

FINAL EIR ERRATA ORCHARD AT PENRYN

Minor revisions within the Environmental Impact Report (EIR) are necessary to reflect a revised site plan and clarify impact analyses in response to comments received subsequent to publication of the Final EIR in January 2012. The revisions do not provide significant new information and do not trigger the need to recirculate the EIR for further review and comment as provided for under CEQA Guidelines Section 15088.5. The revisions do not identify new significant impacts, substantial increases in the severity of impacts, or new mitigation measures.

In addition to the errata discussed below, revisions were made to the Draft EIR text as part of responding to comments on the Draft EIR. Those revisions were presented in Chapter 3 of the Final EIR published in January 2012.

Attached to this summary is a revised Final EIR Chapter 3. This revised Final EIR Chapter 3 presents all changes made to the Draft EIR text – including the changes originally published in the Final EIR in January 2012, the June 2012 errata, and the September 2012 errata.

June 2012 Errata – Revised Site Plan

A revised site plan was submitted to Placer County following publication of the Final EIR. This site plan relocates some buildings near the northern site boundary to provide greater separation from the neighboring property. The revision slightly altered the extent of impacts to oak woodland habitat. Text revisions were made in two mitigation measures and in one Response to Comment to reflect this change. These revisions were made in the June 2012 Errata to the Orchard at Penryn EIR. An unrelated error in the text of Mitigation Measure 14.4a was also made in the June 2012 Errata. The June 2012 Errata were presented with the project and the EIR to the Planning Commission.

September 2012 Errata – Clarification in Response to Appeal

Two appeals of the Planning Commission’s certification of the EIR and approval of the Vesting Tentative Subdivision Map and Conditional Use Permit for the Orchard at Penryn project were filed with Placer County. Additional revisions to the EIR have been proposed in order to clarify the analysis on points raised in the letters of appeal. Those revisions are identified as the September 2012 Errata and are intended to:

- ◆ Clarify the County standards applicable to construction noise on pages 9-7 and 9-10;
- ◆ Clarify the analysis of SPMUD’s ability to serve the project on page 12-11; and
- ◆ Clarify the cumulative scenario and effects on pages 14-1 through 14-8, 14-10, and 14-12 through 14-15

Errata Summary

The table below summarizes all of the EIR Errata. It also identifies the Draft EIR text revisions that were made in response to comments.

Document and Chapter	Revised Pages	Revision Description	Date Revision Made
Final EIR Chapter 1	1-5 and 1-6	Update Table 1.1 to reflect Draft EIR Errata	September 2012
Final EIR Chapter 2	2-115	Update references to amount of oak woodland habitat impact to reflect revised site plan	June 2012
Final EIR Chapter 3	Chapter 3 of the Final EIR presents the pages from the Draft EIR where text edits appear. The following pages from the Draft EIR were subject to text revisions in responding to comments: 2-3, 2-9, 3-7, 3-8, 4-9, 5-16, 5-18, 5-21, 12-1, 12-2, 14-7, 16-1, 16-2, 16-5, 16-18, and 16-19. Some of these pages were subject to additional revisions as part of the EIR Errata discussed below.		January 2012
	The following pages from the Draft EIR were affected by the June 2012 Draft EIR Errata, and those errata have been incorporated into Chapter 3 of the Final EIR: 2-8, 2-9, 2-35, 5-21, 14-12, 16-2, and 16-18.		June 2012
	The following pages from the Draft EIR were affected by the September 2012 Draft EIR Errata, and those errata have been incorporated into Chapter 3 of the Final EIR: 9-7, 9-10, 12-11, 14-1 through 14-8, 14-10, and 14-12 through 14-15.		September 2012
Final EIR Chapter 4	4-2 and 4-18	Revise MMRP to reflect errata affecting mitigation measures 5.1c, 5.2a, and 14.4a	June 2012
Draft EIR Chapter 2	2-3, 2-9	Clarify remediation is proposed not required; correct error	January 2012
	2-8, 2-9, and 2-35	Revise Executive Summary to reflect errata affecting mitigation measures 5.1c, 5.2a, and 14.4a	June 2012
Draft EIR Chapter 3	3-7 and 3-8	Clarify that units would be offered at market rate, clarify remediation is proposed not required	January 2012
Draft EIR Chapter 4	4-9	Add Community Plan General Community Goal 6	January 2012

Document and Chapter	Revised Pages	Revision Description	Date Revision Made
Draft EIR Chapter 5	5-16, 5-18, 5-21	Clarify remediation is proposed not required; correct error	January 2012
	5-21	Revise reference to oak woodland acreage in Mitigation Measures 5.1c and 5.2a	June 2012
Draft EIR Chapter 9	9-7 and 9-10	Clarify standards for construction noise impacts	September 2012
Draft EIR Chapter 12	12-1 and 12-2	Update information related to water treatment plants	January 2012
	12-11	Clarify determination of SPMUD ability to serve the project	September 2012
Draft EIR Chapter 14	14-7	Include reference to Mitigation Measure 14.2b	January 2012
	14-1 through 14-8, 14-10, and 14-12 through 14-15	Expand description of cumulative scenario and geographic scope	September 2012
	14-12	Correct error in Mitigation Measure 14.4a	June 2012
Draft EIR Chapter 16	16-1, 16-2, 16-5, 16-18, 16-19	Update numbering, correct errors, include Initial Study mitigation measures	January 2012
	16-2 and 16-18	Revise MMRP to reflect errata affecting mitigation measures 5.1c, 5.2a, and 14.4a	June 2012

**Errata from
FINAL EIR CHAPTER 1**

Table 1.1
Index of Changes Made to the Draft EIR Text

Draft EIR page number	Primary Change Made	Reason for Change
Chapter 2 Executive Summary		
2-3	Clarify that soil remediation within drainage swales is proposed but not required by DTSC.	Response to Comment B-6
<u>2-8</u>	<u>Revise Mitigation Measure 5.1c reference to acreage of oak woodland impacted by project</u>	<u>Reflect revised site plan</u>
2-9	Change “recreation” to “restoration” in Mitigation Measure 5.2a, and <u>correct oak woodland acreage</u>	Correct error, <u>reflect revised site plan</u>
<u>2-35</u>	<u>Change “pounds per day” to “tons” in Mitigation Measure 14.4a.</u>	<u>Correct error</u>
Chapter 3 Project Description		
3-7	Add a statement that the proposed residential units would be offered at market rates.	Response to Comment D-8
3-7 and 3-8	Clarify that soil remediation within drainage swales is proposed but not required by DTSC.	Response to Comment B-6
Chapter 4 Land Use		
4-9	Add Community Plan General Community Goal 6.	Response to Comment R-13
Chapter 5 Biological Resources		
5-16 and 5-18	Clarify that soil remediation within drainage swales is proposed but not required by DTSC.	Response to Comment B-6
5-21	<u>Revise reference to oak woodland acreage in Mitigation Measures 5.1c and 5.2a.</u> Change “recreation” to “restoration” in Mitigation Measure 5.2a.	<u>Correct/Reflect revised site plan, correct error</u>
Chapter 9 Noise		
<u>9-7 and 9-10</u>	<u>Clarify that Placer County Code exempts construction noise from typical standards</u>	<u>Clarify thresholds</u>
Chapter 12 Utilities		
12-1 and 12-2	Update information related to water treatment plants.	Response to Comment E-3
<u>12-11</u>	<u>Clarify determination of SPMUD ability to serve project.</u>	<u>Clarify sewer capacity analysis</u>
Chapter 14 Cumulative Impacts		
<u>14-1 through 14-8, 14-10, and 14-12 through 14-15</u>	<u>Clarify description of cumulative scenario and geographic scope for each impact</u>	<u>Clarify cumulative impacts analysis</u>
14-7	Include reference to Mitigation Measure 14.2b.	Response to Comment K-3

Draft EIR page number	Primary Change Made	Reason for Change
<u>14-12</u>	Change “pounds per day” to “tons” in Mitigation Measure 14.4a.	<u>Correct error</u>
Chapter 16 Mitigation Monitoring and Reporting Program		
16-1 and 16-19	Update numbering of Section 16.11 to 16.12. (Refer to change made on page 16-18.)	Capture all Initial Study measures in MMRP
16-2	<u>Revise reference to oak woodland acreage in Mitigation Measures 5.1c and 5.2a.</u> Change “recreation” to “restoration” in Mitigation Measure 5.2a.	<u>Correct/Reflect revised site plan, correct error</u>
16-5	Add Initial Study Mitigation Measure 1.1.	Capture all Initial Study measures in MMRP
16-18	<u>Change “pounds per day” to “tons” in Mitigation Measure 14.4a.</u> Add Section 16.11 Mitigation Measures for Public Services and Initial Study Mitigation Measure XIII.1.	<u>Capture/Correct error, capture all Initial Study measures in MMRP</u>

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**Errata from
FINAL EIR CHAPTER 2**

RESPONSES TO COMMENT LETTER W

Submitted by:

Bobby and Jas Uppal

W-1 The comment notes that CEQA was adopted in 1970 with the goal of protecting the environment. The commenter states that Loomis, Penryn, and Newcastle do not have sufficient employment opportunities to meet the project objective of provide attainable housing for working families in Loomis/Penryn area and reducing commutes to nearby employment centers.

