RESOLUTION AUTHORIZING THE FILING WITH THE LOCAL AGENCY FORMATION COMMISSION OF THE MARIPOSA LAKES SPECIFIC PLAN ANNEXATION PROJECT TO THE CITY OF STOCKTON (A-03-10), INCLUDING DETACHMENT FROM THE MONTEZUMA FIRE PROTECTION DISTRICT, COLLEGEVILLE RURAL FIRE PROTECTION DISTRICT AND THE SAN JOAQUIN COUNTY RESOURCE CONSERVATION DISTRICT AND ANNEXATION TO THE STOCKTON EAST WATER DISTRICT

This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code; and

The subject territory is adjacent to existing City limits; and

The proposal is consistent with the Sphere of Influence for the City of Stockton; and

The petition for annexation is for the purpose of obtaining general City services as outlined in the City Services Plan; and

The annexation area includes properties with existing Williamson Act contracts; and

The property owners and residents in the subject territory will, upon annexation, be able to receive normal City services; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Manager is authorized to file with the San Joaquin Local Agency Formation Commission, the above-noted annexation request and the City Services Plan, attached as Exhibit 12 and incorporated herein by this reference.

2. The San Joaquin Local Agency Formation Commission is hereby requested to approve (a) the above-entitled annexation of territory to the City of Stockton and the Stockton East Water District depicted in Exhibit 12; and (b) the detachment of said territory from the Montezuma Fire Protection District, Collegeville Rural Fire Protection District, San Joaquin County Resource Conservation District, the Central San Joaquin Water Conservation District, and CSA 54 (National Discharge Elimination System—NPDES).
3. The City agrees to succeed to the terms of existing Williamson Act contracts within the plan area.

PASSED, APPROVED AND ADOPTED OCT 28 2008

EDWARD J. CHAVEZ
Mayor of the City of Stockton

ATTEST:

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton

::ODMA\GRPWISE\COS.CDD.CDD_Library:71535.1
EXHIBIT 12

Annexation
EXHIBIT 12.a

Annexation Legal Description
LEGAL DESCRIPTION

OF PROPOSED MARIPOSA LAKES ANNEXATION
TO THE CITY OF STOCKTON,
COUNTY OF SAN JOAQUIN,
STATE OF CALIFORNIA

All that certain real property situate, lying, and being a portion of El Rancho Del Campo De Los Franceses and Sections 11, 12, 13, 14, 23, 24, 25, and 26 of Township 1 North, Range 7 East, Mount Diablo Base and Meridian, being more particularly described as follows:

BEGINNING at the southeasterly corner of Section 57 of El Rancho Del Campo De Los Franceses as shown on the Record of Survey filed in Book 10 of Surveys, at Page 151, San Joaquin County Records, and being on the Existing City Limits per Ordinance No. 3059, Annexation No. A-9-56; thence the following fifty-four (54) courses:

1) North 18°05'29" West 2370.61 feet, along the Existing city Limits, also along the easterly line of said Section 57 to a point on the northerly right-of-way line of Farmington Road, also being California State Highway, Route No. 4

2) North 71°15'05" East 1070.37 feet, leaving the Existing city Limits, along said northerly right-of-way to the intersection of said northerly right-of-way with the northerly extension of the westerly line of the Togninalli property, being that certain parcel of land described in Book 2652 of Official Records, at Page 548, San Joaquin County Records

3) South 17°57'50" East 463.34 feet, along said westerly line and northerly extension thereof to the southwesterly corner of said Togninalli property

4) North 71°15'05" East 150.01 feet, along the southerly line of said Togninalli property, to a point on the westerly line of the Hachman property, being that certain parcel of land described in Volume 620 of Official Records, at Page 395, San Joaquin County Records

5) South 17°57'50" East 441.75 feet, along said westerly line to the southwesterly corner of said Hachman property

6) North 71°15'05" East 1113.30 feet, along the southerly line of said Hachman property to the southeasterly corner of said Hachman property
7) North 17°51'50" West 74.91 feet, along the easterly line of said Hachman property to the southwesterly corner of the Harper property, being that certain parcel of land described in Book 2180 of Official Records, at Page 402, San Joaquin County Records

8) North 72°01'40" East 290.24 feet, along the southerly line of said Harper property to the southeasterly corner of said Harper property

9) North 17°51'50" West 830.19 feet, along the easterly line of said Harper property and the northerly extension thereof to a point on the aforementioned northerly right-of-way line of Farmington Road

10) North 72°01'40" East 2029.53 feet, along said northerly right-of-way line, to a point on the easterly line of Section 67 of El Rancho Del Campo De Los Franceses

11) North 72°02'02" East 4366.13 feet, continuing along said northerly right-of-way line, to the beginning of a curve to the right, having a radius of 2040.14 feet, a central angle of 54°23'56"., and a chord bearing and distance of South 80°46'00" East 1865.05 feet

12) along the arc of said curve, 1936.99 feet, continuing along said northerly right-of-way line

13) South 53°34'02" East 522.28 feet, continuing along said northerly right-of-way line, to the beginning of a curve to the left, having a radius of 1960.14 feet, a central angle of 36°43'16", and a chord bearing and distance of South 71°55'40" East 1234.87 feet

14) along the arc of said curve, 1256.26 feet, continuing along said northerly right-of-way line

15) North 89°42'42" East 3977.71 feet, continuing along said northerly right-of-way line, to the intersection of said northerly right-of-way line with the easterly right-of-way line of Kaiser Road

16) South 00°40'46" East 2696.07 feet, parallel with and 25 feet east of the east line of said Section 11, also being along the east right-of-way line of said Kaiser Road

17) South 00°26'45" East 5288.95 feet, parallel with and 25 feet east of the east line of said Section 14, continuing along said east right-of-way line

18) South 00°27'37" East 5297.39 feet, parallel with and 25 feet east of the east line of said Section 23, continuing along said east right-of-way line

19) South 00°27'42" East 862.47 feet, parallel with and 25 feet east of the east line of said Section 26, continuing along said east right-of-way line, to the
intersection of said east right-of-way line with the southerly right-of-way line of Mariposa Road

20) North 68°21'31" West 2307.48 feet, along said southerly right-of-way line

21) South 89°45'32" West 3028.97 feet, along said south right-of-way line to the intersection of said south right-of-way line with the southwesterly right-of-way line of the Burlington Northern and Santa Fe Railroad

22) North 52°34'26" West 3284.92 feet, along said southwesterly right-of-way line to a point on the northeasterly right-of-way line of the aforementioned Mariposa Road, said point also being on the Existing City Limits per Resolution No. 89-0355, Annexation No. LAF-7-89

23) North 59°56'49" West 2795.62 feet, along said northeasterly right-of-way, also along the Existing City Limits

24) South 30°03'11" West 80.00 feet, continuing along the Existing City Limits, to a point on the southwesterly right-of-way line of said Mariposa Road

25) North 59°56'49" West 3487.68 feet, leaving the Existing City Limits, along said southwesterly right-of-way line to the intersection of said southwesterly right-of-way line with the southerly line of Section 68

26) North 72°07'30" East 3588.71 feet, along said southerly line to the intersection of said southerly line with the southerly extension of the westerly line of Lot 19 as shown on the map of Clarkadota Fig Plantations, filed in Book 10 of Maps and Plats, at Page 24, San Joaquin County Records

27) North 17°05'48" West 1057.64 feet, along said westerly line and the southerly and northerly extension thereof to the intersection of said westerly line with the northerly right-of-way line of Carpenter Road

28) North 72°09'35" East 225.02 feet, along said northerly right-of-way to the easterly line of said Section 68

29) North 17°03'36" West 705.00 feet, along said easterly line to the northeasterly corner of the aforementioned map of Clarkadota Fig Plantations

30) South 72°09'35" West 3300.73 feet, along the northerly line of said map to the northeasterly corner of Lot 7 as shown on said map of Clarkadota Fig Plantations

31) South 17°05'48" East 745.00 feet, along the easterly line of said Lot 7 and southerly extension thereof to the intersection of said southerly extension with the southerly right-of-way line of the aforementioned Carpenter Road
32) South 72°09'35" West 155.19 feet, along said southerly right-of-way line to the intersection of said southerly right-of-way line with the southwesterly right-of-way line of the aforementioned Burlington Northern and Santa Fe Railroad

33) North 52°34'05" West 4334.96 feet, along said southerly right-of-way line to a point on the southerly line of the aforementioned Section 57 of El Rancho Del Campo De Los Franceses, also being on the Existing City Limits

34) North 72°02'10" East 1358.04 feet, along said southerly line, also being along the Existing City Limits, to the point of beginning.

Containing a total of 3723.20 acres, more or less.
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EXHIBIT 12.b

City Services Plan
TO: David Stagnaro  ~ City of Stockton Planning Division  
FROM: Ken Allred  ~ PCCP Mariposa Lakes, LLC  
COPY: Mike Hakeem  ~ Hakeem, Ellis & Marengo  
Gerry Kamilos  ~ PCCP Mariposa Lakes, LLC  
DATE: September 05, 2008  
SUBJECT: Mariposa Lakes Specific Plan ~ REVISED Draft Annexation Documents  

Dave,

In follow-up to my phone message from late this morning, attached are 2 complete copies of the REVISED Draft documents for the annexation of the Mariposa Lakes project. Both the City Services Plan and the STAWS have been revised. The CSP has been corrected to use the Specific Plan and FEIR ERRATA language re Wastewater System No. 8 (along w/ some typos found in the document). The STAWS has been modified to provide clarification in the Nonpotable Water System verbage on pg. 4.

- City Services Plan
- Agricultural Land Conversion Statement
- Housing Statement, including the City's 8-27-08 Residential Development Chart & Map
- Statement of Timely Availability of Water Supply

Please discard the copies received late yesterday, and do call with any questions or comments.

Respectfully,

[Signature]
Ken Allred
City Services Plan

for the

Annexation Application (#A-03-10)

of the

MARIPOSA LAKES SPECIFIC PLAN

for the

City of Stockton, CA

September 5, 2008
(Revised from August 20, 2008)

Prepared By: PCCP Mariposa Lakes, LLC
7540 Shoreline Drive, Suite C
Stockton, CA 95219
City Services Plan for the Annexation Application
of the
MARIPOSA LAKES SPECIFIC PLAN

I. PURPOSE

The City of Stockton requires any application proposing annexation to the City be accompanied by a City Services Plan (CSP) which demonstrates that City services can be provided to the annexing territory. This CSP is prepared in accordance with the requirements of the Local Agency Formation Commission of San Joaquin County – Government Code Section 56653.

II. PROPOSED PROJECT DESCRIPTION

The project applicant, PCCP Mariposa Lakes, LLC, is proposing to develop a mixed-use community and its supporting infrastructure on approximately 3,810 acres of land in unincorporated San Joaquin County adjacent to the southeast boundary of the City of Stockton (City). More specifically, it is bounded on the north by Farmington Road (SR 4), on the east by Kaiser Road, on the south by Mariposa Road, and on the west by Mariposa Road and the BNSF Railroad.

This project, known as the Mariposa Lakes Specific Plan (MLSP), is prepared pursuant to the provisions of California Government Code Section 65450 et seq., which grants local planning agencies (the City) the authority to prepare and/or adopt a specific plan for an area covered by a general plan for the purpose of establishing systematic methods for implementation of the general plan. The MLSP sets forth a comprehensive set of land use plans, development regulations, design guidelines, infrastructure master planning, and implementation programs designed to produce a project consistent with the goals, objectives, and policies of the City’s 2035 General Plan. To achieve such, the MLSP establishes Community Objectives for its development and implementation: consistency with

Objective 1: Create a full service community that includes housing, jobs, transportation services and infrastructure, shopping and retail services, schools, recreation opportunities, and all necessary public services.

Objective 2: Create a Community less dependent on the automobile by facilitating the development of a significant number of job-generating land uses in close proximity to new residential development.

Objective 3: Provide areas that will serve as local community marketplaces and civic hubs.

Objective 4: Provide suitable sites for industrial, commercial, and retail land uses to generate a sufficient number of jobs to support the increase in population and to promote the City’s 2035 General Plan objectives for jobs/housing balance.

