

Atwood 80 Subdivision
Planned Development Alternative
Statement of Findings and Overriding Considerations

Prepared for:

Placer County Community Development Resource Agency

SCH # 2004072028

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SUBMITTED BY:

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I. OVERVIEW AND INTRODUCTION

This Statement of Findings is made with respect to approval of a tentative subdivision map for the Atwood 80 Subdivision Planned Development Alternative project and states the findings of the Placer County Planning Commission relating to the potentially significant environmental effects of the project.

The project applicant, Atwood Ranch LLC has requested that Placer County take the following actions:

1. Certification of an Environmental Impact Report and adoption of the Mitigation Monitoring and Reporting Plan.
2. Approval of a Tentative Subdivision Map.
3. Approval of a Variance to allow construction of a sewer lift station within 50 feet of a roadway, which in the future is expected to be coterminous with a lot line.
4. Approval of the Improvement Plans.
5. Annexation into Sewer Maintenance District #1.

Approval of the Tentative Subdivision Map and other requested entitlements constitutes the project for purposes of the California Environmental Quality Act (Public Resources Code Section (§) 21000 *et seq.*) (CEQA), CEQA Guidelines §15378, and these determinations of the Planning Commission.

II. PROCEDURAL HISTORY

WHEREAS, the *Placer County General Plan* and *Auburn/Bowman Community Plan* designate land for residential development in the north Auburn area; and

WHEREAS, the applicant proposes to subdivide a 79-acre site into 64 residential lots; and

WHEREAS, the County issued a Notice of Preparation (NOP) to prepare an environmental impact report (EIR) on July 3, 2004; prepared a Draft EIR and released it for public comment in December 2008; took the public comments on the Draft EIR until January 14, 2009, and a public hearing was held before the Planning Commission on January 8, 2009; and

WHEREAS, the Planning Commission gave notice of a public hearing to consider and act upon the Final EIR for the Atwood 80 Subdivision project, and a public hearing was held before the Planning Commission on _____; and

WHEREAS, after holding public hearings, the Planning Commission considered the Final EIR as prepared for the project (which includes the Initial Study attached to the NOP, dated July 3, 2004, the Draft EIR, dated December 2008 and the Final EIR, dated October 2009), the comments of the public, both oral and written, and all written materials in the record connected therewith.

NOW, THEREFORE, BE IT RESOLVED, by the Placer County Planning Commission as follows:

1. The foregoing statements of procedural history are correct and accurate.
2. The Final EIR has been prepared in accordance with all requirements of CEQA, the CEQA Guidelines, and the Placer County Environmental Review Ordinance, codified in Chapter 18 of the Placer County Code.
3. The Final EIR was presented to and reviewed by the Planning Commission. The Final EIR was prepared under the supervision of the County and reflects the independent judgment of the County. The Planning Commission has reviewed the Final EIR, and bases the findings stated below on such review and other substantial evidence in the record.
4. The County finds that the Final EIR considers a reasonable range of potentially feasible alternatives, sufficient to foster informed decision making, public participation and a reasoned choice. Thus, the alternatives analysis in the EIR is sufficient to carry out the purposes of such analysis under CEQA and the CEQA Guidelines.
5. The Planning Commission hereby certifies the Final EIR as complete, adequate and in full compliance with CEQA and as providing an adequate basis for considering and acting upon the Atwood 80 Subdivision project and makes the following specific findings with respect thereto.
6. The Planning Commission agrees with the characterization of the Final EIR with respect to all Impacts initially identified as “less than significant” and finds that those Impacts have been described accurately and are less than significant as so described in the Final EIR. This finding does not apply to Impacts identified as significant or potentially significant that are reduced to a less than significant by mitigation measures included in the Final EIR. Each of those Impacts and the mitigation measures adopted to reduce them are addressed specifically in the findings below.
7. All mitigation measures in the Final EIR are adopted and incorporated into the Atwood 80 Subdivision Planned Development Alternative project.
8. The Mitigation Monitoring and Reporting Program (MMRP) will apply to all mitigation measures adopted with respect to the project and will be implemented.
9. The mitigation measures and the MMRP have been incorporated into the Conditions of Approval for the Tentative Map and have thus become part of and limitations upon the entitlement conferred by the Tentative Map and other project approvals.
10. The descriptions of the Impacts in these findings are summary statements. Reference should be made to the Final EIR for a more complete description.
11. The Planning Department is directed to file a Notice of Determination with the County Clerk within five (5) working days in accordance with CEQA §21152(a) and CEQA Guidelines §15094.

III. STATUTORY REQUIREMENTS FOR FINDINGS

This Statement of Findings addresses the environmental effects associated with the proposed Atwood 80 Subdivision Planned Development Alternative project, located in Placer County. This Statement of Findings is made pursuant to CEQA §§21081 and 21081.6 and CEQA Guidelines §15091.

Less than significant effects and potentially significant effects of the Atwood 80 Subdivision were identified in the Draft EIR. CEQA §21081 and CEQA Guidelines §15091 require that the Lead Agency prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding.

CEQA requires that the Lead Agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that would otherwise occur with implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency. Specifically, CEQA Guidelines §15091 states:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

The “changes or alterations” referred to in §15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of

the project, may include a wide variety of measures or actions as set forth in Guidelines §15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Legal Effects of Findings

To the extent that these findings conclude that proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded, or withdrawn, the Placer County Planning Department hereby binds itself to implement these measures. These findings, in other words, constitute a binding set of obligations that will come into effect when the Placer County Planning Commission formally approves the Atwood 80 Subdivision Planned Development Alternative project.

CEQA requires that when a public agency has made the findings under CEQA Guidelines §15091(a)(1) relative to an EIR, the public agency must also adopt a program for monitoring or reporting on the revisions and mitigation measures that will avoid significant impacts.

The mitigation measures required of the Atwood 80 Subdivision Planned Development Alternative project are referenced in the Mitigation Monitoring Reporting Program (MMRP), which was originally provided in Chapter 17 of the Draft EIR. Chapter 5 of the Final EIR provides a revised MMRP that reflects the Planned Development Tentative Map rather than the originally proposed project. The revised MMRP is adopted concurrently with these findings as required by CEQA §21081.6(a)(1), and will be implemented throughout construction and operation of the project. The Placer County Planning Department will use the MMRP to track compliance with all mitigation measures. The MMRP will remain available for public review during the compliance period.

IV. DEFINITIONS

The following definitions apply where the subject words or acronyms are used in these findings:

“Board” means the Placer County Board of Supervisors.

“CEQA” means the California Environmental Quality Act (Pub. Resources Code §21000 *et seq.*).

“CDRA” means the Placer County Community Development Resource Agency.

“Condition” means a Condition of Approval adopted by the County in connection with approval of the project.

“Corps” means the United States Army Corps of Engineers.

“County” means Placer County.

“Draft EIR” means the Draft Environmental Impact Report dated December 2008 for the proposed Atwood 80 Subdivision project.

“DPW” means the Placer County Department of Public Works.

“DRC” means the Placer County Development Review Committee.

“ECS” means the Placer County Environmental Coordination Services Division.

“EIR” means environmental impact report.

“Environmental Health” means the Placer County Department of Health and Human Services, Environmental Health Division.

“Environmental Review Ordinance” means the Placer County Environmental Review Ordinance, as codified in Chapter 18 of the *Placer County Code*.

“ERC” means the Placer County Environmental Review Committee.

“ESD” means the Placer County Engineering and Surveying Department.

“Final EIR” means the Final EIR as prepared for the project (which includes NOP dated July 2004, the Draft EIR dated December 2008 and the Final EIR, dated October 2009)

“General Plan” means the *Placer County General Plan*, as adopted in 1994 with subsequent amendments.

“MMRP” means the Mitigation Monitoring and Reporting Program for the project.

“NOP” means Notice of Preparation of an EIR.

“Placer County APCD” means the Placer County Air Pollution Control District.

“Planning Commission” means the Placer County Planning Commission.

“Planning Department” means the Placer County Planning Department.

“Project” means the currently proposed Atwood 80 Subdivision Planned Development Alternative project.

“RWQCB” means the Regional Water Quality Control Board.

“Zoning Ordinance” means the Placer County Zoning Ordinance, including all amendments thereto.

V. PROJECT BACKGROUND

The project site is located within the boundaries of the *Auburn/Bowman Community Plan*. The project vicinity supports rural residential land uses and open space. The *Auburn/Bowman Community Plan* is intended to implement the General Plan within its boundaries and establishes goals, objectives, and policies to guide the physical development of the area,

including the project site. An EIR analyzing the environmental effects of the build out of the *Auburn/Bowman Community Plan* area was previously prepared and certified by the County.

VI. PROJECT OBJECTIVES AND DESCRIPTION

Project Objectives

As reported in the Draft EIR, the applicant's stated objectives of the originally proposed Atwood 80 Subdivision project include:

- 1) Subdivide land to provide lots for 61 homes and supporting infrastructure.
- 2) Construct roads and utilities to serve the project.
- 3) Construct offsite utilities to serve the project and adjacent properties.
- 4) Install sewage lift station in accordance with the County Sewer Master Plan.
- 5) Provide for emergency site access.
- 6) Provide housing opportunities for future residents.
- 7) Protect existing onsite waterways.

Project Description

The primary zoning designation for the project site is Residential Single Family (RS). The site also carries two separate combining district overlay zoning designations: Agriculture Building Site (B-40, requiring a minimum lot size of 40,000 square feet) and Planned Residential Development (PD-1, allowing the site to be developed as a Planned Residential Development with a maximum overall density of one unit per acre).

The originally proposed project called for subdivision of the 79-acre project site into 61 residential lots, on which custom homes would be constructed. This project corresponded to the Residential Single Family with Agriculture Building Site zoning of the project site. One of the project alternatives (Alternative C) considered development of the site under the Planned Development (PD) zoning overlay also applied to the project site. The PD ordinance allows a reduction in the minimum building site to accommodate clustering the lots in order to protect environmentally sensitive areas and/or preserve natural, cultural, historical, and visual resources. Alternative C called for subdivision of the 79-acre project site into 64 residential lots for construction of custom homes, clustering the residential lots in the central and western portions of the project site and preserving a greater amount of open space and oak woodland habitat than the proposed project. The analysis in Chapter 16 of the Draft EIR found that Alternative C would reduce the extent of significant and unavoidable impacts to biological resources associated with the proposed project and would more closely reflect the *Auburn/Bowman Community Plan* intent for the project site. Based on that analysis, the project applicant has proposed to proceed with development of the project site as a Planned Development, as considered in Alternative C. The project applicant has prepared a revised tentative map to reflect the revised project, as described below. The Final EIR and these findings support approval of the Planned Development Alternative.

The project proposes to create 64 residential lots ranging in size between 25,164 square feet and 55,703 square feet, with an average lot size of 30,699 square feet. The internal road system serving the development would consist of a single entry road crossing the site from south to north, with cul-de-sacs and a looped road intersecting the entry road. There would be a single bridge crossing of Deadman's Ravine and a single road crossing of an ephemeral stream north of the ravine. Access to the subdivision would be through a gated entry/exit on Atwood Road at the site's southern boundary. An emergency-only access would be provided at the northern end of the subdivision.

Alternative C also includes one park site (Lot F) consisting of 38,144 square feet and five open space parcels totaling 25.71 acres. Two of these would be landscaped parcels surrounding the subdivision entrance. The other three would provide for preservation of open space around Deadman's Ravine and oak woodland habitat in the northeast portion of the site.

Development of the revised Atwood 80 Subdivision would require completion of the following offsite improvements:

- Construct an emergency access road between the project site and Joeger Road across APN 051-061-024 (the Joeger 20 parcel) northwest of the site. The emergency access road would have unlocked gates at both ends to provide emergency vehicle access but prohibit daily non-emergency use. The emergency access road would be offered to Placer County for dedication.
- Demolish the existing sewer lift station on County-owned APN 051-061-039.
- Construct a new sewer lift station on APN 051-061-024 (the Joeger 20 parcel) that would replace the existing lift station, provide sufficient capacity to serve the project site as well as existing residents served by the existing lift station, and serve future development on adjacent properties.
- Construct new sewer infrastructure on portions of adjacent parcels APN 051-061-024 (the Joeger 20 parcel), APN 051-061-014 (Rasmussen), APN 061-061-021 (Lewis), and 051-061-039 (Placer County) to connect to existing lines in Bell Road. Establish a 50-foot sewer easement on these parcels as well as APNs 051-061-043 (Nelson), and 051-061-044 (Hernandez) to provide for maintenance of the new sewer infrastructure.

Development of the Atwood 80 Subdivision Planned Development Alternative project would also require that the applicant contribute a fair share portion of funding to facilitate construction of the following necessary upgrades or perform a portion of the upgrades as determined by the Placer County Facility Services Department.

- Construct a new line within Bell Road to bypass the Wilson Drive sewer line, which currently has insufficient capacity to serve the project during peak flows.
- Replace and/or rehabilitate existing sewer lines in the DeWitt Sewer Shed to reduce inflow and infiltration in the system in order to achieve an 87.5 gallons per minute reduction in peak wet weather flow; or pay an "in-lieu" fee of \$4,000 per equivalent dwelling unit.

VII. RECORD OF PROCEEDINGS

In accordance with CEQA §21167.6(e), the record of proceedings for the County's decision on the Atwood 80 Subdivision project includes, without limitation, the following documents:

- The NOP, including the Initial Study, and all other public notices issued by the County in conjunction with the project;
- All comments submitted by agencies or members of the public during the comment period on the NOP (provided in Appendix A of the Draft EIR);
- The Draft EIR (December 2008) for the project;
- All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- All comments and correspondence submitted to the County with respect to the Project, in addition to timely comments on the Draft EIR;
- The Final EIR (October 2009) for the project, including comments received on the Draft EIR and responses to those comments;
- Documents cited or referenced in the Draft and Final EIRs;
- The Mitigation Monitoring and Reporting Program (MMRP) for the project (originally provided in Chapter 17 of the Draft EIR) and the MMRP for the Planned Development Alternative, provided as Chapter 5 of the Final EIR;
- All findings and resolutions adopted by the County in connection with the project and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by the County, consultants to the County, or responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's action on the project;
- All documents submitted to the County (including the Planning Commission and Board of Supervisors) by other public agencies or members of the public in connection with the project;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the County in connection with the project;
- Any documentary or other evidence submitted to the County at such information sessions, public meetings and public hearings;
- The 1994 *Placer County General Plan* and all environmental documents prepared in connection with the adoption of the General Plan;
- The Placer County Zoning Ordinance and Environmental Review Ordinance (Placer County Code, Chapters 17 and 18), and all other County Code provisions cited in materials prepared by or submitted to the County;
- The *Auburn/Bowman Community Plan* and all environmental documents prepared in connection with the adoption of that plan;

- Any and all resolutions and/or ordinances adopted by the County regarding the project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Matters of common knowledge to the County, including, but not limited to federal, state, and local laws and regulations;
- Any documents cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by CEQA §21167.6(e).

The official custodian of the record is the Clerk of the Placer County Board of Supervisors, 175 Fulweiler Avenue, Auburn CA 95603.

VIII. GENERAL FINDINGS

Impacts Determined to be Less Than Significant

The Planning Commission agrees with the characterization in the Final EIR with respect to all Impacts identified as “no impact” or “less than significant” and finds that those impacts have been described accurately and are less than significant as so described in the Final EIR.

This finding applies to the following impacts evaluated in the Draft EIR and determined to be “less than significant.”

Land Use

- Disrupt an Established Community
- Compatibility with Surrounding Land Uses
- Conflicts with Established Uses of the Area
- Convert Prime Agricultural Land to Nonagricultural Use or Impair Agricultural Productivity of Prime Agricultural Land

Geology and Soils

- Unstable Earth Conditions and Soil Instability
- Seismic Hazards
- Exposure to Volcanic Activity or Ocean Effects

Hydrology and Water Quality

- Loss of Groundwater Recharge Opportunity or Reduced Groundwater Quality
- Exposure of People or Structures to Flooding Onsite
- Inundation by Seiche, Tsunami, or Mudflow

Air Quality

- Violate Air Quality Standards or Create a Significant Net Increase in Pollutant Concentrations (specific to CO, PM10, and SOX).