This comment does not specifically address the content of the Draft EIR. Refer to Response to Comment U-3 regarding attainment of this project objective.

W-2 The comment questions what the alternatives are for Section (§) 21002 of the CEQA Statutes.

The four selected project alternatives are analyzed in Chapter 15 of the Draft EIR beginning on page 15-5. As required in CEQA Guidelines §15126.6, the alternatives were selected based on feasibility, ability to meet basic project objectives, and ability to avoid or reduce significant impacts of the project. Table 15.1 of the Draft EIR summarizes the relative impacts of each of the four selected alternatives compared with the impacts of the proposed project.

W-3 The comment expresses concern over the project's removal of 7.5-acres of oak woodland and 316 trees, and the removal of 6.2 acres of grassland habitat. The commenter states that the oak woodland and grassland habitats should be preserved. The comment suggests that some of the oak trees onsite could be up to 100 years old and new trees planted to mitigate the loss cannot make up for the rural look of the older trees.

This comment does not indicate that the analysis presented in the Draft EIR is inadequate. While the comment is correct in stating that the project site supports 7.5-acres of oak woodland and a total of 316 trees, not all of the trees would be removed. As shown on Figure 3-3 Site Plan in the Draft EIR, approximately ~~1.14~~1.09 acres of oak woodland habitat associated with the northern half of the central drainage swale would be retained onsite. The remaining ~~6.41~~6.46 acres of oak woodland habitat would be impacted by site remediation, grading, and construction. Figure 10-2 Grading Plan and Figure 11-2 BMP Plan indicate areas of the site where grading would not occur. Trees in these areas would be preserved. Implementation of Mitigation Measure 5.1c and Mitigation Measure 5.2a, which require the project applicant to compensate for the loss of oak woodland habitat in accordance with Placer County requirements, will ensure impacts to oak woodland habitat would be less than significant. Mitigation Measure 5.1c limits the use of planting new trees as mitigation to no more than half of the project's mitigation requirement. Page 16-19 of

**Final EIR Chapter 3
(All Draft EIR Revisions and Errata)**

required by the *Horseshoe Bar/Penryn Community Plan*, the project would establish a 30-foot wide landscape easement along Penryn Road.

If the project is approved, Placer County would require the project applicant to construct improvements along the project site's frontage on Penryn Road consistent with the road cross-sections for Penryn Parkway provided in the Community Plan. The applicant is required to provide 44 feet of right-of-way, which is one-half of the full roadway width. This would include widening the road to provide two southbound 12-foot travel lanes, a Class II bike lane, and curb, gutter, and sidewalk. The project would also be required to provide one-half of a center two-way left turn lane.

The actions necessary to complete site remediation are documented in the project's Revised Draft Removal Action Workplan (RAW) (Wallace-Kuhl & Associates 2008), which is provided as Appendix C to this Draft EIR. The RAW recommends removal of 11,600 cubic yards of contaminated soil from ±7.11 acres of the project site. The areas affected by this excavation are shown in *Figure 3-4*. Soil excavations would generally be between 12 and 18 inches deep, although in three locations excavations may reach 24 inches in depth. The soil within and surrounding the eastern drainage swale and the southern portion of the central drainage swale is contaminated and the RAW proposes to ~~would be~~ excavate soil in these locations. This would destroy the affected portions of the swales and remove the associated riparian and woodland vegetation.

Drainage originating from offsite properties that currently flows through the onsite drainage swales is proposed to be conveyed across the project site in storm drains. Drainage that originates within the project site would be conveyed through storm drain pipes and onsite bioswales to the center of the project site and to a detention basin.

The following existing easements on the project site would remain in effect:

- ❖ The 42-foot wide highway easement along the Penryn Road frontage;
- ❖ The highway easement in the northwestern corner of APN 043-060-052;
- ❖ The 15-foot wide sewer easement running north-south through APN 043-060-052; and
- ❖ The 15-foot wide PUE through APN 043-060-052.

The proposed site plan includes the following new or expanded easements:

- ❖ Expansion of the existing highway easement along Penryn Road by two feet, to provide a total of 44 feet in width;
- ❖ A 12.5-foot wide Multi-Purpose Easement (MPE) along the Penryn Road frontage;
- ❖ A 30-foot wide landscape easement adjacent to the MPE described above; and
- ❖ A 7.5-foot wide MPE along the Taylor Road frontage.

As part of the proposed project, the following existing easements would be abandoned:

- ❖ The 10-foot Public Utility Easement (PUE) along the eastern portion of the southern boundary of APN 043-060-052 (the western project site parcel);

Table 2-2
EIR Impact Summary

Impact	Significance Before Mitigation	Mitigation	Significance After Mitigation
LAND USE			
Impact 4.1 Conflicts with General Plan/Community Plan/Specific Plan Designations or Zoning, or Plan Policies	S	Various mitigation measures identified throughout chapters 5 through 14.	LTS
Impact 4.2 Conflicts with Local and/or Regional Land Use Plans and Policies Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect	S	Various mitigation measures identified throughout chapters 5 through 14.	LTS
Impact 4.3 Development of Incompatible Uses and/or the Creation of Land Use Conflicts	LTS	No mitigation measures are required.	LTS
BIOLOGICAL RESOURCES			
Impact 5.1: Substantial Habitat Reduction Affecting Wildlife and Plant Populations	S	<p>Mitigation Measure 5.1a: as reflected in the proposed site plan, the project shall retain 0.08 -acres of riparian habitat located in the central portion of the project site.</p> <p>Mitigation Measure 5.1b: The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) to authorize impacts to the drainage swales and associated riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement. Once acquired, the Streambed Alteration Agreement 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.</p> <p>Mitigation Measure 5.1c: The project applicant shall implement one or a combination of the following measures to compensate for impacts to oak woodland habitat. Based on the proposed site plan the project would impact 6.44<u>6.46</u> acres of oak woodland habitat; however the final determination regarding the amount of oak woodland to be impacted and therefore mitigated will be based on impacts shown on the Improvement Plans. Prior to approval of Improvement Plans the applicant shall:</p>	LTS

Impact	Significance Before Mitigation	Mitigation	Significance After Mitigation
		<p>a. Submit payment of fees for oak woodland conservation at a 2:1 ratio, consistent with Section 12.16.080 (C) of the <i>Placer County Code</i>. 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</p> <p>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</p> <p>c. Provide for a combination of payment to the Tree Preservation Fund and creation of an offsite Oak Preservation Easement; and/or</p> <p>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).</p>	
Impact 5.2: Convert Oak Woodlands	S	<p>Mitigation Measure 5.2a: The project applicant shall implement Mitigation Measure 5.1c which requires compensation for impacts to 6-41-6.46 acres of oak woodland habitat at a 2:1 ratio. Compensation may be through payment of fees, purchase of offsite conservation easements, or recreation-<u>restoration</u> of oak woodland habitat.</p>	LTS
Impact 5.3: Adversely Affect Federally Protected Wetlands	S	<p>Mitigation Measure 5.3a: As reflected in the proposed site plan, the project shall retain 0.07 acres of wetland swale located in the central portion of the project site.</p> <p>Mitigation Measure 5.3b: The project applicant shall obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game to authorize fill of onsite waters of the U.S. These impacts would require an Individual Permit from the Corps, a 401 Water Quality Certification from the Regional Water Quality Control Board, and Streambed Alteration Agreement from the California Department of Fish and Game. 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</p>	LTS