Objective 5: Provide suitable sites for residential development to facilitate a balance of housing units and housing demand created by new jobs and promote the City’s 2035 General Plan objectives for jobs/housing balance.
Objective 6: Provide a variety of housing types, densities, and lot sizes.

Objective 7: Improve and support the regional vehicle circulation systems including Farmington Road/State Route 4 and the State Route 99/Mariposa Road interchange.

Objective 8: Establish a regional transit center that includes a new Amtrak station and multi-modal bus terminal.

Objective 9: Provide public services and facilities to the Community without burdening the City’s existing public services and infrastructure.

Objective 10: Provide a necessary link in the orderly, phased extension of sewer, water, and stormwater systems to the east side of Stockton.

Objective 11: Promote water conservation by establishing an integrated water management and reuse distribution system for irrigation of public spaces.

Objective 12: Provide all levels of education opportunities for residents through provision of K-8, high school and a community college site.

Objective 13: Create a significant park, open space, and trail system connecting neighborhoods, schools and public places, provide opportunities for active and passive recreation, hiking, and bicycling.

Objective 14: Preserve and enhance the natural resources in the Duck Creek and North Little Johns Creek corridors.

Objective 15: Preserve water quality and minimize flooding through the creation of open space corridors and resource protection areas along the Duck Creek and North Little Johns Creek corridors.

Objective 16: Achieve the purpose of Measure X (passed in November 2004), to facilitate economic development in southeast Stockton, in a timely and economically feasible manner.

Using the Community Objectives as guidance, land uses proposed within the MLSP include:

- 1,510 acres of residential development with approximately 10,562 residential units;
- 93 acres of commercial/retail development;
- 702 acres of industrial/warehouse and business/professional development;
- 197 acres of community and neighborhood parks;
- 168 acres of man-made lakes;
- 174 acres of educational uses, consisting of six K-8 schools, one high school and one community college site; and
- 490 acres of public and quasi-public facilities, including: public safety, library, religious institutional, maintenance, regional Amtrack/multi-modal transit station, utility sub-station, stormwater detention/water quality, private sports and street circulation.

**NOTE:** All acreages are approximate.

The above employment generating land uses within the MLSP are expected to generate approximately 14,615 jobs, which provides a jobs/housing ratio of approximately 1.38:1 (jobs:housing), as compared to the City’s 2035 General Plan goal of maintaining a jobs/housing ratio of 1:1.
III. EXISTING USES OF PROJECT AREA

Current land uses of the project area are primarily agricultural. Vegetable crops are grown on a few parcels to the north and south of Duck Creek. Almond orchards exist at the north end of the site adjacent to State Route 4, and to the south adjacent to Mariposa Road. A small number of homes are located along Carpenter Road near the central west boundary of the MLSP. The Carpenter Road property are not a part of this Annexation Application. A cluster of farm-related residences is located adjacent to Farmington Road/SR 4 in the northwestern portion of the project. Existing land uses adjacent to the site are predominantly agricultural to the north and east. Lands to the west are primarily in industrial use. Lands to the southwest remain in agriculture, but are being planned and zoned for urban industrial use.

Full development of the MLSP is expected to occur over a period of approximately 20 – 25 years. Agricultural operations will be phased out as development occurs, but in the interim, agricultural operations will continue to be encouraged and protected. The MLSP provides protection for agricultural uses in a manner that is consistent with the development of an urban community. To the extent feasible, phasing of development will allow a continuation of agricultural operations within the project area will ensure protection of agricultural water supplies.

The open nature of the project area provides expansive, distant views from the adjoining roads and the BNSF Railroad tracks. There are no designated scenic vistas, notable scenic resources, or designated or recognized scenic roads or highways in the vicinity of the site. There are no rock outcroppings or prominent historic buildings in the vicinity of the site.

The site is bordered on the southwest by a major rail line owned by the BNSF Railroad. This rail line is a major link in the railroad’s western operations. The trains serving the proposed Amtrak/multi-modal station will arrive and depart along this rail facility.

There are three contiguous easements owned by the Pacific Gas & Electric Company (PG& E) for the operation of electric power transmission lines. These easements include the Stockton “A” Lockeford-Bellota line carrying voltage of 115 KV, the Bellota-Weber carrying voltage of 230 KV, and the Weber-Mormon carrying voltage of 60 KV.

Three creeks cross the site: Duck Creek, Branch Creek and North Little Johns Creek. Each carries water to the site from large offsite drainage areas. Duck Creek drains a watershed of approximately 47 square miles, with approximately 36 square miles of the watershed upstream of the site. The North Little Johns Creek watershed consists of approximately 219 square miles, with about 216 square miles of its drainage area located above the site. Branch Creek drains a relatively small watershed area east of the site, totaling approximately 4 square miles. About 2 square miles of onsite watershed also drains to Branch Creek.

Duck Creek contributes large flood flows from its offsite watershed and carries the flows through the project area. The existing Duck Creek is a man-made channel offering limited aesthetic value and provides limited flood attenuation. Duck Creek is maintained for flood control purposes by the San Joaquin County Flood Control District. There is very little maintenance of either Branch Creek or North Little Johns Creek.
Although there are a few water diversions from Duck Creek, groundwater is the predominant source of water for crop irrigation within the project area. Access to groundwater is from several deep wells located throughout the project area. The entire site is currently within the boundary of the Central San Joaquin Water Conservation District. Upon annexation, the site will automatically become part of the Stockton East Water District.

The California Land Conservation Act, also known as the Williamson Act, authorizes cities and counties to enter into a contract ("Williamson Act contracts") with a landowner that will reduce the landowner's property tax obligation, subject to the landowner's agreement to use its property solely for agricultural purposes. Each Williamson Act contract is for a minimum term of ten years, and is automatically renewed each year unless the property owner files a Notice of Non-Renewal with the city or county holding the contract. As of August 2006, approximately 3,328 acres within the project area were subject to Williamson Act contracts with San Joaquin County. Notices of Non-Renewal have been filed for approximately 2,827 acres, representing 24 parcels.

IV. PROPOSED PUBLIC FACILITIES

The MLSP includes extensive technical studies for the project's public facilities, infrastructure, and community services program, which describe and establish its requirements for public facilities and infrastructure relating to potable and non-potable water service, sanitary sewer service, storm drainage and flood control, solid waste disposal, utilities (electricity, natural gas, communications and cable television), fire and paramedical protection, police protection, schools, and other community facilities. This section of the CSP provides a brief summary of those studies.


The IWMP describes the means and methods for managing the Community's water supply, focusing upon minimizing dependence on groundwater and emphasizing conservation, re-use and good management practices. The IWMP describes planned water infrastructure, potable and non-potable water demands and sources, groundwater monitoring, and conservation planning. It provides for the development of a non-potable water system, separate from the project's potable water system, to meet non-residential irrigation demands and the water demands of the man-made lake system. The IWMP also incorporates a stormwater management system that relies on the man-made lakes and detention basins to capture and detain runoff from the site to allow for stormwater quality treatment and flow regulation. These water features will also be used for temporary storage and re-use of runoff for irrigation purposes, lake level management, and groundwater recharging operations. The following information relating to potable and non-potable water supplies and infrastructure is taken from the IWMP and the Water Supply Assessment (WSA) for the MLSP.

Existing Conditions: The MLSP area is not presently served by a water agency. However, the project area is located partially within the water service area for the City (southern portion) and partially within the water service area for the California Water Service Company (northern portion). The existing California Water Service Company (Cal Water) distribution system includes: an existing 12-inch diameter ductile iron water main in Carpenter Road on the east side of the BNSF Railroad; an existing 16-inch diameter ductile iron water main in SR 4, approximately 700 feet east of Sinclair Avenue; and an existing 16-inch diameter ductile iron water main in Mariposa Road, approximately 800 feet south of
Duck Creek. The existing City distribution system includes an existing 16-inch City water main at the intersection of Arch Road and Fite Court; an existing 16-inch City water main at Kemp Way; and the South Stockton Aqueduct.

**Existing Groundwater Supply:** The City has determined the groundwater basin underlying the MLSP site can safely and sustainably provide 0.75 acre-feet per acre of groundwater each year. In compliance with the City's 'safe-yield' determination, the total sustainable groundwater supply available to the MLSP site is 2,857.5 acre-feet annually (0.75 acre-foot/acre x 3,810 acres = 2,857.5 acre-feet). Currently, the onsite agricultural users consume almost four times this amount, or approximately 11,450 acre-feet of groundwater, based upon an estimated agricultural application rate of 3 acre-feet/acre annually of pumped groundwater.

**Potable Water Demand:** The maximum daily potable water demand for MLSP is estimated to be 13.98 million gallons per day (MGD). Of the total estimated maximum day demand approximately 7.42 MGD will be supplied by Cal Water and 6.56 MGD will be supplied by the City.

**Potable Water Supply and Infrastructure:** The Cal Water system infrastructure plan for the northern portion of MLSP includes a minimum of three connections to existing Cal Water mains, one new well, one storage reservoir and pumping facility, and a network of water transmission and distribution piping. Service will be extended to the project from the existing 16-inch ductile iron lines located in Carpenter Road and SR 4; a 24-inch line will be extended east along Carpenter Road and through the Plan Area to join a 16-inch line that will be extended east along SR 4 and south along Kaiser Road to the PG&E transmission line. Additional 12- and 16-inch loops in the system will be provided.

The City's plan for the southern portion of the project includes a minimum of two connections to existing City water mains, two new wells, a storage reservoir and pumping facility, and a network of water transmission and distribution piping. City water service to the project will be achieved through the extension of new backbone elements of the City system east along Mariposa Road (24-inch) from the South Stockton Aqueduct and east and north along Arch Road. System loops within the City-served portion of the project will be formed by a grid of 12-, 16-, and 24-inch lines.

Two emergency interconnects will be provided between the Cal Water and City systems, and the interties are anticipated to be opened only under emergency conditions.

**Future Non-Potable Demand:** The MLSP's demand for non-potable water, excluding residential irrigation water, is estimated to be approximately 2,593 acre-feet per year.

**Future Non-Potable Water Supply:** Sources of non-potable water for MLSP are purchased surface water, wet and dry season runoff, and precipitation. Water diverted to groundwater replenishment will be limited to "surplus water." Surplus water is water that is in excess of water demands for municipal and industrial use and existing agricultural demand. The timing and quantity of non-potable water delivery to the site will initially be based upon the needs and capacity of recharging operations, and later by the needs of onsite operations (e.g., lake level management and non-residential irrigation). Water will be purchased and diverted as appropriate for recharging every month, with the quantities purchased dependent upon the availability of surplus flow.

Surface water for non-potable use will be purchased primarily from the Central San Joaquin Water Control District (Central), and to a lesser extent from the Stockton East Water District (SEWD). SEWD deliveries would occur during flood periods, when New Hogan Reservoir spills. Water would be delivered through either Duck Creek or North Little John's Creek.
Recharging is expected to begin in the Phase 1 development, with the goal of developing a groundwater reserve that can be tapped for onsite operations (e.g., lake level management and non-residential irrigation) during drought or when the availability of other non-potable water is limited. Preliminary assessments of the availability of non-potable water supplies from Central and SEWD have indicated these agencies can provide sufficient supplies of non-potable water to MLSP to meet all of the its non-potable water demands.

Non-Potable Water Storage and Groundwater Recharge Facilities: Groundwater recharge facilities are expected to be constructed on the Arbini property, a 320-acre parcel located adjacent to the MLSP between Kaiser Road and Jack Tone Road. This property will be used initially as a Tier III and later as a Tier I recharge operation. Tier III recharge consists of flooding vacant land with little or no modifications or improvements to the land. Tier I sites are established, dedicated groundwater recharging facilities that have been engineered to optimize recharging, including a well for extracting groundwater, and groundwater monitoring wells to assess movement and storage conditions.

Non-Potable Water Delivery Mechanisms: To deliver water from offsite supply sources to the recharge site, construction of new conveyance facilities, and/or improvements to existing facilities will be required. These facilities may include new or existing ditches, canals, creeks, and pipelines. Improvements to existing creeks and canals may include vegetation removal, excavating and deepening, and repairing bank erosion. A diversion structure will be constructed on each of Duck and North Little Johns Creeks to move water to the onsite lakes and the Arbini recharge facility.