Expose Sensitive Receptors to Substantial Pollutant Concentrations
Create Objectionable Odors Affecting a Substantial Number of People

Transportation and Circulation

Substantially Increase Traffic or Exceed Placer County LOS Standard Under Existing Plus Project Conditions
Result in a Change in Air Traffic Patterns
Result in Inadequate Emergency Access
Result in Inadequate Parking Capacity
Conflict with Adopted Policies, Plans, or Programs Supporting Alternative Transportation

Biological Resources

Disturbance of a Significant Natural Vegetation Type and Habitat: Grassland
Substantial Interference with the Movement of Migratory Fish

Noise

Noise Exposure from Transportation Noise Sources
Noise Exposure from Non-Transportation Noise Sources
Substantial Permanent Increase in Ambient Noise Levels
Noise Exposure from Airports or Airstrips

Public Services

Water

Contamination of a Public Water Supply
Degradation or Depletion of Groundwater Resources
Use of Large Amounts of Water or Wasteful Use of Water

Wastewater

Wastewater Treatment Plant Capacity

Fire Protection

Physical Prevention of the Routine Extension of Fire Protection and Emergency Service to the Project
Any Physical Interference with Emergency Response or Emergency Evacuation Plans

Law Enforcement

Physical Obstacle to Provision of Law Enforcement Services
Increased Demand for Law Enforcement Services

Schools

Inconsistency with Established Educational Uses or Conflict with District's Ability to Provide Education

Utility Services

Increased Demand for Utility Services

Increased in Use of Energy

Parks and Recreation

Conflict with Established Recreation Uses

Construction of Recreational Facilities

Solid Waste

Violate State or Local Standards Relating to Solid Waste or Exceed Capacity of the Landfill

Aesthetics

Have a Substantial Adverse Effect on a Scenic Vista

Hazards and Hazardous Materials

Location of the Project on a Hazardous Materials Site

Exposure to Hazardous Materials Released from Offsite Locations

Location Within Two Miles of an Airport

Impairment of Implementation of an Adopted Emergency Response Plan

Significant and Potentially Significant Impacts Reduced to Less Than Significant With Implementation of Mitigation Measures

The Planning Commission agrees with the characterization in the Final EIR with respect to all Impacts initially identified as "significant" or "potentially significant" that are reduced to less than significant levels with implementation of the mitigation measures identified in the Final EIR. In accordance with CEQA Guidelines §15091(a), a specific finding is made for each impact and its associated mitigation measures in the discussions below.

Land Use

Impact 4.1: Consistency With Relevant Plans And Policies

Mitigation Measures: As listed in Tables 4.2 and 4.3 of the Final EIR, mitigation measures that address potential inconsistencies of the project with the *Placer County General Plan* and *Auburn/Bowman Community Plan* are identified in Chapters 6, 8, 9, 11, 12, and 14. The applicable measures from Chapter 6 are Mitigation Measures 6.1a through 6.1d, 6.2c, 6.2d, 6.3f, 6.3g, 6.3h, and 6.4e through 6.4h. The applicable measures from Chapter 8 are Mitigation Measures 8.1a, 8.1b, 8.2a, and 8.2b. The applicable

measures from Chapter 9 are 9.1a through 9.1d, 9.2a, 9.3c through 9.3e, 9.4a, 9.4b, 9.4c, 9.4f, 9.4j, 9.4g, 9.4k, 9.6a through 9.6c, 9.6e, and 9.7a through 9.7c. The applicable measures from Chapter 11 are Mitigation Measures 11.7.1a and 11.7.1b. The applicable measures from Chapter 12 are 12.1a, 12.1b, 12.2a, and 12.2b. The applicable measures from Chapter 14 are Mitigation Measures 14.1a, 14.1b, 14.2a, 14.2b, and 14.3a.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will ensure that the potential for the project to be inconsistent with General Plan and Community Plan policies would be reduced to a less than significant level.

Explanation: These mitigation measures will result in the project's compliance with General Plan and Community Plan policies requiring protection of environmentally sensitive areas (including riparian areas, watercourses, floodplains, and oak woodlands), preservation of natural features, preservation of aesthetic resources and compatibility with adjacent existing land uses, provision of adequate roadway networks to facilitate circulation, and provision of adequate open space.

Significance After Mitigation: Less Than Significant.

Geology and Soils

Impact 5.1: Disturbance/Alteration of Existing Soils, Topography, and Geologic Features as a Result of Project Construction

Mitigation Measure 5.1a: Grading and construction of improvements shall be implemented in accordance with the Placer County Grading Ordinance. Improvement Plans shall be submitted to and approved by the County prior to commencement of site preparation and construction activities. Grading plans shall be included with the Improvement Plans and include Best Management Practices for winterization and erosion control. Specific sections of the Placer County Grading Ordinance applicable to this project include, but are not limited to:

- Sections 29.510 and 29.520 regarding the submittal of grading plans and determination of grading permit requirements,
- Sections 29.550 and 29.780 regarding erosion and sediment control plans, and
- Sections 29.610, 29.615, 29.620, 29.625 and 29.630 regarding geotechnical, geologic and final reporting requirements.

Mitigation Measure 5.1b: The project shall implement sensitive grading techniques to blend landform alterations with the natural setting. These techniques shall include limiting grading areas, performing sensitive grading around existing oak trees (including the construction of retaining walls where necessary); blending cut and fill slopes into the natural terrain; rounding and feathering graded slopes into existing terrain to avoid an artificially contoured appearance; planting or otherwise protecting re-contoured slopes from the effects of water runoff and wind erosion within 90 days of completion of grading; and setting street elevations as close to the existing natural grade as possible.

Mitigation Measure 5.1c: If blasting is required for site grading or the installation of site improvements, the developer shall comply with applicable County ordinances that relate to blasting and use only State licensed contractors to conduct these operations.

Mitigation Measure 5.1d: The geotechnical report, *Geotechnical Engineering Report for Atwood Ranch Proposed 80-acre Subdivision*, prepared by Holdrege & Kull Consulting, and the Blackburn Consulting peer review of that report shall be submitted to Placer County Engineering and Surveying Department (ESD) for review and approval. ESD shall confirm that the report addresses and makes recommendations on the following:

- a. Road, pavement, and parking area design
- b. Structural foundations, including retaining wall design (if applicable)
- c. Grading practices
- d. Erosion/winterization
- e. Special problems discovered onsite, (i.e., groundwater, expansive/unstable soils)
- f. Slope stability

Appropriate recommendations contained in the report and approved in the peer review will be incorporated into Improvement Plans and implemented during construction of the proposed project.

Once approved by the ESD, two copies of the final report shall be provided to the ESD and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive soils or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report shall be required for subdivisions, prior to issuance of Building Permits. This certification may be completed on a Lot by Lot basis or on a Tract basis. This shall be so noted in the Codes, Covenants and Restrictions and on the Informational Sheet filed with the Final Map(s). It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report.

Mitigation Measure 5.1e: The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual (LDM) that are in effect at the time of submittal) to the ESD for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, onsite and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process

and/or Development Review Committee (DRC) review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements.

Mitigation Measure 5.1f: All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the Placer County Grading Ordinance (Ref. Article 15.48, formerly Chapter 29, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and ESD concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

Submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant alteration of existing soils, topography, and geologic features to a less than significant level.

Explanation: These mitigation measures will ensure that earth moving operations on the project site minimize disruptions to soil and changes to topography onsite, that these

actions conform to the Placer County Grading Ordinance, and that these actions do not result in any significant hazards or environmental effects.

Significance After Mitigation: Less Than Significant.

Impact 5.2: Increased Wind or Water Related Erosion from Project Grading.

Mitigation Measure 5.2a: The project applicant shall implement *Mitigation Measure 5.1a*, which requires that all grading and construction shall be in accordance with the Placer County Grading Ordinance and shown on the Improvement Plans, which must be approved by the County prior to commencement of construction activities.

Mitigation Measure 5.2b: A dust and erosion control plan shall be prepared and submitted to the Placer County Air Pollution Control District (APCD) for review and approval prior to approval of Improvement Plans and commencement of construction activities. The dust control plan shall be submitted to the APCD no later than 45 days prior to groundbreaking. The applicant shall not break ground prior to receiving APCD approval of the dust control plan. The plan shall comply with Placer County's Erosion Control standards and the Placer County Grading Ordinance. The plan shall incorporate Best Management Practices (BMPs) for dust and erosion control during construction of site roadways and driveways, and during building pad grading. These BMPs to minimize wind and water erosion shall include:

- Timing grading activities to minimize the amount of exposed areas during the wet season.
- Revegetating all areas that have been graded and will remain undeveloped during the rainy season by mid October. Revegetation shall use native vegetation. Revegetated areas shall be secured from the possibility of erosion.
- Preventing eroded soil from entering site drainageways through measures such as placement of hay bales or other acceptable materials such as sediment barriers, installation of temporary earth berms, use of fabric silt fences, spreading hay or straw on exposed areas, and/or development of temporary settling areas. Sediment collected at the erosion control sites shall be collected and disposed of once vegetation has become established.
- Preventing dust emissions through measures such as maintaining an operational water truck onsite at all times and applying water to areas prior to and after disturbance to maintain adequate moisture in the soil to avoid dust emissions; suspending construction activities during periods of high winds; installing wind barriers to prevent dust emissions from leaving the project site; restricting vehicle and equipment speed to 15 miles per hour in construction areas; and controlling storage piles by keeping them wet, establishing and maintaining surface crusting, covering with tarp or vegetative cover, or installing wind barriers of fifty percent porosity around three sides of the pile.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant increases in wind and water erosion to a less than significant level.

Explanation: These mitigation measures will ensure that onsite grading conforms to the Placer County Grading Ordinance and uses Best Management Practices to ensure that the project does not result in any significant increases in soil erosion.

Significance After Mitigation: Less Than Significant.

Impact 5.3: Construction on Potentially Hazardous Slopes.

Mitigation Measure 5.3a: The project applicant shall implement *Mitigation Measure 5.1a*, which requires that all grading and construction shall be in accordance with the Placer County Grading Ordinance and shown on the Improvement Plans, which must be approved by the County prior to commencement of construction activities.

Mitigation Measure 5.3b: Prior to construction on any slopes exceeding 15 percent, a design-level evaluation of the proposed construction shall be submitted to the Building Department for review and approval. This evaluation shall include specific recommendations for grading and construction techniques that should be used to minimize the potential for any safety hazard to be created by the proposed construction. The proposed construction shall be designed to avoid creation of a potential for landslide in the project vicinity. Upon approval by the Building Department, any grading or construction in areas of slopes in excess of 15 percent shall comply with the design-level recommendations.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential to create a hazardous condition by constructing improvements on steep slopes to a less than significant level.

Explanation: These mitigation measures will ensure that construction on slopes exceeding 15 percent is appropriately designed and implemented to avoid creation of safety hazards.

Significance After Mitigation: Less Than Significant.

Hydrology and Water Quality

Impact 6.1: Alteration of Existing Drainage Patterns

Mitigation Measure 6.1a: The project applicant shall prepare and submit Improvement Plans encompassing all areas affected by the proposed construction activities. This includes the entire Atwood 80 Subdivision project site, as well as each of the six offsite parcels affected by proposed infrastructure improvements and easements. The Improvement Plans shall include specifications and cost estimates (per the requirements of Section II of the Land Development Manual that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show the following:

- All conditions for the project as well as pertinent topographical features both on- and offsite;

- All existing and proposed utilities and easements, onsite, offsite, and adjacent to the project site, that may be affected by planned construction;
- All proposed grading activities, including existing grade and finished grade;
- All proposed vegetation and tree removal;
- Placement of all temporary construction fencing;
- All drainage improvements;
- Stockpiling and/or vehicle staging areas, which shall be located as far as practical from existing dwellings and protected resources in the area; and
- All proposed landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections.

The Improvement Plans shall be reviewed and approved by ESD. All work shall conform to provisions of the County Grading Ordinance (Section 15.48, *Placer County Code*) that are in effect at the time of submittal. All cut/fill slopes shall be at a maximum slope of 2:1 (horizontal: vertical) unless a soils report supports a steeper slope and ESD concurs with said recommendation.

No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC).

Mitigation Measure 6.1b: A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. The project applicant shall provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of ESD. ESD may conduct field review to ensure conformance to the project approvals.

Mitigation Measure 6.1c: The project applicant shall prepare a final drainage report for the Atwood 80 Subdivision project in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual (SWMM). The final drainage report shall be submitted with the Improvement Plans to ESD for review and approval. No grading permits shall be issued prior to approval of the final drainage report.

The final drainage report analysis shall address the existing conditions and effects of the proposed improvements, as well as provide preliminary estimates of the effects of future home construction on the proposed lots. The report shall include analysis of the effects of offsite improvements and easements (the emergency access road and sewer infrastructure) on all six offsite parcels. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: written text summarizing the analysis; all accurate and appropriate calculations; pre- and post-project watershed maps; valuation of downstream drainage facilities impacted by the project; proposed onsite

and offsite improvements, including storm drainage infrastructure; and identification of any drainage easements, new drainage facilities, or improvements to existing drainage facilities necessary to accommodate flows from the project.

Mitigation Measure 6.1d: The location, size, and ownership of any canals on or adjacent to the property shall be described in the final drainage report and shown on the Improvement Plans. The project applicant shall provide ESD with a letter from the agency controlling the canal describing any restrictions, requirements, easements, or other conditions relative to construction of the project. Said letter shall be provided to ESD prior to approval of the Improvement Plans.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant alteration of drainage patterns to a less than significant level.

Explanation: These mitigation measures will ensure that the project design will ensure that existing drainage patterns are maintained following site development.

Significance After Mitigation: Less Than Significant.

Impact 6.2: Increase in Volume and Rate of Stormwater Runoff Leaving the Project Site

Mitigation Measure 6.2a: The project applicant shall implement *Mitigation Measure 6.1a* which requires the applicant to prepare and submit Improvement Plans encompassing all areas affected by the proposed construction activities for County approval prior to issuance of any grading or building permits.

Mitigation Measure 6.2b: The project applicant shall implement *Mitigation Measure 6.1c*, which requires the applicant to prepare a final drainage report for the Atwood 80 Subdivision project in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County SWMM. The final drainage report shall be submitted with the Improvement Plans to ESD for review and approval. No grading permits shall be issued prior to approval of the final drainage report.

Mitigation Measure 6.2c: The project applicant shall comply with Placer County Flood Control and Water Conservation District's SWMM and the *County Land Development Manual* for all design and construction of storm drainage systems. The SWMM provides policy, guidelines, and specific criteria for the development and management of stormwater facilities and infrastructure. The following are some of the requirements that would be applicable to the drainage system for the proposed project. Compliance with Placer County's design manuals for storm drainage systems will ensure that impacts to downstream areas will be minimized.

- a. Avoid increasing the storm drainage problems in the area, or transferring drainage problems from one location to another. Watershed boundaries should not be altered, and flows should not be diverted from one watershed to another without compelling reasons.

- b. Design the stormwater system such that no damages occur to structures or improvements during the 100-year event and no inundation of private property occurs during the 10-year event. The 10-year event is the minimum design storm for new developments and all dedicated drainage facilities will be sized for this event.
- c. Design the stormwater system such that the peak flows will not exacerbate or cause downstream flooding.
- d. Prepare hydrologic analysis in accordance with the guidelines provided in the SWMM. For example, SWMM recommends that the computer program HEC-1 be used to compute both the peak flow and runoff volume for the various storm events, as well as route the design storms through the proposed detention facility, to evaluate the effectiveness of the project.
- e. Provide details (e.g. location and typical details) on how stormwater runoff is collected and conveyed to the stormwater system.
- f. Provide drainage facilities that minimize drainage concentration.
- g. Provide energy dissipators at all points where drainage becomes concentrated.
- h. Prepare a Drainage Plan for the proposed project and submit it to the Placer County Flood Control and Water Conservation District for review and approval. The SWMM provides a detailed list of the information that should be included in the Preliminary and Final Drainage Plans.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant increases in the rate and volume of stormwater runoff to a less than significant level.

Explanation: These mitigation measures will ensure that appropriate design methods will be used to avoid increases in the rate and volume of water leaving the project site.

Significance After Mitigation: Less Than Significant.

Impact 6.3: Reduced Stormwater Runoff Quality During Construction

Mitigation Measure 6.3a: The project applicant shall implement *Mitigation Measure 6.1a* which requires the applicant to prepare and submit Improvement Plans encompassing all areas affected by the proposed construction activities for County approval prior to issuance of any grading or building permits.

Mitigation Measure 6.3b: The project applicant shall implement *Mitigation Measure 6.1b* which requires that a winterization plan be provided with project Improvement Plans and that the project applicant assures proper installation and maintenance of erosion control/winterization during project construction.

Mitigation Measure 6.3c: The project applicant shall implement *Mitigation Measure 6.1c* which requires the applicant to prepare a final drainage report for the Atwood 80 Subdivision project site in conformance with the requirements of Section 5 of the Land

Development Manual and the Placer County SWMM. The final drainage report shall be submitted with the Improvement Plans to ESD for review and approval. No grading permits shall be issued prior to approval of the final drainage report.

