to support classroom instructional technology. • Relieve overcrowding by constructing a new elementary school.

It should be noted that Alisal USD is in the process of repaying bonds on several other measures going back to 1990. Based upon all outstanding general obligation bond commitments, the combined effective 2021-22 GO Bond tax rate for AUSD is **$176.77 per $100,000** of AV.[19] The District's tax rate, although slightly lower than in previous years, is still the highest of non-unified districts in Monterey County.

Bonding Capacity

CA Education Code Title 1, Section 15102 stipulates that elementary and high school districts may issue general obligation bond debt valued up to 1.25% of the AV of property within the district. Based on 2021-22 AV, the District has exceeded their debt limit base by more than double. To incur this amount of debt, the District applied for two waivers from the State Board of Education over the last five years. The first waiver was submitted in March 2017 and requested an increase to the District's bonding capacity to 2.35% of District AV. This 2017 waiver only applied to bond funds issued from authorization under Measure M, and expires at the end of 2025. In March 2021, the District applied for and received another waiver to add to District debt using Measure A bond funds, as well as to extend the original authorization for Measure M funds. Therefore, until the expiration of the 2021 waiver (in December 2034), the District is authorized to issue bond funds from both Measure M and Measure A up to the limit of 2.70% of the District's AV.

The Alisal Union Board recently resolved to issue the remaining balance of authorized bond funds under Measure M, totalling approximately $32 million, at its June 20th, 2022 Meeting for the Board. Along with the first issuance of bonds under Measure M, the funds have been budgeted to finish projects at both Alisal Community School and Fremont Elementary, as well as **provide $10 million in funding for a future elementary school**.

The most recent issuance under Measure A authorization was approximately $14.1 million in 2021. According to the Official Statement of the Bond Series, the District's issuance leaves approximately $58.7 million in bond debt authorization remaining under Measure A. These funds may be used to modernize existing facilities or add new capacity to the District.

Impact of Development of CASP on Bonding Capacity

The District could choose to pursue even more GO Bond funding considering the increased AV of the Project over the next twenty years. At buildout, the Project is estimated to add approximately $1.75 billion in AV to the District (in 2022$). Under the statutory limit of 1.25%, this would make approximately $21.8 million in bonding capacity available to the district from the CASP alone.

[19] 2021/22 Monterey County Tax Rates. Alisal Union School District Bond 1990 Ser C & 1999 Ser A D & 2006 B & 2016 A & 2017 Ref. County of Monterey.https://www.co.monterey.ca.us/home/showpublisheddocument/106941/637729090695900000.

If Measure A authorized funds remain unissued at buildout, the District could potentially issue up to 2.7% of this new AV, resulting in approximately $47.1 million in additional bonding capacity for Measure A bond issuances. The District could also pursue further waivers in the future to allow for the full utilization of the new Project AV. See a summary of AV and bonding capacity in **Table 7 (below)**.

Table 7
Summary of Assessed Valuation and Bonding Capacity

Assessed Valuation Source	Assessed Value	Bonding Capacity Limit of AV	
		1.25% (State Limit)	2.7% (Measure M & A)
2021-22 District	$3.59 B	$44.9 M	$96.9 M
Estimated Project AV	$1.75 B	$21.8 M	$47.2 M
Combined AV	$5.34 B	$66.7 M	$144.1 M

SUMMARY AND SIGNIFICANCE OF FINDINGS

State Funding

Historically, the District has relied on state and local funds to construct school facilities, receiving $94.6 million dollars in new construction projects since 1998. The District is currently awaiting review of another New Construction application for Fremont Elementary, wherein it requested grants for 375 seats of K-6 facilities in 2021. Based on the remaining eligibility after the latest approval for state funding, the District is eligible for 650 K-6 seats of New Construction funds.

However, the District must re-certify its eligibility for these funds when the current application is reviewed by OPSC, and the District may lose its existing eligibility. Based on projections made using the SAB Form 50-01 online tool, enrollment in the District may decline to a level below the latest-reported existing capacity, resulting in reduced eligibility for new funds. If District enrollment continues to decline and state funding becomes unavailable, the District will use funds from local sources, alone.[20] **A key implication of declining eligibility to receive state new construction funding is that the District is able to accommodate future enrollment in existing facilities.**

GO Bonds & Project AV

A common method of raising local funds is a local districtwide General Obligation (GO) Bond or a Special Facilities Improvement District (SFID), which may be focused on a specific geographic area. The local bonds must first be approved by voters and once issued will be repaid by the payment of property taxes within the school district. At the time of writing, the District has received voter approval on two General Obligation bond measures in the last two decades. The first of these GO Bonds, totalling $90 million, was authorized by the voters in 2006 under "Measure A", but bond funds were not issued due to the loss of assessed valuation caused by the Great Recession in 2008. The second authorization under "Measure M" totaled $70 million and was approved in 2016. The District recently issued the last of the debt authorized under Measure M, budgeted for improvements of Alisal Community School and Fremont Elementary, as well as $10 million towards a potential new elementary school. In addition, according to the latest issuance of debt under Measure A, approximately $58.7 million remains to be issued under the 2006 authorization.

The District's ability to issue local debt depends on the bonding capacity limit, usually defined as 1.25% of the assessed value of all property within an elementary/high school district, or 2.5% of the AV within a unified district. However, Alisal USD has requested multiple waivers from the State Board of Education, which have allowed them to exceed the statutory limit. In 2016 and again in 2021, the District's debt limit was first increased to 2.35% of AV for debt issued under Measure M, and then increased to 2.7% of AV for debt issued under both Measure A and M. The

[20] There is discussion in the school community of specialized legislation, which would allow school districts to avoid updating enrollment data for applications on the ARBBA list. However, there is no bill currently in review by the legislature addressing this topic.

latest waiver allows the District to maintain this bonding capacity until December 31, 2034, as long as the debt is issued from the remaining authorization of Measure A.

As the CASP builds out, the total Assessed Value of property within the District will increase. As long as authorization remains under Measure A, up to 2.7% of this new AV will be available as additional bonding capacity for future issuances. Current estimates put the AV of the Project at approximately $1.747 billion (in 2022 dollars), at buildout, which would provide approximately $47.2 million in bonding capacity, under Measure A. Under any other future bond measure, 1.25% of the Project AV would provide approximately $21.8 million in bonding capacity, unless the District receives another waiver. Without an additional waiver, AUSD must reduce its outstanding debt to below the 1.25% statutory limit before issuing more GO bonds.

However, additional bonding capacity does not necessitate that the District issue the remaining bonds authorized under Measure A or any other future measure. As of the 2021-22 Fiscal Year, the total debt rate for all outstanding bonds reached approximately $176.77 per $100,000 of AV. While the District has decreased its total debt rate from $239.83 per $100K in the 2019-20 Fiscal Year, it still levies a high debt rate. **Rather than issuing more debt using Project AV and increasing these rates, the additional property value could help spread out the existing debt burden onto new homeowners.**

Developer Fees

In addition to increased District AV, the Project will contribute one-time funding to the District through payment of Development Impact Fees (or Developer Fees). At the time of writing, Alisal USD has received a draft SFNA, dated July 2022, which calculates a Level 2 fee of $4.27 per square foot of residential construction. Based on the current planning estimates for the Project, an approximate total of 5.9 million in residential square footage will be constructed at buildout. **Under the current fee, this would generate approximately $25.1 million in one-time funding for the District**.

Available Funds for Future Facilities

As previously mentioned, on July 20th, 2022, the District Board approved issuance of remaining bonds authorized under Measure M (2016 Series B), totaling $32,004,593. According to the 2022-23 District Budget, the Building Fund began the 2022-23 Fiscal Year with a balance of approximately $33 million, and all of these funds are budgeted for expenditures by the end of the 2022-23 fiscal year. However, based on the CA State Treasurer DebtWatch tool, and the date of the Resolution to issue the remaining funds, the $32 million in Measure M bond funds had not yet been sold when the 2022-23 Budget was approved.[21]

According to Measure M budgeting information from a January 2021 presentation, $60 million in funds from Measure M bonds are dedicated to construction at two existing elementary schools, while the remaining $10 million is budgeted towards a New Elementary School. Once the District receives Series B funds, this $10 million will be available for future school construction. At its meeting on September 14th, 2022, the Alisal USD board agreed to allocate $65,000 to In Studio Architecture for Master Planning of a potential new elementary school. However, in the Background section of the agenda item, the district notes the following:

> "At the time [of Measure M voter approval and Measure M fund budgeting for a new elementary school], nearly 9000 students were enrolled in the District; however, enrollment has since declined consistently, and currently stands at around 7500 students. Though the District has no immediate need for an additional elementary school, enrollment is expected to once again increase in the near future and the District intends to move forward with building its 13th school within the next 10 years."[22]

As discussed in Section 1, enrollment projections indicate the District will continue to decline in enrollment, rendering a new school unnecessary. However, if the District decides to go forward with construction, it should have the ability to fund an elementary school. Alternatively, these funds may be better utilized on improvements to existing schools, particularly those nearest to anticipated new development like the CASP.

According to the District's 2020 DFJS report, the cost of constructing an elementary school (without site acquisition) was approximately $45.9 million in 2020. This cost increases to approximately $54 million when adjusted to 2022 dollars, using the annual change in Class B construction costs (17.45% change from 2020 to 2022). The total financial contributions from the Project are detailed in **Table 8 (next page)**, which also includes a comparison of the 2022 cost of constructing a school.

[21] Alisal Union School District DebtWatch Records. Web Retrieved September 20, 2022. https://debtwatch.treasurer.ca.gov/debt-comparison?type=type&value=K-14%20Schools&issuers=Alisal%20Union%20Elementary%20School%20District%20(CSCRPA)&issuers=Alisal%20Union%20School%20District

[22] Background. "Item EE. Agreement - School 13 Master Plan". Alisal Union School District Board Meeting. September 14, 2022 Meeting. http://go.boarddocs.com/ca/alisal/Board.nsf/goto?open&id=CHVW2482C078

Table 8
Estimated Project Contribution Summary

Unit Type	# Units	Total SF (Rounded)	Total Estimated Contributions by District
			Alisal USD
Capital Budget Contributions			
One Time Developer Fees Alternatives [$Million, Rounded]:			
2022 Level 2 Fees	3,534 units	*5.9 M*	**$25.1 M**
Assessed Value & Bonding Capacity Growth :			
AV Source	Assessed Value (2022$)	1.25% Bonding Capacity	2.7% Bonding Capacity (Measure M & A, only)
Estimated Project AV	$1.75 B	**$21.8 M**	**$47.2 M**
Existing GO Bonds Funds Dedicated for a New School			
Available/Budgeted Measure M Funds			**$10 M**
Total CASP Capital Budget Contributions			**$56.9-$82.3 M**
Cost of an Elementary School (2022$)			
Estimated Site Development & Construction Cost			**$54 M**

Conclusion

Planned growth that is anticipated, comes in regular increments, and is understood by the school district facility and fiscal planners is the most beneficial to the school district and the community. This growth helps to offset operational budget losses due to enrollment decline and creates efficiencies when students enter existing facilities.

INFORMATION & MATERIALS REVIEWED:

A. School Facilities Needs Analysis Reports prepared for AUSD in 2018, 2019, and 2020 by Cooperative Strategies, and prepared for AUSD in 2021 and 2022 by School Facility Consultants. Available in AUSD School Board Agenda Archives and through public records requests. URLs are as follows:

   i. 2018 SFNA: https://www.alisal.org/cms/lib/CA02215153/Centricity/Domain/208/IX.A.%20Public%20Hearing%20on%20School%20Facilities%20Needs%20Analysis.pdf ;

   ii. 2019 SFNA: URL Unavailable;

   iii. 2020 SFNA: https://go.boarddocs.com/ca/alisal/Board.nsf/files/BRKQTC6AB2AD/$file/SFNA_Alisal_1920_Fn_8.5.20.pdf ;

   iv. 2021 SFNA: URL Unavailable;

   v. 2022 SFNA: URL Unavailable;

B. Developer Fee Justification Studies prepared for AUSD in 2018 and 2020 by Cooperative Strategies. Available in AUSD School Board Agenda Archives as follows:

   i. 2018 DFJS: URL Unavailable;

   ii. 2020 DFJS: https://go.boarddocs.com/ca/alisal/Board.nsf/files/BQLP5K629BEC/$file/AlisalUnionSD_FS_20200604_Fn.pdf.

C. The 2015 Facility Master Plan prepared for AUSD by Aedis Architects. Available on AUSD Website: https://www.alisal.org/cms/lib/CA02215153/Centricity/Domain/197/FINALREPORT7-17-15small.pdf .

D. The 2018-2021 Agreement between AUSD and Alisal Teachers' Association. Available on the AUSD Website: https://www.alisal.org/cms/lib/CA02215153/Centricity/Domain/214/2018-21ATAcontractApproved4-10-19.pdf .

E. California Department of Education Enrollment Data for AUSD for the school years 2000-2001 to 2021-2022, via Dataquest public database. https://dq.cde.ca.gov/dataquest/ .

F. California Department of Education Transitional Kindergarten Enrollment Data for AUSD for the school years 2013-2014 to 2020-2021, via Dataquest public database. https://dq.cde.ca.gov/dataquest/tkreports/TkLevels.aspx?cdscode=27659610000000&year=2020-21 .

G. The 2018 Draft Environmental Impact Report ("EIR") prepared pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) for the CASP. https://www.cityofsalinas.org/our-city-services/community-development/documents-public-review/accordion/notice-availability-central-area-specific-plan-draft-environmental-impact-report-and-draft-specific .

H. The 2020 Final EIR certified by the City for the CASP, including responses to comments on the Draft EIR from AUSD. https://www.cityofsalinas.org/sites/default/files/departments_files/community_development_files/attachment_17_final_program_eir_errata_sheet_response_to_comments_and_mitigation_monitoring_and_reporting_program.pdf .

I. 2021-2022 Fiscal Year Assessed Value and Bond Tax Rates by AUSD, obtained via Monterey County 21-22 Tax Rate Book. https://www.co.monterey.ca.us/home/showpublisheddocument/106941/637729090695900000 .

J. The 2022-2023 Adopted Budget for AUSD. https://go.boarddocs.com/ca/alisal/Board.nsf/files/CFEMZB5DA495/$file/July%201%20Budget%2022-23.pdf .

K. Live Birth Data for California, Monterey County, by ZIP Code from California Department of Public Health. https://data.chhs.ca.gov/dataset/cdph_live-birth-by-zip-code .

L. Ballot Information from 2006 and 2016 General Obligation Bond Elections Measures A & M.

   i. 2006 Measure Information: http://www.smartvoter.org/2006/11/07/ca/mnt/meas/A/;

   ii. 2016 Measure Information: https://ballotpedia.org/Alisal_Union_School_District,_California,_Bond_Issue,_Measure_M_(November_2016).