Impact	Significance Before Mitigation	Mitigation	Significance After Mitigation
Impact 14.3: Conflict with Transportation and Circulation Plans and Policies in the Cumulative Plus Project Condition	S	<p>Measure 7.1a, which requires the project to pay traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable Ordinances and Resolutions.</p> <p>Mitigation Measure 14.3a: The project applicant shall implement Mitigation Measure 14.2a and Mitigation Measure 7.1a, which require payment of a proportionate share of the total cost for roadway facility improvements.</p>	SU
Impact 14.4: Increase Cumulative Concentrations of ROG or NO _x	S	<p>Mitigation Measure 14.4a: Prior to Improvement Plan approval, the project applicant shall implement one or more of the following mitigation strategies. The mitigation shall be sufficient to offset the amount of summertime project operation emissions of ROG and NO_x that exceed 10 pounds per day. The estimated amount that the mitigation must be sufficient to offset is 0.67 pounds-per-daytons of ROG and 0.17 pounds-per-daytons of NO_x, a total of 0.84 pounds-per-daytons for a 182-day period (summer days).</p> <p>A. Establish mitigation onsite by incorporating design features within the project. This may include, but not be limited to: “green” building features such solar panels, energy efficient heating and cooling, exceeding Title 24 standards, bike lanes, bus shelters, etc. NOTE: The specific amounts of “credits” received shall be established and coordinated through the Placer County Air Pollution Control District.</p> <p>B. Establish mitigation offsite within west Placer County by participating in an offsite mitigation program, coordinated through the Placer County Air Pollution Control District. Examples include, but are not limited to participation in a “Biomass” program that provides emissions benefits; retrofitting, repowering, or replacing heavy duty engines from mobile sources (i.e. busses, construction equipment, road haulers); or other program that the project proponent may propose to reduce emissions.</p> <p>C. Participate in the Placer County Air Pollution District Offsite Mitigation Program by paying the equivalent amount of money, which is equal to the project’s contribution of</p>	SU

- ❖ Provide a site design that is sensitive to natural habitat while improving water quality downstream in Secret Ravine and ultimately the Sacramento River.
- ❖ Provide attainable housing for working families in the Loomis/Penryn area, thereby reducing commutes to nearby employment centers.
- ❖ Provide a variety of onsite recreation facilities for residents, thereby reducing increased demand for offsite recreational areas.
- ❖ Avoid onsite environmental effects where feasible and incorporate mitigation for environmental effects into the project design.
- ❖ Provide 150 residential units and supporting infrastructure, which is a project size that supports the required public improvements, toxic clean-up, and mitigation.

3.4 PROJECT DESCRIPTION

The project proposes to develop 150 multi-family residential units on the ±15.1-acre property. The proposed residential units would be offered as market-rate units. As shown in *Figure 3-3 Site Plan*, the project would consist of three or six units per building with parking for a total of 375 vehicles (2.5 parking spaces per unit). The project applicant also proposes to create commonly held open space in the central portion of the project site and build recreational facilities onsite. The primary site entrance is proposed as a gated entrance from Penryn Road. A secondary exit-only gated access point is proposed for Taylor Road. The proposed project also includes a 30-foot wide landscape easement along Penryn Road, onsite landscaping, an onsite circulation system, and placement of utilities. As noted above, a small portion of fencing and landscaping associated with the property to the south encroach on the project site. These features would be removed with development of the proposed project.

Site Remediation

Site investigations were conducted to identify contaminants in the site soils. Through these investigations, arsenic, lead, DDT, DDE, endrin and methoxychlor were identified as chemicals of potential concern. These contaminants present a potential hazard to future site occupants. Site remediation to remove or provide onsite containment of hazardous materials is necessary prior to construction of the proposed multi-family residences. DTSC standards do not require complete remediation of the site, but any portion of the site where contaminated soil is not remediated would not be available for residential use. The actions necessary to complete site remediation are documented in the project's Revised Draft RAW (Wallace-Kuhl & Associates 2008), which is provided as Appendix C to this Draft EIR.

The RAW considers three alternatives for addressing the soil contaminants at the project site. The alternatives considered include treating the soil onsite to remove contaminants, excavating soils and relocating them to a containment area within the project site, and excavating soils and transporting them to a disposal site. The RAW evaluates the ability of each alternative to achieve the following Removal Action Objectives:

- ❖ Reduction of site-related contaminants (e.g., arsenic, lead and organic pesticides) in site soil to levels consistent with naturally-occurring, background conditions and/or concentration levels that do not pose a human health risk;

- ❖ Reduction or mitigation, to the extent practicable, of existing and potential adverse ecological effects of site contaminants;
- ❖ Prevention, or reduction to the extent practicable, of the offsite migration of site contaminants, or migration of site contaminants from soil to other media (i.e., air and surface water); and
- ❖ Obtaining certification from the DTSC for unrestricted land use.

The RAW concludes that the “Excavation and Offsite Landfilling” option is the most appropriate alternative for this project as it is most effective at avoiding human health risks and reducing or preventing adverse ecological effects. This alternative includes removal of 11,600 cubic yards of contaminated soil from ±7.11 acres of the project site. The areas that would be affected by this excavation are shown in *Figure 3-4*. Soil excavations would generally be between 12 and 18 inches deep, although in three locations excavations may reach 24 inches in depth. The soil within and surrounding the eastern drainage swale and the southern portion of the central drainage swale is contaminated and the RAW proposes to ~~would be~~ excavate soil in these locations. This would destroy the affected portions of the swales and remove the associated riparian and woodland vegetation.

Excavated soil would be transported to a Class II solid waste disposal site. Transportation would be performed by an approved and licensed contractor and using Department of Transportation-approved shipping containers. Site excavation would include implementation of best practices for decontamination of equipment and to control erosion, storm drainage, and air pollutant and dust emissions, as described in the RAW.

At the completion of site excavation, new soil samples would be collected and assessed to confirm that residual contaminant concentrations meet the established cleanup goal. If the soil samples meet the established cleanup goal, DTSC would issue a tentative “No Further Action” letter, and project grading and construction would commence upon Placer County’s approval of Improvement Plans.

Land Use

The project proposes to develop 150 multi-family residential units and a recreation center. The proposed recreation center would include a leasing office, an indoor fitness center, and an internet café, all housed within an approximately 3,900 square foot building located in the center of the development. The recreation center would also include an outdoor pool and spa. Passive recreation areas (providing open turf areas) would be located throughout the project site. A tot lot play area would be located adjacent to an open turf area on the western side of the project site. An area of open space would be maintained west of the recreation center and several prominent rock outcroppings would be preserved. As required by the *Horseshoe Bar/Penryn Community Plan*, the project would establish a 30-foot wide landscape easement along Penryn Road.

Circulation

The project proposes a gated entrance off of Penryn Road on the eastern side of the project site. Circulation through the project site would be provided by a single road extending west from the entrance. Secondary roads would intersect the main road to provide access to parking

the project site. The *Horseshoe Bar/Penryn Community Plan* is intended to provide a “predominately rural lifestyle” throughout the plan area. The Community Plan identifies Penryn Parkway as a mixed-use area that could include multi-family, professional office, and commercial uses. The Community Plan applies the Penryn Parkway designation to approximately 166 acres around Penryn Road, including the project site and many surrounding parcels, as shown on *Figure 4-2*.

The Community Plan provides 19 General Community Goals that are applicable to the entire Plan area, while resource-specific goals and policies are provided in each of the Community Plan elements. The proposed project’s consistency with applicable Horseshoe Bar/Penryn Community Plan policies is analyzed in Appendix B of this Draft EIR, as discussed under Impact 4.1. The General Community Goals relevant to the analysis of land use impacts include:

- ❖ Maintain the Penryn Parkway commercial area as a highway-service oriented retail area which also allows for residential uses. Development should carefully consider the impacts on surrounding land uses and expand the range of commercial uses to better serve the local residents as well as the area’s visitors.
- ❖ Provide for residential development which creates functional, attractive, cohesive neighborhoods which are reasonably integrated with adjoining neighborhoods rather than physically isolated from their surroundings.
- ❖ Provide cultural, recreational, and educational facilities (i.e. schools, churches, parks, etc.) and activities needed by the community which encourage interaction of the residents in the pursuit of common interests and which can help to build a strong sense of community identity.
- ❖ Provide adequate opportunities for affordable housing while maintaining compatibility with existing adjacent land uses and other goals and policies of this plan.
- ❖ Manage the development of land so that it is treated as a limited resource rather than a product to be maximized for economic gain.