Mitigation Measure 6.3d: The project applicant shall implement *Mitigation Measure 6.1d* which requires that the Improvement Plans and drainage report indicate the location, size, and ownership of any canals on or adjacent to the property and provide ESD with a letter from the agency controlling the canal describing any restrictions, requirements, easements, or other conditions relative to construction of the project.

Mitigation Measure 6.3e: Landscaping plans shall be submitted with the Improvement Plans for approval from the Development Review Committee. Landscaping plans shall include revegetation of all areas disturbed during construction activities. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth.

Mitigation Measure 6.3f: The project applicant shall incorporate BMPs to control erosion and sedimentation of all onsite wetlands, streams, and canals during all construction activities, during rough grading and installation of infrastructure, and during project operation. The final drainage report (submitted per *Mitigation Measure 6.3c*) shall include descriptions and/or plan drawings demonstrating the use of BMPs. BMPs for this project shall include the following measures, but may also include additional or alternative measures as determined appropriate and as approved by ESD:

- a. A Dust/Erosion Control Plan shall be submitted for review and approval to the Placer County Air Pollution Control District prior to the issuance of any grading permits. The plan shall comply with Placer County's Erosion Control Guidelines and must be implemented for any construction to take place between October 15 and May 15 of any 12-month period.
- b. Grading activities shall be timed so as to minimize the amount of exposed areas during the wet season. By mid-October, all areas that have been graded and that will remain undeveloped during the rainy season shall be revegetated with compatible native vegetation and secured from the possibility of erosion.
- c. Streets adjacent to each construction and demolition site shall be kept clean of dirt, mud, materials, and debris during the construction and demolition periods.
- d. Measures to prevent eroded soil from entering wetlands, streams, and canals shall be employed, including: placement of hay bales or other acceptable materials such as sediment barriers, installation of temporary earth berms, use of fabric silt fences, spreading hay or straw on exposed area, development of temporary settling areas and use of other means for slowing runoff and reducing sediment loads. Sediment collected at the erosion control sites shall be collected and disposed of once revegetation has become established. Specifications for silt fencing shall be included on final grading and dust/erosion plans for each project area.
- e. The final landscaping plans shall include landscaping treatment for any cut and fill banks to minimize soil erosion in these areas. Landscaping materials shall include drought-tolerant ground cover as well as a variety of trees and shrubs.

- f. Infrastructure shall be designed to minimize drainage concentration from impervious surfaces.
- g. Erosion protection shall be provided at culvert outfall locations.

Mitigation Measure 6.3g: This project is subject to construction-related stormwater permit requirements of the federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. Any required permits shall be obtained through the Central Valley Regional Water Quality Control Board. The developer shall provide evidence of a state-issued Waste Discharge Identification number prior to construction.

To obtain coverage under the permit, the applicant shall prepare a project-specific Stormwater Pollution Prevention Plan (SWPPP). At a minimum, the SWPPP shall include the following:

- a. Identification of pollutant sources, including sources of sediment, that may affect the quality of stormwater discharges from the construction site;
- b. Identification of any non-stormwater discharges;
- c. BMPs to reduce or eliminate pollutants in stormwater discharges and authorized non-stormwater discharges from the construction site;
- d. BMPs to be employed before each storm event;
- e. Post-construction BMPs, which are those measures to be installed during construction that are intended to reduce or eliminate pollutants after construction is completed;
- f. A program for inspection and maintenance of the BMPs; and
- g. A program for monitoring runoff water quality.

Upon review and approval of the SWPPP, the Regional Water Quality Control Board will issue Waste Discharge Requirements which set forth conditions, discharge limitations, and monitoring and inspection requirements. The project applicant shall comply with all Waste Discharge Requirements issued by the Regional Water Quality Control Board.

Several BMPs that could be used during construction are described in the *Auburn/Bowman Community Plan*, Appendix D, Hydrology Study. The California Stormwater BMP Handbook for Construction (California Stormwater Quality Association 2003a) also provides example of BMPs that could be used. The SWPPP shall include the following BMPs or other measures determined by Placer County and/or the Regional Water Quality Control Board to be equally or more effective:

- a. Scheduling materials deliveries to provide for minimal onsite storage and/or providing covered storage for materials wherever practical;
- b. Designating specific areas for overnight equipment storage and maintenance and providing runoff control around those areas to minimize the potential for runoff to contact spilled materials;

- c. Establishing procedures for daily work site cleanup and prepare and implement a Spill Mitigation Plan for construction-related activities;
- d. Developing a program of site inspections to ensure that BMPs are consistently implemented and effective;
- e. Conducting visual monitoring of runoff quality at selected monitoring points;
- f. Placing fiber rolls (wattles) around drain inlets to prevent sediment and construction-related debris from entering the inlets;
- g. Placing fiber rolls (wattles) along the perimeter of the site to reduce runoff flow velocities and prevent sediment from leaving the site;
- h. Placing silt fences downgradient of disturbed areas to slow down runoff and retain sediment;
- i. Placing sandbags around potentially affected offsite inlets to prevent sediments from entering the inlets; and
- j. Specifying that all disturbed soil will be seeded, mulched, or otherwise protected by October 15.

Mitigation Measure 6.3h: Grading shall not be permitted within the setback area of wetlands or streams, or within Open Space Lots A, B, and C with the exception of grading for construction of approved road crossings. Erosion control measures shall be used in graded areas within the open space lots and wetland setbacks until revegetation is established. Revegetation shall be established prior to October 15 of the year in which grading occurs, in accordance with the grading and erosion control plan to be submitted to ESD.

Finding: Implementation of the mitigation measures identified above, one of which has been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant degradation of water quality during construction to a less than significant level.

Explanation: These mitigation measures will ensure that Best Management Practices and design methods will be used to avoid decreases in the quality of water leaving the project site throughout the construction period.

Significance After Mitigation: Less Than Significant.

Impact 6.4: Reduced Stormwater Runoff Quality During Operation

Mitigation Measure 6.4a: The project applicant shall implement *Mitigation Measure 6.1a* which requires the developer to prepare and submit Improvement Plans encompassing all areas affected by the proposed construction activities for County approval prior to issuance of any grading or building permits.

Mitigation Measure 6.4b: The project applicant shall implement *Mitigation Measure 6.3e*, which requires that landscaping plans be submitted with the Improvement Plans for approval from ESD.

Mitigation Measure 6.4c: The project applicant shall implement *Mitigation Measure 6.1c*, which requires the applicant to prepare a final drainage report for the Atwood 80 Subdivision project site in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County SWMM. The final drainage report shall be submitted with the Improvement Plans to ESD for review and approval. No grading permits shall be issued prior to approval of the final drainage report.

Mitigation Measure 6.4d: The project applicant shall implement *Mitigation Measure 6.3g*, which identifies requirements to ensure that the project complies with post-construction related stormwater permit requirements of the federal Clean Water Act NPDES program. Any required permits shall be obtained through the Central Valley Regional Water Quality Control Board prior issuance of grading permits by Placer County and prior to any site preparation or construction activity occurring onsite.

Mitigation Measure 6.4e: The applicant shall prepare a post-development Stormwater Management Plan (SWMP) under the guidelines established by the Placer County Flood Control and Water Conservation District's SWMM and in accordance with the NPDES Phase II Rule. The SWMP shall be implemented by the Homeowner's Association for the proposed subdivision. The components of the SWMP shall include protection from flooding, protection and enhancement of the stream environment, prevention of erosion and adverse effects on water quality, incorporation of regional stormwater management goals, creation of multiple resource use, and assurance of the growth and development of the project to minimize its adverse impacts. BMPs shall be included in the plan, as well as a monitoring program to ensure long-term success of the BMPs. Structural BMPs constructed as part of the proposed project shall be maintained such that they continue to perform their intended function as long as the project site is occupied.

The SWMP shall address site-specific drainage characteristics, stormwater conveyance systems, discharge points, potential sources of runoff water quality impacts, specific structural BMPs that shall be constructed as part of the project to control operational impacts, a maintenance program for structural BMPs, a monitoring program designed to evaluate the ongoing maintenance of BMPs as well as consider the need for BMP modifications or additional BMPs, and identification of specific parties responsible for implementing each part of the plan. Specific BMPs shall be developed based upon the Placer County SWMM, requirements of the *Placer County General Plan*, and State Water Resources Control Board general guidelines for development of BMPs.

The SWMP shall include the following BMPs or other measures determined by Placer County to be equally or more effective:

- a. Direct roof runoff to grassy areas and away from paved areas or storm drains to promote overland flow of stormwater runoff and reduce velocities and peak flow rates;

- b. Provide vegetative swale or buffer areas, which could be incorporated into landscaped areas, to slow down runoff velocities and allow sediments and other pollutants to settle;
- c. Install hydrodynamic separators or filter-type inserts in stormdrain inlets or catchbasins to remove pollutants from stormwater;
- d. Provide in-line storage of stormwater to reduce peak discharge, allow settling of pollutants, and reduce potential for downstream erosion;
- e. Perform street cleaning to remove potential debris and pollutants that could be picked up and conveyed by stormwater;
- f. Incorporate landscaping into the design;
- g. Prevent contact of stormwater with potentially contaminated facilities either by redirecting flows or providing other protection; and
- h. Develop and implement a maintenance program for the storm drain system and stormwater detention basins.

Due to the low permeability of the soils at the site, BMPs that rely on infiltration (i.e., porous pavement, infiltration trenches, infiltration basins) would not be appropriate for the project area.

Mitigation Measure 6.4f: Storm drainage from onsite impervious surfaces shall be collected and routed through specifically designed catchbasins, vaults, filters, or other similar mechanisms for entrapment of sediment, debris and oils/greases as approved by ESD. Maintenance of these facilities shall be provided by the project owners/permit holders unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a catchbasin cleaning program shall be provided to ESD upon request. Prior to Improvement Plan approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance.

Mitigation Measure 6.4g: At the time of final map recordation, the project applicant shall establish and record non-disturbance deed restrictions for all lots containing riparian habitat, perennial streams, or wetlands. Open Space Lots A, B, and C shall also be subject to non-disturbance restrictions with the exception of grading and construction of approved roadway crossings.

Mitigation Measure 6.4h: The project applicant shall install bottomless arch culverts or bridges at all road crossings of perennial and ephemeral streams. The culverts or bridges shall be shown on project Improvement Plans. The project applicant shall revegetate graded areas within Open Space Lots A, B, and C prior to October 15 of the year in which grading occurs, in accordance with the grading and erosion control plan to be submitted to ESD.

Finding: Implementation of the mitigation measures identified above, two of which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the

project's potentially significant degradation of water quality during occupation of the project site to a less than significant level.

Explanation: These mitigation measures will ensure that Best Management Practices and design methods will be used to avoid decreases in the quality of water leaving the project site throughout project operation.

Significance After Mitigation: Less Than Significant.

Air Quality

Impact 7.1: Obstruct Implementation of Applicable Air Quality Plans

Mitigation Measure 7.1a: The project developer and each subsequent individual lot developer shall incorporate Best Management Practices to control erosion during all onsite and offsite construction. A Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan shall be submitted for review and approval to the Placer County Air Pollution Control District (APCD) prior to the issuance of each grading permit. This plan must address the minimum Administrative Requirements found in Section 400 of District Rule 228, Fugitive Dust.

The Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan shall include a requirement that all construction contracts shall require contractors to maintain construction equipment according to manufacturer's recommendations.

Mitigation Measure 7.1b: The prime contractor shall submit to the Placer County APCD a comprehensive inventory (including make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The project representative shall provide the Placer County APCD with the anticipated construction timeline including start date, and name and phone number of the project manager and onsite foreman. The project shall provide a plan for approval by the Placer County APCD demonstrating that the heavy-duty (50 horsepower or greater) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. Contractors can access the Sacramento Metropolitan Air Quality Management District's web site to determine if their off-road fleet meets the requirements listed in this measure.

www.airquality.org/ceqa/Construction_Mitigation_Calculator.xls

Mitigation Measure 7.1c: The project applicant shall implement an offsite mitigation program to reduce its contribution to significant cumulative air quality impacts occurring within Placer County. The project may develop its own offsite mitigation program, subject to approval by the Placer County APCD, or the project can contribute

an equal amount of funds into the District's offsite mitigation program. This would allow the Placer County APCD to reduce regional ozone precursor emissions by providing funding for the Placer County APCD to implement measures to reduce emissions from sources of air pollution not required by law to reduce their emissions. The required financial contribution will be calculated by the Placer County APCD based on the emission estimates in this EIR. The overall goal of the mitigation program is to allow reductions equivalent to 100% of the ozone precursors and particulate matter emissions generated by the proposed project in a single year. This may be accomplished through onsite mitigation measures, offsite mitigation measures, or a combination of both.

Mitigation Measure 7.1d: The Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan shall include, but may not be limited to, the following Best Management Practices for control of pollutant emissions. As required by *Mitigation Measures 7.1a*, a Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan shall be submitted for review and approval to the Placer County APCD prior to the issuance of any grading permit. The following measures shall be included in construction contracts and/or as notes on grading, improvement, and building plans:

- a) Control for bulk material from the exterior surfaces of equipment falling on paved public roads (track-out) by:
 1. Removing through street sweeping or washing any visible track-out from a paved public road at any location where vehicles exit the work site;
 2. Installing one of the following track-out prevention measures:
 - a. A gravel pad designed to clean the tires of exiting vehicles,
 - b. A tire shaker,
 - c. A wheel washer, or
 - d. Any other measure as effective as the measures listed above.
- b) Keep active storage piles adequately wet or covered with tarps.
- c) Control disturbed surface areas and storage piles that will remain inactive for more than seven (7) days using one or more of the following methods:
 1. Keep surfaces adequately wet;
 2. Establish and maintain surface crusting;
 3. Apply chemical dust suppressants or chemical stabilizers;
 4. Cover with tarp or vegetative cover;
 5. Install wind barriers of fifty percent porosity around three sides of a storage pile;
 6. Install wind barriers across open areas; or
 7. Any other measure as effective as the measures listed above.
- d) Control for traffic on onsite unpaved roads, parking lots, and staging areas including:
 1. Limiting maximum vehicle speed to fifteen miles per hour; and
 2. One or more of the following:

- a. Water active operations sufficiently to keep the area adequately wet;
 - b. Apply chemical dust suppressants;
 - c. Maintain a gravel cover with a silt content that is less than five percent and asbestos content that is less than 0.25 percent to a depth of 3 inches on the surface being used for travel; or
 - d. Any other measure as effective as the measures listed above.
- e) Control for earthmoving activities including one or more of the following:
- 1. Pre-wet the ground to the depth of anticipated cuts;
 - 2. Suspend grading operations when wind speeds are high enough to result in dust emissions crossing the property line;
 - 3. Apply water prior to any land clearing;
 - 4. Any other measure as effective as the measures listed above.
- f) Control for offsite transport of excavated material, if needed, including:
- 1. Maintaining trucks such that no spillage can occur from holes or other openings;
 - 2. Adequately wetting loads; and either:
 - a. Covering with tarps; or
 - b. Loading such that material does not touch the front, back, or sides of the cargo compartment at any point less than 6 inches from the top and that no point of the load extends above the top of the cargo compartment.
- g) Post-construction stabilization of disturbed areas using one or more of the following methods:
- 1. Establish vegetative cover;
 - 2. Paving;
 - 3. Mulching or other ground cover; or
 - 4. Other measures deemed sufficient to prevent wind speeds of 10 miles per hour or greater from causing visible dust emissions.
- h) Construction contracts shall require contractors to:
- 1. Water all exposed surfaces three times per day;
 - 2. Suspend or restrict construction activities during periods of high winds (25 miles per hour gusts or stronger); and
 - 3. Time grading activities to minimize the amount of exposed areas during the wet season.
- i) Open burning of vegetation removed for site preparation, construction activities, or infrastructure improvements shall not occur. Vegetative material shall be chipped, stockpiled onsite, or delivered to waste-to-energy facilities.

Mitigation Measure 7.1e: Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations during any construction activity onsite, including the construction of individual residences. The construction contractor

shall immediately notify operators of vehicles and equipment found to exceed opacity limits and the equipment must be repaired within 72 hours.

Mitigation Measure 7.1f: Construction equipment exhaust emissions shall not exceed APCD Rule 202 Visible Emission limitations. The Placer County APCD shall conduct visual inspections during all grading and construction.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's emission of air pollutants and the project's potentially significant obstruction of applicable air quality plans to a less than significant level.

Explanation: These mitigation measures will ensure that Best Management Practices will be used to reduce air pollutant emissions associated with the project and to offset emissions that cannot be avoided.

Significance After Mitigation: Less Than Significant.

Impact 7.2: Reduce Air Quality Compared to Existing Conditions

Mitigation Measure 7.2a: Only gas fired fireplaces shall be installed in any home within the Atwood 80 Subdivision and UL listed decorative natural gas fireboxes must be installed in any masonry fireplaces constructed.