Non-Potable Water Irrigation System: Through the IWMP, non-potable water will be used to balance the water needs of the project by satisfying the demands for irrigation water for landscaped areas, including public and quasi-public landscaped areas such as parks, outlooks at lakes, public parks, and street pavements. Water will be pumped from the project lakes into a “purple pipe” distribution system that will deliver water to the various irrigation systems throughout the project. The non-potable water system will be owned, operated, and maintained by the Mariposa Lakes Homeowners Association. Private yard landscaping will be irrigated from the house potable system.

Groundwater Monitoring: The IWMP contains a Monitoring Plan that establishes a schedule and parameters for sampling and measuring water levels in the on-site monitoring wells. Groundwater depths and chemistry will be monitored before pre-construction grading begins, and before the onset of recharge operations, to establish seasonal patterns. Monitoring will continue during construction, through build-out and thereafter on a schedule that will be determined on the basis of existing monitoring results and the estimated potential for project activities to impact groundwater at any given time. Monitoring results will be reported to the appropriate public agencies.

Water Conservation Plan: The IWMP contains a Water Conservation Plan (WCP) that identifies water conservation measures to be implemented in the MLSP, and the potential water use savings expected to be achieved from the use of such measures. The water conservation measures in the WCP include low-flow, and ultra-low flow fixtures in residences and businesses, and non-traditional means and sources of residential, commercial and public landscape irrigation, such as using recycled water, low-water demand landscaping, and automated irrigation management.
B. Sanitary Sewer System

Existing Conditions: The MLSP area is located outside of the City’s existing wastewater collection service areas defined in the City’s Wastewater Collection System Master Plans. As a result, the project area is not currently served by the City’s wastewater collection and treatment systems. MLSP is adjacent to the City’s Wastewater Collection System No. 8 sewer service area, which has an estimated available capacity in excess of 14.1 MGD. The nearest major wastewater trunk line serving the Wastewater Collection System No. 8 area is a 42-inch gravity trunk sewer line that extends to the east end of Mariposa Drive in the unincorporated area of San Joaquin County southwest of Mariposa Road. There is currently available capacity in excess of 14.1 MGD in this 42-inch trunk line; however, portions of this capacity may be needed to serve other lands within the Wastewater Collection System No. 8 service area. Existing capacity in this trunk line is available to approved development projects on a first-come, first-served basis.

Wastewater Services Demand: The Community is expected to generate an estimated total of 14.3 MGD peak wet weather wastewater flows per day at full buildout.

Future Wastewater Collection Facilities: Wastewater flows generated by MLSP initially will be diverted to the City’s existing Wastewater Collection System No. 8, which has been deemed by the City to have available capacity sufficient to serve Phase 1 of the Community. System No. 8 will be extended to the southwest portion MLSP through either an extension of its gravity main line from the existing 42-inch sewer main line on Mariposa Drive or an onsite wastewater pumping station and connecting force main.

Applicants for tentative maps in subsequent phases of the MLSP’s development will be required to demonstrate there remains sufficient capacity in System 8, at the time the tentative map application is submitted, to accommodate the development proposed by the tentative map. On the basis System 8 is unable to accommodate all of the wastewater flows generated by the MLSP, then all or some portion of its wastewater will be diverted to a new City wastewater collection system, Wastewater Collection System No. 12, which is proposed as part of the City’s 2035 General Plan and associated Wastewater Collection System Master Plan Update. Future System No. 12 is anticipated to extend from the City’s wastewater treatment plant toward the project area within a series of City streets, terminating at its upstream end near the Munford Avenue/Mariposa Road intersection. Future System No. 12 would then be extended into the project. It is likely System No. 12 will include gravity sewer trunk lines, a sewer pumping facility, and dual force mains.

The MLSP owners, developers, and/or successors-in-interest (ODS) will be required to participate in an evaluation and determination by the City regarding the project’s fair share cost and/or expense on a phased basis to utilize the System No. 8 facilities as otherwise required to be substantially consistent with the City’s CFD 90-1. The ODS will be allowed to review and approve of the City’s process, methodology and determination.
C. Storm Drainage System

Existing Conditions: Three primary drainageways run through the MLSP area and, as a result, it is located within three regional watersheds: Duck Creek, Branch Creek, and North Little Johns Creek. Duck Creek is a major tributary for the east Stockton area and flows year round, while both Branch and North Little Johns Creeks are smaller and seasonal. All three creeks flow generally from east to west through the site. Duck Creek flows through the northern portion of the site, North Little Johns Creek flows through the south portion of the site, and the smaller Branch Creek flows through the central portions of the site.

Duck Creek drains a watershed of approximately 40 square miles upstream of the project. The North Little Johns Creek watershed consists of approximately 217 square mile upstream of the project. Branch Creek drains a relatively small watershed area east of the site, totaling approximately 4 square miles. Approximately 50% of the project area drains to Duck Creek, 35% to Branch Creek, and 15% to North Little Johns Creek.

The hydrology and drainage facilities present within the project area are typical of agricultural areas, and is not currently served by urban storm drainage facilities. Runoff from the site is collected in agricultural ditches that discharge into the either of the three existing channels.

Future Stormwater Drainage: Development of MLSP will result in new impervious structures, pavement and surfaces over a substantial portion of the project area. These changes to the surface environment will increase the amount of stormwater runoff and require the development of new urban storm drainage facilities. The implementation of the project’s proposed stormwater management systems and facilities will release and drain stormwater of higher quality than the existing agricultural land uses, and the development will produce smaller loads and lower concentrations of pollutants than agricultural uses.

Summary of Community Storm Water Management System: The stormwater management design for MLSP includes four separate components:

- A drainage system that collects and conveys 100-year storm runoff into a man-made lake network;
- A man-made lake network that provides storage volume for the entire 24-hour, 100-year storm event using gravity flow between lakes;
- Two enhanced drainageways (Duck Creek and North Little Johns Creek); and
- Stormwater detention basins designed and constructed to implement Best Management Practices (BMPs) with respect to the detention and treatment of stormwater runoff from large storms.

The man-made lake network, three drainageways, and stormwater detention ponds will be designed for the 100-year design storm event the primary drainage and water quality treatment facilities for the project. Approximately 100 acres of the Arbini recharge site will be used to control the upstream 100-year design storm flood flow from North Little Johns Creek. Duck Creek and North Little Johns Creek will be enhanced to provide the community with aesthetic value, wildlife habitat, and creekside trails and parks. Stormwater runoff will be collected primarily by standard buried storm drains and conveyed to the lakes. Utilizing applicable BMPs, the lakes will function as wet pond stormwater treatment facilities and, with proposed enhancements, will provide better storm water treatment than a standard wet pond. Dry weather flows (excess irrigation runoff) will be captured by the lakes and will offset the need for makeup water.
Industrial areas will drain toward detention basins. These basins will capture that runoff and slowly release it after adequate detention time. The basins improve water quality by allowing for the settling of particulates, conversion of nutrients and pollutants, and other physical, chemical, and biological processes.

**Stormwater System Infrastructure:** The primary storm drainage system at Mariposa Lakes provides for the conveyance of all offsite flows, onsite runoff, and urban runoff to the terminus drainageways: Duck, Branch, and North Little Johns Creeks. Downstream of the project area, Branch Creek flows north along the BNSF Railroad tracks and Mariposa Road and drains into Duck Creek. Duck Creek flows into French Slough, the San Joaquin River, and eventually flows into the San Francisco Bay and to the Pacific Ocean. Downstream of the project area, North Little Johns Creek flows into French Camp Slough at a separate outlet.

The primary storm drain collection system includes trunk storm drain pipes (72 inches and larger), the major open channels, BMP detention basins, and a network of man-made lakes. Onsite drainage will be designed to not impact property owners adjacent, within, or downstream of the project area. Discharge of sediments and other pollutants directly to the ditches or restored stream channels will be minimized.

Pipes, open channels and other storm drainage conveyance facilities will be designed with 100-year flood capacity to the project’s terminal discharge point. Developed condition flows are not to exceed existing condition flows at all downstream terminal discharge points. All lakes, detention basins, BMPs, and other man-made flow conveyances shall be designed to safely convey flows, minimize erosion or other damage caused by high flows resulting from storm events, facilitate maintenance, and meet applicable standards.

**Man-Made Lake System:** There are three separate man-made lake networks in the project’s lake system, corresponding with the three primary drainageways. Storm runoff entering the lakes will be continually treated by a system of underwater bio-filters, constructed wetlands, in-lake circulation, sequestration, and carefully managed lake vegetation. This system has been designed to maintain a high level of water quality in the lakes for both the environment and the aesthetics of the lake.

The network of lakes is designed with sufficient reserve storage capacity to accommodate all dry-weather discharges. Therefore, dry weather flows are designed to not directly leave the project area, but will instead be captured and retained within the lakes. During rain events, runoff will enter the lakes and a portion of the rainfall representing the “first flush” volume will be retained then slowly discharged over the course of approximately 48 hours. During larger rainfall events, excess water will be discharged downstream through the lake outlet facility. This water will receive a high level of water quality treatment and will carry significantly reduced loads of Total P and Total N as compared to typical urban runoff. The lakes will be designed to provide more than the minimum first flush treatment volume required by the City’s NPDES Stormwater program.

**Creek Enhancements:** As part of the project’s onsite development, Duck Creek, North Little Johns Creek, and portions of Branch Creek will be designed to have the capacity to transport flows resulting from a 100-year, 24-hour storm event, and will be enhanced as multi-use corridors for the conveyance of offsite and onsite drainage through MLSP, for passive recreation uses, and for use as wildlife habitat.

**Best Management Practices (BMPs):** MLSP will comply with all applicable provisions of the City’s Stormwater Quality Control Criteria Plan (SWQ Plan). Because the project provides residential housing, it must incorporate General Site Design Control Measures, Site-Specific Source Control Measures, and Treatment Control Measures. The first two measures apply to the site planning designs for specific
aspects of the project. The Treatment Control Measures apply to the man-made lakes and wet detention basins described above.

All lakes will be designed to capture and slowly release stormwater runoff equal to the Stormwater Quality Design Volume as defined in the SWQ Plan. The lakes will also include permanent pools that will meet or exceed minimum permanent pool volume required for a wet pond BMP in the SWQ Plan. Typically, the lakes will have a volume greater than flood protection. By providing extra freeboard in addition to the freeboard required for one design storm event, a second design storm event can be accommodated safely, ensuring all areas of the project served by the lake systems will have exceptional flood protection.

**Offsite Watersheds:** Adequate storm conveyance systems will be provided to insure all offsite runoff can be conveyed safely through the project to terminal drains. Offsite drainage may be merged with urban runoff as a means of conveyance to terminal drains providing that the urban runoff has been treated according to Best Management Practices (BMP) as provided for by applicable water quality control regulations. Offsite watersheds are currently assumed to be undeveloped and therefore do not require BMPs prior to discharging into the MSLP area development. As development occurs upstream of the project area, BMP’s by such development should be required by the City prior to the release of runoff into the drainageways and/or proposed storm drain systems.

**Regulatory Permits:** All habitable structures within the project site will be designed with sufficient freeboard above the peak 100-year flood level to meet FEMA standards. FEMA flood zone designations will most likely change because of the proposed development and the restoration of the creek channels, in which case a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) will be obtained from FEMA. The CLOMR/LOMR process typically follows completion of the rough grading plan.

The project includes alteration of drainageways which may be designated by state and federal regulatory agencies as Waters of the US or Waters of the State of California. As a result, development of the MSLP may require approval of the Army Corps of Engineers pursuant to Sections 404 and 401 of the federal Clean Water Act. In addition, the Community will discharge storm water to several drainageways, and may require approval under the City’s NPDES Stormwater Program and the State of California Water Discharge Requirements. All applicable permits will be obtained as required by the permitting agency.