The goals of the Community Plan Land Use Element applicable to the analysis of this project’s potential land use impacts are as follows:

Goal II.A.2.a. Ensure that sound and adequate housing is provided to all residents at desirable locations, including consideration of transportation facilities, school facilities, and proximity to major employment centers.

Goal II.A.2.d. Provide for residential development which creates functional, attractive, cohesive neighborhoods which are closely tied to adjoining neighborhoods.

Goal II.B.2.a. Preserve and maintain the rural character and quality of the plan area. Factors that contribute to this rural character include the predominance of natural vegetation (both in the lower oak grasslands and stream corridors) and open space; the de-emphasis on “urban” type improvements, such as street lights and sidewalks; a close interrelationship between people and nature; a harmonious coexistence between large-lot stewardship that is fostered by the preservation of large parcels.

riparian habitat. Impacts to these habitats are discussed below; impacts to federally-protected wetlands are discussed in Impact 5.3.

The project site habitats support a wide variety of wildlife species, including songbirds, raptors, mammals, and reptiles. Amphibians may also occur onsite, although none were observed during preparation of the biological resource evaluations for the project site. The project site also supports a wide variety of plant species. As listed in Appendix A to the Biological Resources Assessment, 92 plant species were observed onsite; less than half of these species are native to the area.

The project site also contains several small rock outcroppings. While rock outcroppings are not typically considered a distinct habitat type, the *Horseshoe Bar/Penryn Community Plan* includes a policy stating that rock outcroppings provide nesting, breeding and foraging resources for a variety of wildlife species and should be preserved. The proposed project Site Plan shown in *Figure 3-3* of CHAPTER 3 PROJECT DESCRIPTION shows that many prominent rock outcroppings onsite would be retained after project development.

The majority of the existing habitat onsite would be affected by the proposed site remediation and project construction, as discussed below. A mix of small amounts of grassland, riparian, and woodland habitat would be retained in an open space area in the center of the project site.

Grassland

Grading and construction in the annual grassland would impact invertebrates, small burrowing animals, and other grassland animals. Reduction of this habitat type would also reduce foraging grounds for raptors and other predators. The Community Plan and General Plan prioritize protection of areas of native vegetation and grasslands that have significant value as wildlife habitat. Non-native, invasive annual species are predominate in the grassland habitat mapped within the study area; therefore grassland habitat within the study area is not considered a native or significant grassland habitat type.

While the presence of woodland and riparian habitat in proximity to this grassland raises the wildlife value of all three habitats by providing a greater variety of resources (such as nesting and roosting sites and foraging areas), the grassland habitat alone does not have any characteristics that provide significant value as wildlife habitat. Because non-native grassland habitat is generally abundant, both locally and statewide and because the grassland habitat at the project site does not provide any significant wildlife value, the loss of 5.58 acres of non-native annual grassland within the project site would be a less than significant impact.

Riparian

Soil excavation activities associated with remediation of contaminated soils would destroy most of the riparian habitat onsite. Remediation is ~~necessary-proposed~~ along the entire length of the eastern drainage swale (which supports the majority of the onsite riparian habitat). Grading and construction in the riparian habitat would impact a variety of common wildlife that use this habitat for cover and foraging and nesting opportunities. Wildlife that may be affected by the loss of riparian habitat includes songbirds, rodents, reptiles, and amphibians. The riparian habitat onsite is not known to support any special-status species. Himalayan blackberry, a non-native invasive species, is a common species in the onsite riparian habitat.

with Placer County requirements. With implementation of this mitigation measure, the impacts to oak woodland habitat would be less than significant.

IMPACT 5.3: Adversely Affect Federally-Protected Wetlands

SIGNIFICANCE BEFORE MITIGATION: *SIGNIFICANT*

Mitigation Measures

Proposed: Mitigation Measure 5.3a

Significance with Proposed Mitigation: Significant

Recommended: Mitigation Measures 5.3b through 5.3e

SIGNIFICANCE AFTER MITIGATION: *LESS THAN SIGNIFICANT*

The site supports 0.499 acres of waters of the U.S., comprised of two swales and a seasonal wetland. Site remediation as proposed in the RAW to remove contaminated soil would destroy the eastern drainage swale and the southern portion of the central swale. Direct impacts to the northern portion of this swale would be avoided, which would result in 0.07 acres of wetland swale habitat being retained onsite, as required under *Mitigation Measure 5.3a*. The seasonal wetland would be impacted as a result of grading and construction of the office and recreation area. A total of 0.42 acres of federally-protected wetlands would be directly impacted by the proposed project. Additionally, the proposed alteration of the drainage pattern onsite would alter the characteristics of the retained portion of the central swale. Therefore, while direct impacts to a small area of wetland swale habitat would be avoided, this analysis considers that all of the 0.499 acres of waters of the U.S. would be directly and indirectly impacted by the project.

Mitigation Measures 5.3b and *5.3c* require the project to obtain appropriate permits to authorize impacts to the swales and seasonal wetland from the Corps, RWQCB, and CDFG and to provide for replacement of the impacted habitat at a 1:1 ratio. Each agency may require the project applicant to implement other measures to mitigate for impacts to the wetlands and associated riparian habitat, and each agency may place conditions of approval on any permits issued. Compliance with the permit requirements will provide compensation for the proposed project's impacts to these resources. In addition, *Mitigation Measure 5.3d* requires that if the PCCP is adopted prior to commencement of the ground disturbing activities associated with the proposed project, the project must be developed in compliance with the applicable provisions of the PCCP. This would include complying with any applicable requirements of the NCCP/HCP and the Programmatic Endangered Species Act Consultation issued by the USFWS.

To minimize the potential for indirect effects to the retained swale onsite and to wetlands and waters of the U.S. adjacent to the site, *Mitigation Measure 5.3e* identifies Best Management Practices (BMPs) that must be implemented to control erosion and maintain water quality. With implementation of *Mitigation Measures 5.3a* through *5.3e*, the project's impacts to federally-protected wetlands would be less than significant.

Recommended Mitigation

Mitigation Measure 5.1b: The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) to authorize impacts to the drainage swales and associated riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement. Once acquired, the Streambed Alteration Agreement 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 5.1c: The project applicant shall implement one or a combination of the following measures to compensate for impacts to oak woodland habitat. Based on the proposed site plan the project would impact ~~6.41~~-~~6.46~~ acres of oak woodland habitat; however the final determination regarding the amount of oak woodland to be impacted and therefore mitigated will be based on impacts shown on the Improvement Plans. Prior to approval of Improvement Plans the 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).

Convert Oak Woodlands**Proposed Mitigation**

No mitigation measures are proposed.

Recommended Mitigation

Mitigation Measure 5.2a: The project applicant shall implement *Mitigation Measure 5.1c* which requires compensation for impacts to ~~6.41~~-~~6.46~~ acres of oak woodland habitat at a 2:1 ratio. Compensation may be through payment of fees, purchase of offsite conservation easements, or ~~recreation~~-~~restoration~~ of oak woodland habitat.

Adversely Affect Federally-Protected Wetlands**Proposed Mitigation**

Mitigation Measure 5.3a: As reflected in the proposed site plan, the project shall retain 0.07 acres of wetland swale located in the central portion of the project site.

Table 9.6
Maximum Allowable Noise Levels for
Residential Uses Affected by Non-Transportation Noise

Sound Level Descriptor	Daytime (7 am to 10 pm)	Nighttime (10 pm to 7 am)
Hourly L_{eq} , dB	50	45
Maximum level, dB	70	65

Note: Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for reoccurring impulsive noises.

Source: Horseshoe Bar/Penryn Community Plan Table 8

Placer County Code

Article 9.36 of the *Placer County Code* sets noise exposure standards for evaluating non-transportation related noise impacts. The standards provided in Section 9.36.060 of the County Code are the same as in the Community Plan, described above, with the exception that the hourly L_{eq} for daytime hours cannot exceed 55 dB, as opposed to the 50 dB standard set in the Community Plan. The Community Plan is therefore the more conservative standard. In addition, the *Placer County Code* prohibits creation of noises that would exceed the existing ambient sound level by 5 dBA.

As stated in Section 9.36.030.A.7, noises generated by construction during daytime hours are exempt from the County's noise standard. Instead the "Standard Construction Noise Conditions of Approval" required by Placer County would be applied during construction of the proposed project. These conditions are expressed in Placer County Minute Order 90-08, and include the following:

1. 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 only occur:
 - a. Monday through Friday, 6:00 am to 8:00 pm (during daylight savings);
 - b. Monday through Friday, 7:00 am to 8:00 pm (during standard time); and
 - c. Saturdays, 8:00 am to 6:00 pm.
2. Construction equipment must be properly maintained, and vehicle staging areas shall be located as far as possible from existing noise-sensitive uses.