M. 2017 and 2021 State Board of Education Debt Limit Waivers.

i. 2017:https://salinastaxpayers.org/wp-content/uploads/2017/03/2017-03-09-Tax-and-Debt-Waivers-California-State-Board-of-Education.pdf;

ii. 2021: https://www.cde.ca.gov/be/ag/ag/yr21/agenda202105.asp.

N. Office of Public School Construction's State Allocation Board (SAB) Form 50-01 Calculator and Instructions.

i. https://www.dgs.ca.gov/-/media/Divisions/OPSC/Forms/SAB-50-01_ADA.pdf;

ii. https://www.dgsapps.dgs.ca.gov/opsc/ab1014/.

O. CA Code of Regulations, Title 2, Sections 1859.40 through 1859.43. https://lawrina.com/us-law/state/california/regulations/title-2/division-2/chapter-3/subchapter-4/group-1/subgroup-5-5/article-5/section-1859-40/.

P. State Funding Status via the SAB August 2022 Meeting Agenda. https://www.dgs.ca.gov/-/media/Divisions/OPSC/Agenda-Items/2022/08-August/August152022SABAgenda-ADA.pdf?la=en&hash=5EA42E5B090D4CFBDCBF1C496C47E884E58D1935.

Q. Assembly Bill 75 (2021-2022) and Senate Bill 22 (2021-2022) Summaries and Status information obtained via LegInfo.

i. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB75;

ii. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB22.

R. Fremont Elementary State Funding Application SAB Form 50-04 obtained via public information request to the Office of Public School Construction. (OPSC Online Account Login Required)

i. https://www.webapps.dgs.ca.gov/OPSC/OPSCOnline/wizard/5004/Review/61104/2021-08-03T17:25:35.47925/Version1.

EXHIBITS

EXHIBIT A:

CENTRAL AREA SPECIFIC PLAN PROJECT & ALISAL UNION SCHOOL DISTRICT BOUNDARIES

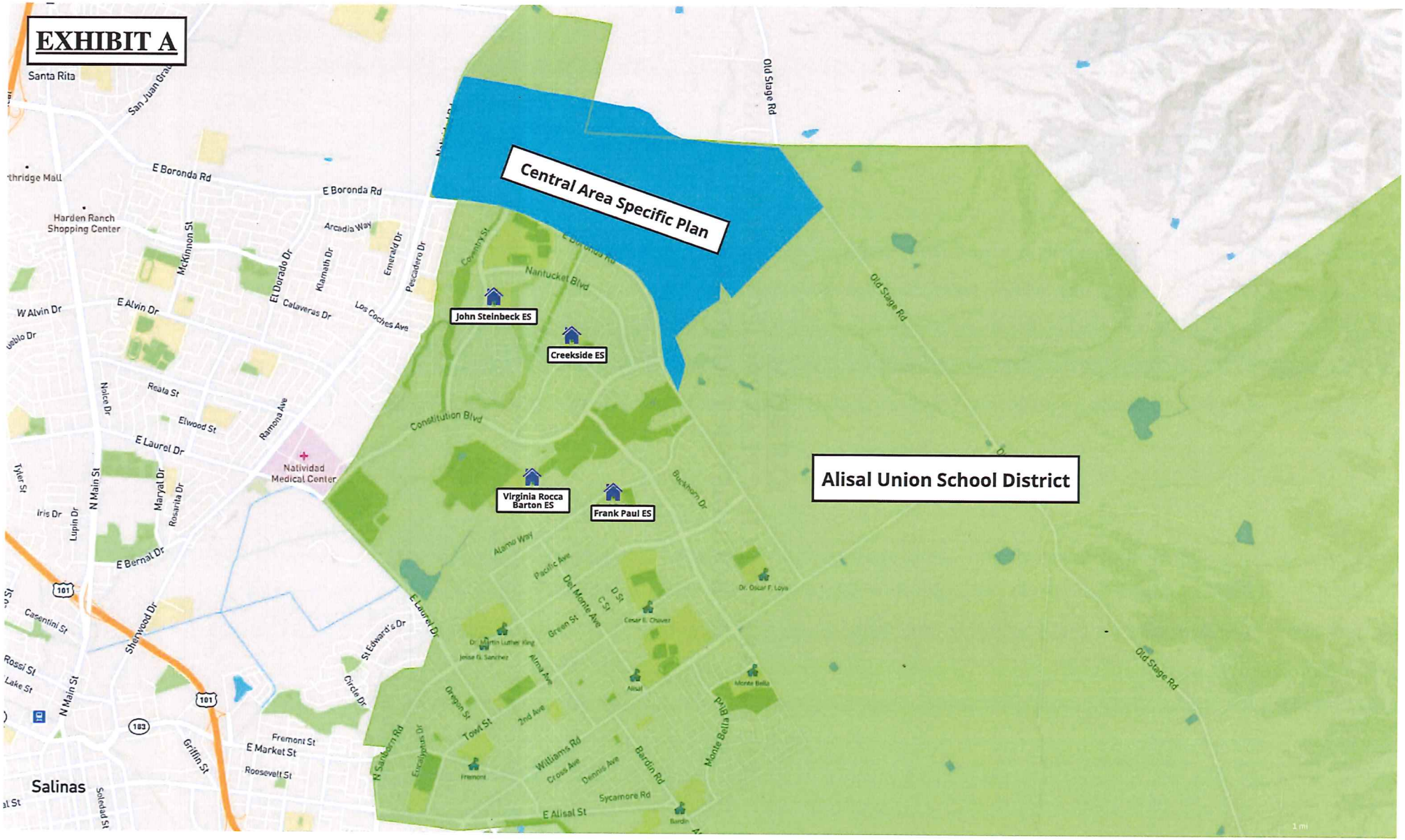

EXHIBIT A
Central Area Specific Plan
Alisal Union School District
John Steinbeck ES
Creekside ES
Virginia Rocca Barton ES
Frank Paul ES
Santa Rita
E Boronda Rd
Harden Ranch Shopping Center
Old Stage Rd
Nantucket Blvd
Constitution Blvd
E Alvin Dr
W Alvin Dr
E Laurel Dr
E Bernal Dr
Natividad Medical Center
Salinas
Fremont St
E Market St
Roosevelt St
Alisal
E Alisal St
Sycamore Rd
Monte Bella
Dr. Oscar F. Loya
Cesar E. Chavez
Dr. Martin Luther King
Jesse G. Sanchez
Fremont
Burdin
1 mi

EXHIBIT B:
ALISA UNION SCHOOL DISTRICT ENROLLMENT TRENDS

EXHIBIT B

Alisal Union School District

Enrollment Trends and School Information for AUSD

Schools *October 24th, 2022*

School	Driving Dist.	Enrollment 2021-22	5-YR Trend	10-YR Trend	FMP Capacity	Excess Seats (+/-)
Closest Schools to CASP Project:						
Creekside ES	0.6 mi	571	-19.9%	-15.9%	675	104
Frank Paul ES	1.3 mi	658	-18.8%	-20.7%	800	142
John E. Steinbeck ES	0.7 mi	553	-18.6%	-18.6%	735	182
Virginia Rocca Barton ES	1.7 mi	579	-26.6%	-18.7%	800	221
					SUBTOTAL	**649**
Additional Nearby Schools :						
Alisal Community	2.8 mi	562	-26.8%	-15.5%	810	248
Bardin Elementary	3.6 mi	626	-12.3%	-34.8%	750	124
Cesar E. Chavez Elementary	2.2 mi	682	-16.4%	-22.2%	825	143
Dr. Martin Luther King, Jr. Academy	2.9 mi	603	+0.8%	+36.7%	600	-3
Fremont Elementary	3.9 mi	783	-7.6%	-7.0%	875	92
Jesse G. Sanchez Elementary	3.0 mi	771	-8.5%	+0.1%	850	79
Monte Bella Elementary	2.5 mi	835	+15.3%	-%	800	-35
Oscar F. Loya Elementary	2.0 mi	628	-10.2%	-26.0%	800	172
					SUBTOTAL	**820**
					TOTAL EXCESS SEATS IN 2021-22	**1469**

Notes: Enrollment for schools web retrieved from California Department of Education DataQuest on September 16th, 2022.
Enrollment trend calculations done by JCJ Partners LLC and rounded to the nearest tenth.
The 2021-22 School Year Enrollment is used as the basis of comparison for enrollment trend calculations.
Monte Bella ES was previously name Tiburcio Vasquez ES and the name change happened in 2016-17.
Monte Bella ES opened in 2013 so there is no 10-YR Enrollment Trend available.
Driving distance measured from the southern edge of the Central Area Specific Plan Project (Intersection of East Boronda Rd and Hemingway Drive) to the entrance of the relative school.
Capacity shown in the table is retrieved from the 2015 AUSD Facilities Master Plan (FMP).

EXHIBIT C:
METHODOLOGY OF JCJ PARTNERS COHORT PROJECTIONS

EXHIBIT C

JCJ Partners Cohort Projection Methodology:

-Utilizes the current and previous six years of enrollment (2015-16 through 2021-22) as reported for the October CBEDS and available from the CDE DataQuest.

-For all grades, calculates the percentage change in enrollment from a current grade to the next lower grade in the previous year. (e.g., the percentage change from 1st grade in 2020-21 to 2nd grade in 2021-22, etc.).

-Depending on scenario, applies a straight average (unweighted) to the three school years prior to the COVID Pandemic (2017-18 through 2019-20), the latest three years (2019-20 through 2021-22), or the last five years (2017-18 through 2019-20). Also considers the change from 2020-21 to 2021-22 for the 1-year scenario, and a 0% annual cohort change for the No Change scenario.

-Applies these average per-grade percentage changes in enrollment to each grade for each year of projection.

-Calculates the percentage annual change of total number of births from 2017 through 2020 by residency, from ZIP Codes 93905, -06, and -08, to represent children old enough to enter KG in 2021-2024.

-Applies the percentage change in birth rates from 2017 to 2018 to the KG class of 2021-22 to calculate the approximate KG class size in 2022-23, continuing until the 2024-25 school year, when birth data becomes unavailable. After 2024-25, the 5-year straight average of annual changes in births from 2015 to 2020 was applied to each additional year.

-California is opening Transitional Kindergarten (TK) to all 4-year-olds into Transitional Kindergarten by the 2025-26 school year. Since it's conception, TK has been open to students born from September to November of the 4th prior year (25% of 4-year-olds). As of the 2022-23 school year, children born in December and January will be allowed to enroll (~41.7%). In 2023-24 school year, two more months of births become eligible to enroll (February & March), amounting to ~58.3% of 4-year-olds). Children born in April and May will be added in 2024-25 (75%), and all four-year-olds will be eligible in 2025-26 (100%).

-CDE Dataquest information provides separate TK enrollment until the 2020-21 school year. For the 2021-22 school year, projections assume the average percentage of TK enrollment out of the combined TK/KG class sizes from 2017-18 through 2019-20 school years (i.e., TK enrollment represented an average of ~17.6% of the combined TK & KG class size) and applied this to the combined TK & KG class size reported for 2021-22.

-To estimate the phase-in of TK students from 2022-23 to 2025-26, these percentages of 4-year-olds by year were applied to the KG class of the same school year (41.7% in 22-23, 58.3% in 23-24, 75% in 24-25, and 100% in 2025-26 and each subsequent year).

-To account for future student generation from the Central Area Specific Plan, the 2022 SFNA SGR were applied to the total number of units planned for development, resulting in approximately 1,384 K-6 students.

-Total estimated student generation was divided between twenty years and seven grades for each year, rounded up to approximately 10 students per grade, per year. As TK is a duplicate of KG, an additional 10 students were added to enrollment projections, resulting in 80 students generated every year, and adding up to approximately 1,590 total students (~200 more students than expected using SFNA SGR).

EXHIBIT D:

ENROLLMENT VS. CAPACITY AT CASP BUILDOUT

EXHIBIT D

Capacity at Buildout of CASP

Charts 1 and 2(below) utilize the 25-year projections of District & Nearby School enrollment under existing conditions and with the assumed addition of students from CASP.

Chart 1
Long-Term Districtwide Enrollment Projection at Buildout
Capacity vs. Enrollment Projections