**D. Solid Waste Disposal**

**Existing Conditions:** The City provides domestic solid waste collection to all areas within the city limits. Services provided include solid waste collection and source-separated curbside recycling for both residential and commercial uses. Solid waste is disposed at existing private landfill facilities. There is currently ample capacity in the landfills used by the City to accommodate the City’s current and projected needs, and plans to expand existing landfills have been approved. The City’s contracts with its three current solid waste haulers will not expire until May 2019.

Currently, residential uses generate approximately 22% of the City’s total annual solid waste, and non-residential uses generate approximately 78%. Residential solid waste generated within the City totals approximately 185,828 tons annually, or about 1,720 pounds per person. Of this volume, about 75% is disposed of in the landfills while the remainder is handled by one or more of the City’s waste diversion (recycling) programs. The three-cart system currently used by the City is helping the City to achieve its goal of recycling or diverting 50% of its waste from landfill.

City Services Plan for the Mariposa Lakes Specific Plan
September 5, 2008 (Revised from August 20, 2008)
Solid Waste Service Requirements: At full buildout, the MLSP will provide approximately 10,562 new residential units, with an ultimate population of approximately 33,166 persons. This would result in the potential for an additional 27,550 tons of solid waste generation from residential uses, annually. Future commercial solid waste generation within the project site cannot be predicted until such time as commercial uses are identified.

Solid Waste Services Plan: The City will extend its solid waste services to each area in the MLSP area upon annexation of each area to the City limits. Proposed land uses will be subject to the City’s existing Construction and Demolition Debris Ordinance. All construction and demolition activities within the Community will be required to recycle a minimum of 50% of all construction and demolition waste generated. Before construction of MLSP can begin, the developers must obtain a permit that lists all expected wastes.

E. Fire Protection and Paramedical Services

Fire protection and paramedical services for the MLSP area are currently provided by the Montezuma and Collegville Fire Districts, which serve San Joaquin County’s unincorporated areas generally west, south and east of the project area. The nearest Montezuma station to the project is located approximately one mile away at 2405 South B Street. The nearest Collegville station to the project is located at 13225 East Mariposa Road, approximately 1.5 miles away. These stations currently have a cooperative agreement with the City to provide emergency response as needed to locations near the boundaries of each Fire District. They provide services related to fire suppression, rescue, fire training, aircraft fire fighting, hazardous material response and emergency medical services.

Upon annexation of the MLSP area, fire protection services will be provided by the Stockton Fire Department. Existing Station 12, located at 4010 East Main Street between South Olive Street and South Oro Avenue, would be the first response team for emergency calls to MLSP. Station 3, which is located at 1116 East First Street, near the southwest corner of the Charter Way/Airport Way intersection, would be the second response station for emergency calls. The City anticipates developing an additional south Stockton fire station within the next ten years, in the vicinity of Airport Way, west of the Stockton Metropolitan Airport. The City’s goal is to respond to all emergency calls in approximately four minutes.

The MLSP includes a site, selected in conjunction with the Stockton Fire Department, for a public safety facility to provide fire protection and paramedical services to the project area. The 3.5 acre site for the public safety facility will provide 2 acres for a fire station; a portion of the remaining 1.5 acres will house a police substation. A temporary firehouse facility will be constructed with and within the first phase development area, and funding for the station, equipment, and staff for the temporary station will be provided by the MLSP developer. As required by the fire department, the timing of the temporary station is before any final inspection for residential structures or the issuance of any certificate of occupancy for nonresidential structures. Prior to construction of the project’s third phase, the permanent fire station (which replaces the temporary station within the first phase) is to be constructed. The permanent fire station, to be staffed 24/7, will house a four person engine company and a five person truck company. Funding for the permanent station, equipment, and staff will be provided by the MLSP.
F. Law Enforcement

Development of the MLSP will result in significantly expanded industrial and commercial uses and a substantial increase in the population in southeastern Stockton. At full build-out, the Community will provide approximately 10,562 residences and approximately 13 million square feet of industrial and commercial space. These changes will result in increases in demands for law enforcement services.

Law enforcement services for the MLSP area are currently provided by the San Joaquin County Sheriff’s Department. Upon annexation of the site to the City, police services will become the responsibility of the Stockton Police Department (SPD). It is SPD’s policy to respond to all emergency calls within a three to five minute time period. The SPD currently has plans to construct a new community police substation in the vicinity of Arch Road and SR 99 in southeast Stockton, which will serve the MLSP area. Additionally, as noted in Section IV, approximately 1.5 acres of the 3.5 acre public safety facility will house a police substation.

The Mariposa Lakes Master Homeowners Association will maintain 24-hour security services upon completion and occupancy of each residential community and proposed retail/commercial center in the project. This privately maintained service will supplement the law enforcement services provided by the City, and will substantially reduce the burden on the City’s existing police protection resources.

Security Enhancements: MLSP Lakes will benefit from the strategic placement of cameras and enhanced lighting. The following are examples of locations that would benefit from the strategic placement of cameras and/or enhanced lighting to provide an additional layer of security and safety:

- Public pedestrian trails;
- Entries to public pedestrian trails from residential cul de sacs;
- Village Centers; and
- Primary streets and intersections.

G. Schools

Existing Conditions: The MLSP project area site is currently divided among two school districts: the Stockton Unified School District (SUSD) and the Escalon Unified School District. After annexation, the project will be unified under the jurisdiction of the SUSD. The SUSD serves students in Kindergarten through Grade 12.

School Requirements: Development of the MLSP will lead to the generation of substantial additional student populations. At full buildout the project will contribute approximately 7,000 new students to the SUSD’s student population. Thus, development of the MLSP will contribute to growth-related demands for new schools within the SUSD. Based on existing and projected K-8 and high school sizes, the students generated by the project results in the need for approximately six new K-8 schools and one new high school.

The land for these public schools will be acquired and developed by the SUSD with financial assistance from the MLSP developers, including the provision of construction funding. Funds to construct the initial elementary school will be “front-loaded” by the master developer to insure timely construction. The SUSD plans to seek State grants and Mello Roos bonds to repay developer-advanced construction funds and to finance the construction of the balance of the elementary schools. A combination of the
SUSD's local bond (25%), developer-advanced funds, and State grants and Mello Roos bonds will be used to facilitate the early construction of the high school.

All six of the elementary schools in the MLSP will be located within neighborhoods to enable students to easily walk or bike to school. Close proximity to schools and parks will encourage residents to take advantage of recreational opportunities and allow the schools to serve as community meeting places. Three of the six elementary schools will be located adjacent to neighborhood parks to enable shared use of recreational facilities and open spaces.

Community College Campus: MLSP also provides a 20-acre undeveloped site for the development of a community college satellite campus by the San Joaquin Delta Community College District (SJCC). The MLSP developer and SJCC will enter into a Memorandum of Understanding (MOU), which is expected to provide for the dedication of the 20-acre site to the SJCC and for building a new campus within 20 years of adoption of the MLSP. The proposed MOU will provide that if the campus is not built within 20 years, the 20-acre site will revert to the City for non-residential public use. The SJCC will be responsible for the campus program and design. The community college is expected to generate enrollment of between 4,000 and 8,000 students and approximately 230 teaching and administrative jobs.

H. Public Library

Existing Conditions: The public library system in San Joaquin County is operated by the City of Stockton and funded jointly by both the City and the County. The system includes the downtown Central Library, three branch libraries that serve the City, and other branch libraries that serve other San Joaquin County communities. Capital costs of new library development are met through the City's Public Facilities Fee program.

The Maya Angelou branch library currently serves the south Stockton area, including the MLSP area. In addition to the traditional services offered by libraries, this branch offers curriculum support from preschool through community college level, as well as adult education, computer literacy training and ESL, in response to the existing low education level and high unemployment rate of residents in the southeast Stockton area.

The next proposed new regional branch library is planned to be located on the campus of the McNair High School, which is located in northeast Stockton. The approximate 36,400 square foot facility would offer cooperative programs to both Stockton residents and the McNair High School students. The location of this branch library, however, would not be intended to serve residents of the southeast Stockton area.

MLSP Requirements: Development of the MLSP will result in substantial population increases in the southeast area of the City, and corresponding increases in demands for library services. The City requires a community library within a three-mile radius of residential areas for an urban area with 20,000-70,000 residents. At full buildout, the Community will be home to approximately 33,000 new residents. Whether the MLSP will require the development of a new branch library will be determined by the new Library Facilities Master Plan. The Master Plan will evaluate proposed new library facilities and the expansion of existing library facilities to accommodate growth envisioned in the City's 2035 General Plan. If the Master Plan indicates a branch library located in MLSP is warranted, costs associated with the development of a new library would be provided from a bond grant from the California State Library. Additional costs would be recovered through payment of the City's Public
Facilities Fees for libraries, which are collected for all development projects in the City. The MLSP’s land use plan provides for a 2-acre library site within the Austin Road Town Center.

I. Parks and Recreation Facilities

Existing Conditions: The City has no park facilities east of State Route 99. The County of San Joaquin operates one park near the MLSP area (Kennedy Park), which is located approximately 1.3 miles west of the site on Pock Lane. Amenities within Kennedy Park include a swimming pool, picnic areas, play fields and a community center. The City and County jointly maintain a regional sports complex located between SR 99 and Stockton Metropolitan Airport, approximately two miles southwest of MLSP.

Proposed Facilities: The MLSP’s public parks and recreation facilities will include active and passive community and neighborhood parks, greenway trails along streets, public open space, and a waterfront promenade around the Village Center Lake. The project provides almost six acres of public park space per 1,000 residents, exceeding the five per thousand criteria of the City’s 2035 General Plan. Most residents the MLSP will live within ¼-mile of a public park and within ¼-mile of a public open space area.

Six community parks comprising nearly 120 acres will be located throughout the MLSP area to provide a variety of recreational uses and facilities, such as: baseball/softball/soccer fields, tot lots, basketball courts, picnicking areas and multi-use lawn areas. Many community parks will be adjacent to schools to allow for shared use. Community parks adjacent to linear open spaces will foster use of the multi-use trails to reach destinations within the MLSP area.

Nearly 80 acres of neighborhood parks will be located throughout the MLSP area. Smaller in size, these parks are typically located within residential neighborhoods and include basic facilities, such as: tot lots and children’s play areas, sitting areas, and lawn areas for non-competitive lawn sports.

Three of the lakes and the majority of the creek corridors will be publicly accessible.

All parks in the MLSP project are expected to be funded through a homeowners association or community facilities district.

J. Streets & Traffic

Existing Circulation System: The MLSP is bounded by three existing regional roads which provide access to the project area.

1. Farmington Road/State Route 4 (SR 4) forms the northern boundary. It is a conventional two-lane State highway that provides substantial access to State Route 99 (SR 99) to the west of the site.
2. Kaiser Road forms the eastern boundary. It is a minor two-lane County road that is continuous from SR 4 in the north to Mariposa Road in the south.
3. Mariposa Road forms the southern and southwestern boundary. It is a two-lane City/County arterial that provides convenient access to SR 99. Mariposa Road crosses the BNSF on a grade separation structure at Austin Road.
Additional access is provided by Austin Road, which currently terminates at its intersection with Mariposa Road at the southern boundary of the project. Austin Road runs south to Arch Road, which in turn runs west and accesses SR 99 via an interchange.

**Offsite Transportation Improvements:** Planned growth in and around the City, including the MLSP development, will trigger the need for capacity improvements to the State and regional road systems. The MLSP project is designed to minimize its impacts on the State and regional systems by creating jobs within the development to reduce commute distances, providing for pedestrian and bicycle transit, including necessary and desirable amenities within the project to limit the need for outside trips, and incorporating public transit features such as the proposed Amtrak/multi-modal station. Offsite improvements anticipated by the City and County, which will use State and/or local funding, include:

- Widening of SR 99, including interchange improvements (*see following section*);
- Widening of Arch Road;
- Widening of Mariposa Road;
- Widening of Austin Road, including a new overcrossing of the BNSF Railroad; and
- Widening of SR 4.