9.3 IMPACTS

Significance Criteria

The analysis conducted for the Initial Study determined that the proposed project would have no impact with respect to the following significance criteria:

- ❖ Expose people to excessive noise associated with a public airport or public use airport; and
- ❖ Expose people to excessive noise associated with a private airstrip.

IMPACT 9.3: Cause a Substantial Temporary Increase in Ambient Noise Levels**SIGNIFICANCE BEFORE MITIGATION:** *POTENTIALLY SIGNIFICANT*

Mitigation Measures

Proposed: None**Significance with Proposed Mitigation:** **Potentially Significant***Recommended:* Mitigation Measures 9.3a through 9.3d**SIGNIFICANCE AFTER MITIGATION:** *LESS THAN SIGNIFICANT*

Construction of the proposed project would generate noises associated with use of construction equipment and increased truck traffic in the project vicinity. Activities involved in construction would generate maximum noise levels ranging from 85 to 90 dB at a distance of 50 feet. Typical noise levels associated with commonly-used construction equipment are identified in *Table 9.7*. Noise would also be generated during the construction phase by increased truck traffic on area roadways. A significant project-generated noise source would be truck traffic associated with transport of heavy materials and equipment to and from the construction site.

Table 9.7**Common Construction Equipment Noise Levels**

Type of Equipment	Maximum Noise Level at 50 feet
Bulldozers	87
Heavy Trucks	88
Backhoe	85
Pneumatic Tools	85

Source: *Environmental Noise Pollution*, Cunniff 1977; as cited in *Bollard Acoustical Consulting* 2010

It is noted that Placer County exempts construction noise (during daytime hours) from the County's noise standards. Although construction activities and material transport activities would be temporary in nature, they would result in periods of elevated noise levels. This impact is considered Potentially Significant. *Mitigation Measures 9.3a through 9.3d* identify requirements for the project to comply with the County's Standard Construction Noise Conditions of Approval expressed in Placer County Minute Order 90-08, maintain construction vehicles in good working order, comply with *Placer County General Plan* policy, and require all construction truck traffic to access the project site from Interstate 80 and Penryn Road (avoiding use of Taylor Road and other local roadways in the vicinity). These measures would minimize the noise generated during project construction and ensure that construction traffic routes minimize exposure of existing residential land uses to noise. With implementation of these measures, this impact would be reduced to a less than significant level.

9.4 MITIGATION MEASURES**Expose Residents to Noise Levels in Excess of General Plan and Community Plan Standards**

This impact is determined to be Less than Significant. No mitigation measures are required.

CHAPTER 12 UTILITIES

12.1 ENVIRONMENTAL SETTING

This chapter addresses the utility services required to serve the proposed project. These services include water supply, wastewater treatment and conveyance, solid waste collection and management, and communications utilities. Impacts related to provision of other utilities and public services to the proposed project were evaluated in the Initial Study provided in Appendix A to this Draft EIR. Those impacts were determined to be less than significant and are not addressed further in this EIR.

Water Supply

Domestic water service to this portion of Placer County is provided by the Placer County Water Agency (PCWA). The PCWA service area is divided into five zones that provide treated and raw water to Colfax, Auburn, Loomis, Rocklin, Lincoln, a small portion of Roseville, unincorporated areas of western Placer County, and a small community in Martis Valley near Truckee. The project area is located entirely within Zone 1, which is the largest of the five zones and includes Auburn, Bowman, Ophir, Newcastle, Penryn, Loomis, Rocklin, Lincoln, and portions of Granite Bay. Zone 1 water supply facilities include four water treatment facilities, 14 storage tanks providing approximately 24.5 million gallons of storage capacity, and approximately 370 miles of treated-water piping (PCWA 2006).

Surface Water

PCWA's contracted surface water supplies for western Placer County communities are obtained from three watersheds; the American River, the Yuba River, and the Bear River. Treated water for the vicinity of the project area is supplied from the Yuba and Bear River watersheds and is supplemented with American River water. PCWA has plans to further supplement its surface water supply with an additional 35,000 acre-feet per year (af/yr) from the Sacramento River. PCWA has prepared an Integrated Water Resources Plan that presents a detailed assessment of water supply and demand in western Placer County and an evaluation of available water supply resources to meet future water needs. This chapter discusses surface water with respect to water available for domestic water supply. Onsite surface water and drainages are described in **CHAPTER 11 HYDROLOGY AND WATER QUALITY**.

Groundwater

Western Placer County lies within the northeastern section of the North American Groundwater sub-basin. Although groundwater is used in Western Placer County as a primary source of potable water by municipalities, individual homes, farms, and businesses, PCWA presently does not rely on substantial use of groundwater to meet its customers' demands (PCWA 2006). Groundwater would not be used to serve the proposed project.

Treatment, Transmission, and Storage

The PCWA system consists of eight water treatment plants (WTP). The Foothill WTP, located in the southern portion of Newcastle, serves the project area. PCWA completed the most recent expansion of its Foothill WTP in 2005. The capacity of this facility is presently 55 million gallons per day (mgd) and PCWA is currently expanding this capacity to a total of 58 mgd. In addition,

PCWA is in the design phase for a new water treatment plant that would be located on Ophir Road in the Newcastle/Ophir area. This plant is scheduled for completion in ~~2014~~2018. This plant is being designed with an initial capacity of 30 mgd and will be designed to allow for expansion to provide 120 mgd at full capacity (PCWA 2007, 2011).

An existing 30-inch transmission line delivers treated water from the Foothill WTP in Newcastle to various communities south of the facility. A 24-inch line located on the west side of Taylor Road carries the treated water to Penryn where smaller water lines ranging from 4-inches to 12-inches feed off of the main line to serve residential subdivisions in the project area.

PCWA reserves capacity for new customers upon payment of the agency's Water Connection Charge (WCC). The WCC is due after approval of the project and prior to the issuance of building permits (pers. comm. Ott 2008). Typically, there is an average lag time of approximately 18 months between the payment of the WCC and full development of demand from the occupied units.

Wastewater

The project site is served by the South Placer Municipal Utility District (SPMUD), which provides service to the City of Rocklin, the Town of Loomis, the community of Penryn, and a portion of Granite Bay. The project site would be served by an existing 8-inch sewer line that roughly bisects the 15-acre site and links to the primary service line located along Taylor Road in Penryn. This primary service line is 15 inches in diameter and is commonly known as the Lower Loomis Trunk Sewer. The project would require onsite improvements such as gravity sewer laterals and collectors to serve the proposed development.

SPMUD is a participant in the South Placer Wastewater Authority (SPWA), which is a joint powers authority between Placer County, the City of Roseville, and SPMUD. The SPWA facilitates financing, operations, and maintenance of jointly shared trunk sewers and two Regional Waste Water Treatment Plants (WWTPs) that are owned and operated by the City of Roseville on behalf of the SPWA. In 2004, the City of Roseville retained RMC Water and Environment (RMC) to prepare the South Placer Regional Wastewater and Recycled Water Systems Evaluation (Systems Evaluation), which provides the SPWA with a baseline characterization of its wastewater and recycled water systems (based on 2004 conditions) and an assessment of necessary capital improvement projects to accommodate anticipated buildout conditions within the SPWA service area boundary. The Systems Evaluation was updated in 2009 to reflect changes in anticipated buildout conditions within the SPWA service area. The baseline 2004 conditions are considered current for the purposes to the Systems Evaluation and are used to characterize existing conditions related to wastewater treatment and conveyance in this Draft EIR.

The Orchard at Penryn project site is included in the SPWA service area and the Systems Evaluation assumed development of the site in accordance with the Placer County General Plan. Wastewater flows from the project area are received and treated by the Dry Creek WWTP. The Dry Creek WWTP provides tertiary-level treatment and produces recycled water that meets requirements for Title 22 regulations for full, unrestricted use (excluding use as potable water). Treatment at the Dry Creek Wastewater Treatment Plant consists of screening, primary clarification, aeration, secondary clarification, filtering and disinfection.