Mitigation Measure 7.2b: Landscaping plans shall be included in Improvement Plans for the subdivision, and shall be approved by the Placer County Planning Department and the Placer County APCD.

Mitigation Measure 7.2c: Each subsequent individual lot developer shall incorporate energy-efficient technology into construction of each residence. This may include, but is not limited to additional insulation in excess of the requirements of Title 24, window glazing, ventilation, energy-efficient heating/cooling units and appliances (cooking equipment, refrigerators, furnaces, and boiler units), and low NO_x water heaters.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant contribution to reduced air quality to a less than significant level.

Explanation: These mitigation measures will ensure that the project's contribution to reduced air quality is minimized by reducing energy usage through appropriate landscaping and energy-efficient home insulation and appliances, and that particulate emissions associated with wood-burning stoves are avoided.

Significance After Mitigation: Less Than Significant.

Impact 7.3: Create Human Exposure to Toxic Air Contaminants

Mitigation Measure 7.3a: As recommended in the preliminary geotechnical engineering report for the project site, the project applicant shall retain a qualified geologist or geotechnical engineer to conduct additional geologic evaluations of the project site to determine the presence or absence of naturally occurring asbestos onsite. These evaluations shall include the Atwood 80 parcel and each offsite parcel where infrastructure construction or installation would occur. These evaluations shall be completed and submitted to the Placer County APCD prior to issuance of any grading permits.

Mitigation Measure 7.3b: As required by *Mitigation Measure 7.1a*, the project applicant shall submit a Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan for review and approval to the Placer County APCD prior to the issuance of any grading permits for site preparation and infrastructure construction activities. In addition, if the construction area on any individual residential lot is equal to or greater than one acre, the developer for any such residential lot shall also submit a Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan for review and approval to the Placer County APCD prior to the issuance of the grading permit.

The Asbestos Dust Control portion of the Plan shall be prepared and implemented in accordance with state regulation “Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations” (CCR Title 17 Section 93105). In addition, during major excavation and grading, the Placer County APCD will require the presence of a qualified geologist or geotechnical engineer who can identify naturally occurring asbestos. If asbestos is found at concentrations greater than five percent, the material shall not be used as surfacing material as stated in the state regulation “Asbestos Airborne Toxic Control Measure – Asbestos Containing Serpentine” (CCR Title 17 Section 93106). The material with naturally occurring asbestos in such concentrations can be reused at the site for subgrade material covered by other non-asbestos-containing material. Reuse of this material onsite must be approved by the Placer County APCD.

Mitigation Measure 7.3c: If naturally occurring asbestos is located onsite, the project developer shall prepare an Asbestos Dust Mitigation Plan pursuant to CCR Title 17 Section 93105. The Asbestos Dust Mitigation Plan shall include the provisions of the Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan identified in *Mitigation Measures 7.1a, 7.1d, and 7.3b*. The Asbestos Dust Mitigation Plan shall also include any additional measures required by the State of California or the Placer County APCD. The Asbestos Dust Mitigation Plan shall be approved by the Placer County APCD prior to issuance of any grading permits.

For each subsequent individual lot developer, an Asbestos Dust Mitigation Plan is only required if the construction area is equal to or greater than one acre.

Mitigation Measure 7.3d: If naturally occurring asbestos is located onsite, the project developer and each subsequent lot seller must disclose the presence of this

environmental hazard during any subsequent real estate transaction processes. The disclosure must include a copy of the CARB pamphlet entitled "Asbestos-Containing Rock and Soil - What California Homeowners and Renters Need to Know," or other similar fact sheet.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant exposure of individuals in the project area to asbestos, a Toxic Air Contaminant, to a less than significant level.

Explanation: These mitigation measures will ensure that appropriate dust control methods and public education will be used to avoid exposure of existing and future residents in the area to asbestos.

Significance After Mitigation: Less Than Significant.

Transportation and Circulation

Impact 8.1: Substantially Increase Traffic or Exceed Placer County LOS Standard under Year 2020 Plus Project Conditions

Mitigation Measure 8.1a: Future builders on each individual residential parcel within the project site shall be responsible for payment of the County's Traffic Impact Fees for the *Auburn/Bowman Community Plan* area.

The Traffic Impact Fee shall be collected by the Department of Public Works prior to the issuance of building permits for each lot.

Mitigation Measure 8.1b: The project applicant shall pay a proportionate share of the total cost for the following improvements. The payment shall be made prior to recordation of the Final Map.

- Contribute 1.95 percent of the cost to add an exclusive northbound left-turn lane to the northbound approach to the Atwood Road intersection on State Route 49 creating dual left turn lanes,
- Contribute 1.95 percent of the cost to widen Atwood Road on the westbound departure from the State Route 49 intersection for approximately 200 feet to create a second receiving lane accommodating traffic using the second northbound left-turn lane from State Route 49.
- Contribute 3.59 percent of the cost to install a traffic signal at the Atwood Road and Mount Vernon intersection.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant exceedance of Placer County LOS standards at the intersection of Atwood Road and Mount Vernon Road to a less than significant level. The LOS standard will be exceeded at the intersection of Atwood Road and State

Route 49. This impact remains Significant and Unavoidable and is discussed in Section XII of these Findings.

Explanation: These mitigation measures will fund improvements necessary to accommodate the project-generated traffic and ensure that LOS at the intersection of Atwood Road and Mount Vernon Road complies with Placer County standards. Refer to Section XII for discussion of the intersection of Atwood Road and State Route 49.

Significance After Mitigation: Less Than Significant at the intersection of Atwood Road and Mount Vernon Road. Significant and Unavoidable at the intersection of Atwood Road and State Route 49.

Impact 8.2: Increase Traffic Hazards

Mitigation Measure 8.2a: An exclusive eastbound left-turn lane shall be installed on Atwood Road for left turning vehicles into the project entry in accordance with County standards. The project applicant shall install “intersection ahead” warning signs to County standards on the eastbound and westbound Atwood Road approaches to the project entrance.

Mitigation Measure 8.2b: The project applicant shall install signs at the entrances to the emergency access road on Joeger Road and on Proposed Road A within the project site prohibiting use except for authorized and emergency vehicles. The Joeger Road emergency access intersection shall be built to accommodate a minimum of 300 feet of sight distance in both directions. Adequate site distance shall be indicated on the improvement plans.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project’s potentially significant increase in traffic hazards to a less than significant level.

Explanation: These mitigation measures will ensure that appropriate roadway improvements and signage are provided to protect the safety of motorists accessing the project site from Atwood Road.

Significance After Mitigation: Less Than Significant.

Biological Resources

Impact 9.1: Disturbance of a Significant Natural Vegetation Type: Foothill Riparian

Mitigation Measure 9.1a: Open Space Lot A and Open Space Lot B, which encompass an area at least 100 feet on either side of the centerline of Deadman’s Ravine and 50 feet from the edge of riparian vegetation associated with this drainage, shall be established as shown on the proposed Tentative Map. No construction or grading shall occur within Open Space Lot A and Open Space Lot B with the exception of construction

of Road A. The Homeowner's Association shall maintain Open Space Lot A and Open Space Lot B.

Mitigation Measure 9.1b: The project applicant shall use bottomless arch culverts or bridges to construct the two road crossings of perennial streams. These crossings occur at one location along Road A as it crosses Deadman's Ravine and at one location on the offsite Joeger 20 parcel as the emergency access road (Road I) crosses a stream east of the stock pond. These streams and cross-sections of the roadway crossings shall be shown on the Improvement Plans for the proposed project, which shall be subject to review and approval by the Placer County Planning Department and Placer County Engineering and Surveying Department (ESD).

Mitigation Measure 9.1c: A 50-foot setback easement shall be established from the edge of all seasonal wetlands and foothill riparian habitats within the Atwood 80 Subdivision project site. In addition, a 100-foot setback easement shall be established from the centerline of all onsite perennial streams. No setback is required from ephemeral streams which do not support riparian vegetation. No construction, grading, filling, or maintenance activities (such as removing vegetation or spraying pesticides or herbicides) shall occur within 50 feet of any seasonal wetland, stock pond, or perennial stream (onsite or offsite) with the exception of the construction and maintenance of Road A and Road I (the emergency access road across the Joeger 20 parcel), and installation and maintenance of sewer infrastructure and easements within APNs 051-061-014, -021, -039, -043, and -044. Prior to issuance of grading permits, the project applicant shall install a 4-foot tall brightly colored (yellow or orange) synthetic mesh material fence adjacent to all setback easements and open space parcels.

Mitigation Measure 9.1d: The applicant shall submit a foothill riparian habitat restoration and monitoring plan to the Placer County Planning Department and the ESD for approval prior to issuance of a grading permit for any grading operations that impact foothill riparian habitat. The habitat restoration shall occur in both onsite and offsite foothill riparian habitat impacted by the project. The applicant shall implement the restoration program concurrent with implementation of roadway grading and construction projects that impact foothill riparian habitat and must demonstrate compliance with the preliminary phases of the restoration and monitoring program prior to recordation of final map. This program, which will indicate the amount of riparian habitat impacted and replaced at a 1:1 ratio, shall be developed by a qualified biologist or restoration specialist. The restoration program shall include a mitigation monitoring program that includes visual inspections of vegetation plantings a minimum of one time per year for five years and a provision requiring submittal of annual monitoring reports to Placer County. Any vegetation that does not survive during the five year monitoring program shall be replaced.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant impacts to foothill riparian habitat to a less than significant level.

Explanation: These mitigation measures will ensure that disturbance to foothill riparian habitat is minimized and that the project applicant implements a restoration plan to compensate for an unavoidable impacts to this habitat type during construction of the project.

Significance After Mitigation: Less Than Significant.

Impact 9.4: Disturbance or Degradation of Waters or Wetlands Subject to U.S. Army Corps of Engineers Jurisdiction Under the Federal Clean Water Act

Mitigation Measure 9.4a: The project applicant shall implement *Mitigation Measure 9.1a*, which requires establishment of Open Space Lot A and Open Space Lot B as shown on the proposed Site Plan. No construction or grading shall occur within Open Space Lot A and Open Space Lot B with the exception of construction of Road A. The Homeowner's Association shall maintain Open Space Lot A and Open Space Lot B.

Mitigation Measure 9.4b: The project applicant shall implement *Mitigation Measure 9.1b* which requires the use of bottomless arch culverts or bridges to construct the two road crossings of perennial streams.

Mitigation Measure 9.4c: The applicant shall use bottomless arch culverts or bridges to construct all road crossings of ephemeral streams, specifically at several locations along Road A, Road D, and Road I. These streams and cross-sections of the roadway crossings shall be clearly shown on the Improvement Plans for the proposed project, which shall be subject to review and approval by the Placer County Planning Department and ESD.

Mitigation Measure 9.4d: The project applicant shall implement *Mitigation Measure 9.1c*, which requires that a 50-foot setback easement be established from the edge of all seasonal wetlands and from the edge of all foothill riparian habitats within the Atwood 80 Subdivision project site, and that a 100-foot setback easement be established from the centerline of all perennial streams onsite. Other than as necessary for road and sewer infrastructure construction and maintenance, no project activities shall occur within 50 feet of any seasonal wetland, stock pond, or perennial stream. Prior to issuance of grading permits, the project applicant shall install a 4-foot tall brightly colored (yellow or orange) synthetic mesh material fence adjacent to all setback easements and open space parcels.

Mitigation Measure 9.4e: The project applicant shall obtain the appropriate permits from the U.S. Army Corps of Engineers (Corps) and the Regional Water Quality Control Board. Anticipated impacts to waters and wetlands within the Corps' jurisdiction are: direct impacts to the perennial stream in the offsite improvement area from the proposed sewer piping and indirect impacts to ephemeral streams and seasonal wetlands which cross lots 4, 33, 42, 45, 46, 47, 62, 63, and 64. These impacts would require a Pre-Construction Notification through Nationwide Permit 39 from the Corps and a 401 Water Quality Certification from the Regional Water Quality Control Board. Once acquired, these permits shall be submitted to the Placer County DRC prior to

approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site.

Mitigation Measure 9.4f: The project applicant shall carry out onsite replacement or offsite banking to mitigate for impacts to wetlands. Minimum replacement ratios shall be 1:1 for wetland habitat. The project applicant shall comply with the Corps and County policies requiring “no net loss” of wetlands. If offsite mitigation is chosen, the project applicant shall provide written evidence that compensatory habitat has been established through the purchase of mitigation credits at a County qualified wetlands mitigation bank. The amount of money required to purchase these credits shall be equal to the amount necessary to replace wetland or habitat acreage and value, including compensation for temporal loss. Evidence of payment, which describes the amount and type of habitat purchased at the bank site, shall be provided to the County prior to the issuance of grading permits.

Mitigation Measure 9.4g: The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for the proposed road crossings of all streams. Once acquired, these permits shall be submitted to the DRC prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site.

Mitigation Measure 9.4h: The project applicant shall incorporate Best Management Practices (BMPs) to control erosion and sedimentation of onsite drainageways during construction and installation of infrastructure and during project operation. BMPs shall be shown on Improvement Plans and subject to approval by the Placer County Planning Department and ESD. BMPs for erosion and sediment control shall include the following measures:

- a. With the exception of road crossings of perennial and ephemeral streams, maintain 50-foot setbacks for construction and grading activities from ephemeral streams, riparian areas, and wetlands; and 100-foot setbacks from perennial streams.
- b. Prepare a winterization plan for sites where construction is not completed by October 15.
- c. Minimize the depths of cuts and fills to the extent feasible.
- d. Use measures to prevent eroded soil from entering site drainageways, including: placement of hay bales or other acceptable materials such as sediment barriers, installation of temporary earth berms, use of fabric silt fences, spreading hay or straw on exposed areas, development of temporary settling areas and use of other means for slowing runoff and reducing sediment loads. Sediment collected at the erosion control sites shall be collected and disposed of once revegetation has become established. Specifications for silt fencing shall be included on final grading plans.
- e. For surfaces at any project site that are not revegetated or covered, the applicant shall implement other BMPs to minimize discharge of sediments offsite such as filter strips or vegetated swales.
- f. Design new storm drains throughout the project area to trap sediment and trash. Establish a program of routine maintenance to ensure their continued effectiveness.

- g. Minimize drainage concentration from impervious surfaces using construction management techniques and erosion protection at culvert outfall locations.
- h. Storm drainage from onsite impervious surfaces shall be collected and routed through specially designed catchbasins, vaults, and filters for entrapment of sediment, debris and oils/greases as approved by ESD. A monitoring program that includes routine catchbasin cleaning shall be provided to ESD for approval prior to issuance of a grading permit.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant disturbance of wetlands and waters of the U.S. to a less than significant level.

Explanation: These mitigation measures will ensure that the project design avoids impacts to wetlands where feasible, that appropriate construction methods and BMPs are used to minimize impacts where they cannot be avoided, and that the project applicant compensates for impacts to wetlands in accordance with the requirements of the Corps and the California Department of Fish and Game.

Significance After Mitigation: Less Than Significant.

Impact 9.5: Adverse Affects on a Population or the Critical Habitat of Rare or Endangered Plants or Animals

Mitigation Measure 9.5a: If construction is to occur during the raptor nesting period (generally March 1 through August 31), the project applicant shall retain a qualified biologist to conduct pre-construction nesting raptor surveys within 30 days prior to the commencement of site preparation activities to confirm the presence or absence of nesting raptors. If an active nest(s) is located, a qualified biologist in consultation with California Department of Fish and Game shall recommend a buffer area around the nest(s). The buffer area shall be delineated with orange construction fencing and no construction shall take place within the buffer zone until the biologist has determined that all young have fledged and are capable of foraging independently.

Mitigation Measure 9.5b: Prior to construction, the applicant shall conduct focused surveys for the yellow-legged frog and northwestern pond turtle in order to determine presence or absence of the species on the Atwood 80 Subdivision project site and offsite parcels affected by the proposed infrastructure improvements.

- Focused surveys for foothill yellow-legged frog shall occur during their breeding season between mid-March and May. If individuals are discovered on the project site or in immediately adjacent areas consultation shall be initiated with California Department of Fish and Game to formulate and implement measures to minimize impacts to this species, which could include capture and relocation measures.

- Focused surveys for the northwestern pond turtle shall be conducted between May 1st and July 1st. If individuals are discovered on the project site or in immediately adjacent areas consultation shall be initiated with California Department of Fish and Game to formulate and implement measures to minimize impacts to this species, which could include capture and relocation measures.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant effects to rare or endangered animals to a less than significant level.

Explanation: These mitigation measures will ensure that if any rare or endangered animals occur onsite, they will be identified prior to construction and that impacts to these species are minimized in accordance with the requirements of the California Department of Fish and Game.

Significance After Mitigation: Less Than Significant.