**Freeway Improvements:** SR 99 is a four lane north-south divided freeway facility through Stockton. It is the major north-south route in east Stockton and ties the area into the State freeway System. Nearby interchanges of significance to the MLSP are Arch Road, Mariposa Road, Farmington Road (SR 4) and the Stockton Crosstown Freeway (SR 4). The City recently completed the reconstruction of the Arch Road interchange. The SR 99 mainline was constructed for six lanes, but striped for four lanes to conform to the existing pavement at each end. The City has awarded a contract to widen SR 99 to six lanes from Hammer Lane to the Crosstown Freeway. It will likely be completed before MLSP generates significant traffic. Caltrans is working on the South Stockton SR 99 widening project, which is an interim project to widen SR 99 to six lanes from the Crosstown Freeway to Arch Road. The PSR has been completed and the project is in the Environmental Document/Project Report stage. The existing SR 99/Mariposa Road interchange improvements are included in the project. The existing SR 99/Farmington Road (SR 4) interchange is of substandard geometric design, does not meet spacing requirements from the Mariposa Road interchange and is physically constrained by the BNSF railroad and local streets. Caltrans alternatives in the widening project include combining the Farmington Road interchange with a new Martin Luther King, Jr. interchange north of the current one and realigning the SR 4 designation of Farmington Road to the new interchange. The existing SR 99/Farmington Road interchange will likely be eliminated, although the overcrossing of SR 99 for Farmington Road will be maintained.

**Project Streets:** The MLSP will have an internal system of arterial and collector roads, as well as local roads. Austin Road will serve as a “minor arterial” road and will have a landscaped median. The Austin Road extension through the project is referred to as the “East Side Expressway” in the City’s 2035 General Plan. Kaiser Road will be improved to provide better circulation within the area and easier access to eastern portions of the project.

The project’s basic internal circulation is designed to support the Village concept development. It is based upon balancing access for vehicles, pedestrians and bicycle travel to major destination points such as community commercial areas, transit centers, college, community facilities and schools. A hierarchy of roadways including major arterials, collector streets, local residential streets, local industrial streets and alley ways will be created to provide good access to accommodate the entire projected vehicular, bicycle, walk and transit traffic of the community. Adequate street right-of-ways will be provided to meet anticipated needs of all through and turning lanes.
Modern traffic measures as outlined in the TJKM Traffic Study will be considered and coordinated with the bicycle and pedestrian plan to provide safe access to the schools.

Street and Right-of-Way Maintenance: Areas within the street rights-of-way lines will be maintained by the appropriate entities:

- Caltrans
- San Joaquin County Public Works Department
- City of Stockton Public Works Department
- Mariposa Lakes Homeowners Association
- Landscape and Lighting Distric
- State Highways
- County Roads
- City Streets
- Private Streets and Alleys
- Landscaping and Street Lighting

Multi-Modal Transportation Station: The MLSP includes a location for a new rail/bus/van multi-modal transportation station, which will be a key feature of the Austin Road Town Center. This station is anticipated to include a new Amtrak station building, two passenger platforms and commuter parking spaces. The new station will complement the City's Downtown Transit Center, which will provide additional connections to the Altamont Commuter Express (ACE) and San Joaquin Regional Transit District (SJRTD). As a multi-modal station, its design will accommodate buses, cars, bicyclists, and pedestrians. The Amtrak Thruway bus system will be an important component of the station and can deliver travelers to places such as Sacramento, Davis, Chico, and Palo Alto.

San Joaquin Regional Transit District: The San Joaquin Regional Transit District (SJRTD) provides bus service within Stockton and other cities within San Joaquin County. SJRTD classifies their routes by destination: Metro (Stockton Metropolitan Area) and County (San Joaquin County). Metro Route #11 currently travels near the MLSP area, stopping on Farmington Road east of State Route 99. Intercity Route #26 also stops near the project as it passes from Manteca into Stockton. SJRTD also operates "Hopper" routes that accommodate special needs travelers.

The City's 2035 General Plan states new developments will be "required to coordinate with transit operators in advance of discretionary project approvals and to provide an agreement for the timely provision of transit service." It is anticipated SJRTD buses will travel through the MLSP, stop at the Mariposa Lakes multi-modal station, and then continue to the City's newly constructed multi-modal transit station in downtown.

K. Power and Communications

Electricity: Pacific Gas & Electric Company (PG&E) is the electrical power provider for the greater Stockton region and will serve the MLSP. Existing overhead electrical distribution lines run along both sides of SR 4, Kaiser Road and along the north side of Mariposa Road. Existing high voltage transmission lines now run along a transmission line easement through the center of the project area, and a 60 kv power line runs north-south through the site. A site for a PG&E substation is included in the project's land use plan.

Natural Gas: PG&E will also provide gas service to the MLSP. A site for a natural gas substation will be reserved by the future property owners in the industrial area of the project. New natural gas distribution lines will be extended to the project from the existing main gas line at Arch Road.
Communication: Local phone service for the MLSP is currently provided by AT&T. SBC (now AT&T) previously installed fiber optic cable along Mariposa Road near the project area. Existing phone lines are located along SR 4 and Mariposa Road.

Cable Television: No cable television is currently provided to the MLSP area. The City controls the franchise rights for cable television. Comcast is the current provider for cable television services in the Stockton area, and is expected to be the cable provider for this project.

L. Public Facilities Financing

The MLSP provides for a comprehensively planned infrastructure system with coordinated phasing and construction of facilities. Construction of backbone infrastructure and other public improvements designed to serve the MLSP will be funded through a combination of public and private financing. Such financing mechanisms include City impact fees, the proposed MLSP Public Facilities Financing Plan (PFFP) fee, establishment of special districts and assessments (i.e. community facilities district, community services district, ...), developer financing and other potential methods. The project’s PFFP identifies project costs and funding responsibility for MLSP infrastructure, including roadway, storm drainage, sanitary sewer, water, park, school, other miscellaneous facilities as well as land acquisition costs.

Specific Financing Policies: The following financing goals will guide the implementation of the PFFP for the MLSP area:

- Development and infrastructure facilities will be phased in response to market demand and new development will be required to provide the infrastructure necessary to serve the developing area as required by the MLSP.
- Areas within the MLSP may develop when essential infrastructures are constructed as defined by the Mariposa Lakes Public Facilities Financing Plan.
- Required infrastructure will be constructed prior to or concurrent with the initial development with a particular phase, and will be conditioned during the subdivision process accordingly. Several different financing sources will be used to fund the infrastructure required to serve the MLSP area and to mitigate impacts on surrounding development.
- The full costs of the infrastructure required to support development in the MLSP area will be funded from revenues generated by development within the MLSP area.
- The costs for MLSP infrastructure will be allocated to property within the MLSP area based on the degree of benefit received.
- Pay-as-you-go financing will be used to the extent possible. Debt financing will be used only when essential to provide facilities necessary to permit development.
- Existing City and/or other public agency fee programs will be used to fund MLSP infrastructure to the extent the improvements are eligible for fee program funding.
- An MLSP fee will be created for those required facilities that are not funded by existing fee programs. A fair share cost allocation of the proposed MLSP fee for required infrastructure will be established for each land use.
- Development projects in the MLSP area will be required to fund and/or build all facilities identified in the Mariposa Lakes Public Facilities Financing Plan necessary to adequately serve and support individual developments. Any oversizing shall be subject to fee credits and reimbursement from future developments benefiting from the oversizing.
- Development projects will be required to pay the costs of extending the public infrastructure consistent with the Mariposa Lakes Public Facilities Financing Plan to their project, subject to fee credits or future reimbursement.

**Responsible Parties:** A proposed MLSP PFFP fee is anticipated to fund roads, schools, parks and other miscellaneous facilities as well as land acquisition costs. As with most fee programs, some facilities may need to be constructed before sufficient fees are generated. The project developer(s) will be required to advance fund such facilities and will receive either fee credits or reimbursements. The developer(s) will also be required to provide advance funding for storm drainage, sewer, and water improvements. Developers will be reimbursed for such improvements from revenue bonds.

A Mello-Roos Community Facilities District will be used to fund a portion of the required school facilities and land costs. Remaining school facilities that cannot be funded by a Community Facilities District are anticipated to be funded by the proposed PFFP fee. Upon formation of a Community Facilities District (CFD), Mello-Roos bonds will be sold to fund school facilities. An annual special tax will be established and used to repay debt service on outstanding Mello-Roos bonds.

**Financing Measures:** Several different funding mechanisms will likely be used to pay for public facilities required to serve new development within the MLSP area. Impact fees, land-secured bonds, bonds secured by a pledge of revenues, and other funding alternatives will be analyzed in detail prior to implementation. It is expected costs will change over time and therefore each funding mechanism identified below shall include a method for adjusting the amount of funding to reflect current costs at the time of construction.

- **Development Impact Fees**

  Development impact fees are monetary exactions (other than taxes or special assessments) charged by local agencies in conjunction with approval of a development project. Impact fees are levied for the purpose of defraying all or a portion of the costs of a public facility, improvement, or amenity that benefits the project. The collection of impact fees does not require formation of a special district, rather an impact fee program is implemented by a public agency’s adoption of a resolution or ordinance.

  After the MLSP is annexed to the City, a fee ordinance will be adopted by the City or the City’s existing fees shall be updated prior to MLSP development. Fee programs may be updated and revised as part of future development phases. Because fees are collected as development occurs and certain facilities will need to be in place prior to development, fee revenues may be collected in future years to reimburse developers that have paid to cover certain costs prior to the availability of fee revenues.

  The MLSP PFFP fees are proposed to finance project specific roads, parks and land acquisition costs, as well as costs associated with other miscellaneous facilities. As with most development impact fee programs, some facilities may need to be constructed before sufficient fees are generated. The developer(s) will receive either fee credits or reimbursements for advancing eligible projects based on the City’s reimbursement policies.

- **Revenue Bonds**

  Revenue bonds will be the primary source of funding for storm drainage, sanitary sewer, and water facilities. MLSP developers will be reimbursed for advanced funding of storm drainage, sanitary sewer, and water facilities from revenue bonds and monthly rate charges.
• **Mello-Roos Community Facilities Act of 1982**

In addition to school facilities and land, facilities that can be financed by a Mello-Roos CFD include, but are not limited to, the following:

- Roads, water and sewer lines, flood control channels
- Local park, recreation parkway, and open-space facilities
- School sites, structures, furnishings, and equipment
- Libraries
- Child care facilities
- Utility improvements (limited to five percent of bond proceeds if improvements are to be taken over by a non-publicly owned utility agency)
- Any other governmental facilities which the legislative body creating the CFD is authorized by law to contribute revenue to, construct, own, or operate
- School facilities

A CFD may also pay for public services, including the following:

- Police and/or fire protection
- Recreation program services
- Library services
- Park and open space maintenance
- Flood and storm protection services
- Removal or cleanup of hazardous substances

Although a majority of the MLSP public facilities are included in fee programs to ensure that each development pays its fair share of these costs, many major improvements will be required at the onset of each phase of development. Mello-Roos bonds are anticipated as a source of funding for such improvements in order to fund improvements needed early in the development of each phase or to close funding gaps that exist due to the timing of fee revenues. Proceeds of Mello-Roos bonds would likely be used to fund a variety of facilities, including roads, parks, and other miscellaneous facilities.

• **1913/1915 Act Assessment Bonds**

Special Assessment Districts ("AD") may be used to finance public works improvements to the extent that properties within the AD receive a special, measurable, local, and direct benefit from such improvements. Improvements to be financed using an AD may include, but are not limited to, streets and roads, water, sewer, flood control facilities, utility lines, and landscaping. Public improvements which have a "regional" significance (e.g., major roads, bridges, flood control facilities, etc.) are partially eligible, based on the proportion of benefit from the improvements that can be assigned to parcels within the AD.
Infrastructure Financing Districts

Infrastructure Financing Districts ("IFDs") may be used to finance regional infrastructure facilities. Such facilities include the following:

- Highways, interchanges, arterial streets, and transit facilities
- Sewage treatment and water reclamation plants
- Water collection and treatment facilities
- Flood control levees and dams, retention basins, and drainage channels
- Child care facilities and libraries
- Parks and open space
- Facilities for the transfer and disposal of solid waste

To encourage economic development and job creation, the City may consider formation of an IFD to assist commercial or industrial property owners with the funding of required facilities.