Table 12.1
Sewer Trunkline Flow Monitoring

Item	Results
Estimated 100% Capacity of Pipeline	210 gpm
Average Dry Weather Flow:	10.0 gpm
- as % of Capacity (by Volume):	5%
- as % of Capacity (by Level)	31%
Peak Measured Flow:	62.0 gpm
- as % of Capacity (by Volume):	30%
- as % of Capacity (by Level):	46%
Available Capacity over Peak Measured Flow:	148 gpm
- as % of Capacity (by Volume):	70%
- as % of Capacity (by Level):	54%

Source: V&A, 2008

As shown in *Table 12.1*, monitoring of the existing 8-inch sewer line determined that the existing line has 70 percent available capacity, or capacity to accept additional flows of 148 gpm, over peak measured dry weather flows. SPMUD used the V&A monitoring data to determine available system capacity. SPMUD applied a wet weather peaking factor to the existing flow indicated by the monitoring data. This peaking factor reflects the additional flows that occur during wet weather. Applying the wet weather peaking factor allows SPMUD to verify that adequate capacity is available during wet weather conditions (pers. comm, Rose).

The South Placer Municipal Utility District Wastewater Collection System Master Plan (January 2009) establishes an average unit flow for future residential development of 190 gallons per day per equivalent dwelling unit (gpd/EDU). Based on this generation rate, the proposed 150-unit project would generate approximately 28,500 gallons per day of additional wastewater or an additional 20 gpm of average dry weather flow. In addition to determining the average unit flow, the SPMUD System Master Plan and other facilities planning documents rely upon a maximum flow rate of 400 gpm when designing facilities. Use of the maximum flow rate during design ensures that the system is adequately sized to accommodate peak flows (pers. comm., Rose).

Based on the available capacity identified by the V&A capacity analysis and confirmed by SPMUD, the existing SPMUD sewer trunkline has adequate capacity to accommodate anticipated sewer flows generated by the proposed project. The proposed project would not require upgrades to the existing sewer trunk lines that would serve the project.

As discussed in Section 12.1, wastewater flows from the project area are received and treated by the Dry Creek WWTP. The current Dry Creek WWTP average dry weather flow (ADWF) is approximately 10.3 mgd. The plant has a maximum treatment capacity of 11.5 mgd, and development of the project site in accordance with the Placer County General Plan was assumed under the SPWA Systems Evaluation (RMC 2009). The Dry Creek WWTP has sufficient treatment capacity to serve the proposed project and is in compliance with the water quality discharge requirements specified by the facility's NPDES discharge permit. This facility meets applicable wastewater treatment requirements.

CHAPTER 14 CUMULATIVE IMPACTS

Cumulative impacts are those that occur as a result of regional development activity. Analysis of cumulative impacts is required under CEQA Guidelines §§15130 and 15355. The following is an excerpt from §15355 explaining cumulative impacts:

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment, which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

CEQA Guidelines §15130(b)(1) details two methods by which cumulative impacts may be evaluated. One of these is to summarize growth projections in an adopted general plan or in a prior certified environmental document. The other method involves the compilation of a list of past, present, and reasonably foreseeable future projects producing related or cumulative impacts. This Draft EIR uses both approaches. It considers growth projections in the adopted Horseshoe Bar/Penryn Community Plan and assumes full buildout of the approximately 25 square mile Plan area. The cumulative analysis for the Orchard at Penryn project considers the proposed project and It also considers

~~The cumulative analysis for the Orchard at Penryn project considers the proposed project and other known approved, active, or reasonably foreseeable projects within the Community Plan boundaries as well as approved or reasonably foreseeable projects that are directly adjacent to the Community Plan boundaries and within two miles in the vicinity of the project site area. These projects are briefly summarized below.~~

This cumulative analysis assumes existing and foreseeable future development within the Plan boundaries based on the existing Community Plan land use designation. Therefore, the densities of projects such as the Penryn Townhomes and the Penryn Park subdivisions (aka The Orchards) are included in this buildout assumption. The buildout assumption is described in also incorporates information from the Horseshoe Bar/Penryn Community Plan EIR (Jones & Stokes 1994). ~~which~~ The evaluations of the environmental effects associated with implementation of the Community Plan in the Horseshoe Bar/Penryn Community Plan EIR analysis is incorporated here by reference. The relevant portions of the analysis are summarized by topic below and the *Horseshoe Bar/Penryn Community Plan EIR* is available for review from Placer County.

The past, present, and reasonably foreseeable future projects considered in this cumulative analysis, in addition to the Community Plan buildout projections, are the following:

Bickford Ranch – The Bickford Ranch Plan Area is located in the southern portion of Placer County, between the City of Lincoln and the communities of Penryn and Newcastle. The Plan Area is located approximately seven miles north of Interstate 80 and immediately south of Highway 193. It is bounded on the west by Sierra College Boulevard and Highway 193 on the north and extends to Clover Valley Creek on the south, approximately two miles from the Orchard at Penryn project site. The

Bickford Ranch Specific Plan was approved by the Placer County Board of Supervisors in December 2001. The Bickford Ranch project is a mixed-use development of that provides for 1,890 dwelling units with a variety of housing types, lot sizes and densities. In addition to the various residential communities, the plan area contains approximately 8 acres of commercial area, natural open spaces, public facilities and recreation amenities on 1,942 acres. To date, no significant development has occurred on the site. The Bickford Ranch project is north of and adjacent to the entire northern Community Plan boundary.

Brennan's Point - This project is located on Brennan's Road, north of Balmoral Drive. It is a 14 lot single-family residential subdivision (± 2.3 acre lots). This project is located within the Community Plan boundaries. The project was an active proposed project at the time this Draft EIR was prepared although the project application was withdrawn in July 2012.

Village at Horseshoe Bar - Located on three acres at the northeast corner of Horseshoe Bar Road and Auburn/Folsom Road, the Village at Horseshoe Bar is a small commercial village consisting of three buildings that would consist of a neighborhood market, a restaurant and specialty retail space. This project is located within the Community Plan boundaries.

Village at Loomis - Located on approximately 54 acres in the Town of Loomis and situated north along Interstate 80, between King Road and Horseshoe Bar Road, less than two miles from the Orchard at Penryn project site, the Village at Loomis project is ~~proposed-assumed~~ to include commercial and residential land uses. This project was proposed in early 2008 but the project has been delayed. It is reasonable to assume that some future development is likely on this site. The previously proposed project ~~The site is planned to be divided~~ the site into seven districts, ~~which include~~ a Commercial District (± 4.1 acres), an Office District (± 2.8 acres), a Residential District (± 9.7 acres), a Live-Work District (± 0.5 acres), a Single-Family District (± 18.6 acres), a Multi-Family District (± 3.1 acres), and an Open Space District (including several parks). Total planned residential units include 433 units. Commercial components would include a retail center, and professional offices. The northeastern portion of this project site touches the southwest portion of the Community Plan area boundary.

Loomis Marketplace - The Loomis Marketplace project was proposed in early 2008 but the project has been delayed. It is reasonable to assume some development would occur on this site in the cumulative scenario. The previously as-proposed project would develop 394,850 square feet of retail and commercial uses, including two service stations, stores, restaurants, offices, and two hotels with 120 and 151 rooms on both sides of Horseshoe Bar Road. The project site is located along the north and south side of ~~at~~ Interstate 80 in the Town of Loomis's jurisdiction. The site is approximately 63.5 acres. The site is located approximately 0.58 miles from the southwestern boundary of the Community Plan and approximately two miles from the proposed Orchard at Penryn project site.

Cumulative Impact Assessment

When other reasonably foreseeable projects are considered, the cumulative impacts to some resources would be more severe than the impacts from the proposed project alone. The analysis in this EIR concluded that most impacts of the proposed project associated with Land Use, Biological Resources, Visual Resources, Noise, Geology, Hydrology and Water Quality, Utilities, and Hazards and Hazardous Materials would be Less than Significant with implementation of mitigation measures. The project would result in Significant and Unavoidable impacts to the visual character and quality of the project area, transportation and circulation, and air quality.

The project's potential contribution to cumulative impacts in the project region is evaluated below using the following methodology: ~~For each topic~~

Define the geographic area applicable to the impact analysis considering the area in which the project's effects could combine with the effects of other projects ~~is defined~~,

Identify the types and extent of cumulative impacts ~~are identified~~, and

Assess the project's contribution to each impact ~~is assessed~~.