Impact 9.6: Substantial Reduction in Habitat or Interference with Movement for Fish, Wildlife, or Plants

Mitigation Measure 9.6a: The project applicant shall implement *Mitigation Measure 9.1a*, which requires establishment of Open Space Lot A and Open Space Lot B as shown on the proposed Site Plan. No construction or grading shall occur within Open Space Lot A and Open Space Lot B with the exception of construction of Road A. The Homeowner's Association shall maintain Open Space Lot A and Open Space Lot B.

Mitigation Measure 9.6b: The project applicant shall implement *Mitigation Measure 9.1b* which requires the use bottomless arch culverts or bridges to construct the two road crossings of perennial streams.

Mitigation Measure 9.6c: The project applicant shall implement *Mitigation Measure 9.1c*, which requires that a 50-foot setback easement be established from the edge of all seasonal wetlands and from the edge of all foothill riparian habitats within the Atwood 80 Subdivision project site, and that a 100-foot setback easement be established from the centerline of all perennial streams onsite. Other than as necessary for road and sewer infrastructure construction and maintenance, no project activities shall occur within 50 feet of any seasonal wetland, stock pond, or perennial stream. Prior to issuance of grading permits, the project applicant shall install a 4-foot tall brightly colored (yellow or orange) synthetic mesh material fence adjacent to all setback easements and open space parcels.

Mitigation Measure 9.6d: The project applicant shall implement *Mitigation Measure 9.1d*, which requires the applicant to submit a foothill riparian habitat restoration and monitoring plan to the Placer County Planning Department and ESD for approval prior to issuance of a grading permit, to implement the restoration program during project construction, and to monitor the restored areas for five years.

Mitigation Measure 9.6e: The project applicant shall implement *Mitigation Measure 9.2a* to compensate for impacts to oak woodland habitat and/or create replacement habitat at a 2:1 ratio. The project applicant shall also implement *Mitigation Measure 9.3c* to compensate for impacts to large oak trees at a 1:1 ratio based on the amount of inches of diameter at breast height impacted.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant reduction in habitat and interference with wildlife movement to a less than significant level for riparian and water habitats. The reduction in habitat and interference with wildlife movement associated with oak woodland habitat will remain significant and unavoidable, and is discussed in Section XII of these Findings.

Explanation: These mitigation measures will ensure that impacts to habitats and areas that support fish and wildlife movement are avoided where feasible, and that compensation for impacts to habitats is provided when avoidance is not feasible. This will provide sufficient avoidance and compensation to reduce impacts to riparian and water habitats to a less than significant level, but due to the extent of impacts to oak woodland habitat, it is not feasible to provide adequate compensation to reduce this impact to a less than significant level. Refer to Section XII for additional discussion of this significant and unavoidable impact.

Significance After Mitigation: Less than Significant with respect to Riparian and Water Habitats; Significant and Unavoidable with respect to Oak Woodland Habitat.

Impact 9.7: Conflicts with Adopted Goals, Policies or Regulations of Relevant Regulatory Agencies

Mitigation Measure 9.7a: The project applicant shall implement *Mitigation Measure 9.1a*, which requires establishment of Open Space Lot Open Space Lot A and Open Space Lot B as shown on the proposed Site Plan. No construction or grading shall occur within Open Space Lot A and Open Space Lot B with the exception of construction of Road A. The Homeowner's Association shall maintain Open Space Lot A and Open Space Lot B.

Mitigation Measure 9.7b: The project applicant shall implement *Mitigation Measure 9.1c*, which requires that a 50-foot setback easement be established from the edge of all seasonal wetlands and from the edge of all foothill riparian habitats within the Atwood 80 Subdivision project site, and that a 100-foot setback easement be established from the centerline of all perennial streams onsite. Other than as necessary for road and sewer infrastructure construction and maintenance, no project activities shall occur within 50 feet of any seasonal wetland, stock pond, or perennial stream. Prior to issuance of grading permits, the project applicant shall install a 4-foot tall brightly colored (yellow or orange) synthetic mesh material fence adjacent to all setback easements and open space parcels.

Mitigation Measure 9.7c: The project applicant shall implement *Mitigation Measure 9.2a* to compensate for impacts to oak woodland habitat and/or create replacement habitat at a 2:1 ratio. The project applicant shall also implement *Mitigation Measure 9.3c* to compensate for impacts to large oak trees at a 1:1 ratio based on the amount of inches of diameter at breast height impacted.

Mitigation Measure 9.7d: The project applicant shall implement *Mitigation Measure 9.3a* which requires the applicant to submit an amended arborist report (prepared by a Certified Arborist) to the Placer County Planning Department for review and approval. The amended arborist report shall include surveys of the entire final roadway and infrastructure alignment for the project site and offsite improvement areas. The amended arborist report shall be reviewed and approved by the Placer County Planning Department prior to approval of the Improvement Plans and prior to any development activity onsite, including preliminary clearing or grading.

Mitigation Measure 9.7e: The project applicant shall implement *Mitigation Measure 9.4e* which requires the applicant to obtain the appropriate permits from the Corps and the Regional Water Quality Control Board prior to approval of Improvement Plans, issuance of grading permits and/or any clearing, grading, or excavation work on the project site.

Mitigation Measure 9.7f: The project applicant shall implement *Mitigation Measure 9.4f* which requires the applicant to carry out onsite replacement or offsite banking to mitigate impacts to wetlands. Minimum replacement ratios shall be 1:1 for wetland habitat. The project applicant shall comply with the Corps and County policies requiring “no net loss” of wetlands. This mitigation measure shall be implemented prior to issuance of grading permits.

Mitigation Measure 9.7g: The project applicant shall implement *Mitigation Measure 9.4g* which requires the applicant to obtain a Streambed Alteration Agreement from the California Department of Fish and Game for the proposed road crossings of all streams prior to approval of Improvement Plans, issuance of a grading permit and/or any clearing, grading, or excavation work on the project site.

Mitigation Measure 9.7h: The project applicant shall implement *Mitigation Measure 9.5a* which requires pre-construction nesting raptor surveys within 30 days prior to the commencement of site preparation activities to confirm the presence or absence of nesting raptors if construction is to occur during the raptor nesting period (generally March 1 through August 31).

Mitigation Measure 9.7i: The project applicant shall implement *Mitigation Measure 9.5b* which requires focused surveys for the yellow-legged frog and northwestern pond turtle in order to determine presence or absence on the Atwood 80 Subdivision project site.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the

project's potentially significant conflicts with goals, policies, and regulations of relevant regulatory agencies to a less than significant level.

Explanation: These mitigation measures will ensure that impacts to regulated resources, such as oak woodland, trees, streams/creeks, and wetlands are mitigated in a manner that is consistent with adopted policies and regulations of the applicable agencies. This will provide sufficient impact avoidance and compensation to ensure that the project does not conflict with applicable goals, policies, and regulations.

Significance After Mitigation: Less than Significant.

Noise

Impact 10.1: Substantial Temporary Increase in Ambient Noise Levels

Mitigation Measure 10.1a: Construction noise emanating from any construction activities for which a grading or building permit is required is prohibited on Sundays and federal Holidays, and shall occur only as follows:

- a. Monday through Friday, 6:00 a.m. to 8:00 p.m. (during daylight savings)
- b. Monday through Friday, 7:00 a.m. to 8:00 p.m. (during standard time)
- c. Saturdays, 8:00 a.m. to 6:00 p.m.

These time restrictions shall be indicated on the grading plans and Improvement Plans and verified by Environmental Health Services prior to approval of the Improvement Plans or issuance of a grading permit.

Mitigation Measure 10.1b: All construction equipment shall be fitted with factory installed muffling devices and all construction equipment shall be maintained in good working condition to lower the likelihood of any piece of equipment emitting noise beyond the standard dB level for that equipment.

Mitigation Measure 10.1c: Any blasting associated with the project shall be conducted in accordance with *Placer County General Plan Policy 9.A.4.*

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant temporary increase in noise levels to a less than significant level.

Explanation: These mitigation measures will ensure that construction noise occurs within acceptable time periods and is minimized to the extent possible.

Significance After Mitigation: Less Than Significant.

Public Services

Water

Impact 11.1.1: Insufficient Water Supply, Water Volume or Pressure, or Infrastructure

Mitigation Measure 11.1.1a: The project applicant shall construct all onsite improvements for the provision of domestic water service to the proposed project and shall provide necessary easements and access for maintenance of infrastructure including canals, pipelines, spillways, and access roads.

Mitigation Measure 11.1.1b: The project applicant shall complete an engineering analysis, consistent with Section 10 of the NID Water Service Regulations, to demonstrate the adequacy of existing and proposed pipeline sizes and other related facilities necessary to provide a water distribution system to the proposed project. The study shall reflect consumptive demands and required fire flows for the proposed project at buildout and shall document the onsite improvements necessary to provide service. The study shall detail the existing water supply, volume, and pressure available to serve the project. The study shall be conducted at the sole expense of the project applicant and shall be approved by NID and Placer County Engineering and Surveying Department (ESD) prior to approval of Improvement Plans. This project shall be subject to the payment of all fees and charges related to provision of water service by NID.

Mitigation Measure 11.1.1c: Water conservation measures shall be incorporated into the landscape plans for the subdivision. The project Improvement Plans shall include all landscaping for common areas and road frontages. Prior to approval of the Improvement Plans, the Placer County Development Review Committee (DRC) shall verify that the landscaping plan includes water-efficient designs and irrigation methods, drought resistant and native plants, and water conserving planting materials.

Water conservation measures for each individual residential lot shall be required by the CC&Rs for the subdivision. The CC&Rs shall include recommendations and information on water-efficient designs and irrigation methods, minimizing lawn areas, using drought resistant and native plants, and water conserving planting materials. These measures shall be incorporated in the CC&Rs for the proposed subdivision, and compliance with these measures shall be verified by Placer County prior to issuance of building permits for each home.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant increase in demand for water to a less than significant level.

Explanation: These mitigation measures will ensure that adequate water conveyance infrastructure is provided and that water conservation measures are incorporated in the project landscaping.

Significance After Mitigation: Less Than Significant.

Wastewater

Impact 11.2.1: Adequate Wastewater Conveyance System to Serve Project

Mitigation Measure 11.2.1a: The project applicant shall abandon the existing sewer lift station and construct a new lift station and pipelines to serve the proposed project as well as existing residences to the north of the project, including those served by the existing Bell Road sewer lift station. All sewage conveyance infrastructure to be constructed onsite and in the offsite improvement area shall be included on the project Improvement Plans, which are subject to approval by ESD and Placer County Facility Services Environmental Engineering Division.

Mitigation Measure 11.2.1b: The applicant shall annex the project site into SMD #1. Annexation requires submittal of a map and project description to SMD #1. Approval by the Placer County Board of Supervisors of the annexation would be determined at a public hearing after initial project environmental review and certification of the project EIR. Annexation of the project site into SMD #1 shall be completed prior to approval of the project's Improvement Plans.

Mitigation Measure 11.2.1c: The project applicant shall provide a Sewer Study and Lift Station Design Report to the Placer County Environmental Engineering and Utilities Division for review and approval concurrent with submittal of the project Improvement Plans. This Sewer Study, Lift Station Design Report, and sewer utility plan shall be in general conformance with the completed Placer County Sewer Study dated February 1996, and Placer County standards. The sewer utility plan shall depict sewage infrastructure extension to the parcels to the east and the new pipe segment in Bell Road bypassing the Wilson Drive line. The Sewer Study shall demonstrate that gravity sewer service has been provided to the maximum number of parcels feasible. The Sewer Study shall describe the average daily wastewater generation from the site and the methodology used to derive the estimates. The sewer utility plan shall depict the demolition of the existing Bell Road Lift Station and the plan for collection and transmission of the existing sewage flow from the facility. The sewer utility plan shall show paved vehicular access to all sewer manholes. The Sewer Study and Lift Station Design Report shall be approved prior to or concurrent with approval of the Improvement Plans.

Mitigation Measure 11.2.1d: The CC&Rs for the proposed Atwood 80 Subdivision shall include the following provisions:

- a. Upon presentation of proper identification, Environmental Engineering and Utilities Division personnel and their representatives shall be provided access to all public sewer infrastructure easements for the purposes of inspection, maintenance, and repair of the sewer facilities
- b. Homeowners shall be prohibited from planting trees or constructing structures or significant landscaping within any sewer easement. Language to this effect shall be included in any easement agreement for easements located onsite or in the offsite improvement area. The requirement shall also be included in the project Development Notebook.
- c. The access entry code for the gate entrance to the project site shall be provided to the Environmental Engineering and Utilities Division for use by their maintenance personnel.

Mitigation Measure 11.2.1e: The project applicant shall construct a new gravity line in Bell Road, connecting to the DeWitt Sewer Trunk line to bypass the Wilson Drive sewer line. These improvements shall be shown on the project's Improvement Plans and constructed prior to issuance of building permits for the subdivision.

The project applicant shall implement an offsite mitigation program to offset the increase in peak wet weather flow through the DeWitt Sewer Trunk and the wastewater treatment plant from this project (64 EDUs). The offsite mitigation program shall be coordinated and approved by the Placer County Facility Services Environmental Engineering Division. The offsite mitigation program will replace and/or rehabilitate sewer infrastructure to recover capacity from inflow and infiltration equivalent to this project's peak wet weather flows as determined by the Environmental Engineering Division. It is estimated that the project will need to achieve a 124,032 gallons per day (86.1 gallons per minute) reduction in peak wet weather flows.

In lieu of implementing an offsite mitigation program, the applicant may pay a fee of \$4,000.00 per EDU (the "in-lieu fee") prior to sewer Improvement Plan approval as a temporary measure pending further studies and adoption by the Board of Supervisors of a SMD #1 mitigation fee (the "Mitigation Fee"). The In-Lieu Fee is intended as an estimate of those funds necessary to offset the project's peak wet weather flows. The Environmental Engineering Division will use this money to reduce inflow and infiltration within the existing SMD #1 by replacement and/or rehabilitation of existing sewer infrastructure. In the event the Board of Supervisors adopts the Mitigation Fee by December 31, 2010 and the adopted Mitigation Fee is less than the In-Lieu Fee, the project applicant shall be entitled to a refund of the difference if the project applicant submits a request in writing therefore by June 30, 2011. The mitigation fee shall be calculated based on 64 EDUs. The project applicant shall receive credit for fees previously paid towards the Placer County SMD #1 DeWitt Trunk Sewer Capacity Study. The mitigation fee or in-lieu fee shall be reduced based on this credit.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant increase in demand for wastewater conveyance and treatment to a less than significant level.

Explanation: These mitigation measures will ensure that adequate wastewater conveyance infrastructure is provided, permanent access is provided to the onsite infrastructure for maintenance, and that improvements are made in the sewer shed to ensure that adequate capacity is available at the wastewater treatment plant to serve the project.

Significance After Mitigation: Less Than Significant.

Fire Protection

Impact 11.3.1: Conflict With Ability to Provide Fire Protection and Emergency Services

Mitigation Measure 11.3.1a: Future builders on each individual residential parcel within the project site shall pay the mitigation fees and Benefit Assessment Fee to fund the project's fair share of capital costs for provision of fire protection services to the project site. The mitigation fees shall be paid at the time of Building Permit issuance. The Benefit Assessment Fee shall be paid annually.

Mitigation Measure 11.3.1b: The applicant shall obtain a will-serve letter from the PCFD. As required in *Mitigation Measure 11.3.1a*, each residential unit within the proposed project shall be subject to the payment of Fire Facilities Fees and Benefit Assessment Fees to PCFD to fund the provision of fire protection services to this project.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential to significantly conflict with the ability of the Placer County Fire District to provide fire protection and emergency services to a less than significant level.

Explanation: These mitigation measures will ensure that mitigation fees and Benefit Assessment Fees are paid to fund the project's fair share of capital costs for provision of fire protection services to the project site.

Significance After Mitigation: Less Than Significant.

Impact 11.3.2: Expose People or Structures to Wildland Fires

Mitigation Measure 11.3.2a: A gated secondary emergency access road from Joeger Road to the north will be provided. The emergency access road will cross the Joeger 20 parcel and enter the Atwood 80 Subdivision project site at its northern boundary. This emergency access road will be a paved surface 20 feet in width, and shall be gated at both ends, but not locked. The gates shall be secured with removable pins.

Mitigation Measure 11.3.2b: Driveways serving one parcel but no more than five structures shall be a minimum of 12 feet in width. Vertical clearance shall be 13 feet 6 inches across the full width of the road. For the purpose of this mitigation, roadway width shall mean driving surface. Curb and gutter is not included in the roadway width. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. A turnaround shall be provided at all building sites on driveways over 300 feet in length and shall be within 50 feet of the building. All roadways and access roads shall be completed prior to issuance of any building permits for residences within the project site.