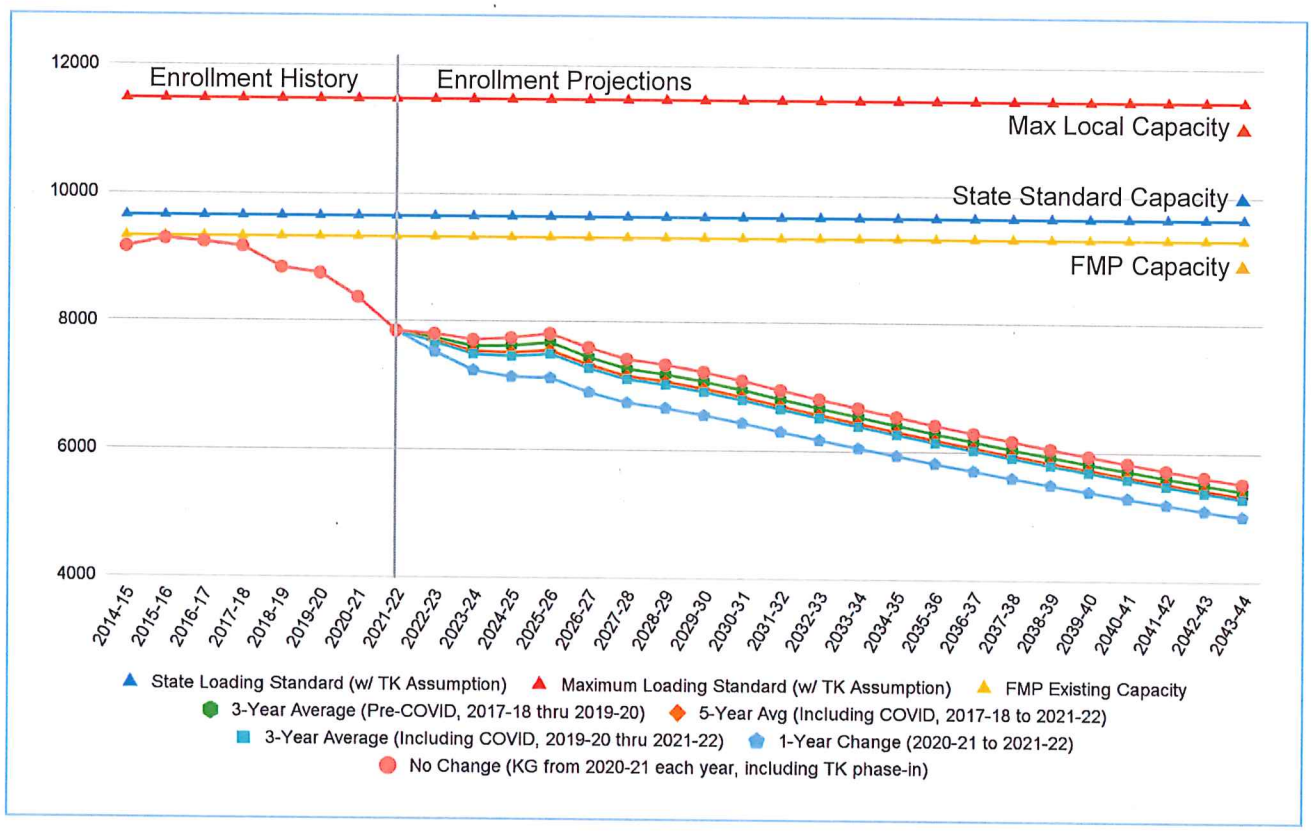
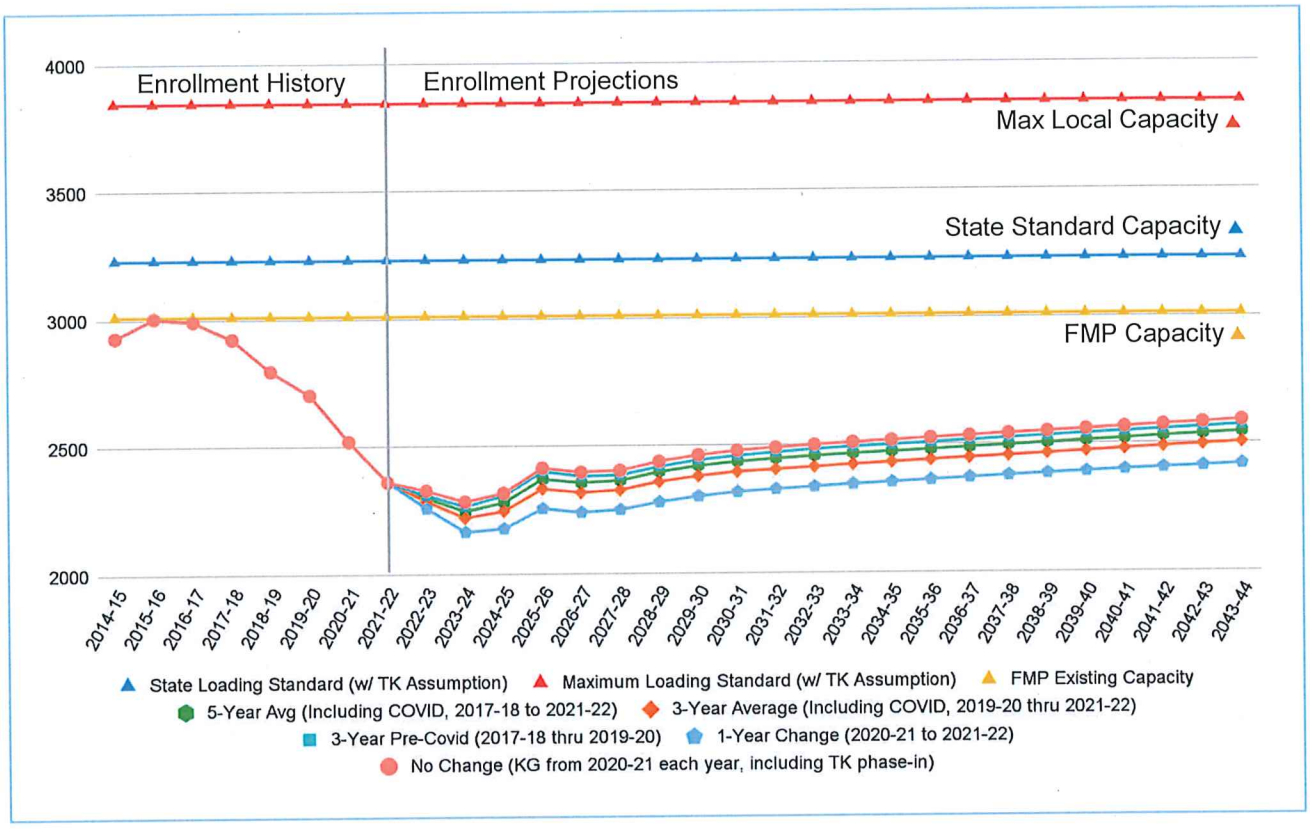


EXHIBIT D

Chart 2
Long-Term Nearest Schools at CASP Buildout
Capacity vs. Enrollment Projections



From these long-term projections, it is clear that projected enrollment including students from CASP development will not exceed the existing District capacity.

CHRISTOPHER A. CALLIHAN, SBN 203010
City Attorney
CITY OF SALINAS
200 Lincoln Avenue
Salinas, CA 93901-2639
Telephone: (831) 758-7256
Email: chrisc@ci.salinas.ca.us

JAMES G. MOOSE, SBN 119374
ELIZABETH R. POLLOCK, SBN 259645
REMY MOOSE MANLEY, LLP
555 Capitol Mall, Suite 800
Sacramento, CA 95814
Telephone: (916) 443-2745
Email: jmoose@rmmenvirolaw.com
Email: epollock@rmmenvirolaw.com

JOEL FRANKLIN, SBN 69705
LAW OFFICES OF JOEL FRANKLIN
225 Crossroads Blvd., Suite 407
Carmel, California 93923-8674
Telephone: (831) 649-2545
Email: Joel@JFranklinLaw.net

Attorneys for Respondent
CITY OF SALINAS

EXEMPT FROM FILING FEES
[GOVERNMENT CODE § 6103]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MONTEREY

ALISAL UNION SCHOOL DISTRICT, and SALINAS UNION HIGH SCHOOL DISTRICT,

Petitioners and Plaintiffs,

v.

CITY OF SALINAS; and DOES 1 THROUGH 10, inclusive,

Respondent and Defendant,

DOES 1 1 THROUGH 20, inclusive,

Real Parties in Interest.

Case No. 20CV003402

California Environmental Quality Act (CEQA)

DECLARATION OF OLGA BEVZ IN SUPPORT OF RESPONDENT'S OPPOSITION TO FIRST AMENDED PETITION FOR PEREMPTORY WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Judge:	The Hon. Carrie M. Panetta
Dept.:	14
Date:	December 19, 2022
Time:	8:30 a.m.

Filing Date of Action: December 17, 2020

Exhibit 71

I, Olga Bevz, declare:

1. I make this declaration in support of Respondent's Opposition to the First Amended Petition for Peremptory Writ of Mandate and Complaint for Declaratory and Injunctive Relief, filed by the City of Salinas (City). The matters stated below are based on my personal knowledge, background, research and analysis, and experience and training, and if called upon as witness, I can and would competently testify thereto.

2. I am the President of JCJ Partners, LLC (JCJ Partners), which I formed in 2018 with my colleague Jeanette Justus, who had been operating her own firm (predecessor to JCJ Partners) since 1998 and is now the Principal in JCJ Partners. Located in Irvine, California, JCJ Partners assists school districts and developers to plan new school facilities, negotiate mitigation agreements, create comprehensive school facilities programs, prepare school sections of environmental documents for new communities, and facilitate district boundary adjustments. JCJ Partners has expertise with respect to planning for efficient schools in new residential communities, determining the impacts of new development, maximizing state New Construction funding, resolving community issues related to overcrowded schools or the perception of overcrowded schools, and using public financing for constructing new schools.

3. As President, I prepare concepts, strategies, and school mitigation agreements to help to ensure that 21st century school facilities are delivered on-time for new homeowners. I also design methodologies for quantitative models and analyses that determine student generation rates, needs and costs projections, cash flows and development impact fees. I analyze requirements of California Education Code and other statutes and work on issues such as district organization, surplus property, developer fees, state funding programs and educational enrichment programs. I have approximately 20 years of professional experience in dealing with issues of these kinds. I hold a Bachelor of Arts Degree in Political Science and English Literature from University of California, Irvine and a Certificate in Light Construction and Development Management from the University of California, Irvine, Extension Program.

4. East Boronda LLC, a developer and landowner within the Central Area Specific Plan ("CASP"), retained JCJ Partners to gather and analyze data from reliable sources regarding student generation rates and school funding as related to statements made by Petitioner Alisal Union School District ("AUSD") in the above-captioned litigation. The statements at issue occur in Petitioners' Opening Brief in Support of First Amended Petition for Peremptory Writ of Mandate and Complaint for Declaratory and Injunctive Relief ("Petitioners' Opening Brief" or "POB").

5. In summary, AUSD's statements contend that AUSD's existing enrollment exceeds current school capacity; that it is unlikely that AUSD will have the funds to build one or more new schools to house the students generated by the CASP; and that, as a result, AUSD will need to modify its existing facilities to accommodate the influx of the CASP students. I will address the accuracy of each of these contentions below. For reasons I will explain, I find AUSD's contentions to be factually inaccurate and misleading because AUSD does not need additional classrooms, does not need to modify facilities, and does not need new schools to accommodate the students generated by the CASP.

6. Prior to preparing this Declaration, I first prepared the technical report entitled "Central Area Specific Plan Analysis of School Enrollments, Capacity, and Capital Funding in Alisal Union School District," dated October 21st, 2022, which is attached hereto as Exhibit 1 (referred to herein as "JCJ Partners Analysis"). Our technical report is in a format very similar to what I would use for a document formally submitted to a school district or a private client. In preparing the technical report, I employed techniques and methods, and used language, of the kinds I would employ in preparing a document for a school district or a private client.

7. Prior to preparing the JCJ Partners Analysis, I reviewed the following information and materials:

A. School Facilities Needs Analysis Reports prepared for AUSD in 2018, 2019, and 2020 by Cooperative Strategies, and prepared for AUSD in 2021 and 2022 (draft) by School Facility Consultants:

a. 2018 SFNA (a true and correct copy of which is attached hereto as Exhibit 2);

b. 2019 SFNA (a true and correct copy of which is attached hereto as Exhibit 3):

c. 2020 SFNA (a true and correct copy of which is attached hereto as Exhibit 4);

d. 2021 SFNA (a true and correct copy of which is attached hereto as Exhibit 5);

e. 2022 SFNA (draft) (a true and correct copy of which is attached hereto as Exhibit 6);

B. Developer Fee Justification Studies (SFJSs) prepared for AUSD in 2018 and 2020 by Cooperative Strategies. Available in AUSD School Board Agenda Archives as follows:

a. 2018 DFJS (a true and correct copy of which is attached hereto as Exhibit 7):

b. 2020 DFJS (a true and correct copy of which is attached hereto as Exhibit 8);

C. The 2015 Facility Master Plan prepared for AUSD by Aedis Architects (a true and correct copy of which is attached hereto as Exhibit 9);

D. The 2018-2021 Agreement between AUSD and Alisal Teachers' Association (a true and correct copy of which is attached hereto as Exhibit 10);

E. California Department of Education Enrollment Data for AUSD for the school years 2000-2001 through 2021-2022 (a true and correct copy of which is attached hereto as Exhibit 11);

F. California Department of Education Transitional Kindergarten Enrollment Data for AUSD for the school years 2013-2014 through 2020-2021 (a true and correct copy of which is attached hereto as Exhibit 12);

G. The 2018 Draft Environmental Impact Report ("EIR") prepared pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) for the CASP (contained in the administrative record for this litigation beginning at AR 838);

H. The 2020 Final EIR certified by the City for the CASP, including responses to comments on the Draft EIR from AUSD (contained in the administrative record for this litigation beginning at AR 5855);

I. 2021-2022 Fiscal Year Assessed Value and Bond Tax Rates by AUSD, obtained via Monterey County 21-22 Tax Rate Book (a true and correct copy of which is attached hereto as Exhibit 13);

J. The 2022-2023 Adopted Budget for AUSD (a true and correct copy of which is attached hereto as Exhibit 14);

K. Live Birth Data for California, Monterey County, by ZIP Code from California Department of Public Health (a true and correct copy of which is attached hereto as Exhibit 15);

L. Ballot Information from 2006 and 2016 General Obligation Bond Elections Measures A & M:

a. 2006 Measure Information (a true and correct copy of which is attached hereto as Exhibit 16);

b. 2016 Measure Information (a true and correct copy of which is attached hereto as Exhibit 17);

M. 2017 and 2021 State Board of Education Debt Limit Waivers (true and correct copies of which are attached hereto as Exhibits 18 (2017) and 19 (2021);

N. Office of Public School Construction's State Allocation Board (SAB) Form 50-01 Calculator and Instructions (true and correct copies of which are attached hereto as Exhibits 20 and 21);

O. CA Code of Regulations, Title 2, Sections 1859.40 through 1859.43;

P. State Funding Status via the SAB August 2022 Meeting Agenda (a true and correct copy of which is attached hereto as Exhibit 22);

Q. Assembly Bill 75 (2021-2022) and Senate Bill 22 (2021-2022) (true and correct copies of which are attached hereto as Exhibits 23 and 24); and

R. Fremont Elementary State Funding Application SAB Form 50-04 obtained via public information request to the Office of Public School Construction (a true and correct copy of which is attached hereto as Exhibit 25).

OBSERVATIONS, ANALYSIS AND OPINIONS

8. Based on my extensive background, knowledge, and understanding of school enrollment and funding, and my extensive research as described above, it is my professional opinion that many of

AUSD's statements related to school enrollment and funding found in Petitioners' Opening Brief are unsubstantiated, inaccurate, misleading, and untrue, for reasons set forth herein and in Exhibit 1 attached hereto (the JCJ Partners Analysis). Below I address a number of specific statements made by AUSD and explain why they are misleading and deceptive.

9. Petitioners' Opening Brief contains the statement that,"*[h]ere, neither the DEIR nor the FEIR for the CASP adequately informed the public that due to the high probability of a lack of sufficient funding to build new schools, there will be significant environmental impacts ... due to the inevitable need to modify the Districts' facilities to accommodate the influx of students.*" (POB, p. 11:22-25.) This statement is unsubstantiated, inaccurate, misleading, and untrue for the following reasons:

a. Demographic trends and existing available school capacity in AUSD show that AUSD has experienced declining enrollment since the 2015-2016 school year, and will continue to experience declining enrollment. The decrease in enrollment will accommodate the projected 1,384 students from the CASP in existing facilities without modifications, as described in detail in the attached JCJ Partners Analysis. I draw this conclusion based on the following facts:

(i) AUSD enrolled 7,851 students in the 2021-2022 school year. Enrollment has declined by 1,431 students from the peak of 9,282 total students in 2015-2016.

(ii) The number of births in the zip codes served by the AUSD has declined by 18.6% from 2010 to 2020, a larger decrease than in Monterey County overall (-17.2%) and in statewide births (-17.6%) over the same period.

(iii) A decline in births leads to lower incoming preschool and kindergarten classes in 4 to 5 years, increasing districtwide decline over time.

Based on these facts, the AUSD enrollment decline is expected to continue in the coming years.

b. I used several enrollment projection methodologies, described below, which show that AUSD will experience a continued overall decline in enrollment, not an increase in enrollment as AUSD claims, even with full buildout of the CASP:

(i) Based on the State Office of Public School Construction methodology for projecting students (outlined in Cal. Code Regulations, title 2, sections 1859.40 through 1859.43), the maximum estimated 5-year districtwide AUSD student enrollment is 6,913 students in 2026-2027, which is 938 fewer students than the enrollment of 7,851 in 2021-2022 and 2,369 fewer students than the enrollment of 9282 students in the 2015-2016 school year.