Integrated Financing District

An Integrated Financing District ("IGFD") may be used to finance improvements authorized in the legislation of any co-financing district, including major regional improvements and local community facilities, such as schools, fire stations, and parks. Reimbursement Agreements may serve as an alternative to forming an IGFD. If a reimbursement agreement is challenged and overturned, or if a legal precedent suggests that it might be, a developer who paid for oversizing infrastructure facilities in the community may request an IGFD to secure a lien and ensure reimbursement for costs beyond the developer's assigned fair share.

Developer Financing

Direct developer financing may be used to contribute towards backbone improvements and facilities as well as shortfall financing. In cases where developer financing is used, fee credits or reimbursements will be provided for appropriate facilities that are also funded by the proposed MLSP fee program based on the City's reimbursement policies.

Other

A variety of grant and low-interest loan programs may be available through various federal and state agencies to fund public facilities. In addition, programs by which the federal government and state governments seek to motivate new development to make use of advanced and/or environmentally-sensitive technology and facilities may also be available to help fund such facilities.

MLSP and the City will continue to evaluate the availability of federal and state funds for public facilities to maximize outside funding sources and minimize the burden on homeowners and property owners. If there is the potential for MLSP facilities to qualify for a program, the City will consider such funding. The City will also encourage other agencies to apply for and secure such funding, such as state funding for schools. In addition to state and federal grants and programs, other financing mechanisms, such as Measure K funds, may be utilized.
V. CONCLUSION

The MLSP project will require extension of public facilities and services provided by the City, including public safety and power/communication utilities. The level and range of these facilities and services have generally been described herein, and are available in more detail in the supporting documents (Draft/Final EIR, Specific Plan, PFP, Fiscal Impact Analysis, Development Agreement) associated with the approval of the MLSP project by the City. As such, City public facilities and services are currently available to serve the MLSP annexation area, they can be extended in the timeframe needed to serve the project and sufficient funding for is available for their construction.
EXHIBIT 12.c

Agriculture Land Conversion Statement
Agriculture Land Conversion Statement for the Annexation Application of the MARIPOSA LAKES SPECIFIC PLAN

Many factors are considered by the Local Agency Formation Commission of San Joaquin County (LAFCO) when a proposal is made to convert existing open-space land to use other than open space. One such consideration is that development, or use of land for other than open-space uses, shall be guided away from existing prime agricultural land (in open-space use) toward areas containing non-prime agricultural land, unless that action would not promote the planned, orderly, efficient development of an area.

The California Environmental Quality Act (CEQA) Guidelines and the City of Stockton Guidelines for Implementation of CEQA require that decision-makers balance the benefits of a proposed project against its unavoidable environmental effects in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, the adverse environmental effects must be considered "acceptable."

The provision of adequate housing and public facilities in and around Stockton will, in most cases, involve the conversion of agricultural land simply by the fact that Stockton is surrounded by productive agricultural land. This type of conversion was realized in a "Statement of Overriding Considerations" for cumulative effect on conversion of agricultural land to urban use when the 1990 City of Stockton General Plan was approved. Understanding that no contiguous parcels totaling 3,800 acres remain in open-space, nonprime agriculture lands, Unique Farmlands, or Farmlands of Statewide Importance within the City’s boundaries, it is necessary for the City to consider the most logical extension of development opportunities outside of the City’s jurisdiction.

The City of Stockton’s 1990 General Plan anticipated the conversion of approximately 9,000 acres of agricultural land during the 20 year planning period of that Plan, and a substantial portion of this land area has been converted as a result of approved urban development consistent with the 1990 General Plan. The passage of Measure X in 2004 expressed the community’s support of development of the area now known as Mariposa Lakes.

Mariposa Lakes will provide the City with a wide range of housing and employment opportunities to satisfy their basic goal of providing housing for the expected population and providing the framework for employment opportunities to support economic development and stability.

Mariposa Lakes is comprised of viable agricultural land, approximately 75% of which is classified by the California Department of Conservation as Farmland of Statewide Importance. The remaining 25% of the agricultural land is classified as Prime Farmland. The soils within the Mariposa Lakes Specific Plan have been classified by the U.S. Department of Agriculture’s Soil Conversation Service (now Natural Resources Conversation Service (NRCS) as Jacktone clay, Jacktone urban land complex, Manteca fine sandy loam and Stockton clay.

The conversion of agricultural land to urban uses will be phased in over the next 25 years of the Mariposa Lakes Specific Plan. This type of phased conversion supports the City’s objectives to provide logical contiguous urban growth and extension of urban services to promote planned, orderly and efficient
development. Furthermore, it is also worthy to note that the physical boundaries of the project (Hwy 4 to the north, Kaiser Road to the east, Mariposa Road to the south and the existing City of Stockton to the west) would not result in further conversion of agricultural lands. In essence these physical project “edges” act as a geographical impediment.

In addition, while the Mariposa Lakes project, once fully built-out, will have removed approximately 3,800 acres of agricultural/open space land from this quadrant of the County/City, Mariposa Lakes will provide approximately 1,215 acres of open space (parks, lakes, and recreational opportunities) as illustrated in the table below.

<table>
<thead>
<tr>
<th>Mariposa Lakes open space land uses</th>
<th>Approx. Gross Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Parks (neighborhood and community)</td>
<td>197</td>
</tr>
<tr>
<td>Private Parks (Contained within small lot residential neighborhoods. The 220 acres is an estimate based upon the requirement to provide 20% of the gross area of a small lot residential development in open space)</td>
<td>200</td>
</tr>
<tr>
<td>Lakes</td>
<td>168</td>
</tr>
<tr>
<td>Open Space Corridors</td>
<td>326</td>
</tr>
<tr>
<td>Private Community Recreation Facility</td>
<td>24</td>
</tr>
<tr>
<td>Water Recharge Facility</td>
<td>300</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,215</strong></td>
</tr>
</tbody>
</table>

In addition, one of the many unique aspects of the Mariposa Lakes Specific Plan is the Agricultural Resources Management Plan (Specific Plan, Chapter 10, Section 10.2.2). In essence, the Management Plan recognizes the value in maintaining the existing agricultural use until the land is needed to implement the community. Therefore since development will be incremental, the conversion of agricultural land will occur gradually.

In summary, the Annexation of this project by the City of Stockton is justified to promote planned, orderly and efficient development.
EXHIBIT 12.d

Statement of Timely Availability of Water Supply
Statement of Timely Availability of Water Supply for the Annexation Application of the

MARIPOSA LAKES SPECIFIC PLAN

The Mariposa Lakes Specific Plan (MLSP) project applicant, PCCP Mariposa Lakes, LLC, is proposing to develop a mixed-use community and its supporting infrastructure on approximately 3,810 acres of land in unincorporated San Joaquin County adjacent to the southeast boundary of the City of Stockton (City). More specifically, it is bounded on the north by Farmington Road (SR 4), on the east by Kaiser Road, on the south by Mariposa Road, and on the west by Mariposa Road and the BNSF Railroad.

This project is prepared pursuant to the provisions of California Government Code Section 65450 et seq., which grants local planning agencies (the City) the authority to prepare and/or adopt a specific plan for an area covered by a general plan for the purpose of establishing systematic methods for implementation of the general plan. The MLSP sets forth a comprehensive set of land use plans, development regulations, design guidelines, infrastructure master planning, and implementation programs designed to produce a project consistent with the goals, objectives, and policies of the City’s 2035 General Plan.

This Statement of Timely Availability of Water Supply is provided as part of the project’s application for annexation to the City, as specified in Government Code Section 65352.5. The information in this Statement is repeated from the Final Environmental Impact Report for the Mariposa Lakes Specific Plan, dated July 2008 (State Clearinghouse #2006022035).

SUMMARY OF MLSP WATER SUPPLIES

A. Introduction

In conjunction with the City’s Municipal Utilities District, the master developers of the Mariposa Lakes Specific Plan (MLSP) designed separate water systems to serve the project’s potable and nonpotable water needs. The primary reason for developing separate water systems was to minimize the extent to which the project will diminish the supplies of potable water that will be available to the City in the future. To achieve this goal, the project developers have identified separate water supply sources to serve the project’s potable and nonpotable water demands, and designed separate conveyance, storage, and delivery facilities to deliver the potable and nonpotable supplies. These systems are described in detail in Chapters 11 and 17 of the Draft Environmental Impact Report (DEIR). The following is a simplified summary of these systems that is provided to give general context to readers of this Statement.

The project’s potable water service will be provided by the City’s Municipal Utilities District (COSMUD) and the California Water Service Company (Cal Water). Generally speaking, Cal Water will serve the northern portion of the MLSP area, and COSMUD will serve the southern portion. Cal Water and COSMUD will deliver potable water to the project by extending existing water pipelines on the southern, western, and northern borders of the project area. Potable water supplies available to Cal Water and COSMUD to serve the project are summarized below and described in detail in the DEIR’s Chapter 17 and Appendices R (COSMUD Water Supply Assessment for the Mariposa Lakes Specific Plan Project) and S (Cal Water Water Supply Assessment for Mariposa Lakes Specific Plan Project).
The project’s nonpotable water supplies will be provided by Stockton East Water District (SEWD) and/or the Central San Joaquin Water Conservation District (CSJWCD). SEWD and CSJWCD will deliver the project’s nonpotable water supplies to a groundwater recharge facility to be built on the Arbini property immediately east of the MLSP. SEWD will deliver nonpotable supplies by diverting water from a diversion point on Duck Creek northeast of the project site through a newly installed pipeline south to the Arbini property recharge facility. CSJWCD will deliver nonpotable supplies by diverting water from North Little Johns Creek directly to the recharge facility (North Little Johns Creek crosses the Arbini property at the southeast corner of the property). The nonpotable water supplies available to SEWD and CSJWCD to serve the project are summarized below and described in detail in Chapters 11 and 17 of the DEIR and Appendix Y of the FEIR. Nonpotable water supplies diverted to the Arbini property will be allowed to percolate into the regional groundwater basin, thereby replenishing groundwater supplies in the basin, and also creating a “bank” of stored water in the basin. The MLSP project will retrieve nonpotable water supplies from the “bank” as necessary to meet the nonpotable water demands of the project. These demands will be limited to lake maintenance and irrigation of public spaces. To ensure the project provides a net benefit to the groundwater basin, the project is required to bank 2 acre-feet of water for every 1 acre-foot it retrieves for the project.

To fully evaluate the specific impacts that will result from these separate systems, the EIR documents separate the supply of potable and nonpotable water into separate impacts at both the FEIR program and project levels. The EIR documents are structured in that manner to make clear to the agencies, decision-makers and the public that water for the project’s potable and nonpotable water needs will come from different sources, require different conveyance systems, and be used for different purposes. A summary of the project’s potable and nonpotable demands, water sources, water conveyance systems, and water uses, is provided below.

B. Availability of Long-Term Potable Water Supplies

The total annual potable water demand of the MLSP at full buildout is estimated to be 7,535 acre-feet per year (afy). The project will be constructed in five phases; thus, the potable water demand will begin with 1,386 afy for development Phase 1, and will gradually increase over a 20-year period as each successive phase is constructed, to the full demand amount. Potable water will be supplied by the City and Cal Water, and will be used to meet the project’s annual potable water needs and to provide the initial (one-time-only) filling of the proposed artificial lakes within development Phase 1. The initial, one-time only fill of Phase 1 lakes will require 704 acre-feet of water, which will be supplied by the City. Initial filling of the other artificial lakes within future development phases will be accomplished using nonpotable water, discussed below in a separate heading.