Mitigation Measure 11.3.2c: At a minimum, a fire hydrant shall be located every 500 feet of roadway. Each fire hydrant shall be capable of providing a minimum 1,000 gallons per minute at 20 pounds per square inch in conformance with the 2007 California Fire Code requirements. The project applicant shall demonstrate that water supply and infrastructure is available to meet the required fire flows. Verification of adequate fire flows shall be provided prior to recordation of the final map.

Mitigation Measure 11.3.2d: Facilities shall be designed to meet conditions specified by the PCFD. Additional fire safety mitigation measures shall include:

- a. The CC&Rs for the subdivision shall require homeowners to maintain open areas in a fire safe condition around all structures. The homeowner shall be responsible for removing dead and dry vegetation at least 30 feet from all non-fire resistive structures. This includes all homes, outbuildings, and wooden fences.
- b. The CC&Rs for the subdivision shall require the use of Class A roofing and siding materials on all structures
- c. The CC&Rs for the subdivision shall require the use of smoke detectors in all homes.
- d. All buildings shall conform with the requirements of the 2007 California Building Code (CFB), Chapter 7a, fire resistive construction.

Mitigation Measure 11.3.2e: The CC&Rs for the subdivision shall require that all entry and emergency access gates' access codes, lock boxes, and/or keys are provided to PCFD, CAL FIRE, utility providers, and the Placer County Department of Facility Services. Prior to changing codes or locks in the future, the Homeowners Association must notify PCFD, CAL FIRE, utility providers, and the Placer County Department of Facility Services and provide them with the new codes, lock boxes, and/or keys. Gates shall use the KNOX, "click to enter," or "opticom receiver" system to allow access by PCFD and CAL FIRE.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant exposure of people to wildland fires to a less than significant level.

Explanation: These mitigation measures will ensure that adequate emergency access is provided to the project site and that requirements of Placer County Fire District regarding provision of fire breaks and fuel clearing requirements, installation of hydrants and minimum fire suppression water flows, and roadway maintenance requirements are met.

Significance After Mitigation: Less Than Significant.

Schools

Impact 11.5.1: Increased Student Enrollment

Mitigation Measure 11.5.1a: The applicant for construction of each individual residence shall pay all required school fees upon issuance of building permits. Each applicant shall pay the development fees in effect at the time the building permit is issued. Current fees are \$2.24 per square foot of residential space. The schools fee shall be split

between the Auburn Union School District (K through 8) and the Placer Union High School District (9 to 12).

Finding: Implementation of the mitigation measure identified above and listed in the MMRP will minimize the potential effects (such as overcrowding) of increased student enrollment in the Auburn Union School District (K through 8) and the Placer Union High School District to a less than significant level.

Explanation: These mitigation measures will ensure that mitigation fees are paid to fund the project's fair share of capital costs for provision of school facilities and services to serve students residing within the project site.

Significance After Mitigation: Less Than Significant.

Parks

Impact 11.7.1: Increased Demand for Parks and Recreation Facilities

Mitigation Measure 11.7.1a: The project applicant shall pay the current Park Dedication Fees for each proposed residential lot. These fees shall be paid prior to recordation of the final map.

Mitigation Measure 11.7.1b: The proposed project shall be annexed into the existing lighting and landscaping district established to maintain offsite park facilities at the Atwood Ranch III Subdivision in accordance with the requirements of the Auburn Recreation District. After annexation, each individual homeowner within the Atwood 80 Subdivision will be assessed an annual lighting and landscaping district fee through their property tax bill.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential to significantly conflict with the ability of Placer County to provide the public with park and recreation services to a less than significant level.

Explanation: These mitigation measures will ensure that mitigation fees and maintenance fees are paid to fund the project's fair share of costs for provision of park and recreation services to the project site's residents.

Significance After Mitigation: Less Than Significant.

Aesthetics

Impact 12.1: Damage to Scenic Resources

Mitigation Measure 12.1a: Improvement Plans for construction and installation of project roadways and utilities shall be subject to review and approval by the Placer County Development Review Committee. The Improvement Plans shall demonstrate consistency with the *Placer County Rural Design Guidelines*. The Improvement Plans shall

include, but not be limited to: landscaping; irrigation; signs; exterior lighting; recreational facilities; fences and walls; and all open space amenities. Street side features such as decorative benches, meandering walkways, and bicycle lanes shall be incorporated to enhance the experience of the project site for passersby, pedestrians, and cyclists. Landscape plans submitted with Improvement Plans shall detail plant species, irrigation, and planting specifications. Landscaping plans shall include native, drought-tolerant plant species. Specific requirements of the Improvements Plans include the following:

- The Improvement Plans shall include detailed plans for the project entry feature on Atwood Road. This feature shall reflect the surrounding environment. Landscaping shall primarily include native and /or native appearing plantings, and indigenous materials shall be used in all walls, signs, and related entry features. Irrigated lawns and extensive lighting and signage shall not be included in the entry feature.
- Where feasible, roadways, utility lines, and other components of the proposed development shall be designed to minimize removal of trees and minimize grading. Plans shall indicate that as many native oak trees as possible shall be preserved during construction of project improvements.
- Proper implementation of approved grading and revegetation plans shall be ensured by the posting of a surety bond to guarantee compliance. The terms of the surety shall be approved by Placer County prior to approval of Improvement Plans and/or prior to issuance of grading permits.

Building Plans for each individual home proposed to be constructed within the Atwood 80 Subdivision shall be subject to review and approval by Placer County. Building Plans shall demonstrate consistency with the *Placer County Rural Design Guidelines*. Building features such as cornices, gables, entrances, and window treatments and borders shall be used to soften or enhance portions of a building. Siding and roofing materials and colors shall blend with the surrounding environment. Landscaping shall be used to create privacy and shield views of the proposed structures using existing trees wherever possible, and use of native plants and trees shall be demonstrated in the landscaping plans.

Mitigation Measure 12.1b: The following design principles shall be implemented for construction of each individual home within the proposed Atwood 80 Subdivision. These measures shall be incorporated in the CC&Rs for the proposed subdivision, and compliance with these measures shall be verified by Placer County prior to issuance of building permits for each home.

- Each lot shall comply with setbacks and building heights required under the Placer County Zoning Ordinance.
- Structure design shall avoid massing that is out of scale with existing buildings or which imposes on the landscape and the natural skyline in ways that cause the contiguous rural landscape to be interrupted.
- Photographic simulations of the visual effect of new residences on lots 36 through 39 shall be submitted with Building Plans. Construction on these lots, which will be

highly visible from and upslope to existing residences along Oak Creek Court, shall incorporate landscaping and setbacks to shield views both to and from the site as appropriate.

- Structures on Lots 34 through 40, 44, and 45 may have a maximum height of 36 feet, pursuant to the Placer County Zoning Ordinance. Rear setbacks on these lots shall be a minimum of 30 feet.
- Tree lines (and therefore trees) shall be retained to the extent feasible and buildings shall not extend above tree lines or along other topographical changes in contour from down slope points of view.
- Where feasible, structures shall be designed to minimize removal of trees and minimize grading. Natural vegetation shall be preserved to the extent feasible. Plans shall indicate that as many native oak trees as possible shall be preserved.
- Perimeter fencing shall not exceed six feet in height. Fencing material shall consist of open iron, natural-colored solid wood, or dark-colored chain link. Stone or masonry walls shall not exceed three feet in height. Fencing adjoining open space areas shall be restricted to open designs only with flat tops rather than spire tops to protect migrating wildlife.
- Landscaping plans shall provide visual continuity by using native, drought-tolerant species in the revegetation of disturbed areas.
- Building Plans shall incorporate architectural designs, colors and building materials to blend structures with the existing environment. Building envelopes shall be designed to minimize grading and vegetation clearing.
- Architectural designs, colors and building materials shall blend with the existing environment.
- Lighting designs shall include shielded and directed lighting. No lighting shall be allowed to spill onto adjacent properties.
- Deed restrictions shall prohibit disturbance of open space areas.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potential damage to scenic resources to a less than significant level.

Explanation: These mitigation measures will ensure that building and improvement plans for the subdivision and for each residence within the subdivision preserve existing topography and vegetation and make use of building materials and colors that complement the existing environment. This will ensure that existing scenic resources are protected to the extent feasible.

Significance After Mitigation: Less Than Significant.

Impact 12.2: Increase in Light and Glare

Mitigation Measure 12.2a: Outdoor lighting shall be detailed on Building Plan elevations for construction of each individual home within the Atwood 80 Subdivision. Lighting shall be shielded to produce downward-directed lighting to avoid spillover to adjacent properties and avoid illuminating the night sky. Lighting shall be focused and shielded, of a color, and mounted at heights which avoid light spillage and glare onto adjacent properties. Exterior lighting will be designed to eliminate luminance above a horizontal plane and minimize glare towards adjacent properties and roadways by being shielded and directed downwards. Security lighting shall be shielded and directed only at building entrances and outdoor activity areas. Motion sensor lighting shall be incorporated to minimize unnecessary night lighting. This mitigation measure shall be incorporated into the CC&Rs for the Atwood 80 Subdivision project.

Mitigation Measure 12.2b: Improvement Plans for the proposed subdivision shall indicate all proposed lighting, including lighting standard heights and specifications, for streets and the project entrance. Improvement Plans shall be subject to review and approval by the Placer County Development Review Committee prior to issuance of a grading permit. Lighting shall be installed at street intersections and principal access areas only. Preference shall be given to passive means of warnings to drivers and pedestrians. These include installation of reflective roadway markers, lines, warnings or informational signs and reflectors attached to bollards at the sides of the road to reduce the use of artificial lighting.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential increase in light and glare to a less than significant level.

Explanation: These mitigation measures will ensure that sources of light and glare within the project site are controlled and that no light is allowed to spillover to adjacent properties.

Significance After Mitigation: Less Than Significant.

Cultural Resources

Impact 13.1: Loss of Cultural Resources

Mitigation Measure 13.1a: In the event that prehistoric resources, artifacts, historic features or human remains are uncovered during the course of construction, work will be halted in that location. The project applicant or prime contractor shall notify the United Auburn Indian Community of the discovery and retain a qualified archaeologist to conduct an identification and assessment of the site and provide further management recommendations. All construction contracts shall stipulate these requirements prior to issuance of grading permits and/or building permits.

Mitigation Measure 13.1b: The project applicant shall comply with the guidelines of California Health and Safety Code Section 7050.5 and Public Resources Code Sections

5097.94, 5097.98 and 5097.99 for inadvertent discovery of human remains or burials during project operation or construction. If human remains are discovered, compliance with California Code shall include but is not limited to the following measures:

- a. All excavation or disturbance of the site of discovery and any nearby area reasonably suspected to have remains must be halted immediately and the County Coroner shall be notified of the find.
- b. The Coroner has two working days to examine the remains after being notified by the person responsible for the excavation. If the remains are determined to be Native American, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours.
- c. The NAHC shall immediately notify the person it believes to be the most likely descendant of the deceased Native American. The most likely descendant may, with the permission of the landowner or landowner's representative, inspect the site of discovery. The most likely descendant has 48 hours from being granted site access to make recommendations to the landowner, or landowner's representative, for the treatment or disposition of the remains and any associated artifacts with proper dignity. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.
- d. If a most likely descendant cannot be identified, or the most likely descendant fails to make recommendations within the specified time period, the landowner must re-enter the remains and any associated artifacts in an area of the property secure from further disturbance. If the owner rejects the descendant's recommendations, the owner or the descendant may request mediation by the NAHC. If mediation fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall re-enter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance and protect the location as required by Public Resources Code Section 5097.98(e).

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential affect on cultural resources to a less than significant level.

Explanation: These mitigation measures will ensure that if any cultural resources are encountered during project construction, work in that area will be halted and resource data recovery will occur. This will avoid any impacts to cultural resources.

Significance After Mitigation: Less Than Significant.

Hazards and Hazardous Materials

Impact 14.1: Storage and Use of Hazardous Materials on the Project Site

Mitigation Measure 14.1a: The following Best Management Practices shall be implemented during all construction activity within the project site and offsite improvement area to control pollutant sources associated with the handling and storage of construction materials and equipment, as well as with waste management and disposal.

- a. Store construction raw materials (e.g., dry materials such as plaster and cement, pesticides and herbicides, paints, petroleum products, treated lumber) in designated areas that are located away from storm drain inlets, drainageways, and canals and are surrounded by earthen berms. Train the construction employees working on the site in proper materials handling practices to ensure that, to the maximum extent practicable, those materials that are spread throughout the site are covered with impervious tarps or stored inside buildings.
- b. Whenever possible, wash out concrete trucks offsite in County designated areas. When the trucks are washed onsite, contain the wash water in a temporary pit adjacent to the construction activity where waste concrete can harden for later removal. Avoid washing fresh concrete from the trucks, unless the runoff is drained to a berm or level area, away from site waterways and storm drain inlets.
- c. Collect non-hazardous waste construction materials (e.g., wood, paper, plastic, cleared trees and shrubs, building rubble, scrap metal, rubber, glass) and deposit in covered dumpsters at a designated waste storage area on the site. Store recyclable construction materials separately for recycling. Transport all solid waste and recyclable material to the Western Regional Sanitary Landfill and Materials Recovery Facility.
- d. Store hazardous materials in portable metal sheds with secondary containment. The quantities of these materials stored on site shall reflect the quantities needed for site construction. Avoid over-application of fertilizers, herbicides, and pesticides. Do not mix hazardous waste with other waste produced on the site. Contract with a Certified Waste Collection contractor to collect hazardous wastes for disposal at an approved hazardous waste facility.
- e. Dispose of waste oil and other equipment maintenance waste in compliance with federal, State and local laws, regulations and ordinances.

Mitigation Measure 14.1b: All asbestos-containing materials shall be handled and disposed of in accordance with State and County regulatory requirements. The developer shall contact Placer County Air Pollution Control District and Environmental Health Division for specific requirements.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential to release hazardous materials into the environment to a less than significant level.

Explanation: These mitigation measures will ensure that proper handling, storage, and disposal practices are followed for all hazardous materials. This will minimize the potential for any releases of hazardous materials.

Significance After Mitigation: Less Than Significant.

Impact 14.1: Storage and Use of Hazardous Materials on the Project Site

Mitigation Measure 14.1a: The following Best Management Practices shall be implemented during all construction activity within the project site and offsite improvement area to control pollutant sources associated with the handling and storage of construction materials and equipment, as well as with waste management and disposal.

- a. Store construction raw materials (e.g., dry materials such as plaster and cement, pesticides and herbicides, paints, petroleum products, treated lumber) in designated areas that are located away from storm drain inlets, drainageways, and canals and are surrounded by earthen berms. Train the construction employees working on the site in proper materials handling practices to ensure that, to the maximum extent practicable, those materials that are spread throughout the site are covered with impervious tarps or stored inside buildings.
- b. Whenever possible, wash out concrete trucks offsite in County designated areas. When the trucks are washed onsite, contain the wash water in a temporary pit adjacent to the construction activity where waste concrete can harden for later removal. Avoid washing fresh concrete from the trucks, unless the runoff is drained to a berm or level area, away from site waterways and storm drain inlets.
- c. Collect non-hazardous waste construction materials (e.g., wood, paper, plastic, cleared trees and shrubs, building rubble, scrap metal, rubber, glass) and deposit in covered dumpsters at a designated waste storage area on the site. Store recyclable construction materials separately for recycling. Transport all solid waste and recyclable material to the Western Regional Sanitary Landfill and Materials Recovery Facility.
- d. Store hazardous materials in portable metal sheds with secondary containment. The quantities of these materials stored on site shall reflect the quantities needed for site construction. Avoid over-application of fertilizers, herbicides, and pesticides. Do not mix hazardous waste with other waste produced on the site. Contract with a Certified Waste Collection contractor to collect hazardous wastes for disposal at an approved hazardous waste facility.
- e. Dispose of waste oil and other equipment maintenance waste in compliance with federal, State and local laws, regulations and ordinances.

Mitigation Measure 14.1b: All asbestos-containing materials shall be handled and disposed of in accordance with State and County regulatory requirements. The

developer shall contact Placer County Air Pollution Control District and Environmental Health Division for specific requirements.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential to release hazardous materials into the environment to a less than significant level.

Explanation: These mitigation measures will ensure that proper handling, storage, and disposal practices are followed for all hazardous materials. This will minimize the potential for any releases of hazardous materials.

Significance After Mitigation: Less Than Significant.

Impact 14.2: Provision of Mosquito Breeding Grounds

Mitigation Measure 14.2a: The applicant shall prepare a Pond Management Plan for administration by the Homeowners Association. This plan will describe various methods of managing the pond and surrounding areas to reduce the breeding of mosquitoes while maintaining the biological resources associated with the pond. Along with chemical abatement techniques, the plan shall address ongoing vegetation management around the perimeter of the pond and the stream, specifically the ongoing removal of invasive and overhanging willows and blackberry bushes. The plan shall also address the prevention of cattails from being introduced into the pond ecology. The Development Review Committee shall review and approve the Pond Management Plan with regards to vegetation and pond ecology and the Mosquito Abatement District shall review the Pond Management Plan with regards to mosquito vector control. The Pond Management Plan shall be reviewed and approved prior to recordation of the final map.