Land Use

Cumulative Land Use impacts would occur throughout Placer County and the Horseshoe Bar/Penryn area. The cumulative analysis identifies the geographical scope as the Community Plan area (approximately 25 square miles) and those additional areas in the County which are outside the Plan area but adjacent to the Plan boundaries and within two miles of the project site. The cumulative Land Use impacts identified in the *Horseshoe Bar/Penryn Community Plan EIR* include increased residential units and population in the area, conversion of undeveloped land to rural residential uses, and substantial growth in the area. The addition of those approved, active, or reasonably foreseeable projects in the area that are discussed above [particularly those that are not included in the growth assumptions for the Community Plan (Bickford Ranch, Village at Loomis and Loomis Marketplace)] would exacerbate each of these impacts. The proposed project is consistent with the Community Plan land use designation and the zoning designation for the project site. Development of the project would convert undeveloped land to residential uses – but this impact is anticipated under the Community Plan. The residential units proposed for the site and the associated population that would be supported onsite are also anticipated under the Community Plan. The proposed project would contribute to the cumulative Land Use impacts identified in the *Horseshoe Bar/Penryn Community Plan EIR*, but the project's contribution to these impacts is not considered cumulatively considerable. These cumulative impacts would occur at the same magnitude with or without the proposed project.

Biological Resources

With respect to biological resources, the project site is located in an area of transition between the Sacramento Valley and Sierra Nevada foothills regions. Significant cumulative impacts in both regions include loss of habitat types, such as oak woodlands, riparian areas, and federally-protected wetlands, and loss of special-status species. The specific geographic scope in which cumulative impacts to biological resources are considered for this project is the Horseshoe

Bar/Penryn/Loomis area. This area defines a range of habitats of similar quality and types that are likely to support similar populations of wildlife and flora. On a cumulative level, ongoing development will contribute to a loss of potential habitat for special-status species, loss of sensitive natural communities, and loss of wetland resources. In addition to potential direct impacts on biological resources, the increased human presence in the cumulative scenario would be anticipated to cause potential indirect impacts that could disturb breeding and foraging behavior of wildlife. As evaluated in the Horseshoe Bar/Penryn Community Plan EIR, buildout of the Community Plan is expected to result in significant and unavoidable impacts to oak woodlands but less than significant impacts to other biological resources.

The proposed project would result in the loss of 6.41-46 acres of oak woodland, 0.95 acres of riparian habitat, and 0.42 acres of federally-protected wetlands, which represents an incremental contribution to the cumulative losses of these habitats. CHAPTER 5 BIOLOGICAL RESOURCES contains mitigation measures that require the project applicant to compensate for unavoidable impacts to onsite habitat types by restoring or preserving comparable habitat offsite. These compensatory mitigation requirements ensure that the project's contribution to the cumulative impact is not cumulatively considerable, in keeping with CEQA Guidelines §15130(c), which states that a project's "contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact." The mitigation requirements of the project are consistent with the requirements of the Federal Endangered Species Act, the California Endangered Species Act, and the Clean Water Act. Further, the mitigation requirements are consistent with the principles, objectives, and strategy of the Placer County Conservation Program, which is intended to provide comprehensive regional compliance with federal and state biological resources regulations and to minimize cumulative impacts to the resources included in the program. In addition, the requirements and regulations applicable to the proposed project would also be applicable to other projects in the cumulative scenario; and these other projects may also be subject to site-specific mitigation measures identified in each project's environmental reviews. Compliance with these regulatory and mitigation requirements would further reduce the potential cumulative impacts to biological resources in the project area.

The project site is not known to support any special-status species, though it has potential to support nesting raptors. *Mitigation Measure 5.4a* requires completion of a pre-construction survey and avoidance of impacts to any identified active nests. The project is not expected to adversely affect special-status species, and would not make a cumulatively considerable contribution to this cumulative impact.

Visual Resources

The project site is located in a rural community, where visual resources include areas of open space, natural vegetation, and agricultural crops. The geographic scope for cumulative impacts to visual resources is the *Horseshoe Bar/Penryn Community Plan* area, which defines a cohesive area with similar visual characteristics. The Community Plan area covers approximately 25 square miles and the project is located within a small central geographic area within the Plan boundaries. As a result, changes in visual resources at the project site would not be likely to influence visual resources in other nearby communities such as Newcastle or Loomis other than those projects included in the cumulative analysis. Development of the proposed project would

contribute to loss of visual resources as the project would convert undeveloped open space to a multi-family residential complex. Natural vegetation onsite would be lost as a result of site remediation and project construction. While the project includes landscaping around all site boundaries as well as internal to the site and preservation of a small amount of open space in the center of the site, the project's individual impacts to visual resources are expected to be Significant and Unavoidable. In addition, the project's contribution to cumulative losses of visual resources in the Community Plan area is expected to be considerable, as discussed below.

IMPACT 14.1: Contribute to Cumulative Degradation of Existing Visual Character or Quality

SIGNIFICANCE BEFORE MITIGATION: ***SIGNIFICANT***

Mitigation Measures

Proposed: Mitigation Measures 14.1a and 14.1b

Significance with Proposed Mitigation: Significant

Recommended: Mitigation Measure 14.1c

SIGNIFICANCE AFTER MITIGATION: ***SIGNIFICANT AND UNAVOIDABLE***

The project site is in a visible location along Penryn Road, a primary point of access for the Community Plan area, and the project would result in a highly-noticeable change in visual characteristics of the site and in the general vicinity. The project includes landscaped building setbacks, a landscape easement along Penryn Road, and a detailed Landscaping Plan (*Mitigation Measures 14.1a and 14.1b*), which would help restore some of the existing visual character of the site. The project would also be subject to the County's Design Review process, which would ensure that the project's effects on existing visual character of the project site are minimized. Implementation of these measures would reduce the project's contribution to cumulative visual impacts, but the measures would not reduce the project's contribution to a level that is less than cumulatively considerable. Therefore, the project has a Significant and Unavoidable contribution to this cumulative impact.

Mitigation Measure 14.1a: The project applicant shall implement *Mitigation Measure 6.1a*, which requires minimum 15-foot building setbacks from the northern and southern property lines and minimum 40-foot building setbacks from the edge of the highway easement along Penryn Road.

Mitigation Measure 14.1b: The project applicant shall implement *Mitigation Measure 6.1b*, which requires implementation of the Landscaping Plan to provide visual screening of the project site and project structures

Mitigation Measure 14.1c: The project applicant shall implement *Mitigation Measure 6.1c*, which describes the requirement approval of a Design/Site Agreement for this project.

Transportation and Circulation

Based on the project's size and associated trip generation, the project is expected to influence traffic and circulation patterns in the local area. Traffic from the proposed project is minor relative to the projected background traffic volumes under cumulative conditions. Traffic generated by the proposed project would not make a noticeable contribution to regional traffic patterns. Thus, the geographic scope of this analysis includes the intersections and roadway

segments in the project vicinity, specifically Penryn Road between Taylor Road and Interstate 80, and Taylor Road west to Horseshoe Bar Road.—The analysis presented in this section is taken from the *Traffic Impacts Analysis* (KHA 2011) provided in Appendix D to this Draft EIR. The year used to define the cumulative condition is 2030. The cumulative condition includes projected increases in background traffic volumes resulting from land use development activities throughout the region.

Cumulative Conditions

To estimate the Cumulative peak-hour turning movement volumes, the existing (2010) turning movements at each study intersection were factored up based on the projected average daily traffic (ADT) volumes for the intersection approaches. The methodology used complies with the methodology described in the National Cooperative Highway Research Program (NCHRP) 255, Highway Traffic Data for Urbanized Area Project Planning and Design, Chapter 8. Traffic patterns in the cumulative condition are modeled based on existing and projected average daily traffic (ADT) volumes for roadway segments, existing peak-hour turning movements at intersections, the existing peak factor, and anticipated future traffic distribution patterns. The anticipated Cumulative LOS for each study area intersection is identified in *Table 14.1*.