(ii) Additionally, I used several other methodologies and data (outlined on pages 13-14 of the JCJ Partners Analysis) to estimate future students, which include birth data, historical enrollment, the addition of a complete grade level under the new Universal Transitional Kindergarten Program, and student enrollment from the CASP. The most aggressive enrollment scenario, which includes the addition of an estimated 470 CASP students, would result in 7,228 total districtwide students by the 2029-30 school year, a decrease of more than 2,000 from AUSD's all-time high enrollment of 9,282 students in the 2015-2016 school year. I also prepared enrollment projections for the four schools nearest to the CASP, including the Creekside, Frank Paul, John Steinbeck, and Virginia Rocca Barton Elementary Schools.

(iii) All enrollment projections indicate that, even when all CASP students are added only to the four nearest schools, enrollment will remain below enrollment of the previous years. In 2019-2020, the four nearest schools enrolled 2,703 students. My projections estimate that the four nearest schools would enroll approximately 2,462 students by 2030 and 2,589 students by the time the CASP is fully built out, which is 114 fewer students than the 2019-2020 total enrollment in these four schools. (See pages 14-21 and Exhibit D of JCJ Partners Analysis for visualizations of these projections.)

c. I reviewed existing and available school capacity on a districtwide basis and at the four schools nearest to the CASP.

d. The 2015 AUSD District Facility Master Plan reported a total of 406 classrooms across AUSD's 12 schools and 136 classrooms at the four nearest schools to the CASP area. Construction projects within the 12 existing AUSD schools completed since 2015 or currently under

construction are not expected to change the net existing capacity of school campuses. These classroom counts were used to provide several existing capacity estimates as explained below.

e. The Facilities Master Plan identifies the total existing capacity of each campus, equal to 9,320 total seats in AUSD and 3,010 total seats in the four nearest schools to the CASP area.

f. The JCJ Partners Analysis provides two additional estimates of AUSD's existing capacity based on different Loading Standards, or students per classroom, applied to the reported number of classrooms in the 2015 Facilities Master Plan. Ten percent of classrooms were assumed to be used for Special Day Class classrooms and Transitional Kindergarten classrooms.

g. The first Loading Standard is from the State School Facilities Program, which funds new school construction projects. These standards, as described on page 18 of JCJ Partners Analysis, result in a total existing capacity of 9,647 seats for the District, and 3,231 existing seats at the four nearest schools in the 2021-2022 school year. The second Loading Standard set is based on the maximum number of students per class as agreed upon between the Alisal Teachers Association and AUSD. These Maximum Local Loading Standards are described on page 19 of the JCJ Partners Analysis and result in 11,523 total existing seats in the District, as well as 3,860 existing seats at the four nearest schools, in the 2021-2022 school year.

h. As shown in Charts 6 and 7 of the JCJ Partners Analysis on pages 20-21, and supported by long-term projections through buildout of CASP in Exhibit D of the same analysis, there is existing and projected available capacity districtwide and at the nearest schools, even with the addition of CASP students and the complete Transitional Kindergarten grade.

10. AUSD claims that "*it is undisputed that there were potentially significant environmental impacts related to the need of the Districts to modify their existing facilities that went unanalyzed in the FEIR, and intentionally so.*" (POB, p. 13:3-5.) This statement is unsubstantiated, inaccurate, misleading, and untrue because, as outlined above and shown in Charts 6 and 7 of the JCJ Partners Analysis, and supported by long-term projections through buildout of the CASP in Exhibit D of the same analysis, existing available school capacity will continue to exceed enrollment districtwide and at

the nearest schools even with the addition of CASP students and the complete Transitional Kindergarten. No modification of campuses specific to CASP students is required.

11. AUSD claims that *"[i]t is Undisputed that There is Insufficient Funding for New Schools."* (POB, p. 13:6.) This statement is unsubstantiated, inaccurate, misleading, and untrue because no additional classrooms or schools will be required and:

a. School district capital funds can include state funding, developer fees, local general obligation bonds, and special district taxes. The capital budget funds modernization, construction, and equipment of school facilities used to house students. Capital funding such as school developer fees cannot be used for operations (i.e., hiring teachers or administrators).

b. The AUSD has substantial capital funds available for construction of new school facilities, including the following sources:

(i) Historically, the AUSD has received almost $95 million in capital funding from the State Facility Program. The program is currently backlogged, but school districts continue to submit new projects, which are placed on the Applications Received Beyond Bond Authority List.

(ii) This list will be reviewed and funded when funding is made available. While new construction projects are typically funded by statewide bonds, Governor Gavin Newsom allocated $1.3 billion from the 2022 State Budget Surplus to projects currently in line. Additional funding is expected if the 2023 State Budget carries a surplus. (JCJ Partners Analysis, p. 24.)

(iii) AUSD is currently eligible for 650 K-6 new construction seats, and it currently has one application awaiting review. Upon review, I concluded that AUSD must use the State Allocation Board Form 50-01 enrollment projections to update its eligibility. (JCJ Partners Analysis, p. 24.)

(iv) If eligible, AUSD could apply for and receive funding to build new schools or classrooms. Importantly, the large number of projected available student seats will result in a lack of eligibility for new construction funding as AUSD will have sufficient existing capacity for future students.

(v) AUSD has received voter approval on two General Obligation bond measures in the last twenty years: Measure A for $90 million in 2006, and Measure M for $70 million in 2016. AUSD has approved the issuance of the entirety of Measure M funds, but approximately $58.7 million remains authorized under Measure A.

(vi) According to information presented by AUSD to its Citizens Bond Oversight Committee at the Special Meeting on January 7, 2021, AUSD budgeted $10 million of Measure M funds for the construction of a new elementary school in the CASP. In September 2022, the AUSD Board entered into a contract with architects to design a new school within the CASP. However, the AUSD staff report on the Contract Item for the Board's September 14, 2022, meeting stated that there was no short-term need for a new school:

> "At the time [of Measure M voter approval and Measure M fund budgeting for a new elementary school], nearly 9000 students were enrolled in the District; however, enrollment has since declined consistently, and currently stands at around 7500 students. Though *the District has no immediate need for an additional elementary school*, enrollment is expected to once again increase in the near future and the District intends to move forward with building its 13th school within the next 10 years."
>
> (JCJ Partners Analysis, p. 33, italics added.)

(vii) AUSD has applied for and received two waivers from the State Board of Education to allow issuing debt over the statutory maximum of 1.25% of Assessed Value of property within the District. The State Board of Education waiver allows AUSD to levy up to 2.7% of AUSD assessed value from Measure M or Measure A bonds until the beginning of 2035.

(viii) Buildout of the CASP will add approximately $1.75 billion in assessed value (in 2022 dollars) to the existing real property value within AUSD. Under the statutory limit of 1.25%, this increased assessed value represents $21.8 million in potential new bonding capacity, while the 2.7% waiver limit would allow $47.2 million in new bonding capacity for Measure A funding.

(ix) AUSD is still collecting property taxes for repayment of the local General Obligation bonds issued under approval from as far back as 1990. If not used to issue debt, the

additional property value from the Project would reduce the tax rates for all taxpayers in AUSD over the next twenty years.

(x) AUSD is planning to adopt a Level 2 school impacts mitigation fee (commonly referred to as a "developer fee") of $4.27 per square foot of residential construction, upon adoption of the 2022 School Facilities Needs Analysis on October 26, 2022.

(xi) The CASP will include an estimated 5.9 million square feet of residential construction that would generate approximately $25.1 million in revenues from developer fees under 2022 Level 2 fees. These developer fees will increase with inflation over the 20-year build out of the CASP Project. Fees are paid by developers when building permits are pulled, meaning proceeds to school districts will grow accordingly.

(xii) While the construction of a new elementary school is not necessary, if one were built, a majority of costs would be covered by the estimated $25 million in one-time developer fees and the $10 million budgeted from Measure M. In addition, the growth in the assessed value from CASP buildout can also generate local funding through voter-approved local bonds of at least $21.8 million and as much as $47.2 million. (JCJ Partners Analysis, p. 34.)

(xiii) AUSD already owns the 12-acre parcel on which its 13th school would be constructed, should AUSD decide to build a new school.

12. AUSD claims that *"the record is clear that there is insufficient funding for new schools."* (POB, p. 13:7.) This statement is unsubstantiated, inaccurate, misleading, and untrue because, as previously described, CASP students can be accommodated in existing facilities. If AUSD chooses to construct a new elementary school, a majority of costs would be covered by the estimated $25 million in one-time developer fees and the $10 million budgeted from Measure M. In addition, the growth in the assessed value from buildout of the CASP can also generate local funding through voter-approved local bonds of at least $21.8 million and as much as $47.2 million. (JCJ Partners Analysis, p. 34.)

13. AUSD claims that "*[t]he City was informed (or reminded) that because [sic] a lack of funding it was highly unlikely that the new schools contemplated by the CASP would be built, and*

instead there would be modifications to existing school sites. (AR005965-69.) The letters provided by the Districts contained a detailed description of the school funding apparatus in California, and demonstrated that due [sic] the high improbability of obtaining sufficient funding, AUSD would not be able to construct the three new educational facilities assumed by the FEIR." (POB, pp. 13:27-14:5.) The statement indicating a "high improbability of obtaining sufficient funding" to build three new educational facilities is unsubstantiated, inaccurate, misleading, and untrue because:

a. Three new educational facilities will not be needed to accommodate CASP students. As previously described, CASP students can be accommodated in existing schools without expansion of the existing classroom facilities.

b. If AUSD chooses to construct a new elementary school, a majority of costs would be covered by the estimated $25 million in one-time developer fees and the $10 million budgeted from Measure M. In addition, the growth in the assessed value from CASP buildout can also generate local funding through voter-approved local bonds of at least $21.8 million, and as much as $47.2 million. (JCJ Partners Analysis, p. 34.)

14. AUSD claims that *"[t]he City is not entitled to then discard the more likely scenario of no new schools...."* (POB, p. 16:9-10.) This statement is misleading because, as previously described, CASP students can be accommodated in existing schools without expansion of the existing school classroom facilities.

15. AUSD claims that *"[i]t is undisputed that students are going to be generated by CASP development...."* (POB, p. 16:11) This statement is true, but based on the data presented herein, the 1,384 students projected to be generated by the CASP will not push school enrollment beyond existing capacity, given the clear AUSD enrollment decline and AUSD's existing excess student capacity.

a. As previously discussed, AUSD has experienced significant enrollment decline that is expected to continue even with the addition of CASP students and a complete Transitional Kindergarten class.

b. As previously described, CASP students can be accommodated in existing schools without expansion of facilities.

c. School districts with declining enrollment suffer adverse impacts on the operational budget, as the state operational budget model is based on the number of students attending schools.

d. Planned growth from new development that is anticipated and comes in regular increments is understood by school districts' facility and fiscal planners to be the most beneficial to the affected school district and the community.

e. Growth from the CASP will help AUSD in particular by both offsetting operational budget losses due to enrollment decline outside of the CASP and creating efficiencies when students enter existing facilities.

16.. In conclusion, based on my extensive background, knowledge, and understanding of school enrollment and funding, and my extensive research as described above, it is my professional opinion that many of AUSD's statements related to school enrollment and funding found in Petitioners' Opening Brief are unsubstantiated, inaccurate, misleading, and untrue, for reasons set forth herein and in Exhibit 1 attached hereto (the JCJ Partners Analysis). AUSD is not at capacity. Rather, AUSD is experiencing, and will continue to experience, a declining enrollment. And the influx of students from the CASP will not result in the need for additional classrooms or modifications to existing facilities.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct and that this declaration was executed on this 25th day of October, 2022, in Irvine, Orange County, California.

Olga Bevz

OLGA BEVZ

Alisal Union School District, et al. v. City of Salinas
Monterey County Superior Court Case No. 20CV003402

PROOF OF SERVICE

I, Megan Smith, am employed in the County of Sacramento. My business address is 555 Capitol Mall, Suite 800, Sacramento, California 95814, and email address is kconover@rmmenvirolaw.com. I am over the age of 18 years and not a party to the above-entitled action.

I am familiar with Remy Moose Manley, LLP's practice for collection and processing mail whereby mail is sealed, given the appropriate postage and placed in a designated mail collection area. Each day mail is collected and deposited in a USPS mailbox after the close of each business day.

On the date set forth below, I served the following:

RESPONDENT'S OPPOSITION TO FIRST AMENDED PETITION FOR PEREMPTORY WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

☐ **BY FIRST CLASS MAIL** by causing a true copy thereof to be placed in a sealed envelope, with postage fully prepaid, addressed to the following person(s) or representative(s) as listed below, and placed for collection and mailing following ordinary business practices.

☐ **BY ELECTRONIC TRANSMISSION** by causing a true copy thereof to be electronically delivered to the following person(s) or representative(s) at the email address(es) listed below, via the Court's approved electronic filing service provider. I did not receive any electronic message or other indication that the transmission was unsuccessful.

☒ **BY ELECTRONIC TRANSMISSION** By submitting an electronic version of the document(s) to OneLegal, LLC, through the user interface at www.onelegal.com.

☐ **BY PERSONAL SERVICE** by causing a true copy thereof to be hand-delivered to the following person(s) or representative(s) at the address(es) listed below.

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of October 2022, at Sacramento, California.

MS

Megan Smith

SERVICE LIST

Sloan R. Simmons Michael R. Linden LOZANO SMITH 4 Lower Ragsdale Drive, Ste. 200 Monterey, CA 93940-5748 Phone: (831) 646-1501 Email: ssimmons@lozanosmith.com Email: mlinden@lozanosmith.com	Counsel for Petitioners, ALISAL UNION SCHOOL DISTRICT and SALINAS UNION HIGH SCHOOL DISTRICT ***VIA E-SERVICE***
Christopher A. Callihan City Attorney CITY OF SALINAS 200 Lincoln Avenue Salinas, CA 93901-2639 Phone: (831) 758-7256 Email: chrisc@ci.salinas.ca.us	Co-Counsel for Respondent, CITY OF SALINAS ***VIA E-SERVICE***
JOEL FRANKLIN LAW OFFICES OF JOEL FRANKLIN 225 Crossroads Blvd., Suite 407 Carmel, California 93923-8674 Phone: (831) 649-2545 Email: Joel@JFranklinLaw.net	Co-Counsel for Respondent, CITY OF SALINAS ***VIA E-SERVICE***

214 Cal.App.4th 1301
Court of Appeal, First District, Division 3, California.

CONCERNED DUBLIN CITIZENS
et al., Plaintiffs and Appellants,
v.
CITY OF DUBLIN et al., Defendants and Respondents;
Avalonbay Communities, Inc., Real Party in Interest.

