

CHAPTER 1

INTRODUCTION

PURPOSE OF THE DEIR

This Draft Environmental Impact Report (DEIR) is prepared in conjunction with the Draft Master Plan, Draft Specific Plan I, a Draft Development Agreement, and associated General Plan Amendments, Text Amendments, and Zoning Reclassification applications to provide an assessment of the environmental effects for the proposed Mountain House New Town. This DEIR has been prepared pursuant to the California Environmental Quality Act (CEQA), as amended, the State CEQA Guidelines issued by the California Office of Planning and Research, and the San Joaquin County Environmental Guidelines. San Joaquin County is the lead agency for the project evaluated in this DEIR.

CEQA and the CEQA Guidelines establish a variety of mechanisms for reducing redundant environmental review in situations, such as the Mountain House New Town project, where a project has previously been analyzed in certified EIRs. For example, provisions of CEQA limit the necessity of further environmental review when:

- A project is consistent with an adopted General Plan. Further review may then be limited to significant effects that were not addressed as significant in previous certified EIRs, or to effects for which substantial new information shows that impacts will be more significant than described in a prior certified EIR.
- Subsequent changes to the project or changes in circumstances will require important revisions to the prior EIRs, or new information of substantial importance to the project becomes available.

In addition to further analysis that might be required to satisfy these and other provisions of CEQA, this DEIR also addresses the previously adopted mitigation monitoring program and the proposed implementation of those mitigations.

This DEIR, together with the previously certified Final Environmental Impact Report (FEIR) and Final Supplemental Environmental Impact Report (FSEIR) for the Mountain House New Town 1995 General Plan Amendment (BASELINE, 1992a, 1993) and the San Joaquin County Comprehensive Planning Program (General Plan 2010) FEIR (BASELINE, 1992b), may meet the requirements for a "Master Environmental Impact Report" in accordance with the terms of the CEQA amendments of 1993. Preparation of this DEIR, in accordance with CEQA provisions for a "Master EIR" and

other CEQA provisions for successive environmental review, may affect the type of environmental review that will be required at future stages of the approval process.

PREVIOUS ENVIRONMENTAL REVIEW

The Mountain House project was analyzed in an EIR pertaining to an Amendment to the San Joaquin County General Plan 1995. The General Plan 1995 Amendment FEIR was certified in March 1992. The Board of Supervisors voted not to grant the Amendment to the 1995 General Plan.

The Mountain House new community was also evaluated as one of five "new or expanded communities" that were proposed for inclusion in the San Joaquin County General Plan 2010. The San Joaquin County Comprehensive Planning Program FEIR analyzed the impacts of new growth proposed in the updated General Plan, including the Mountain House, New Jerusalem, Forest Oaks, Liberty Hills, and Riverbrook new communities. The analysis was at a General Plan, or countywide, level of detail. In July 1992, the San Joaquin County Board of Supervisors voted not to include the Mountain House project in the County General Plan 2010.

The Mountain House developer subsequently submitted a General Plan 2010 Amendment application. A Supplemental Environmental Impact Report (SEIR) was prepared for that application. An SEIR was determined to be necessary due to new information regarding cumulative projects, changes in the project's land use program, and the adoption of the County's General Plan 2010.

The Board of Supervisors certified the SFEIR and approved the Mountain House General Plan 2010 Amendment in February 1993. Policies in the San Joaquin County General Plan 2010 require a proposed new community to submit a comprehensive Master Plan for the project, as well as a Public Financing Plan, followed by one or more Specific Plans. Only after the adoption of these three subsequent plans, can a new community project apply to the County for development permits (e.g., subdivision maps and use permits).

DEFINITION OF SUBSEQUENT PLANS

To clarify the process by which a new or expanded community may receive final approval from the County, the Board of Supervisors took action in December 1991 to define the subsequent plans that would be required, after a new community had received General Plan approval. The subsequent plan process consists of three sets of detailed plans:

- a **Master Plan**, sets forth the policies, requirements and standards, for development of all the required infrastructure systems of the new community, as well as any resource management programs. This Master Plan must cover all lands proposed for development, not just properties owned or controlled by a single developer or applicant;
- a **Public Financing Plan** is a separate document that identifies how all of the needed public facilities and services outlined in the Master Plan will be funded or financed over time. The

Public Financing Plan establishes fiscal and financial policies and guidelines to ensure that the community can be developed without negative fiscal impacts to the County, and describes the specific funding programs that will be utilized; and

- one or more **Specific Plans**, which correspond to the phasing of the new community. These Specific Plans (as defined under State planning laws) must be consistent with the adopted Master Plan for the new community and include a greater level of detail regarding the development and design of a specific area, as well as establishing zoning.

In addition to the three plans described above, this project would also be required to prepare Special Purpose Plans for certain types of development within the community (e.g., Freeway-Service Commercial). A Development Agreement between the County and the applicant is also currently under preparation. A Development Agreement is a contract delineating the rights and obligations of each party for site development. The Development Agreement must be consistent with the requirements of the Master Plan and the County's General Plan.

This DEIR evaluates the Draft Master Plan for the Mountain House project, as well as the first Draft Specific Plan (Specific Plan I). General Plan Amendments (GPAs) and related Development Title Text Amendments and Zoning Reclassification applications are also evaluated for environmental impacts, **as is a Draft Development Agreement in terms of its consistency with adopted plans and policies.**

MITIGATION MONITORING PROGRAM

The two previous EIRs for the Mountain House project contained extensive mitigation monitoring programs, which outlined the timing and implementation of specific mitigation measures required to reduce project impacts to an acceptable level during all phases of project implementation. The monitoring program in the FSEIR was adopted by the Board of Supervisors as part of the project's General Plan Amendment approval, as required under State planning law. This DEIR contains a review of the project's compliance with the previously adopted mitigation monitoring program (Appendix D).