The Water Supply Assessment (WSA) prepared by the City (2006) indicates the City requires water from Phase I of the Delta Water Supply Project (DWSP) before it can meet the water demand of the proposed project in addition to the water demands of its other customers, which includes full buildout of the entire 2035 General Plan Update area. Phase I of the DWSP is the subject of a certified EIR, and the City has obtained the required water rights permit issued by the State Water Resources Control Board (SWRCB) (Permit 21176). In addition, the City has secured the required stormwater and wastewater National Pollutant Discharge Elimination System (NPDES) permits, and has applied for a Section 404 permit from the U.S. Army Corps of Engineers. Construction of Phase I is anticipated to begin in 2008 and conclude in 2010 or 2011. Under the DWSP, a new water intake/diversion facility will be constructed to divert water from the San Joaquin River. Water will be conveyed into a treatment plant, and then delivered via new large-diameter treated-water conveyance pipelines into the City’s distribution system, and ultimately to the retail customer. As mentioned previously, the SWRCB has already issued Permit 21176, which allows the City to divert up to 33,600 afy of water for DWSP Phase I. In addition to the DWSP, the City will also have available to it the following sources of potable water supply.
1. Surface water from SEWD, which obtains water from the following sources:
   - New Hogan Dam under contract with the U.S. Bureau of Reclamation – SEWD entitlement;
   - New Hogan Dam under contract with the U.S. Bureau of Reclamation – Calaveras County Water District (CACWD) unused entitlement;
   - New Melones Interim Water Contract and Section 215 “Spill” Water under contract with the U.S. Bureau of Reclamation;
   - South San Joaquin Irrigation District (SSJID) transfer water from the Stanislaus River; and
   - Oakdale Irrigation District transfer water from the Stanislaus River (includes contract renewal to 2025).

Details regarding the amounts of water from each source identified above are provided in the City’s WSA (DEIR Appendix R) in Table 6 on page 20 and in the Cal Water WSA (DEIR Appendix S) on page 17. Revisions to those tables are contained in Section 5.5 of the FEIR.

2. Groundwater. As described in the City’s WSA (DEIR Appendix R, pages 22-27), the City employs a “conjunctive use” water management program, whereby surface water is used first and groundwater is used only in dry years when surface water supplies are insufficient to meet the total demand. During normal and wet hydrologic years, the groundwater basin is allowed to recover through recharge. As described in detail in DEIR Appendix R, and in Master Response 4 (Chapter 3) of the FEIR, the City believes the local groundwater basin has recovered from its previous state of overdraft, and that implementation of its conjunctive use management program will prevent the groundwater basin from moving into a state of overdraft in the future, while also ensuring groundwater extraction does not pose any further risk of salinity intrusion in the City of Stockton area. In addition, the MLSP project includes the construction of a groundwater recharge facility and implementation of a groundwater recharge program to further preserve and replenish supplies in the regional groundwater basin.

The WSA prepared by Cal Water (DEIR Appendix S), which may also provide potable water to the MLSP, shows that Cal Water also obtains its water from SEWD, with the same SEWD water sources as those listed above, including groundwater. Similar to the City’s conjunctive use program, Cal Water “manages groundwater for sustainability,” meaning that Cal Water “is committed to not having its actions contribute to overdrafting of the basin” (DEIR Appendix S, page 19). Cal Water employs a program that seeks to balance groundwater extraction during dry hydrologic years with groundwater recharge during normal and wet hydrologic years. The City, Cal Water, SEWD and San Joaquin County have, as a result of the establishment of the use of surface supplies to the east and the SEWD conveyance and treatment facilities, voluntarily reduced groundwater withdrawals and thereby improved groundwater basin storage and elevations for areas underlying the COSMA. Groundwater levels have stabilized; i.e., no significant declines since the end of the drought in the late 1980’s and early 1990’s (DEIR Appendix S, page 21). Cal Water is also a participant in the DWSP. Cal Water’s WSA concluded (DEIR Appendix S, page 43) that based on various factors, including existing sources of surface water and groundwater and participation in the DWSP, it will have water available to meet the potable water demands of the MLSP project.

Figure 3-31, page 5-13 of the FEIR shows: (1) the potable water distribution system that will be constructed within the proposed project site; (2) the locations where that system will connect to the existing City potable water distribution system; (3) the locations of onsite water storage tanks; and (4) the onsite locations of two City water wells and one Cal Water water well. Those wells will serve three potential functions: (1) provide water system pressure; (2) serve as a supplement for fire flow requirements (if needed); and (3) provide a source of groundwater supply to meet potable water needs during critically dry years (if needed).
C. Availability of Short Term Potable Water Supplies

Depending on the MLSP's construction schedule, there may be a short period of time (2-3 years), before the DWSF is completed, when potable water will need to be supplied to the MLSP Phase 1 project site. Phase 1 development will require 1,386 afy of potable water. Phase 1 consists of approximately 1,100 acres of land in the southern portion of the project that is currently designated and used for agricultural purposes. Total existing agricultural water use within development Phase 1 is conservatively estimated to be approximately 3,000 afy based on an estimated average agricultural water usage rate of 3 afy. The total potable water demand for Phase 1 is approximately 1,614 afy less than the current agricultural uses on the project site. As a result, the conversion of the Phase 1 project site from agricultural uses to urban uses should ultimately produce a net positive increase in the volume of water stored in the groundwater basin of approximately 1,614 afy.

While the City's WSA does state that, "This WSA determines that the COSMA urban water retailers currently cannot support the Project without the DWSF Phase I project," this determination is based on full buildout of the MLSP (3,810 acres). Phase 1 development, which is evaluated at a project level in the DEIR, consists of approximately 1,100 acres. In its WSA (DEIR Appendix R), the City concludes it has sufficient water supplies to serve all existing and foreseeable development (including the MLSP at full project buildout) through 2035, but that providing such service will require the City to exceed the average sustainable groundwater yield goal by approximately 5,157 afy. (DEIR Appendix R, page 36). The difference in water demand between Phase 1 and full buildout (7,535 afy) is 6,129 afy. Thus, because 6,129 afy less water will be needed to serve MLSP Phase 1, the City's safe-yield goal will not be exceeded, and the City will be able to serve its existing and foreseeable development and remain approximately 974 afy below its targeted sustainable groundwater yield goal (6,129 afy water not used for MLSP - 5,157 afy exceedance of groundwater sustainable yield = 974 afy).

Therefore, while the City anticipates the DWSF will be operational in time to serve the entire proposed project, should a delay occur, the City will be able serve development Phase 1 of MLSP with its existing water supplies, without having a negative impact on the groundwater basin.

D. Nonpotable Water System

The total annual nonpotable water demand of the proposed project is estimated to be approximately 2,593 afy at full buildout. The project will be constructed in five phases; thus, the nonpotable water demand will be 912 afy at the full buildout of Phase 1 development, and will gradually increase over a 20-year period as each successive phase is constructed, to the full demand amount. Nonpotable project water needs consist of public space, commercial and industrial landscape irrigation and lake level maintenance. Nonpotable water needs will be met primarily by the purchase of surplus, untreated surface water from the Central San Joaquin Water Conservation District (CSJWCD) and/or SEWD, and to a lesser extent by the capture of onsite stormwater runoff and precipitation. This purchased surplus untreated surface water will not reduce the volume of water supplies available to serve the potable water demands of existing customers; rather, this surplus surface water will consist of surplus surface water in North Little Johns Creek and/or Duck Creek. As shown in DEIR Figures 11-4 and 11-7 (Section 5.2 of the FEIR), diversion structures will be constructed in North Little Johns Creek and Duck Creek, and this surplus water will be conveyed via a new pipeline to a groundwater recharge facility on the adjacent Arbutus property. The water will be flooded over the ground surface and allowed to percolate through the ground to recharge the aquifer and create a bank of stored groundwater that can be withdrawn as needed for project use during dry hydrologic years. Because the surplus surface water is already flowing down the creeks, no improvements to channel conveyance capacity will be needed, and no impacts will occur related to flooding or erosion hazards.

Water will be applied to the aquifer as part of the groundwater banking program to supply the project's nonpotable water demand for a 3-year period in the event of a prolonged drought. The amount of water supplied shall be...
necessary to meet the 3-year drought condition changes with each phase of the project as a larger area of the project site is developed under each phase. During critically dry years, when little or no surface water is available from CSJWCD of SEWD, water will be pumped from the banked reserve. As wet years follow, and surface water is again available from CSJWCD or SEWD, water will again be percolated through the ground surface thus returning the banked storage to the desired reserve amount (16,336 acre-feet at full buildout, smaller amounts for each development phase). To meet the 3-year drought demand for each phase of the project, extra water will be applied during wet years, up to a total of 8,500 afy, as necessary to accumulate the appropriate banked reserve for each development phase. To ensure the project provides a net benefit to the groundwater basin, the project is required to bank 2 acre-feet of water for every 1 acre-foot it retrieves for the project. A 5% annual loss of stored groundwater is anticipated through dispersion into the greater groundwater basin.

The nonpotable WSA prepared by SEWD, on behalf of itself and CSJWCD (DEIR Appendix Y, page 36), makes the following determination of sufficiency of nonpotable water supply:

This WSA determines that there is sufficient water supply available from CSJWCD and, as necessary, SEWD to supply the project proponent’s groundwater banking and non-potable supply delivery proposal. To avoid additional overdraft on the underlying groundwater basin, the project proponent will need to construct and operate groundwater recharge facilities capable of banking 5,000 AF of water annually when available.

Because the project applicant plans to recharge a minimum of 5,186 afy of nonpotable water, and may recharge up to 8,500 afy of nonpotable water, there is a secured source of nonpotable water available to meet the project’s nonpotable water demand.

E. Errata to WSA Prepared by the City of Stockton (DEIR Appendix R)

Population: Subsequent to preparation of the City’s WSA, the City’s 2035 General Plan adopted a higher population growth. The FEIR corrects the population projection curve from ending in 2035 at 500,000 capita to 581,000 capita. There is no corresponding change in water demand as a result of this change in population growth, however, because water demands are based on land use acreages and not on a per capita basis.
SEWD Surface Water Contract Entitlements: The City of Stockton Metropolitan Area (COSMA) currently receives surface water supplies (via SEWD) from five sources, as shown in the below Table. Surface water supplies can come from many sources in the eastern Sierra Nevada foothills. Total existing "firm" supplies for municipal and industrial (M&I) uses are approximated to yield 104.17 TAF/year under wet and above average hydrologic conditions. Including interim supplies the COSMA currently has 134.17 TAF/year. Its full entitlements in wet years, including interim and future supply sources, could yield as much as 180 TAF/year. As required by the State Water Code, the WSA only considers existing "firm" surface water contracts, or the 104.17 TAF/year. Currently, SEWD's ability to use its available water rights amount is constrained by one or more of the following factors in any given year: (1) the hydrologic year type (i.e., dry year curtailment provisions in surface water contracts and reductions in surface water contracted from other agencies); (2) the COSMA M&I water demand; (3) the raw water delivery system to the SEWD wastewater treatment plant; (4) the rated SEWD wastewater treatment plant capacity; and 5) the treated water conveyance capacity from the wastewater treatment plant.

<table>
<thead>
<tr>
<th>Current and Future SEWD Water Sources and Critical Year Availability</th>
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<tbody>
<tr>
<td>Source</td>
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<tr>
<td>Current and Future “Firm” Sources of Supply</td>
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<tr>
<td>Reclamation – New Hogan Water Supplies, SEWD entitlement</td>
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<tr>
<td>Reclamation – New Hogan Water Supplies, CACWD unused entitlement</td>
</tr>
<tr>
<td>Reclamation – New Molones Interim Water Contract and Section 215 “Spill” Water</td>
</tr>
<tr>
<td>SSJID Transfer – Stanislaus River (Interim M&amp;I 15 TAF)</td>
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<tr>
<td>OID Transfer – Stanislaus River (Interim M&amp;I 15 TAF)</td>
</tr>
<tr>
<td>TOTAL (Firm M&amp;I 104.1 TAF initially to 94.1 TAF at build-out)</td>
</tr>
</tbody>
</table>

Notes:
1 SEWD has aright to 56.5% of the yield, and CACWD has rights to the remaining 43.5 percent. The estimated New Hogan yield of 84,100 ac-A is further reduced by 13,000 ac-A annually for prior riparian rights. CACWD currently uses approximately 3,500 ac-A of its allocation.
2 Based on an agreement between CACWD and SEWD, SEWD currently has use of the unused portion of CACWD's appropriative water rights, and this yielded approximately 28 TAF to SEWD in 2005 and is expected to be reduced to 23 TAF by 2025.