Mitigation Measure 14.2b: If siltation devices are installed with catch basins and other road drainage features, the developer or Homeowners Association shall provide periodic treatment, inspection, and vegetation removal when proscribed by the Mosquito Abatement District to prevent development of mosquito habitat. Evidence of treatment shall be provided to the Mosquito Abatement District upon request.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potential to create mosquito breeding habitat to a less than significant level.

Explanation: These mitigation measures will ensure that proper maintenance practices are followed for the pond on the Joeger 20 parcel and any siltation devices installed onsite. This will minimize the potential for mosquito breeding habitat to be created within the project site or the offsite improvement area.

Significance After Mitigation: Less Than Significant.

Impact 14.3: Creation of Hazardous Conditions Related to Abandoned Wells

Mitigation Measure 14.3a: To protect safety and water quality, all abandoned water wells located on the property shall be destroyed pursuant to the requirements of the California Well Standards Bulletin and the Placer County Environmental Health Division prior to issuance of a grading permit.

Finding: Implementation of the mitigation measure identified above and listed in the MMRP will minimize the project’s potential to create hazardous conditions related to abandoned wells to a less than significant level.

Explanation: This mitigation measure will ensure that abandoned wells on the project site are destroyed in compliance with applicable standards. This will eliminate any potential for abandoned wells to create hazardous conditions onsite.

Significance After Mitigation: Less Than Significant.

Significant and Unavoidable Impacts

The Planning Commission agrees with the characterization in the Final EIR with respect to all Impacts initially identified as “significant” or “potentially significant” that are reduced to less than significant levels with implementation of the mitigation measures identified in the Final EIR. In accordance with CEQA Guidelines §15091(a), a specific finding is made for each impact and its associated mitigation measures in the discussions below.

Impact 8.1: Substantially Increase Traffic or Exceed Placer County LOS Standard under Year 2020 Plus Project Conditions

Mitigation Measure 8.1a: Future builders on each individual residential parcel within the project site shall be responsible for payment of the County’s Traffic Impact Fees for the *Auburn/Bowman Community Plan* area.

The Traffic Impact Fee shall be collected by the Department of Public Works prior to the issuance of building permits for each lot.

Mitigation Measure 8.1b: The project applicant shall pay a proportionate share of the total cost for the following improvements. The payment shall be made prior to recordation of the Final Map.

- Contribute 1.95 percent of the cost to add an exclusive northbound left-turn lane to the northbound approach to the Atwood Road intersection on State Route 49 creating dual left turn lanes,
- Contribute 1.95 percent of the cost to widen Atwood Road on the westbound departure from the State Route 49 intersection for approximately 200 feet to create a second receiving lane accommodating traffic using the second northbound left-turn lane from State Route 49.

- Contribute 3.59 percent of the cost to install a traffic signal at the Atwood Road and Mount Vernon intersection.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant exceedance of Placer County LOS standards at the intersection of Atwood Road and Mount Vernon Road to a less than significant level. The LOS standard will be exceeded at the intersection of Atwood Road and State Route 49. This impact remains Significant and Unavoidable and is discussed in Section XII of these Findings.

Explanation: These mitigation measures will fund improvements necessary to accommodate the project-generated traffic and ensure that LOS at the intersection of Atwood Road and Mount Vernon Road complies with Placer County standards. Refer to Section XII for discussion of the intersection of Atwood Road and State Route 49.

Significance After Mitigation: Less Than Significant at the intersection of Atwood Road and Mount Vernon Road. Significant and Unavoidable at the intersection of Atwood Road and State Route 49.

Impact 9.2: Disturbance of a Significant Natural Vegetation Type: Oak Woodland

Mitigation Measure 9.2a: The project applicant shall implement one or a combination of the following measures to reduce and compensate for impacts to oak woodland habitat. The project would impact 53.7 acres of oak woodland habitat, thus mitigation is required for 107.4 acres. The project applicant shall:

- A. Submit payment of fees for oak woodland conservation at a 2:1 ratio, consistent with Section 12.16.080 (C) of the *Placer County Code*. These fees shall be calculated based upon the current market value for similar oak woodland acreage preservation and an endowment to maintain the land in perpetuity; and/or
- B. Purchase offsite conservation easements at a location approved by Placer County to mitigate the loss of oak woodlands at a 2:1 ratio; and/or
- C. Provide for a combination of payment to the Tree Preservation Fund and creation of an offsite Oak Preservation Easement; and/or
- D. Plant and maintain an appropriate number of trees in restoration of a former oak woodland (tree planting is limited to half the mitigation requirement and the location of any tree planting must be approved by Placer County).

Finding: Implementation of the mitigation measure identified above and listed in the MMRP will compensate for the project's impacts to oak woodland habitat. However, due to the extent of habitat impacted and the unique mixed-age character of the onsite habitat, this

impact remains Significant and Unavoidable and is discussed in Section XII of these Findings.

Explanation: This mitigation measure will provide for maintenance and/or creation of replacement oak woodland habitat, however due to the extent of habitat impacted and the unique character of the habitat, the impact remains significant and unavoidable. Refer to Section XII for additional discussion of this impact.

Significance After Mitigation: Significant and Unavoidable

Impact 9.3: Loss of Native Trees

Mitigation Measure 9.3a: The project applicant shall submit an amended arborist report (prepared by an International Society of Arboriculture Certified Arborist) to the Placer County Planning Department for review and approval. The amended arborist report shall include surveys of the entire final roadway and infrastructure alignment for the Atwood 80 and Joeger 20 parcels and other areas proposed for offsite sewer infrastructure and easement on APNs 051-061-014, -021, -039, -043, and -044. The survey boundaries shall extend a minimum of 50 feet from the edge of pavement for roadways and/or 50 feet from the edge of disturbance for infrastructure alignments. In addition, the report shall depict the exact location of all trees to be saved or removed as a result of the proposed project, using GPS surveying techniques and AutoCAD mapping. This amended tree survey shall be superimposed over the final site/grading plan and include all proposed improvements such as underground utilities. The amended arborist report shall be reviewed and approved by the Placer County Planning Department prior to approval of the Improvement Plans and prior to any development activity onsite, including preliminary clearing or grading.

Mitigation Measure 9.3b: The project applicant shall submit a tree removal permit application to the Placer County Planning Department for review and approval prior to approval of the Improvement Plans and prior to any development activity onsite, including preliminary clearing or grading (in accordance with Section 36.400 (B) of the County's mitigation program). The tree removal permit application shall identify all impacts associated with construction of the proposed subdivision roads and infrastructure improvements.

Mitigation Measure 9.3c: The project applicant shall implement *Mitigation Measure 9.2a* which requires that impacts to oak woodland habitat be mitigated at a 2:1 ratio. In addition, the project applicant shall mitigate impacts to large oak trees (defined as those 24 inches dbh or greater) on an inch-per-inch basis. The project applicant shall plant replacement trees onsite or in an offsite location providing restoration of an approved former oak woodland, and/or shall contribute \$100 per diameter inch at breast height for each tree removed or impacted to the Placer County Tree Preservation Fund. The project must mitigate for a total of 3,808 tree diameter inches. Tree replacement and conservation mitigation fees shall be paid prior to the issuance of grading permits by Placer County. Any onsite replacement tree planting shall be included on the Improvement Plans for the proposed project. County approval of any offsite

replacement tree planting shall also be obtained prior to issuance of grading permits by Placer County.

Mitigation Measure 9.3d: The project applicant shall implement the following guidelines before and during development and construction activities:

- a. The applicant shall hire an International Society of Arboriculture certified arborist to be present onsite during all grading, construction, and tree removal activities. The arborist shall evaluate all proposed improvements that may affect each native tree to be preserved, make recommendations on these proposed improvements, and oversee construction of these improvements during site development to ensure that the appropriate trees are removed or preserved in compliance with the tree removal permit and approved Improvement Plans.
- b. The applicant shall install a 4-foot tall, brightly colored (yellow or orange), synthetic mesh material fence around all oak trees to be preserved that are greater than 6 inches dbh (or 10 inches dbh aggregate for multi-trunked trees). The fencing shall delineate an area that is at least 1.5 times the crown radius or dripline. The fence shall be installed prior to any site preparation or construction equipment being moved onsite or any site preparation or construction activities taking place. No development of this site, including grading, shall be allowed until this condition is satisfied. Any encroachment within the areas listed below, including within driplines of trees to be saved, must first be approved by the Development Review Committee (DRC). No grading, clearing, or storage of equipment or machinery may occur until a representative of the DRC has inspected and approved all temporary construction fencing. This includes both onsite and offsite improvements. Trees shall be preserved where feasible. This may include the use of retaining walls, planter islands, or other techniques commonly associated with tree preservation. The Improvement Plans shall indicate the location of the fencing and include a note describing the fencing requirements consistent with this mitigation measure.
- c. The project applicant shall implement the following guidelines before and during grading and construction for protection of all oak trees to be preserved:
 - Plans and specifications shall clearly state protection procedures for oak trees on the project site. The specifications shall also include a provision for remedies if oak trees are damaged.
 - Before construction commences, those oak trees within 50 feet of construction sites shall be pruned. When construction is complete, the project applicant shall retain a certified arborist to assess the health of all trees within 50 feet of construction sites and the applicant shall complete soil aeration and fertilization where necessary as determined by the arborist.
 - No vehicles, construction equipment, mobile offices, or materials shall be parked, stored, or operated within the driplines of oak trees to be preserved.
 - Cuts and fills around trees shall be avoided where feasible.

- Soil surface removal greater than one foot shall not occur within the driplines of oak trees to be preserved. No cuts shall occur within five feet of their trunks.
- Earthen fill greater than one foot deep shall not be placed within the driplines of oak trees to be preserved, and no fill shall be placed within five feet of their trunks.
- Underground utility line trenching shall not be placed within the driplines of oak trees to be preserved where feasible. If it is necessary to install underground utilities within the driplines of oak trees, boring or drilling rather than trenching shall be used.
- Paving shall not be placed in the vicinity of oak trees to be preserved (at a minimum, within the dripline of any oak tree).
- No irrigation lines or sprinklers shall be allowed within the dripline of native oak trees.

Mitigation Measure 9.3e: Each applicant for grading and/or building permits on the residential lots created by the proposed subdivision shall minimize the loss of individual oak trees by selecting building pads within each lot that result in minimal grading and the least removal of or damage to trees. Prior to construction on each lot, each oak tree to be preserved shall be clearly marked by a 4-foot tall brightly colored protective mesh fence at the dripline or, if possible, at 1.5 times the dripline. No construction equipment shall operate within the fenced areas. Before construction commences, those oak trees to be preserved that are within 50 feet of construction areas shall be pruned by a professional arborist and the soil around those trees aerated and fertilized. No cuts shall occur within five feet of the trunk of any oak tree to be preserved and no cuts or fill greater than one foot shall occur within the dripline. For each oak greater than 6 inches dbh (or a total of 10 inches dbh for multi-trunked trees) for which removal or impacts are unavoidable, an application for a minor tree permit shall be submitted to Placer County. The minor tree permit shall also identify requirements for remedies should any oak trees be accidentally removed or damaged. No tree impacts or removal shall occur prior to issuance of the minor tree permit, and mitigation shall occur through a program of onsite replacement and fee payment in accordance with the County's mitigation program as described in *Mitigation Measure 9.3c*.

Mitigation Measure 9.3f: An educational pamphlet shall be provided to homeowners explaining how to protect oak trees on their property. The pamphlet shall be approved by Placer County prior to issuance of the first Certificate of Occupancy for the Atwood 80 Subdivision. Placer County shall ensure that the pamphlet has been provided to homeowners upon issuance of each Certificate of Occupancy. Placer County shall also ensure that the Homeowner's Association bylaws require the Homeowner's Association to provide the pamphlet to all future homeowners at the time of sale of any lot. The pamphlet shall explain that the best way to protect native oak trees and the wildlife that inhabit them is to leave the trees alone and refrain from altering their natural drainage. Specific guidelines shall include the following:

- a. Avoid lowering or elevating the ground level in the immediate vicinity of the tree trunk. If it is absolutely necessary to raise the soil level in the vicinity of the tree,

- place a protective collar of cement or treated lumber at a minimum of six feet from the trunk.
- b. Avoid compaction with heavy vehicles within the dripline of oak trees, especially if soil is wet.
 - c. Avoid removing soil, leaves, and grasses growing under oak trees, as these protect the roots during the hot summer months.
 - d. Avoid building or paving beneath the dripline of oak trees.
 - e. Avoid watering oak trees in summer. Landscaping in the vicinity of oak trees should not require watering.

Finding: Implementation of the mitigation measures identified above and listed in the MMRP will minimize the project's potentially significant removal of native trees. However, due to the large extent of trees removed under the proposed project, it is not feasible to full avoid or compensate for this impact. The loss of native trees will remain significant and unavoidable, and is discussed in Section XII of these Findings.

Explanation: These mitigation measures will ensure that loss of native trees is reduced where feasible through the use of appropriate grading and landscape maintenance practices. Due to the extent of tree loss under the project it is not feasible to provide adequate avoidance or compensation to reduce this impact to a less than significant level. Refer to Section XII for additional discussion of this significant and unavoidable impact.

Significance After Mitigation: Significant and Unavoidable

Impact 9.6: Substantial Reduction in Habitat or Interference with Movement for Fish, Wildlife, or Plants

Mitigation Measure 9.6a: The project applicant shall implement *Mitigation Measure 9.1a*, which requires establishment of Open Space Lot A and Open Space Lot B as shown on the proposed Site Plan. No construction or grading shall occur within Open Space Lot A and Open Space Lot B with the exception of construction of Road A. The Homeowner's Association shall maintain Open Space Lot A and Open Space Lot B.

Mitigation Measure 9.6b: The project applicant shall implement *Mitigation Measure 9.1b* which requires the use bottomless arch culverts or bridges to construct the two road crossings of perennial streams.

Mitigation Measure 9.6c: The project applicant shall implement *Mitigation Measure 9.1c*, which requires that a 50-foot setback easement be established from the edge of all seasonal wetlands and from the edge of all foothill riparian habitats within the Atwood 80 Subdivision project site, and that a 100-foot setback easement be established from the centerline of all perennial streams onsite. Other than as necessary for road and sewer infrastructure construction and maintenance, no project activities shall occur within 50

feet of any seasonal wetland, stock pond, or perennial stream. Prior to issuance of grading permits, the project applicant shall install a 4-foot tall brightly colored (yellow or orange) synthetic mesh material fence adjacent to all setback easements and open space parcels.

Mitigation Measure 9.6d: The project applicant shall implement *Mitigation Measure 9.1d*, which requires the applicant to submit a foothill riparian habitat restoration and monitoring plan to the Placer County Planning Department and ESD for approval prior to issuance of a grading permit, to implement the restoration program during project construction, and to monitor the restored areas for five years.

Mitigation Measure 9.6e: The project applicant shall implement *Mitigation Measure 9.2a* to compensate for impacts to oak woodland habitat and/or create replacement habitat at a 2:1 ratio. The project applicant shall also implement *Mitigation Measure 9.3c* to compensate for impacts to large oak trees at a 1:1 ratio based on the amount of inches of diameter at breast height impacted.

Finding: Implementation of the mitigation measures identified above, which have been modified to reflect the Planned Development Tentative Map rather than the originally proposed Tentative Map, and listed in the MMRP will minimize the project's potentially significant reduction in habitat and interference with wildlife movement to a less than significant level for riparian and water habitats. The reduction in habitat and interference with wildlife movement associated with oak woodland habitat will remain significant and unavoidable, and is discussed in Section XII of these Findings.

Explanation: These mitigation measures will ensure that impacts to habitats and areas that support fish and wildlife movement are avoided where feasible, and that compensation for impacts to habitats is provided when avoidance is not feasible. This will provide sufficient avoidance and compensation to reduce impacts to riparian and water habitats to a less than significant level, but due to the extent of impacts to oak woodland habitat, it is not feasible to provide adequate compensation to reduce this impact to a less than significant level. Refer to Section XII for additional discussion of this significant and unavoidable impact.

Significance After Mitigation: Less than Significant with respect to Riparian and Water Habitats; Significant and Unavoidable with respect to Oak Woodland Habitat.