A135790
|
Filed March 7, 2013

Synopsis

Background: Citizens filed petition for writ of mandate, seeking to challenge city's determination that proposed residential development within transit center project was exempt from California Environmental Quality Act (CEQA) review as a residential project consistent with a specific plan for which an environmental impact report (EIR) had been certified. The Superior Court, Alameda County, No. RG11581959, Evelio M. Grillo, J., denied relief, and citizens appealed.

Holdings: The Court of Appeal, Pollak, J., held that:

[1] Court would apply substantial evidence rule;

[2] development phase was a "residential development" for purposes of CEQA exemption;

[3] development phase was consistent with specific plan;

[4] program EIR did not preclude city from determining that phase was exempt from further CEQA review;

[5] increase in residential units was not a significant change which required supplemental EIR; and

[6] new air quality guidelines did not constitute new information which required supplemental EIR.

Affirmed.

Procedural Posture(s): On Appeal; Review of Administrative Decision.

West Headnotes (16)

[1] **Environmental Law** ⇦ Duty of government bodies to consider environment in general

It is state policy in California that the long-term protection of the environment shall be the guiding criterion in public decisions.

[2] **Environmental Law** ⇦ Duty of government bodies to consider environment in general

The first step in California Environmental Quality Act (CEQA) review is jurisdictional, requiring that an agency conduct a preliminary review in order to determine whether CEQA applies to a proposed activity. Cal. Pub. Res. Code § 21000

3 Cases that cite this headnote

[3] **Environmental Law** ⇦ Categorical exclusion; exemptions in general

As part of preliminary California Environmental Quality Act (CEQA) review, the public agency must determine the application of any statutory exemptions that would exempt the proposed project from further review. Cal. Pub. Res. Code § 21000

3 Cases that cite this headnote

[4] **Environmental Law** ⇦ Categorical exclusion; exemptions in general

If, as a result of preliminary review, the agency finds the project is exempt from California Environmental Quality Act (CEQA) under any of the stated exemptions, no further environmental review is necessary; the agency may prepare and file a notice of exemption, citing the relevant section of the CEQA Guidelines and including a brief statement of reasons to support the finding. Cal. Pub. Res. Code § 21000; Cal. Code Regs. tit. 14, § 15000

2 Cases that cite this headnote

WESTLAW © 2024 Thomson Reuters. No claim to original U.S. Government Works.

Exhibit 72

[5] **Mandamus** Scope and extent in general

In considering a petition for a writ of mandate in a California Environmental Quality Act (CEQA) case, the appellate court's task on appeal is the same as the trial court's; thus, review is conducted independent of the trial court's findings. Cal. Pub. Res. Code § 21000

[6] **Environmental Law** Assessments and impact statements

In determining whether an agency's findings concerning the use of a statutory exemption from the California Environmental Quality Act (CEQA) may be upheld, the appellate court reviews the administrative record to see that substantial evidence supports each element of the exemption. Cal. Pub. Res. Code § 21000

4 Cases that cite this headnote

[7] **Environmental Law** Categorical exclusion; exemptions in general

Environmental Law Assessments and impact statements

When determining whether an agency's findings concerning the use of a statutory exemption from the California Environmental Quality Act (CEQA) may be upheld, there must be substantial evidence that an activity is within the exempt category of projects; that evidence may be found in the information submitted in connection with the project, including at any hearings that the agency chooses to hold. Cal. Pub. Res. Code § 21000

4 Cases that cite this headnote

[8] **Environmental Law** Assessments and impact statements

Application of substantial evidence review in the context of a challenge to an agency's use of a statutory exemption to the California Environmental Quality Act (CEQA) means the appellate court determines whether the administrative record contains relevant information that a reasonable mind might accept as sufficient to support the conclusion reached; all conflicts in the evidence are resolved in support of the agency's action and the court indulges all reasonable inferences to support the agency's findings, if possible. Cal. Pub. Res. Code § 21000

4 Cases that cite this headnote

[9] **Environmental Law** Assessments and impact statements

Court of Appeal would apply the substantial evidence rule when reviewing city's determination that residential development phase of transit center project was statutorily exempt from California Environmental Quality Act (CEQA) review as a residential project consistent with a specific plan for which an environmental impact report (EIR) has been certified, insofar as the exemption turned on whether updating of the EIR was required. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166

4 Cases that cite this headnote

[10] **Environmental Law** Land use in general

A residential development project that is consistent with a specific plan for which an environmental impact report (EIR) already has been certified ordinarily is statutorily exempt from further California Environmental Quality Act (CEQA) review regardless of possible environmental impacts of the project. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166

3 Cases that cite this headnote

[11] **Environmental Law** Land use in general

Environmental Law Surface transportation; highways and bridges

Phase of transit center development project which, as proposed, contained only residential units was a "residential development" for purposes of statutory California Environmental Quality Act (CEQA) exemption, even if development plans and agreement authorized up to 25,000 square feet of commercial usage

 © 2024 Thomson Reuters. No claim to original U.S. Government Works.

and site was zoned for mixed use, as any future commercial use would require compliance with the site development review process, which included compliance with applicable environmental review. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166

[12] **Environmental Law** Land use in general
Environmental Law Surface transportation; highways and bridges

Residential-only site development within larger transit center development was consistent with specific plan for which environmental impact report (EIR) was certified under the California Environmental Quality Act (CEQA), even though specific plan was for mixed use; while the transit center was designed to combine residential and commercial use in a sustainable, transit friendly environment, commercial development in specific site was not required by the specific plan, transit center retained its mixed-use character whether or not each of the several sites within the center included mixed usage, and the specific plan stated only that retail uses were "encouraged" rather than required. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166

3 Cases that cite this headnote

[13] **Environmental Law** Land use in general
Environmental Law Surface transportation; highways and bridges

City's decision to prepare a program level environmental impact report (EIR) for transit center development project did not preclude city from later determining that particular development phase which consisted solely of residential development was exempt from further California Environmental Quality Act (CEQA) review as a residential project consistent with a specific plan; EIR did not require a specific level of environmental review, and city's determination as to whether CEQA exemption applied was itself an environmental review. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166; Cal. Code Regs. tit. 14, § 15168.

4 Cases that cite this headnote

[14] **Environmental Law** Land use in general
Environmental Law Surface transportation; highways and bridges

Increase in residential units on parcel, which was part of transit center development project that previously had been issued a program environmental impact report (EIR), was not a significant change to the specific plan which required further environmental review under the California Environmental Quality Act (CEQA); plan expressly authorized reallocation of residential units within the center, and number of residential units within the center as a whole was not increased. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166; Cal. Code Regs. tit. 14, § 15162.

1 Case that cites this headnote

[15] **Environmental Law** Updated or supplemental statements; recirculation

New air quality threshold guidelines did not constitute "new information" which required a supplemental environmental impact report (EIR) for residential phase of transit center development, as impacts of the project on air quality were already considered in the program environmental impact report issued under the California Environmental Quality Act (CEQA) for the development, and the potential effects of greenhouse gases were known and could have been addressed in conjunction with the certification of the EIR at the time it was issued. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166(c); Cal. Code Regs. tit. 14, § 15162.

3 Cases that cite this headnote

[16] **Environmental Law** Updated or supplemental statements; recirculation

The adoption of guidelines for analyzing and evaluating the significance of data does not constitute new information requiring a new environmental impact report (EIR) under the California Environmental Quality Act (CEQA) if

 © 2024 Thomson Reuters. No claim to original U.S. Government Works.

the underlying information was otherwise known or should have been known at the time the EIR was certified. Cal. Gov't Code § 65457; Cal. Pub. Res. Code § 21166(c)

See 12 Witkin, Summary of Cal. Law (10th ed. 2005) Real Property, § 836.

4 Cases that cite this headnote

**685 Alameda County Superior Court, Honorable Evelio M. Grillo. (Alameda County Super. Ct. No. RG11581959)

Attorneys and Law Firms

LOZEAU & DRURY, Richard T. Drury, Michael R. Lozeau, Christina M. Caro, Oakland, Counsel for plaintiffs and appellants

MEYERS, NAVE, RIBACK, SILVER & WILSON, John Bakker, City Attorney, Amrit Kulkarni, Timothy D. Cremin, Oakland, Counsel for defendants and respondents

MORRISON & FOERSTER LLP, Christopher J. Carr, Shay Diveley, Miriam A. Vogel, Los Angeles, Counsel for real party in interest

Opinion

Pollak, J.

*1304 Government Code section 65457[1] provides an exemption from environmental review for a residential development that is consistent *1305 with a broader specific plan for which an environmental impact report previously has been certified. This appeal challenges the determination by respondents City of Dublin and the City Council of the City of Dublin (collectively, the city) that the proposed development of a 7.2–acre parcel by real party in interest AvalonBay Communities, Inc. (AvalonBay) within a larger Dublin Transit Village Center development (transit center), for which an environmental impact report was previously prepared and certified, qualifies for that exemption. We find no error in the city's application of the exemption and therefore shall affirm the judgment denying appellants' petition for a writ of mandate.[2]

1 All statutory references are to the Government Code unless otherwise noted.

2 The city's request for judicial notice of Dublin Municipal Code section 8.28.030(e), which is referenced in appellants' brief but not contained in the record, is granted.

Factual and Procedural History

The transit center is "a high-density mixed-use, transit and pedestrian-oriented **686 development" adjacent to Bay Area Rapid Transit's East Dublin/Pleasanton Station. As stated in the 2002 plan for the transit center, the objective of the larger project is, among other things, to "1) Construct[ ] a state-of-the-art, urban-scale, mixed-use employment, residential and retail center based on close accessibility of inter-modal transportation opportunities: rapid transit, bus transit, vehicle access and nonmotorized transportation modes. [¶] 2) Promot[e] a pedestrian-friendly environment within the transit center project where employees, residents and visitors are encouraged to walk or use other non-vehicular modes of transportation. [¶] 3) Increase[ ] employment opportunities in the community through the development of office, retail and similar employment-generating land uses, including a maximum of 2 million square feet of office space and 70,000 square feet of ancillary retail space. [¶] 4) Provid[e] up to 1,500 higher density dwelling units for households desiring to live in a more urban setting, near work and public transit opportunities."

In 2002, the city approved the Eastern Dublin Specific Plan for the transit center (the specific plan) and, in compliance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), certified an environmental impact report (EIR) for the specific plan. The specific plan includes a stage 1 development plan that establishes the permitted land uses and development standards for future development projects within the transit center.

The EIR for the specific plan was prepared as a program EIR, pursuant to section 15168 of the CEQA *1306 Guidelines.[3] It describes general impacts and mitigation measures for, among other things, the specific plan and the stage 1 development plan. The EIR analyzes the impacts from full build-out of all uses authorized under the specific plan and contains a detailed project description, setting forth specific locations for proposed uses, roadways, setback requirements, and other site-specific features. The EIR analyzes environmental impacts in thirteen areas, includes

mitigation measures to address potential impacts, and analyzes alternatives to the proposed transit center project.

3 All references to guidelines are to the CEQA Guidelines (Cal.Code Regs., tit. 14, § 15000 et seq.) developed by the Office of Planning and Research and adopted by the California Resources Agency. We note that the specific plan EIR might also be characterized as a master plan EIR pursuant to Guidelines section 15175, which would not significantly affect the analysis of any issue considered in this opinion.

The EIR anticipates that implementation of the transit center specific plan will require a number of "follow-on actions," including approval of stage 2 development plans and site development review for future projects. The EIR states: "Prior to receiving final approvals for individual development projects within the Dublin Transit Center site allowed by this General Plan/Specific Plan Amendment described in this EIR, applicants must submit Stage 2 Planned Development Rezoning requests to the City of Dublin. Stage 2 Rezoning includes specific information regarding development proposals and land uses. Site Development Review (SDR) applications must also be approved by the City of Dublin, to include precise information regarding building architectural design, use of exterior materials, a specific site layout, landscaping plans, conceptual signs plans and other design details. Other applications may include parcel maps to create individual building lots, consideration of grading and building permits, utility hook-ups by the Dublin San Ramon Services District (DSRSD), granting of encroachment **687 permits by the City of Dublin, and filing of Notices of Intent with the State Water Resources Control Board." The EIR "anticipate[s] that additional environmental review would occur at each of these stages of the project."

Under the stage 1 development plan adopted in 2002, the parcel at issue in this action was designated as site C and was to include a maximum of 405 high density residential dwelling units and up to 25,000 square feet of retail space. In 2007, AvalonBay submitted its first proposal for development of site C. The project as initially proposed consisted of 405 apartment units, 22,895 square feet of ground-floor retail space, a leasing center, fitness center, and two multi-story parking garages. For economic reasons, AvalonBay did not immediately move forward with this proposal. In 2010, AvalonBay submitted a revised proposal that included 486 apartment units, 4,192 square feet of commercial development, the leasing center, fitness center, and two *1307 multistory parking garages. After initial review by the city but prior to a vote on the project's approval, AvalonBay withdrew its plan in order to further revise the project.

On March 7, 2011, AvalonBay submitted its revised proposal for the development of site C. The latest plan differs from the prior proposals in that it increases the number of residential units and eliminates the previously proposed retail space. The project now includes 505 apartment units, a leasing center, a fitness center, two parking structures, and on-street parking spaces. The planning commission report prepared on the project explains that while ancillary commercial development is not being proposed at this time, "to maintain the look of commercial development, commercial architecture is being applied to the residential units fronting the central plaza at the south end of the project, at the fitness center located at the northeast corner of the project and for two units facing Iron Horse Parkway just south of the fitness center." At a subsequent planning commission meeting, AvalonBay confirmed that the ground floor units were being developed as residential but "would be able to be returned to retail space in the future." AvalonBay explained that the basic project description removes retail usage from the project because the transit center already has 12,000 square feet of retail space that has not been leased after four years, but that "the units can be converted back to commercial and the two-story look of the area will remain in the event there is an opportunity to return those spaces to a retail component."

As anticipated by the specific plan, AvalonBay sought approval from the city of a stage 2 development plan and a site development review (SDR) permit. AvalonBay also sought an amendment to the stage 1 development plan to reallocate 100 residential units from site A to site C. [4]

4 AvalonBay also sought approval of a "Vesting Tentative Tract Map" (map) so that the apartment units could be converted to condominiums in the future and approval of the standard development agreement. Because AvalonBay was seeking to develop in site C more than the 405 residential units initially authorized by the stage 1 development plan, an amendment to the stage 1 development plan was necessary but no further modification of the stage 1 development plan was required because the plan includes a provision authorizing the City to exceed the dwelling unit limits established for each of the residential use sites if an equal number

> of residential units are eliminated from other sites within the transit center, as AvalonBay proposed.