Statement of Timely Availability of Water Supply for the MLSP PCCP Mariposa Lakes, LLC
September 5, 2008 (Revised from August 20, 2008) Page 6 of 7
Further clarification on the nature of the Calaveras County Water District (CACWD) and SEWD water contracts came in response to questions posed in comments on the DEIR of the City's 2035 General Plan Update. A letter from CACWD noted that the Water Supply Evaluation of the City's 2035 General Plan Update wrongly treated as "firm" for water supply planning purposes a certain 10,000 afy of New Hogan Reservoir water. The letter claimed, more specifically, the 2035 General Plan Update WSE erroneously treated unused CACWD water contract entitlements as a "firm" source of water within the defined place of use as set forth in a Reclamation contract with SEWD and CACWD for New Hogan Reservoir. The CACWD comments also clarified the type of water right that was being addressed in the WSE and in previous water studies.

COSMUD's prior understanding of the water right entitlements of the CACWD was in error, as COSMUD believed there were two separate contracts: one with Reclamation, and the other a senior appropriative water right on the Calaveras River. COSMUD now understands there is only one contract, that being the Reclamation contract, and that SEWD has full entitlements to its appropriation of same. The apportionment of the water under the Reclamation contract is based on SEWD getting 56.5 percent and CACWD getting 43.5 percent of the total 71,100 afy of Reclamation contract water (note: this water is not subject to CVP deficiencies in dry hydrologic years and the actual amount of water under the Reclamation contract provides 13,000 afy of water to meet prior riparian rights for agriculture on top of the 71,100 afy). With CACWD's comments, and the written clarification by both CACWD and SEWD regarding the contract and use of any unused water entitlement, the definition and disposition of the CACWD and SEWD contracts and water entitlements has been revised from what was described in previous water studies.

The question of whether the COSMA can claim unused CACWD capacity as a "firm" water supply is addressed in the following quotation from SEWD's response to CACWD's comment letter on the DEIR of the City's 2035 General Plan Update:

_There is no alternative use for the C[A]CWD New Hogan supply other than future development within the New Hogan Place of Use within C[A]CWD. The contract among the United States [Reclamation], SEWD and C[A]CWD expressly prohibits the use of New Hogan water outside of the boundaries of the two districts. Further, in Article 10 of the SEWD-C[A]CWD [contract], C[A]CWD expressly agreed that no water from the New Hogan Project shall be used by it or through it by a third party beyond the [Place of Use] boundaries._

Consequently, it is a viable conclusion that if projected growth within Calaveras County does not require CACWD's full water entitlements, any unused CACWD water entitlements will be available to SEWD pursuant to the New Hogan agreements. For purposes of this WSA, the assumption is the 10,000 afy does appear to exist and will be available for transfer at build-out of the Calaveras County General Plan and that currently up to 24,000 afy of excess CACWD water is being used by SEWD that will gradually reduce to 10,000 afy over time as demands for water increase with growth in accordance with the current Calaveras County General Plan. Additional CACWD water demands that may result as a consequence of an updated Calaveras County General Plan could have implications on the amount of available water; however, until an update is adopted by the Calaveras County, the above assumptions will be used.

SEWD is also a Reclamation CVP contractor and has a contract on the Stanislaus River (New Melones Reservoir). Contract documents, agreements, and applications for these surface water supplies are available for review in Exhibit "C" of the WSA.

**CONCLUSION**

As noted herein, adequate water supply is available in a timeframe consistent with development of the proposed MLSP.
EXHIBIT 12.e

Housing Statement
Housing Statement for the Annexation Application
of the

MARIPOSA LAKES SPECIFIC PLAN

The Mariposa Lakes project will provide a wide range of housing types to satisfy the needs of individuals and families seeking housing to serve the projected population growth of Stockton. The Mariposa Lakes project site currently lies within unincorporated San Joaquin County, however nearly all of the project (approximately 3,700 acres of the Specific Plan area) will be annexed into the City in early 2009.

The Mariposa Lakes project consists of a wide variety of residential land uses and densities with a total of 10,562 residential units programmed. The table below illustrates the residential land uses, densities, yield and estimated value per unit within the Specific Plan.

<table>
<thead>
<tr>
<th>Residential Land Use</th>
<th>Net Acres</th>
<th>Density (du/ac)</th>
<th>Yield (dwelling units)</th>
<th>Estimated value per unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Estates</td>
<td>47.2</td>
<td>1.0</td>
<td>48</td>
<td>$1,150,000</td>
</tr>
<tr>
<td>Low Density</td>
<td>620.6</td>
<td>6.8</td>
<td>4,192</td>
<td>$545,000</td>
</tr>
<tr>
<td>Medium Density</td>
<td>380.1</td>
<td>12.7</td>
<td>4,845</td>
<td>$420,000</td>
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<tr>
<td>High Density</td>
<td>50.4</td>
<td>26.3</td>
<td>1,477</td>
<td>$265,000</td>
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<tr>
<td><strong>Total</strong></td>
<td>1,098.3</td>
<td></td>
<td>10,562</td>
<td></td>
</tr>
</tbody>
</table>

*Source: Public Facilities Financing Plan, Goodwin Consulting Group, August 13, 2008, Table 1A-1*

The U.S. Department of Housing and Urban Development (HUD) and State Department of Housing and Community Development (HCD) annually establish family income levels, which are used as part of the formula to establish the affordability of housing. In the City of Stockton a four person household is classified as “moderate income” (80%-120% of median family income) with an annual median income of $45,615 (year 2006). Households with an “above moderate income” are defined as having an income above 120% of the median family income. Based on the wide variety of housing opportunities and the anticipated housing sales values within Mariposa Lakes, the project will provide housing in all ranges except for the “very low income” category (this point to be confirmed).

The Housing Element of the City of Stockton 2035 General Plan describes the City’s “fair share” of the desired regional housing, based on the Regional Housing Needs Plan, as allocated by the San Joaquin Council of Governments (SJCOG) for the period of 2001-2008. The City’s fair share of the regional housing is 4,934 very low income units, 2,972 low income units, 3,277 moderate income units, and 6,897 above moderate income units, for a total of 18,081 units. These allocations were approved by HCD and are used to track regional housing compliance. According to Chapter 6 of the 2035 General Plan, as of July 2003 6,510 units have been achieved.

To meet the SJCOG’s Regional Housing Needs Plan 16% of the “low income” category, 18% of the “moderate income” category and 38% of the “above moderate income” category have been allocated to the City of Stockton. In turn, the Mariposa Lakes project will fulfill over XX% of the residential units allocated to the City for the “low income” (this category to be confirmed), “moderate income” and “above moderate income” categories.

Anticipated housing sales values within Mariposa Lakes are expected to exceed the values for the “very low income” category. Therefore, the Mariposa Lakes project will not include housing for the “very low income” category.
## CITY OF STOCKTON
### RESIDENTIAL DEVELOPMENT

<table>
<thead>
<tr>
<th>Map #</th>
<th>Residential Subdivision Project Name</th>
<th>Tentative Map #</th>
<th>TM Acres</th>
<th>Map Units</th>
<th>Bldg Permits Issued</th>
<th>Lots Remain</th>
<th>% Project Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Riverwalk</td>
<td>TM13-05</td>
<td>10</td>
<td>113</td>
<td>80</td>
<td>63</td>
<td>44%</td>
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<tr>
<td>2</td>
<td>Moss Gardens: Moss Garden East, Moss Garden West</td>
<td>TM24-05</td>
<td>50</td>
<td>359</td>
<td>82</td>
<td>277</td>
<td>22%</td>
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<tr>
<td>3</td>
<td>Windstone</td>
<td>TM33-04</td>
<td>8</td>
<td>66</td>
<td>0</td>
<td>66</td>
<td>0%</td>
</tr>
<tr>
<td>4</td>
<td>Little John Creek</td>
<td>TM13-90</td>
<td>151</td>
<td>853</td>
<td>794</td>
<td>59</td>
<td>93%</td>
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<td>5</td>
<td>North Stockton Projects: Elkorn Country Club, Waterford Estates West and East, Beck Ranch, Beck Estates, Fairway Greens, Windmill Park, Meadowlands, Destinations, Northbrook</td>
<td>TM1-96, TM2-98, TM3-98, TM4-98, TM14-98, TM5-98, TM15-03, TM6-03, TM 24-04</td>
<td>393</td>
<td>2,503</td>
<td>1,743</td>
<td>780</td>
<td>70%</td>
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<tr>
<td>6</td>
<td>Seabreeze I and II</td>
<td>TM5-03 &amp; TM21-03</td>
<td>50</td>
<td>249</td>
<td>167</td>
<td>82</td>
<td>67%</td>
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<tr>
<td>7</td>
<td>Montego I &amp; II</td>
<td>TM9-03, TM7-04</td>
<td>82</td>
<td>347</td>
<td>168</td>
<td>179</td>
<td>45%</td>
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<tr>
<td>8</td>
<td>Mariner Estates (Darnall)</td>
<td>TM33-03, SU01-03 (County Total)</td>
<td>25</td>
<td>73</td>
<td>0</td>
<td>73</td>
<td>0%</td>
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<tr>
<td>9</td>
<td>Riverbank &amp; Riverbank West</td>
<td>TM14-04 &amp; TM15-04</td>
<td>168</td>
<td>589</td>
<td>270</td>
<td>314</td>
<td>46%</td>
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<tr>
<td>10</td>
<td>Cornerstone II</td>
<td>TM25-03</td>
<td>14</td>
<td>186</td>
<td>2</td>
<td>184</td>
<td>1%</td>
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<tr>
<td>11</td>
<td>Simbad Estates</td>
<td>TM5-04</td>
<td>5</td>
<td>28</td>
<td>8</td>
<td>20</td>
<td>25%</td>
</tr>
<tr>
<td>12</td>
<td>Silver Springs / Gold Springs</td>
<td>TM28-03 &amp; TM10-04</td>
<td>96</td>
<td>305</td>
<td>272</td>
<td>33</td>
<td>82%</td>
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<tr>
<td>13</td>
<td>Cannery Park</td>
<td>TM8-04</td>
<td>450</td>
<td>1,100</td>
<td>40</td>
<td>400</td>
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<tr>
<td>14</td>
<td>Westlake Villages (SPW)</td>
<td>TM18-04</td>
<td>660</td>
<td>2,530</td>
<td>288</td>
<td>2,342</td>
<td>11%</td>
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<tr>
<td>15</td>
<td>Malina Manor</td>
<td>TM5-05</td>
<td>15</td>
<td>105</td>
<td>43</td>
<td>62</td>
<td>41%</td>
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<tr>
<td>16</td>
<td>Charlotte's Oaks</td>
<td>TM17-05</td>
<td>174</td>
<td>1,343</td>
<td>0</td>
<td>1343</td>
<td>0%</td>
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<td>17</td>
<td>Crystal Bay</td>
<td>TM37-04</td>
<td>3</td>
<td>17</td>
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<tr>
<td>18</td>
<td>Dunes Estates</td>
<td>TM23-04</td>
<td>14</td>
<td>62</td>
<td>7</td>
<td>55</td>
<td>11%</td>
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<tr>
<td>19</td>
<td>Old Oak Estates</td>
<td>TM36-04</td>
<td>13</td>
<td>77</td>
<td>15</td>
<td>62</td>
<td>19%</td>
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<tr>
<td>20</td>
<td>Calaveras Estates #3</td>
<td>TM42-04</td>
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<td>14</td>
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<td>21</td>
<td>Tuscany Cove</td>
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</tbody>
</table>

|             | SINGLE FAMILY TOTAL:               |             |             |             |             |             |
|             | 2,489                               | 11,036      | 3,958       | 6,423       | 36%         |
|             | MULTIFAMILY TOTAL:                  |             |             |             |             |             |
|             | 84                                  | 1,580       | 801         | 759         | 51%         |

*TM Acres* refers to the gross acreage listed in the approved Tentative Map

*Building Permits* represent the number of permits issued to date

*Multifamily Projects* are four attached units or more

*Lots Remaining* are the lots with out building permits issued in that project

Based on Tentative Maps of 15 parcels or more

Updated: 8/27/08