IX. PROJECT ALTERNATIVE FINDINGS

Feasibility of Project Alternatives

CEQA Guidelines §15126(a) require that an EIR describe a reasonable range of alternatives that would feasibly obtain most of the basic project objectives but would avoid or substantially lessen any of the significant environmental affects of the project and evaluate the comparative merits of the alternatives. Case law has indicated that the lead agency has the discretion to determine how many alternatives constitute a reasonable range (*Citizens of Goleta Valley v.*

Board of Supervisors (1990), 52 C.3d 553, 566); and that an EIR need not present alternatives that are incompatible with fundamental project objectives (Save San Francisco Bay Association vs. San Francisco Bay Conservation & Development Commission (1992), 10 Cal.App.4th 908). Additionally, CEQA Guidelines §15126.6(a) provide that an EIR need not consider alternatives that are infeasible. CEQA Guidelines §15126.6(f)(1) provides that among the factors that may be taken into account when addressing the feasibility of alternatives are “site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.” CEQA Guidelines §15126.6(f) states that the range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.

Based upon guidance contained in the CEQA Guidelines, the Draft EIR considered three alternatives to the Atwood 80 Subdivision project: No Project Alternative, Oak Woodland Preservation Alternative, and Planned Development Alternative.

Alternative A - No Project Alternative

CEQA Guidelines §15126.6(e)(1) provides the following direction relative to the No Project Alternative:

The specific alternative of “no project” shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.

Alternative A assumes that the proposed Atwood 80 Subdivision project would not be constructed on the ±79-acre project site, and that no offsite infrastructure improvements associated with the proposed project would be implemented. The site would maintain its Rural Low Density Residential land use designation and Residential Single Family with Agriculture Building Site and Planned Residential Development zoning designation, but development of the site would not occur as a result of the Atwood 80 Subdivision project.

Finding: The Planning Commission finds that this alternative is infeasible in that it meets none of the project objectives.

Explanation: No residential development would occur onsite, and the project applicant would not be able to provide housing opportunities at this site.

Alternative B – Oak Woodland Preservation Alternative

Alternative B assumes development generally as proposed, but reduces the number of residential lots created from 61 to 42 and expands open space areas onsite. The proposed open space area along Deadman’s Ravine would be expanded to encompass oak trees and the wetland in the southwest corner of the project site. An additional open space area would be created to encompass the wetland at the northeast corner of the parcel and an area of dense oak woodlands along the northern boundary.

Finding: The Planning Commission finds that this alternative would impair the ability of the project applicant to attain project objectives, and that while this alternative would reduce the extent of some impacts of the proposed project, it would not avoid the significant and unavoidable impacts of the project.

Explanation: Under Alternative B, 42 residential lots would be developed onsite rather than the 61 lots identified as a project objective. This alternative would generate 42 PM Peak hour trips, which would contribute to a Significant and Unavoidable impact at the intersection of Atwood Road and SR 49. Development under Alternative B would be expected to require removal of between 4,250 and 4,750 trees; the proposed project would require removal of ±6,300 trees. Tree removal and impacts to oak woodland habitat would be reduced under Alternative B, but these impacts would also remain Significant and Unavoidable.

Alternative C – Planned Development Alternative

Alternative C assumes development of the project as a Planned Residential Development (PD) consistent with Article 17.54.080 of the *Placer County Code*. Under this Alternative, the Atwood 80 parcel would be subdivided to allow for residential development on 64 custom home sites. Lots would range between 25,164 square feet and 55,703 square feet, with an average lot size of 30,699 square feet. Five open space lots totaling 25.71 acres would be established. One park site of 38,144 square feet (0.88 acres) would also be established. The internal road system serving the development would consist of a single entry road crossing the site from south to north, with cul-de-sacs and a looped road intersecting the entry road. There would be a single bridge crossing of Deadman’s Ravine and a single road crossing of an ephemeral stream north of the ravine.

Finding: The EIR concluded that Alternative C is the environmentally superior alternatives. The Planning Commission finds that this alternative is feasible in that it allows a similar number of residential lots as identified in the project objectives while substantially reducing impacts of the project, including the Significant and Unavoidable impacts to oak woodland habitat.

Explanation: While some impacts of the project remain Significant and Unavoidable, Alternative C would reduce the extent of impacts to oak woodland habitat. Alternative C would result in impacts to a total of 3,738 trees. This reduces the impact of the proposed project by approximately 40 percent. However, the impact to oak woodland habitat would remain Significant and Unavoidable. This alternative would generate 65 PM Peak hour trips, which would contribute to a Significant and Unavoidable impact at the intersection of Atwood Road and SR 49.

X. GROWTH INDUCEMENT FINDINGS

As required by CEQA Guidelines §15126.2(d), an EIR must discuss ways in which a proposed project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Also, the EIR must discuss the characteristics of the project that could encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Growth can be induced in a number of ways, such as through the elimination of obstacles to growth, through the stimulation of economic activity within the region, or through the establishment of policies or other precedents that directly or indirectly encourage additional growth. Induced growth would be considered a significant impact if it can be demonstrated that the potential growth would directly or indirectly have a significant effect on the environment.

Residential development can induce growth by increasing the local population, which may lead to increased commercial activity, which may increase the local supply of jobs. Extension of public infrastructure or services can accommodate growth by removing constraints to development. A growth-inducing project directly or indirectly:

- Fosters economic or population growth or additional housing;
- Removes obstacles to growth;
- Taxes community services or facilities to such an extent that new services or facilities would be necessary; or
- Encourages or facilitates other activities that cause significant environmental effects.

The Atwood 80 Subdivision Planned Development Alternative project would subdivide a ±79-acre project site into 64 residential lots, five open space lots, and one park site. The project would also construct offsite infrastructure improvements to accommodate traffic generated by the project and provide for sewage collection and conveyance to the wastewater treatment plant. The project would generate non-permanent construction jobs in the area and would house between 150 and 160 new residents. The project would extend an emergency access road and sewer infrastructure across six vacant lots north of the project site.

Finding: The Atwood 80 Subdivision Planned Development Alternative project would not induce substantial growth in the project area. The project would create 65 new residential units and extend infrastructure to six vacant lots. The population growth expected from the project and development of surrounding area enabled is expected to be consistent with development called for in the *Auburn/Bowman Community Plan*. The land use designations in the project area allow for development of rural residential and agricultural uses at low densities. This level of population growth is not considered substantial.

Explanation: The residential subdivision would introduce residential land uses to an area that carries a Residential land use designation under the *Auburn/Bowman Community Plan*. It is therefore anticipated that the proposed project would not have a substantial effect on population growth beyond that anticipated in the Community Plan and evaluated in the Community Plan EIR.

The project proposes to connect to Nevada Irrigation District (NID) facilities for the provision of treated water onsite and extend existing NID facilities to the project site. The project proposes to construct a new sewage lift station and extend sewage conveyance infrastructure across six vacant lots north of the project site. The project also proposes to construct an emergency access road across these six vacant parcels.

The water, sewer, and roadway infrastructure could facilitate development of these six lots. These properties are designated for residential development under the *Auburn/Bowman Community Plan*. Specifically they are designated Rural Low Density Residential and are zoned Residential Agriculture with building site minimums of one acre and 2.3 acres (100,000 square feet). The Atwood 80 Subdivision Planned Development Alternative project could induce growth on these adjacent parcels. However, it is expected that such growth would be consistent with the *Auburn/Bowman Community Plan* and would not lead to increases in development beyond that anticipated in the Community Plan. Additionally, the existing infrastructure is located in close proximity to the project site and in the absence of this project the infrastructure could be extended to the undeveloped properties north of the project site. The extension of infrastructure to the project site is not expected to induce substantial growth in the project region.

XI. CUMULATIVE IMPACTS FINDINGS

The Planning Commission finds that the methodology used in the EIR to determine cumulative impacts complies with CEQA in that it assumed growth in accordance with the *Placer County General Plan* and *Auburn/Bowman Community Plan* and it provides an analysis of potential for the Atwood 80 Subdivision Planned Development Alternative project to contribute to cumulative impacts in the project area.

Finding: The Planning Commission finds that the project is consistent with the *Placer County General Plan*, *Auburn/Bowman Community Plan*, and *Placer County Zoning Ordinance*. Thus the project's contribution to cumulative impacts in the region were anticipated by the analysis of buildout of the Community Plan provided in the EIR for that plan. The project proposes to develop residential uses on approximately 79 acres in an area designated for residential land uses. The project's contribution to cumulative impacts related to land use is no greater than that anticipated in Community Plan and evaluated in the Community Plan EIR.

Land Use: The project would contribute to growth in the area by providing for approximately 150 new residents onsite and potentially inducing development of up to 13 adjacent lots. This development would be consistent with the Community Plan growth projections and the project's contribution to cumulative land use impacts would be less than cumulatively considerable.

Geology and Soils: Construction of the Atwood 80 Subdivision Planned Development Alternative project would result in alterations to the existing topography of the project site, could increase the potential for erosion in the area, and increase residential population in an area that may be exposed to seismic hazards. The project would contribute to these cumulative impacts in the project region. However, with implementation of mitigation measures and compliance with the Uniform Building Code, the project's contribution to cumulative geology and soils impacts would be less than cumulatively considerable.

Hydrology and Water Quality: By creating impervious surfaces onsite, the project would contribute to cumulative increases in stormwater runoff, localized and regional flooding, and pollution of surface waters. Implementation of mitigation

measures would ensure that the project would not create short or long term impacts to stormwater runoff, flooding, or surface water quality; thus the project's contribution to these cumulative impacts would be less than cumulatively considerable. Soils on the project site do not allow for stormwater to percolate into the groundwater, thus the project would not contribute to cumulative pollution of groundwater.

Air Quality: The project would contribute to air pollutant emissions in the cumulative condition. Mitigation measures included in the EIR would reduce these emissions to the extent feasible and ensure that the project's contribution to cumulative air quality impacts remains less than significant.

Transportation and Circulation: The project would contribute to traffic volumes in the cumulative condition. *Mitigation Measures 8.1a* and *8.1b* require that the project applicant and future builders on each residential lot contribute a fair share to construction of improvements necessary to accommodate future traffic volumes while providing acceptable Levels of Service. By contributing a fair share amount of construction costs, the project would mitigate its contribution to the cumulative impact to a less cumulatively considerable level.

Biological Resources: The project would result in direct impacts to 31 acres of oak woodland habitat and removal of 3,738 trees. Mitigation for these impacts includes replanting trees, preservation of open space areas on the project site and offsite plantings. This impact remains significant and unavoidable after mitigation due to the loss of this unique mixed-age oak woodland. The project would make a considerable contribution to cumulative impacts to oak woodlands and the wildlife that rely on this habitat. Development of the project would result in direct and indirect impacts to wetlands. Mitigation for these impacts would include meeting the County's and the U.S. Army Corps of Engineer's policies for "no net loss" of wetlands. By compensating for the direct project impacts to wetlands, the project is not expected to make a considerable contribution to the cumulative impact, as recognized by CEQA Guidelines §15130(a)(3).

Noise: Vehicle traffic and outdoor property use by the project's residents would contribute to noise generation in the project area. However, the project's contribution to ambient noise levels would be incremental and consistent with the existing ambient noise environment. The project would not make a cumulatively considerable contribution to ambient noise levels in the vicinity.

Public Services and Utilities: The Atwood 80 Subdivision Planned Development Alternative project would increase demands for all types of public services in the area, including treated water, sewage treatment, fire protection, law enforcement, schools, utility services (electricity and communications), parks, and solid waste. For each service area, the project applicant and/or future residents would be required to fund necessary improvements and pay for services. As recognized by CEQA Guidelines §15130(a)(3), by paying a fair share proportion of the cost associated with providing these public services to the project site, the project's contribution to these cumulative impacts would be less than cumulatively considerable.

Aesthetics: Although the project will substantially alter the project site's rural character, the low density residential development is consistent with the site's land use designation in the *Auburn/Bowman Community Plan*. Mitigation measures require that all construction onsite comply with *Placer County's Rural Design Guidelines*. However, development of the project site would contribute to the overall changes in visual character of the project region by developing currently undeveloped open space and by developing the site at a higher density than adjacent land uses. The project would make a considerable contribution to these cumulative impacts, consistent with the level of impact anticipated under the *Auburn/Bowman Community Plan*. The project site is not visible from SR 49 and would make no contribution to cumulative impacts to visual resources in the SR 49 corridor.

Cultural Resources: A survey of the potential cultural resources of the Atwood 80 Subdivision project site was conducted in May 2004 and the findings reported in the document did not identify cultural resources eligible for listing in the California Register of Historic Resources in the project area. The project is not expected to impact any cultural resources and thus would not contribute to these cumulative impacts

Hazards and Hazardous Materials: The EDR-Radius Map with Geocheck® Atwood 80 Subdivision Project Atwood Road/Mt. Vernon Road Auburn California (Appendix H) report of hazardous materials sites in the vicinity of the proposed project found that there is no evidence that hazardous materials were ever used or stored on the site. It is likely that construction and occupation of the project would result in routine use and storage of small amounts of hazardous materials. Mitigation measures stipulate required procedures for storage and disposal of such materials to ensure that the project does not result in significant increases in the risk of release of these materials. The project's use of small amounts of hazardous materials is not considered cumulatively considerable.

Explanation: Cumulative impacts are an inevitable consequence of growth. The project is consistent with the *Placer County General Plan*, *Auburn/Bowman Community Plan*, and *Placer County Zoning Ordinance*. These plans and policies anticipate residential development at the project site.

Significance After Mitigation: Less than cumulatively considerable and less than significant.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

The Atwood 80 Subdivision EIR finds that even with implementation of all feasible mitigation measures and project alternatives, both the originally proposed project and the Planned Development Alternative will cause the following significant and unavoidable impacts:

Impact 8.1: Substantially Increase Traffic or Exceed Placer County LOS Standard under Year 2020 Plus Project Conditions (at the intersection of Atwood Road and SR 49)

Impact 9.2: Disturbance of a Significant Natural Vegetation Type: Oak Woodland

Impact 9.3: Loss of Native Trees

Impact 9.6: Substantial Interference with the Movement of Resident or Migratory Fish or Wildlife with Respect to Loss of Oak Woodland Habitat

Placer County has adopted the environmentally superior alternative, which would substantially lessen the impacts, but would not reduce them below a level of significance. Placer County has also adopted all feasible mitigation measures with respect to these impacts, which further lessen the impacts but would not reduce them below a level of significance.

The primary purpose of CEQA is to fully inform the decision makers and the public as to the environmental effects of a proposed project and to include feasible mitigation measures and alternatives to reduce any such adverse effects below a level of significance. CEQA recognizes and authorizes the approval of projects where not all adverse impacts can be fully lessened or avoided. Before such a project can be approved, the public agency must consider and adopt a “statement of overriding considerations” pursuant to CEQA Guidelines §§15043 and 15093. The agency’s statement of overriding considerations must explain and justify the agency’s conclusion to approve such a project, setting forth the proposed project’s general social, economic, policy or other public benefits which support the agency’s informed conclusion to approve the project.

Placer County finds that the Atwood 80 Subdivision Planned Development Alternative project meets the following stated project objectives - which have substantial social, economic, policy and other public benefits - justifying its approval and implementation, notwithstanding the fact that not all environmental impacts were fully reduced below a level of significance:

Implementation of the Atwood 80 Subdivision Planned Development Alternative will provide for the following:

- Creation of new housing opportunities for future residents consistent with the Community Plan.
- Improvement of area infrastructure for sewage collection and conveyance.
- Improvement of area infrastructure for treated water distribution.
- Conservation of riparian and wetland habitats.
- Maintenance of an existing pond in a manner that reduces mosquito habitat.

Balancing Competing Goals

The Planning Commission further finds that it is necessary to balance competing goals in approving the Atwood 80 Subdivision Planned Development Alternative project and the environmental documentation for the project. Not every environmental concern has been fully satisfied because of the need to satisfy competing concerns to some extent. The Planning Commission has chosen to accept certain environmental impacts resulting from the Atwood 80 Subdivision Planned Development Alternative project because complete eradication of impacts is impractical and would unduly compromise some other important economic, social, or other goal. The Planning Commission finds and determines that the Atwood 80 Subdivision Planned

Development Alternative project and the supporting environmental documentation provide for a positive balance of the competing goals and that the economic, fiscal, social, environmental, land-use and other benefits to be obtained by the project outweigh any remaining environmental and related potential detriment of the project.

XIII. CONCLUSION

The mitigation measures listed in conjunction with each of the findings set forth above, as implemented through the Mitigation Monitoring and Reporting Program, and implementation of the Atwood 80 Subdivision Planned Development Alternative (the environmentally superior alternative) will eliminate or reduce to a level of insignificance, most adverse environmental impacts of the proposed project, except for those listed in Section XII above.

Taken together, the Final EIR, the mitigation measures, and the Mitigation Monitoring and Reporting Program provide an adequate basis for approval of the Atwood 80 Subdivision Planned Development Alternative project.