With respect to the proposed stage 2 development plan, the planning commission report explains, "Most of the standards and requirements of a Stage 2 Development Plan required by Chapter **688 8.32.030 B. of the Zoning Ordinance were adopted in 2002 with the Stage 1 Planned Development Zoning for all of Dublin Transit Center. The Stage 1 Planned Development zoning established the permitted, conditionally permitted, and accessory land uses; site areas and proposed densities; maximum number of residential units *1308 and non-residential square footages; and a Master Landscaping Plan. [¶] The approved development standards contained in the Stage 1 Development Plan provide for development standards such as building height, number of stories, building setbacks and a parking ratio of 1.5 parking stalls per unit and suggested high-density residential development in 4 or 5 stories either over podium parking or with the units 'wrapped' around the parking structures as is the case with this project and Avalon's first project. [¶] The adopted Planned Development zoning also limits ancillary retail and services to the ground floor frontage along Iron Horse Parkway. The proposed development of Site C complies with the Stage 1 Planned Development Zoning for the Dublin Transit Center as it is compatible with the Dublin Transit Center land use concept to maximize transit opportunities presented by the adjacent Dublin/Pleasanton Bay Area Rapid Transit (BART) Station and will contribute to an accessible and pedestrian-friendly environment in proximity to the BART Station. The Stage 2 Development Plan for Avalon Transit Center, Site C has been designed to be consistent with the Stage 1 standards as proposed to be amended. The proposed Site Development Plan is reflective of the Stage 2 standards in terms of lot area, lot dimensions, lot coverage, type and number of units, location and number of parking spaces, setbacks, architecture, and affordable housing."

With respect to the site design review, the planning commission report analyzes the site plan, architectural design, building elevations, floor/unit plans, landscape plan, access and circulation, parking, streetscape improvements and ancillary retail/commercial space. As to the retail space, the report states "The stage 1 development plan for the Dublin transit center notes that 'ancillary ground floor retail and service uses are strongly encouraged' and 'Up to 70,000 square feet of ground floor retail and service uses could be incorporated into the residential ... fronting on Iron Horse Parkway as long as the overall densities are not exceeded.' The stage 1 [development plan] allows a maximum of 25,000 square feet of commercial space in the project site. The site C project that was previously reviewed by the planning commission included 4,192 square feet of commercial space. However, the inability to lease the existing retail/commercial space (12,750 sq ft) in Avalon's existing project has prompted the applicant to eliminate the ancillary commercial space from the proposed project on site C. The applicant has not altered the architectural character significantly of the buildings facing the central plaza or Iron Horse Parkway where the retail space was originally located. At the intersection of Campbell Green and Iron Horse the project incorporates a 4,223 square foot fitness center which gives the visual impression of commercial space. Additionally, the conversion of the retail space to residential uses facing Iron Horse Parkway and the central plaza will maintain the commercial architectural look (Attachment 6)."

*1309 Following a hearing on March 22, the planning commission approved the site development review and map and recommended that the city council approve the stage 1 development plan amendment, the stage 2 development plan, and the development agreement. The planning commission found that the project is "exempt from CEQA pursuant to **689 Government Code section 65457 for residential projects that are consistent with a specific plan for which an EIR was certified." Accordingly, the planning commission concluded that "No further environmental review is required." Appellants [5] appealed the decision of the planning commission to the city council.

[5] Appellants are Concerned Dublin Citizens (an unincorporated group of concerned citizens), Robert Klein (a member of the group), and Carpenters Local Union No. 713.

On May 17, 2011, the city council affirmed the planning commission's approval of the site development review permit and map and, on June 7, 2011, approved the stage 1 development plan amendment, the stage 2 development plan and the development agreement. The city council found that each of these is "exempt from CEQA under Government Code section 65457... as a residential project that is consistent with a specific plan for which an EIR has been certified."

On June 22, 2011, appellants filed a petition for a writ of mandate challenging the exemption from environmental review. After a hearing, the trial court found that substantial evidence supports the city's finding that the elements of the section 65457 exemption are satisfied and, on April 30, 2012,

issued a final statement of decision and entered judgment in favor of the city, denying all relief. Appellants filed a timely notice of appeal.

DISCUSSION

1. Standard of Review

[1] [2] [3] [4] "It is state policy in California that 'the long-term protection of the environment ... shall be the guiding criterion in public decisions.' [Citations.] In order to implement this policy, CEQA and the guidelines issued by the State Resources Agency [citation] have established a three-tiered process to ensure that public agencies inform their decisions with environmental considerations." (*Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 112, 62 Cal.Rptr.2d 612.) The first step "is jurisdictional, requiring that an agency conduct a preliminary review in order to determine whether CEQA applies to a proposed activity." (*Ibid.*) As part of the preliminary review, the public agency must determine the application of any statutory exemptions that would exempt the proposed project from further review under CEQA. If, as a result of preliminary review, "the agency finds the project is exempt from ***1310** CEQA under any of the stated exemptions, no further environmental review is necessary. The agency may prepare and file a notice of exemption, citing the relevant section of the Guidelines and including a brief 'statement of reasons to support the finding.' " (*Id.* at p. 113, 62 Cal.Rptr.2d 612.)[6]

6 The overview in *Davidon Homes* continues: "If, however, the project does not fall within any exemption, the agency must proceed with the second tier and conduct an initial study. [Citation.] If the initial study reveals that the project will not have a significant environmental effect, the agency must prepare a negative declaration, briefly describing the reasons supporting that determination. [Citation.] Otherwise, the third step in the process is to prepare a full [EIR] on the proposed project." (*Davidon Homes v. City of San Jose, supra,* 54 Cal.App.4th at p. 113, 62 Cal.Rptr.2d 612.)

[5] In considering a petition for a writ of mandate in a CEQA case, "[o]ur task on appeal is 'the same as the trial court's. [Citation.] Thus, we conduct our review independent of the trial court's findings." (*Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602, fn. 3, 35 Cal.Rptr.2d 470.) The question on appeal "is whether ****690** the agency abused its discretion. 'Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.' " (*Davidon Homes v. City of San Jose, supra,* 54 Cal.App.4th at p. 113, 62 Cal.Rptr.2d 612.)

Here, the city concluded that the project is exempt because it satisfies each of the elements of the statutory exception provided by section 65457. Under section 65457, subdivision (a), "Any residential development project, including any subdivision, or any zoning change that is undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified after January 1, 1980, is exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code. However, if after adoption of the specific plan, an event as specified in Section 21166 of the Public Resources Code occurs, the exemption provided by this subdivision does not apply unless and until a supplemental environmental impact report for the specific plan is prepared and certified in accordance with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code."[7] Thus, to qualify for the section 65457 exemption, the project must be for residential development, it ***1311** must implement and be consistent with a specific plan for which an environmental impact report previously has been certified, and the qualification contained in the final sentence must not apply, i.e., either a supplemental EIR must not be required by Public Resources Code section 21166 or such a supplemental EIR must already have been prepared and certified.

7 Section 21166 provides: "When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs: [¶] (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report. [¶] (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report. [¶] (c) New information, which was not known and could not have been known at the

 © 2024 Thomson Reuters. No claim to original U.S. Government Works.

time the environmental impact report was certified as complete, becomes available."

[6] [7] [8] In reviewing the city's decision, we apply a de novo standard of review to questions of statutory interpretation. (*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School Dist.* (2006) 139 Cal.App.4th 1356, 1382, 44 Cal.Rptr.3d 128 ["The scope of an exemption may be analyzed as a question of statutory interpretation and thus subject to independent review"].) "In determining whether an agency's findings concerning the use of a statutory exemption from CEQA may be upheld, we review the administrative record to see that substantial evidence supports each element of the exemption. [Citations.] 'There must be "substantial evidence that the [activity is] within the exempt category of projects." [Citation.] That evidence may be found in the information submitted in connection with the project, including at any hearings that the agency chooses to hold. [Citation.]' [Citation.] ... [O]ur application of substantial evidence review in the context of a challenge to an agency's use of a statutory exemption means we determine whether the administrative record contains relevant information that a reasonable mind might accept as sufficient to support the conclusion reached. All conflicts in the evidence are resolved in support of the agency's action and we indulge all reasonable inferences to support the **691 agency's findings, if possible." (*Great Oaks Water Co. v. Santa Clara Valley Water Dist.* (2009) 170 Cal.App.4th 956, 973, 88 Cal.Rptr.3d 506.)

[9] Appellants acknowledge that generally the substantial evidence rule applies to a local agency's determination that a project is statutorily exempt from CEQA review. They argue, however, that there is an exception to this general rule when application of the exemption depends on whether the project will have significant environmental impacts. In such cases, appellants contend, the fair argument standard should apply.[8] Appellants rely on footnote 24 in *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1407, 43 Cal.Rptr.2d 170, in which the court stated, "We have held that a substantial evidence standard of review applies to an agency's factual finding that a *1312 statutory exemption applies. [Citations.] Most statutory exemptions, however, operate regardless of whether the project will have effects on the environment. [Citations.] Thus, '[w]hen reviewing a statutory exemption, the nature and extent of the project's environmental impacts are ordinarily irrelevant.' [Citation.] Therefore, we have at least suggested that where a statutory exemption *does* depend on whether the project will have significant environmental effects ..., the fair argument standard should govern review of an agency determination that the statutory exemption applies."

8 "The 'fair argument' test is derived from section 21151, which requires an EIR on any project which 'may have a significant effect on the environment.' That section mandates preparation of an EIR in the first instance 'whenever it can be fairly argued on the basis of substantial evidence that the project may have significant environmental impact.' [Citation.] If there is substantial evidence of such impact, contrary evidence is not adequate to support a decision to dispense with an EIR." (*Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1316, 8 Cal.Rptr.2d 473.)

[10] We need not decide whether there is merit to this suggestion because the section 65457 exemption does not require a determination of whether the proposed project will have significant environmental effects. The section 65457 exemption, like other statutory exemptions, reflects the Legislature's determination that the interest promoted is "important enough to justify forgoing the benefits of environmental review." (*Napa Valley Wine Train, Inc. v. Public Utilities Com.* (1990) 50 Cal.3d 370, 382, 267 Cal.Rptr. 569, 787 P.2d 976, superseded by statute on another ground as stated in Pub. Resources Code, § 21080.04, subd. (b); see also *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 128–129, 126 Cal.Rptr.2d 441 ["statutory exemptions have an absolute quality not shared by categorical exemptions: a project that falls within a statutory exemption is not subject to CEQA even if it has the potential to significantly affect the environment"].) Under section 65457, a residential development project that is consistent with a specific plan for which an EIR already has been certified ordinarily is statutorily exempt from further CEQA review regardless of possible environmental impacts of the project.

The qualification contained in the final sentence of section 65457 delays application of the exemption "unless and until" further environmental review of the specific plan has taken place if required by Public Resources Code section 21166. If Public Resources Code section 21166 should apply, the exception does not require preparation of an EIR for the proposed residential project; it prohibits application of the exemption "unless and until a supplemental environmental impact **692 report for the *specific plan* is prepared and certified." (§ 65457, italics added.) Thus, insofar as the

 © 2024 Thomson Reuters. No claim to original U.S. Government Works.

exemption under section 65457 turns on whether Public Resources Code section 21166 requires updating of the program EIR, we apply the same substantial evidence standard of review that governs review of a determination that a supplemental EIR is not required under section 21166. (See *Abatti v. Imperial Irr. Dist.* (2012) 205 Cal.App.4th 650,675, 140 Cal.Rptr.3d 647 ["In reviewing an agency's decision not to require additional environmental review 'pursuant to section 21166, courts "are not reviewing the record to determine whether it demonstrates a possibility of environmental impact, but are viewing it in a light most favorable to the [agency's] decision ***1313** in order to determine whether substantial evidence supports the decision not to require additional review." ' "])

2. The project is a residential development.

[11] Although there is no statutory definition of the term "residential development" for purposes of this exemption, the trial court concluded, and the parties agree for purposes of this appeal, that a residential development project under section 65457 is a project that contains "100% residential units or the usual incidents of residential units, such as yards, parks or other uses authorized as permitted uses within a residential zoning district." Appellants acknowledge that the development as presently proposed includes only residential units, as so defined, but contend that the project is nonetheless a mixed-use development because the specific plan, stage 1 development plan, stage 2 development plan and the development agreement authorize up to 25,000 square feet of commercial usage in site C. Hence, appellants argue, because AvalonBay "retains the option to convert residential units to 25.000 SF of retail space, [the project] is not limited to a residential development project and falls outside of Section 65457's exemption." The trial court rejected this argument because "[t]he city code and approval process for this project makes it clear that any future commercial use on the project site will require further discretionary review in the form of an amendment to the site development review approved for the project." We agree.

The only project that has been approved by the city for site C is development of 505 residential units and ancillary features.[9] ****693** As the court noted, conversion of some of the approved residential units to commercial ***1314** use, if later proposed, would be subject to site development review under Dublin Municipal Code section 8.104.040. This section specifies the proper body to process site development review of a lengthy list of common improvements. The conversion of residential to commercial use is not listed, but subsection H of the ordinance provides that "All other improvements to structures or a site, which are not otherwise mentioned in this Chapter, shall be subject to a Site Development Review Waiver or Site Development Review, as determined by the Community Development Director." Appellants contend that no site development review of such a conversion would be required because of subsection E of section 8.104.040, which exempts "interior alterations" from site development review. However, this exemption applies only to "[i]nterior alterations that do not result in ... a change in the permitted use of the structure or the modification of the existing configurations and uses of each room." The "permitted use" refers to the use approved in the site development review permit—in this case embodied in city council resolution No. 60–11—and does not include other uses that may be permissible under the applicable zoning ordinance but are not approved by the site development review permit. The conversion of residential living space to commercial use would clearly fall outside the plain language of this exemption.

9 Contrary to counsel's suggestion at oral argument, the site development review permit does not include or approve any commercial use as part of the approved project. City council resolution No. 60–11 approving the site development review incorporates the following recital as part of the resolution: "WHEREAS, the Applicant applied for a PD–Stage 1 Development Plan amendment and Stage 2 Development Plan in accordance with Dublin Zoning Ordinance, Section 8.32, and for Site Development Review, Vesting Tentative Tract Map 7929 and a Development Agreement for 505 residential units on Site C of the Dublin Transit Center. The application for Site Development Review and Vesting Tentative Tract Map are collectively referred to herein as the 'Project.' " In finding that the project is exempt from CEQA, the resolution repeats that "[t]he Project is a residential project because it consists of 505 residential units and ancillary parking and fitness center uses." The city council resolution also incorporates the findings and conditions of approval under planning commission resolution No. 11–09, which defines the project as "505 residential units on Site C of Dublin Transit Center" and includes the finding that "[t]he proposed site design for the development of the Dublin Station project, as conditioned, is consistent with chapter 8.104 of the Dublin Zoning

 © 2024 Thomson Reuters. No claim to original U.S. Government Works.

> Ordinance, complies with the policies of the General Plan, the Eastern Dublin Specific Plan, the Stage 1 Planned Development zoning as amended, the Stage 2 Development Plan, and with all other requirements of the Dublin Zoning Ordinance in that it will create housing opportunities; and provide additional landscape amenities and areas to congregate at the Transit Center."