This DEIR and the accompanying mitigation monitoring program differentiates impacts and mitigation measures for the Draft Master Plan and for the Draft Specific Plan I; impacts and mitigation measures are also identified for the three distinct subareas proposed within Specific Plan I.

ENVIRONMENTAL REVIEW PROCESS FOR THIS DEIR

Notice of Preparation and Public Meeting

An Initial Study and Notice of Preparation (NOP) (Appendix A) for this project were prepared by the San Joaquin County Community Development Department and distributed to local, regional, and State agencies and other interested parties on 20 September 1993 (Appendix B). Letters received in response to the NOP are also included in Appendix B. A public scoping meeting was held on 12 October 1993 in Stockton for public agencies and the interested public.

DEIR Review and Preparation of FEIR

This DEIR will be distributed for public review for a minimum of 45 days. Following receipt of comments on the DEIR, responses will be prepared and incorporated with the comments into the FEIR. The FEIR will be considered by the San Joaquin County Board of Supervisors. If the Board finds that the FEIR adequately describes the environmental impacts of the project, the Board will certify the EIR and then take action on the project.

Project Approvals

The Board of Supervisors will make the final decision for certification of the FEIR. Upon review and consideration of the FEIR, the San Joaquin County Planning Commission and Board of Supervisors will determine whether to approve, reject, or revise the proposed Master Plan; Specific Plan I; related General Plan Amendments, Development Title Text Amendments, and Zoning Reclassification applications; and the Development Agreement.

Approval of the project, as proposed or revised, would be accompanied by written findings for each significant adverse environmental effect identified in the FEIR. Findings must be accompanied by a brief explanation of the rationale for each finding and will indicate that: 1) mitigation measures to reduce adverse impacts to less-than-significant levels have been adopted; 2) mitigation measures to reduce adverse impacts to insignificant levels are within the jurisdiction of another public agency and either have been or should be adopted by that public agency; or 3) specific impacts are unavoidable and substantially unmitigable, but are considered acceptable because overriding considerations indicate the benefits of the project outweigh adverse effects.

When making findings and at the time of approval of the project, the County must adopt a monitoring program for mitigation measures incorporated into the approved project that reduces or avoids significant effects on the environment. The mitigation monitoring program has been prepared in conjunction with this DEIR (Chapter 2). This program will not be adopted until the time of possible approval of the project.

FUTURE ENVIRONMENTAL REVIEW

One intent of CEQA is that an environmental analysis "should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet late enough to provide meaningful information for environmental assessment" (CEQA Guidelines, Section 15004[b]). For the previous EIRs, numerous details regarding the project were not available, such as the location of major infrastructure facilities. This DEIR analyzes impacts related to the more detailed design aspects included in the Mountain House Draft Master Plan and Draft Specific Plan I.

Some detailed uses will not become better known until the specific plan for each portion of the site has been proposed and approved. For example, because the planned marina facilities are not included in Draft Specific Plan I, an analysis of this use will be conducted when the specific plan for that area of the project is submitted to the County. Potential impacts related to marina

development will be analyzed at a general level of detail in this DEIR and rely on previous analyses, and more detailed analysis will occur following submittal of the specific plan for that area.

If the Mountain House Master Plan and Specific Plan I were adopted, and other actions required by these plans were completed, the developer could proceed to the final step in seeking discretionary approvals for that portion of the site that is covered under Specific Plan I.

Discretionary approvals by the County would be subject to environmental review under CEQA; discretionary approvals include tentative maps and use permits. CEQA and the Government Code provide for exemptions to CEQA review if a residential development project were consistent with a specific plan for which an EIR had been certified after 1980; however, such an exemption would not apply if there had been a change in the project, a change in circumstances, or new information. The specific environmental review to be undertaken by the County at discretionary approval stages could be Negative Declaration(s) or Supplemental EIR(s), depending on the level of additional analysis required to satisfy CEQA requirements.

CONTENTS OF THIS DEIR

This DEIR contains the following sections:

- Chapter 1 provides an introduction and overview describing the intended use of the DEIR and the review and certification process.
- Chapter 2 summarizes the DEIR findings, identifying potential impacts and proposed mitigation measures. Impacts and mitigation measures from the two GPA EIRs (as applicable) as well as those revised in this DEIR are included in Chapter 2.
- Chapter 3 provides a description of the project, its location, the applicant's objectives in proposing the project, specific land planning features, and required approvals.
- Chapter 4 presents a discussion of the environmental effects of the project. Where text remains unchanged from the two original EIRs, that text is reprinted or summarized. For example, the "Setting" section for some topics remains unchanged. The "Impacts and Mitigation Measures" sections include a discussion of potential impacts. Each impact and mitigation measure has been coded to indicate whether it applies to the Master Plan, the Specific Plan, or to individual subareas of the Specific Plan.
- Chapter 5 discusses alternatives to the project. The alternatives discussion is summarized from the analysis prepared for the two previous GPA EIRs. Chapter 5 of this DEIR also includes one additional alternative, the Mitigated Alternative.
- Chapter 6 provides CEQA-required discussions regarding growth-inducing impacts, the relationship between short-term uses of the environment and maintenance of long-term

productivity, and significant irreversible environmental changes; these sections are summarized from the previous GPA EIRs. The cumulative impacts section has been updated and the unavoidable adverse impacts have been assembled from the analyses in Chapter 4.

- Chapter 7 lists references and persons consulted during the DEIR preparation.
- Chapter 8 identifies the persons involved in the DEIR preparation.
- Chapter 9 contains all the comments received on the DEIR.
- Chapter 10 contains responses to comments received on the DEIR.