Contrary to appellants' additional argument, the fact that the property is zoned for mixed uses does not convert the otherwise purely residential project into a mixed-use project. *Wesley Investment Co. v. County of Alameda* (1984) 151 Cal.App.3d 672, 198 Cal.Rptr. 872 is instructive in this regard. In that case, the plaintiff was denied a permit to establish a retail store even though that use was permitted under the applicable zoning ordinance. The denial was based on a site development review ordinance that called for an exercise of discretion to " 'promote orderly, attractive, and harmonious development ... by preventing establishment of uses ... which are not properly related to their sites, surroundings ... or their environmental setting.' " (*Id.* at p. 676, 198 Cal.Rptr. 872.) The court held that compliance with the zoning laws did not guarantee entitlement to a permit. "The [zoning] ordinances do not provide for an unbridled right to erect a retail store in a C–1 zone. Rather, the listing of permitted uses in Ordinance Code section 8–48.1 is qualified by the provision in section 8–48.4 subjecting certain projects to site development review.... The fact that the site in question is in a zone where a retail store may be lawfully maintained does not diminish the county's power to determine that a particular development is not suitable for that location." (*Id.* at p. 678, 198 Cal.Rptr. 872.) Commercial use within the transit center is no different. AvalonBay is not automatically entitled to develop commercial property simply because such use would comply with zoning requirements. Rather, the specific plan anticipates that before any use of the property is approved, there will be compliance with the site development review process, ***1315** which includes compliance with applicable environmental review. Hence, approval of the project as presently proposed does not constitute approval of commercial usage within site C. Therefore, the project is properly considered residential development within the meaning of section 65457.

3. **694 The project is consistent with the transit center specific plan.

[12] Appellants contend that in two respects the project is inconsistent with the transit center specific plan for which the EIR was certified in 2002. First, they contend that because the specific plan is for mixed use, the project must also be a mixed-use plan. They argue, "[T]he transit center specific plan, the EIR for which the city relies upon, is a mixed-use project and not a residential development. Area C, the site of AvalonBay, is permitted to include up to 25,000 SF of retail space. Overall, the transit center anticipates a maximum of 70,000 SF of ground-floor retail space, including specifically along Iron Horse Parkway on the eastern side of area C. The inclusion of ground-floor retail is integral to the transit center's goal of creating a human-scale street width and interesting pedestrian environment. Because AvalonBay must be consistent with that specific plan, it is a mixed-use project, not a residential project. [Citation.] If the city in fact deleted the retail uses from area C and AvalonBay—35 percent of the transit center's retail uses—then the project would not be consistent with the mixed-use project specified in the specific plan. The city cannot have it both ways—either AvalonBay is consistent with the specific plan and, hence, a mixed-use project, or it is inconsistent with the specific plan because it has deleted the retail uses from area C (in which case section 65457(a) would also not be available)." We disagree.

While the transit center is designed to combine residential and commercial use in a sustainable, transit friendly environment, commercial development in site C is not required by the specific plan. The transit center retains its mixed-use character whether or not each of the several sites within the center includes mixed usage. Moreover, as noted by the city, the specific plan states only that retail uses are "encouraged"—not required. The planned development zoning, which applies to the project site, similarly states only that ancillary retail uses are "encouraged." Thus, the absence of retail space does not render the project inconsistent with the specific plan.

[13] Next, appellants argue that "[b]ecause the city elected to prepare a program level EIR in 2002, it cannot now change and exempt itself from the tiered EIRs that must necessarily follow." Appellants argument finds no support under CEQA or the EIR that was certified in 2002. Guideline 15168 explains that "[a] program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: [¶] (1) Geographically, [¶] (2) As logical parts in the chain of ***1316** contemplated actions, [¶] (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or [¶] (4) As individual activities carried out under the same authorizing

statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways." (Guideline 15168, subd. (a).)[10] Subdivision (c) of Guideline 15168 **695 addresses the use of a program EIR in evaluating later activities. The subdivision states that "[s]ubsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared. [¶] (1) If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration. [¶] (2) *If the agency finds that ... no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.*" (Italics added.) Subdivision (c)(5) advises, "A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, *many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.*" (Italics added.) Contrary to appellants' argument, nothing in section 15168 or any other provision mandates a particular level of environmental review in evaluating later projects within the scope of a certified program EIR. While in some cases it will be necessary to prepare a negative declaration and in others to prepare a full environmental impact report, in others, the analysis will be completed by determining that the project is exempt from further CEQA analysis. This is the first of the "three-tiered process to ensure that public agencies inform their decisions with environmental considerations." (*Davidon Homes, supra,* 54 Cal.App.4th at pp. 112–113, 62 Cal.Rptr.2d 612.)

10 Subdivision (b) of this guideline lists the advantages of a program EIR, including that a program EIR can "(1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action, [¶] (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis, [¶] (3) Avoid duplicative reconsideration of basic policy considerations, [¶] (4) Allow the Lead Agency to consider broad policy alternatives and programwide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and [¶] (5) Allow reduction in paperwork."

Likewise, the terms of the EIR do not prescribe the necessary scope of environmental review for subsequent projects within the transit center. As noted above, the EIR acknowledges that "[i]mplementation of the transit center will require a number of follow-on actions" and that "it is anticipated that additional environmental review would occur at each of these stages of *1317 the project."[11] The EIR does not, however, require a specific level of environmental review. As the trial court noted, "The city's consideration of whether the Govt.Code 65457 exemption applies is itself an environmental review, so the city has been consistent with the letter of the law. **696 By announcing that the city intended to rely on the Govt Code 65457 exemption and permitting public comment on the use of that exemption, the city has been consistent with the spirit of the law."

11 Appellants cite two additional passages in the EIR dealing with subsequent environmental review. In one passage, the EIR reads, "The entitlements currently sought are intended to provide a general framework for the comprehensive development of the area as a transit village. Precise site development plans have not yet been prepared for individual properties, but will be included in subsequent submittals to the City of Dublin. Subsequent submittals will deal with such issues as project-specific land uses, site layouts, parking, building architecture, landscaping and similar items. Future environmental reviews will be completed on specific development applications to ensure compliance with this Program EIR and CEQA." In a second passage, the EIR reads, "Although not specifically addressed in this Program EIR, the following actions are foreseen as future actions to be considered as part of the overall Dublin Transit Center project subject to subsequent applications and environmental reviews: Stage 2 Planned Development rezoning, Site Development Review applications, consideration of grading and building permits, utility hook-ups by the Dublin San Ramon Services District (DSRSD), granting of encroachment permits by the City of Dublin, and filing of Notices of Intent with the State Water Resources Control Board." Neither of these statements specifies the necessary level of review or precludes application of a statutory exemption.

4. The qualification to the section 65457 exemption does not apply.

[14] As noted above, the section 65457 exemption does not apply if, subsequent to certification of the program EIR, "an event as specified in Section 21166 of the Public Resources Code" has occurred "unless and until a supplemental environmental impact report for the specific plan is prepared and certified." Public Resources Code section 21166 specifies three events that trigger the need for preparation of a supplemental environmental impact report. These events are: "(a) Substantial changes ... in the project which will require major revisions of the environmental impact report. [¶] (b) Substantial changes ... with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report. [and] [¶] (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available." (Public Resources Code, § 21166; see also Guidelines, § 15162.) Thus, the qualification to the section 65457 exemption thus turns on whether, subsequent to the certification of the EIR, circumstances have changed to the extent that reliance on the EIR is unwarranted. (See *Bowman v. City of Petaluma* (1986) 185 Cal.App.3d 1065, 1073, 230 Cal.Rptr. 413 ["section 21166 comes into play precisely because in-depth review has already occurred, the time for challenging the sufficiency of the original EIR has long since expired [citation], and the question is ***1318** whether circumstances have changed enough to justify repeating a substantial portion of the process"].)

In this case, the city determined that there are no circumstances warranting additional environmental review of the transit center project. Appellants challenge this determination in two respects. First, appellants argue that the increase in residential units in site C constitutes a significant change to the specific plan that requires further environmental review. The city contends the reallocation of 100 units from site A to site C cannot be considered a significant change to specific plan. We cannot disagree. As the city points out, reallocation of residential units within the transit center is expressly authorized by the plan. As reflected in the table on proposed land uses for the Dublin Transit Center contained in the specific plan, sites A, B, and C are all zoned high density residential. The specific plan allocates 405 residential units to site C, 565 units to site B, and 530 units to site A for a maximum of 1,500 residential units. However, note 4 to the table states, "Maximum square footage and maximum units per site can be exceeded, as long as the total square footage or units is not." The EIR analyzes environmental impacts based on the maximum residential units in the transit center. Shifting 100 units to a different location within the transit center is not a significant change. Site C to which the units were reassigned is adjacent to site A, in which the number of residential units was reduced. Importantly, the total number of residential units was not increased. The city thus was entitled to determine that this change does not require preparation of a supplemental environmental impact report for the specific plan.

[15] Appellant also argues that supplemental environmental review is necessary under section 21166, subdivision (c) because significant and new information regarding greenhouse gas (GHG) emissions ****697** has come to light since the EIR was certified in 2002. Although the EIR does not analyze environmental impacts from GHGs, appellants do not question the sufficiency of the analysis of air quality impacts in the EIR and they concede that the city "applied the then-available BAAQMD [Bay Area Air Quality Management District] thresholds for ROGs [reactive organic gases] and NOx [nitrous oxide] in the 2002 EIR for the overall transit center and determin[ed] that it would have significant and unavoidable impacts from its releases of those pollutants." Appellants assert that in 2010, BAAQMD adopted new thresholds for establishing ***1319** significant environmental impacts from GHG emissions and they contend that the new thresholds require additional environmental analysis.

The premise for this argument is highly questionable. In March 2012, the Alameda County Superior Court found that BAAQMD failed to comply with CEQA in adopting the new thresholds and set them aside pending further environmental review. (*CBIA v. BAAQMD* (Super. Ct. Alameda County, 2012, No. RG10–548693).) Pending appeal, BAAQMD "is no longer recommending that the Thresholds be used as a generally applicable measure of a project's significant air quality impacts." (<http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated–CEQA–Guidelines.aspx.> [as of March 7, 2013].) Moreover, the suspended guidelines, even if effective, expressly have no retroactive application: "It is the Air District's policy that the adopted thresholds apply to projects for which a notice of preparation is published, or environmental analysis begins, on or after the applicable effective date. The adopted CEQA thresholds ... are effective June 2, 2010."

 © 2024 Thomson Reuters. No claim to original U.S. Government Works.

The trial court rejected appellants' argument on the ground that substantial evidence supports the city's finding that, without regard to the effectiveness of the new thresholds, they do not constitute "new information" requiring additional environmental review under Public Resources Code section 21166, subdivision (c). As the trial court found, "[t]he potential environmental impacts of [GHGs] were known or could have been known at the time the 2002 plan EIR was certified." The court relied on a planning commission staff report that states, "In 2002, information about the potential impacts of GHGs was widely known. The United Nations Framework Convention on Climate Change was established in 1992. The regulation of greenhouse gas emissions to reduce climate change impacts was extensively debated and analyzed throughout the early 1990s. The studies and analyses of this issue resulted in the adoption of the Kyoto Protocol in 1997. In the early and mid 2000s, GHGs and climate change were extensively discussed and analyzed in California. In 2000, SB 1771 established the California Climate Action Registry for the recordation of greenhouse gas emissions to provide information about potential environmental impacts. Therefore, the impact of greenhouse gases on climate change was known at the time of the certification of the EIR in November 2002." The court also relied on *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4th 515, 532, 129 Cal.Rptr.3d 512, in which the court upheld a local agency's determination that "new information" about GHG emissions ***1320** did not require supplemental environmental review under Public Resources Code section 21166. Among the reasons for this conclusion was that "information on the effect of greenhouse gas emissions on climate was known long before the City approved the 1994 FEIR." (*Id.* at p. 531, 129 Cal.Rptr.3d 512.)

[16] Appellants argue that *Citizens for Responsible Equitable Environmental Development* is distinguishable because the ****698** petitioners there "limit[ed] themselves to generalized assertions that global warming was a problem" while here the appellants rely on the issuance of new threshold guidelines which could not have been known in 2002. However, the adoption of guidelines for analyzing and evaluating the significance of data does not constitute new information if the underlying information was otherwise known or should have been known at the time the EIR was certified. *Fort Mojave Indian Tribe v. California Department of Health Services* (1995) 38 Cal.App.4th 1574, 45 Cal.Rptr.2d 822, cited by the trial court, illustrates this point. In that case, the court held that a new regulation designating critical habitat for an endangered species, the tortoise, was not "significant new information" for purposes of Public Resources Code section 21166. (*Id.* at pp. 1605–1606, 45 Cal.Rptr.2d 822.) As the court stated, "[H]owever legally characterized, the habitat would be affected the same as before. And the environmental review and mitigation measures that had already been completed focused on the real effects of the project not just on 'the tortoise,' but on its habitat (previously termed 'crucial'), which is exactly how the project would impact on the species." (*Id.* at p. 1605, 45 Cal.Rptr.2d 822.) Thus, the new regulation did not constitute new information requiring a supplemental environmental impact report.

It is true that the relevant impacts had been analyzed in the initial environmental impact report in *Fort Mojave Indian Tribe* and here the impact of GHG emissions was not analyzed in the program EIR. Nonetheless, the impacts of the project on air quality were considered in the EIR and substantial evidence supports the city's finding that the potential effects of GHGs were known and could have been addressed in conjunction with the certification of the EIR in 2002. Therefore, the city properly concluded that the issuance of new threshold guidelines was not new information that requires the preparation of a supplemental environmental report under Public Resources Code section 21166.

5. Conclusion

As did the trial court, we conclude that substantial evidence supports the city's determination that the proposed development of site C of the transit center is a residential development exempt from further environmental review under section 65457. The petition for a writ of mandate therefore was properly denied.

***1321 Disposition**

The judgment is affirmed. Respondents and real party in interest shall recover their costs on appeal.

We concur:

McGuiness, P.J.

Jenkins, J.

 © 2024 Thomson Reuters. No claim to original U.S. Government Works.

All Citations

214 Cal.App.4th 1301, 154 Cal.Rptr.3d 682, 13 Cal. Daily Op. Serv. 3428, 2013 Daily Journal D.A.R. 4098

End of Document

© 2024 Thomson Reuters. No claim to original U.S. Government Works.

1.2 TYPE OF EIR

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. The program-level analysis considers the broad environmental effects of the proposed project as a whole.

It is noted that the Specific Plan provides a very high level of design detail for certain components of the project. To the extent that sufficient detail is available in the Specific Plan, a full project-level analysis is provided in this EIR. Examples of a full project level analysis would include topics that are related to the physical acreage affected (i.e. the project footprint), as opposed to the number of units, land uses/zoning, or other design parameters. Topics such as Biological Resources, Cultural Resources, and Hydrology/Water Quality are analyzed at a project-level analysis in this EIR given that these are physical environmental resources, and the area of impact is fully defined. Additionally, the Specific Plan includes a substantial level of detailed information that allows for a project-level analysis of topics such as Air Quality, Greenhouse Gases and Climate Change, Noise, Population and Housing, Transportation and Circulation, and Utilities. The analysis for these topics is driven by the number of units and square footage of development, which is detailed in the land use design and development projections. In some cases, there may be specific commercial uses that have design details developed at a later date that cannot reasonably be analyzed at a project-level at this time. Additionally, the design of the school facilities and other public facilities are not known at this time, so they are not able to be analyzed at a project-level.

This EIR examines the planning, construction and operation of the project. The program-level approach, with some project-level analysis, is appropriate for the proposed project because it allows comprehensive consideration of the reasonably anticipated scope of the development plan; however, as discussed above, not all design aspects of the future development phases are known at this stage in the planning process. Subsequent individual development that requires further discretionary approvals will be examined in light of this EIR to determine whether additional environmental documentation must be prepared.

CEQA Guidelines Section 15168 states that a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

1) Geographically,
2) As logical parts in the chain of contemplated actions,
3) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or
4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

According to CEQA Guidelines section 15168, subdivision (c)(5), "[a] program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as

Exhibit 73
AR000917

possible." Later environmental documents (EIRs, mitigated negative declarations, or negative declarations) can incorporate by reference materials from the program EIR regarding regional influences, secondary impacts, cumulative impacts, broad alternatives, and other factors (CEQA Guidelines Section 15168[d][2]). These later documents need only focus on new impacts that have not been considered before (CEQA Guidelines Section 15168[d][3]).

Section 15168(c), entitled "Use with Later Activities," provides, in pertinent part, as follows:

> Later activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared:
>
> (1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.
> (2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activities as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.
> (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into later activities in the program.
> (4) Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR.

Here, the City anticipates preparing a written checklist or similar device whenever landowners within the Specific Plan area submit applications for site-specific approvals (i.e. tentative maps, conditional use permits, or other discretionary entitlements). The checklist would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. are there new environmental effects that were not covered by the program EIR). The City's expectation, at least at present, is that the checklist will conclude that most, or all, components of the Specific Plan can be developed with no new analysis of environmental effects given that there is a high level of resolution with regard to the project details that have been analysis in this program EIR. In some cases, however, a site-specific application (i.e. commercial use) may have specific issues associated with the project, or business, that this program EIR could not anticipate given the information that was available at this time. In those situations, the detailed site-specific information

from that application could have site-specific effects not wholly anticipated in this EIR and would require some additional environmental review. (See also CEQA Guidelines section 15063, subd. (b)(1)(C).)

Future site-specific approvals may also be narrowed pursuant to the rules for tiering set forth in CEQA Guidelines Section 15152. "'[T]iering is a process by which agencies can adopt programs, plans, policies, or ordinances with EIRs focusing on 'the big picture,' and can then use streamlined CEQA review for individual projects that are consistent with such...[first tier decisions] and are...consistent with local agencies' governing general plans and zoning.'" (*Koster v. County of San Joaquin* (1996) 47 Cal.App.4th 29, 36.) Section 15152 provides that, where a first-tier EIR has "adequately addressed" the subject of cumulative impacts, such impacts need not be revisited in second- and third-tier documents. Furthermore, second- and third-tier documents may limit the examination of impacts to those that "were not examined as significant effects" in the prior EIR or "[a]re susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means." In general, significant environmental effects have been "adequately addressed" if the lead agency determines that:

a) they have been mitigated or avoided as a result of the prior environmental impact report and findings adopted in connection with that prior environmental impact report; or
b) they have been examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.

Here, as noted above, the City anticipates preparing a written checklist or similar device whenever landowners within the Specific Plan area submit applications for site-specific approvals (i.e. tentative maps, conditional use permits, or other discretionary entitlements). The checklist would serve in part as a consistency checklist to determine if the application for site specific approval is consistent with the General Plan, Specific Plan, Conditions of Approval, and Mitigation Measures, and it would also include a review of the project details relative to what was anticipated and analyzed in the program EIR (i.e. have all significant environmental impacts identified been "adequately addressed" in the program EIR). Thus, if a new analysis is required for these site-specific actions, it would focus on impacts that cannot be "avoided or mitigated" by mitigation measures that either (i) were adopted in connection with the Specific Plan or (ii) were formulated based on information in this EIR.

In addition, because the EIR addresses the effects of rezoning the land within the proposed Specific Plan area, future environmental review can also be streamlined pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183. These provisions, which are similar but not identical to the tiering provisions, generally limit the scope of necessary environmental review for site-specific approvals following the preparation of an EIR for a "zoning action." For such site-specific approvals, CEQA generally applies only to impacts that are "peculiar to the parcel or to the project" and have not been previously disclosed, except where "substantial new information" shows that previously identified impacts would be more significant than previously assumed. Notably, impacts

are considered not to be "peculiar to the parcel or to the project" if they can be substantially mitigated pursuant to previously adopted, uniformly applied development policies or standards. As noted above, the City anticipates that, in assessing the extent to which the Specific Plan EIR has previously addressed significant impacts that might occur with individual projects, the City may conclude that in some instances (e.g., with respect to agricultural resources, cultural resources, geology, soils, and paleontological resources), no further analysis beyond that found in the program EIR will be necessary.

Finally, for purely residential projects consistent with the Specific Plan, the City intends to preserve its ability to treat such projects as exempt from CEQA pursuant to Government Code section 65457. Subdivision (a) of that statute provides that "[a]ny residential development project, including any subdivision, or any zoning change that is undertaken to implement and is consistent with a specific plan for which an [EIR] has been certified after January 1, 1980, is exempt from the requirements of [CEQA]." The statutes go on to say, moreover, that "if after adoption of the specific plan, an event as specified in Section 21166 of the Public Resources Code occurs, the exemption provided by this subdivision does not apply unless and until a supplemental [EIR] for the specific plan is prepared and certified in accordance with the provisions of [CEQA]. After a supplemental [EIR] is certified, the exemption ... applies to projects undertaken pursuant to the specific plan." (See also CEQA Guidelines section 15182.)

When purely residential projects are proposed, the City will consider whether they qualify for this exemption or whether the Central Area Specific Plan EIR must be updated through a supplement to this EIR or a subsequent EIR as required by Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15163.

1.3 RESPONSIBLE AND TRUSTEE AGENCIES

As required by CEQA, this EIR defines lead, responsible, and trustee agencies. The City of Salinas is the "Lead Agency" for the project because it holds principal responsibility for approving the project. The term "Responsible Agency" includes all public agencies other than the Lead Agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a "Trustee" agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California. CEQA Guidelines Section 15386 recognizes four particular trustee agencies: (a) the California Department of Fish and Wildlife with regard to the fish and wildlife of the State, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department; (b) the State Lands Commission with regard to State owned "sovereign" lands such as the beds of navigable waters and State school lands; (c) the State Department of Parks and Recreation with regard to units of the State Park System; and (d) The University of California with regard to sites within the Natural Land and Water Reserves System.

The following agencies are considered Responsible Agencies for this project, and may be required to issue permits or approve certain aspects of the proposed project:

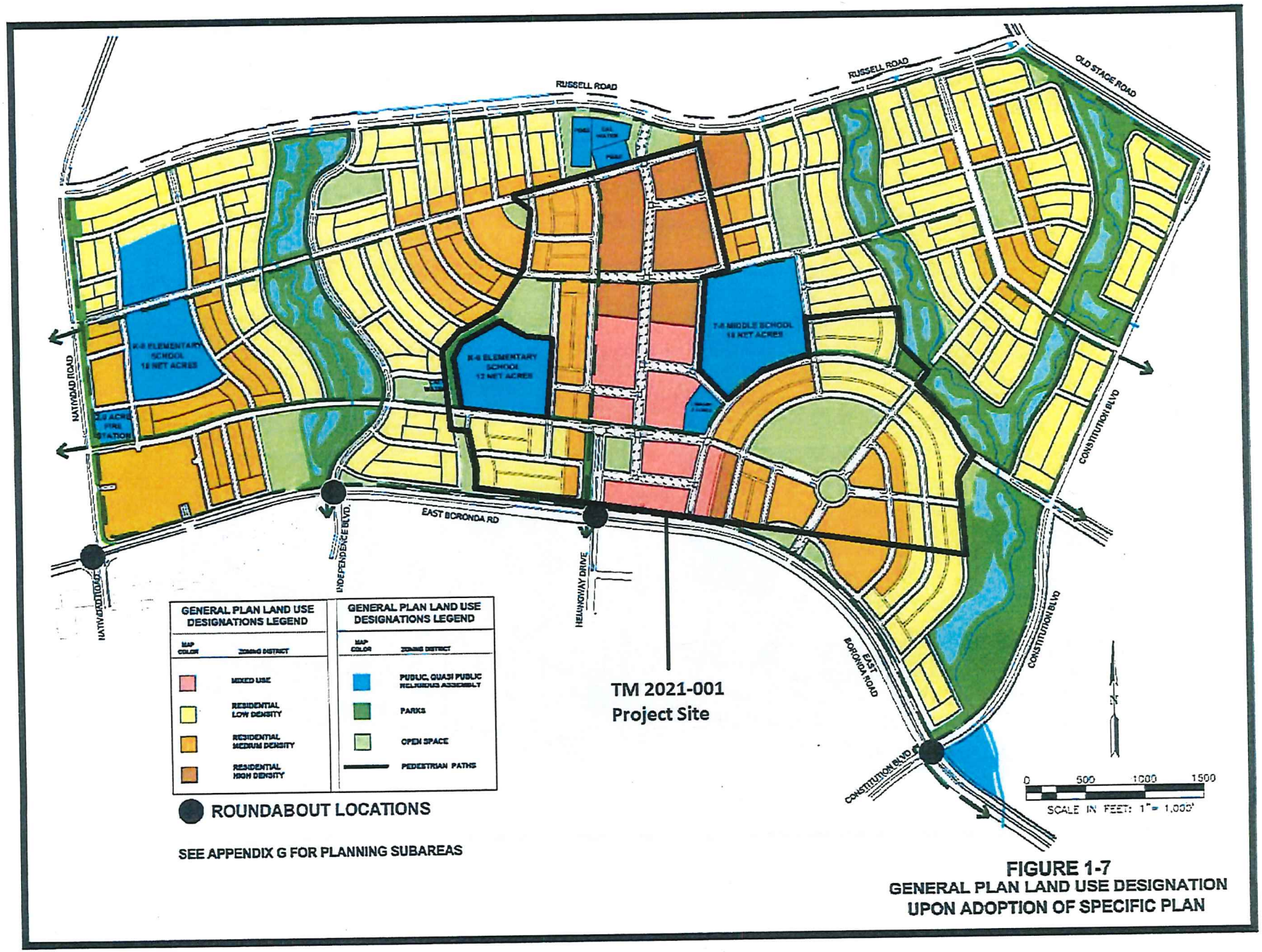


FIGURE 1-7
GENERAL PLAN LAND USE DESIGNATION UPON ADOPTION OF SPECIFIC PLAN

Exhibit 74

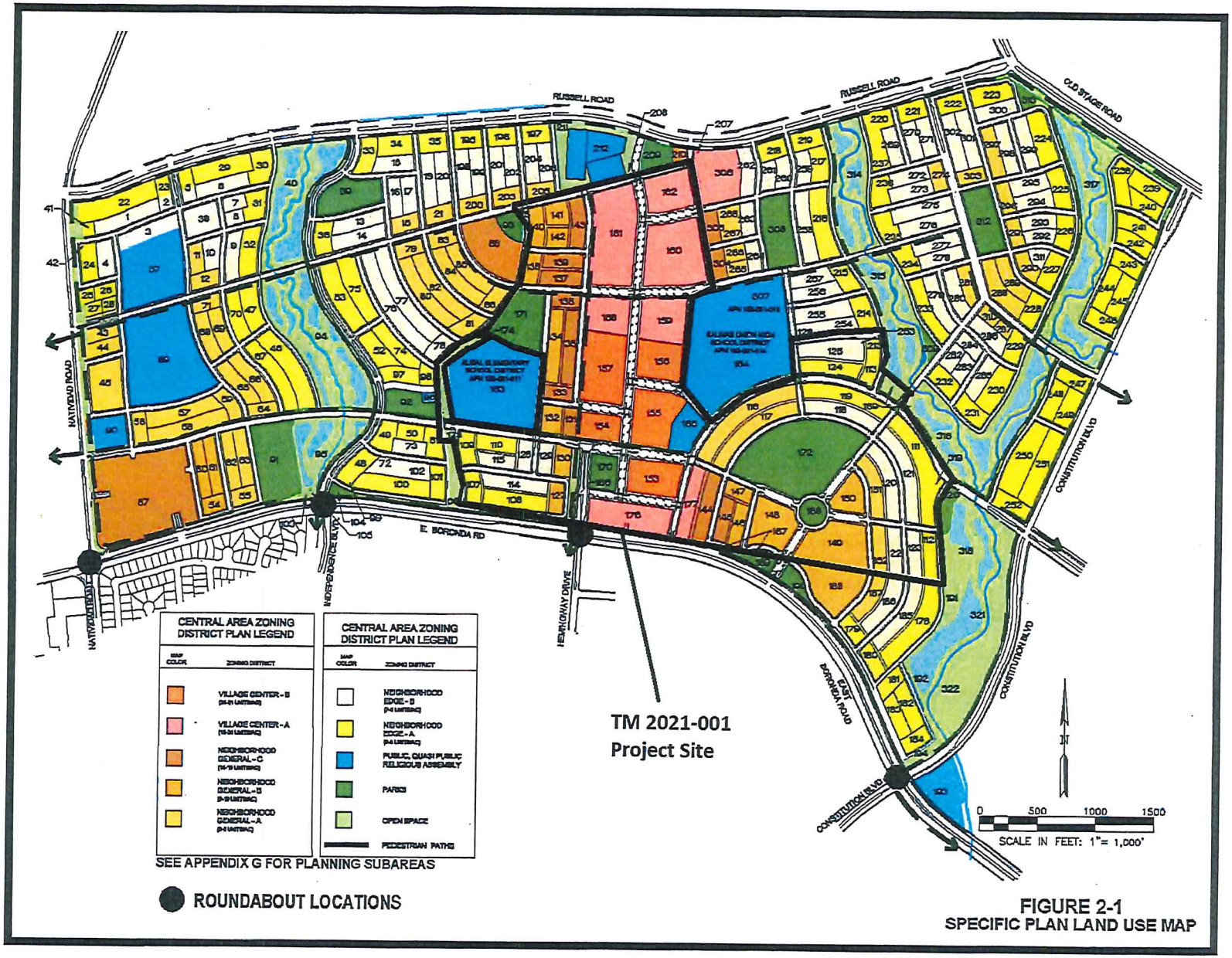


FIGURE 2-1
SPECIFIC PLAN LAND USE MAP

Exhibit 75