Table 14.1
Cumulative Intersection Levels of Service

Intersection	Traffic Control	Weekday				Traffic Signal Warrants Met?	
		A.M. Peak Hour (7:00 to 9:00 a.m.)		P.M. Peak Hour (4:00 to 6:00 p.m.)		a.m. peak hour	p.m. peak hour
		LOS	Average Delay (sec's per vehicle)	LOS	Average Delay (sec's per vehicle)		
Taylor Road @ English Colony Way/Rock Springs Road	AWSC	D	32.6	B	13.6	Yes	Yes
Penryn Road @ Taylor Road*	TWSC**	F	183.9 (NB)	D	25.6 (SB)	Yes	No
Penryn Road @ 1-80 Westbound Ramps/Boyington Road	Signal	C	25.2	C	25.1	No	
Penryn Road @ I-80 Eastbound Ramps/Boulder Creek Place	TWSC*	C	15.4 (EB)	E	35.7 (EB)	No	
Taylor Road @ King Road	Signal	F	93.4	D	38.0	No	
Taylor Road @ Horseshoe Bar Road	Signal	D	47.9	F	98.7	No	No

Bold = Substandard

* The worst movement is experienced traveling to and from Penryn Road and the private driveway facing Penryn Road, while traffic on Taylor Road flows more freely. The Kimley-Horn Traffic Impact Analysis describes the worst movement through this intersection as westbound (AM Peak Hour) and eastbound (PM Peak Hour), however, this Draft EIR describes this movement as northbound/southbound to more closely reflect the travel direction on Penryn Road

** Control delay for worst minor approach (worst minor movement) for TWSC

As shown in *Table 14.2*, the study roadway segments are expected to operate at LOS B, C, and D under the cumulative scenario.

Table 14.2
Cumulative Roadway Segment Levels of Service

Roadway Segment	Number of Lanes	Daily Volume	LOS
Penryn Rd between I-80 EB Ramps/Boulder Creek Rd and I-80 WB Ramps/Boyington Rd	2	5,009	B
Penryn Rd between I-80 WB Ramps/Boyington Rd and Taylor Rd	2	6,127	C
Taylor Rd between Penryn Rd and English Colony Way/Rock Springs Rd	2	12,471	D
Taylor Rd between Penryn Rd and King Rd	2	10,319	D

Cumulative Plus Project Impacts

IMPACT 14.2: Substantially Increase Traffic or Conflict with Level of Service Standards in the Cumulative Plus Project Condition

SIGNIFICANCE BEFORE MITIGATION: ***SIGNIFICANT***

Mitigation Measures

Proposed: None

Significance with Proposed Mitigation: Significant

Recommended: Mitigation Measures 14.2a and 14.2b

SIGNIFICANCE AFTER MITIGATION: ***SIGNIFICANT AND UNAVOIDABLE***

Trip generation from the project and the anticipated distribution of those trips are defined in CHAPTER 7 TRANSPORTATION AND CIRCULATION. Based on the trip generation and distribution, the peak-hour traffic associated with the proposed project was added to the Cumulative traffic volumes and LOS at each study facilities was determined. As shown in Table 14.3, addition of project-generated traffic in the cumulative condition would not result in reduced LOS at any study intersection. However, the project would add traffic to intersections that are projected to operate at unacceptable LOS in the Cumulative condition. Addition of any traffic to intersections operating at unacceptable LOS is considered a significant impact, and a considerable contribution to significant cumulative impacts.

As shown in Table 14.4, addition of project-generated traffic in the cumulative condition would not result in reduced LOS for any roadway segment. However, the project would add traffic to segments that are projected to operate at unacceptable LOS in the Cumulative condition. Addition of any traffic to segments operating at unacceptable LOS is considered a significant impact, and a considerable contribution to cumulative impacts.

Table 14.3
Cumulative plus Proposed Project Intersection Levels of Service

Intersection	Analysis Scenario*	Traffic Control	AM Peak-Hour		PM Peak-Hour	
			Delay (seconds)	LOS	Delay (seconds)	LOS
Taylor Road @ English Colony Way/Rock Springs Road	Cum	AWSC	32.6	D	13.6	B
	Cum + PP		32.9	D	13.7	B

Intersection	Analysis Scenario*	Traffic Control	AM Peak-Hour		PM Peak-Hour	
			Delay (seconds)	LOS	Delay (seconds)	LOS
Penryn Road @ Taylor Road	Cum	TWSC**	183.9 (NB)	F	25.6 (NB)	D
	Cum + PP		187.8 (NB)	F	26.3 (NB)	D
Penryn Road @ I-80 Westbound Ramps/Boyington Road	Cum	Signal	25.2	C	25.1	C
	Cum + PP		26.1	C	27.0	C
Penryn Road @ 1-80 Eastbound Ramps/Boulder Creek Place	Cum	TWSC**	15.4 (EB)	C	35.7 (EB)	E
	Cum + PP		16.1 (EB)	C	47.5 (EB)	E
Penryn Road @ Project Site Access Driveway	Cum	n/a				
	Cum + PP	TWSC**	11.4 (EB)	B	10.0 (EB)	A
Taylor Road @ Project Site Access Driveway (Exit Only)	Cum	n/a				
	Cum + PP	TWSC**	16.7 (NB)	C	12.1 (NB)	B
Taylor Road @ King Road	Cum	Signal	93.4	F	38.0	D
	Cum + PP		94.1	F	38.5	D
Taylor Road @ Horseshoe Bar Road	Cum	Signal	47.9	D	98.7	F
	Cum + PP		48.0	D	100.3	F

Bold = Substandard

* Cum = Cumulative (2030), Cum + PP = Cumulative (2030) plus Proposed Project

** Control delay for worst minor approach (worst minor movement) for TWSC

Table 14.4
Cumulative plus Proposed Project Roadway Segment Levels of Service

Roadway Segment	# Lanes	Analysis Scenario*	Daily Volume	LOS
Penryn Rd between I-80 EB Ramps/Boulder Creek Rd and I-80 WB Ramps/Boyington Rd	2	Cum	5,009	B
		Cum + PP	5,450	B
Penryn Rd between I-80 WB Ramps/Boyington Rd and Taylor Rd	2	Cum	6,127	C
		Cum + PP	6,689	C
Taylor Rd between Penryn Rd and English Colony Way/Rock Springs Rd	2	Cum	12,471	D
		Cum + PP	14,501	D
Taylor Rd between Penryn Rd and King Rd	2	Cum	10,319	D
		Cum + PP	10,417	D

Source: Traffic Impact Analysis for The Orchard at Penryn (Kimley-Horn and Associates, Inc., 2011)

Bold = Substandard per County

* Cum = Cumulative (2030), Cum + PP = Cumulative (2030) plus Proposed Project

As shown in Tables 14.3 and 14.4, the proposed project would make considerable contributions to cumulative impacts at five intersections and on two roadway segments. *Mitigation Measure 14.2a* requires the project to contribute fair-share payments towards recommended improvements for intersections within the Town of Loomis and Mitigation Measure 14.2b requires the project to contribute fair-share payments towards improvements for intersections in Placer County. The identified improvements, if implemented by the Town of Loomis, ~~that~~

constructing modified intersection geometries and signal phasing at the intersections of Taylor Road/King Road and Taylor Road/Horseshoe Bar Road. The fair share percentages are identified as 0.34% and 0.36%, respectively.

Mitigation Measure 14.2b: The project shall implement *Mitigation Measure 7.1a*, which requires the project to pay traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable Ordinances and Resolutions.

IMPACT 14.3: Conflict with Transportation and Circulation Plans and Policies in the Cumulative Plus Project Condition

SIGNIFICANCE BEFORE MITIGATION: ***SIGNIFICANT***

Mitigation Measures

Proposed: None

Significance with Proposed Mitigation: Significant

Recommended: Mitigation Measure 14.3a

SIGNIFICANCE AFTER MITIGATION: ***SIGNIFICANT AND UNAVOIDABLE***

An analysis of the project's consistency with General Plan and Community Plan policies is provided in Appendix B to this Draft EIR. As discussed in Impact 14.2, the traffic generated by the project would increase delay at five intersections and on two roadway segments in the project area. The intersections would operate at LOS D, E, and F while the roadway segments would operate at LOS D. These conditions would conflict with the LOS standards established in the General Plan and Community Plan. *Mitigation Measure 14.3a* requires the project applicant to make a fair share contribution to improvements that would provide acceptable LOS at most intersections and on both roadway segments. However, as discussed in Impact 14.3, there is not sufficient right-of-way to construct improvements that would provide acceptable LOS at one intersection and Placer County cannot guarantee that the applicant and Town would reach agreement regarding payment of fair share costs towards improvements at another intersection. Therefore this impact is Significant and Unavoidable. There is no feasible mitigation that would avoid the project's cumulatively considerable contribution to traffic operations that conflict with applicable plans and policies.

Mitigation Measure 14.3a: The project applicant shall implement *Mitigation Measure 14.2a* and *Mitigation Measure 7.1a*, which require payment of a proportionate share of the total cost for roadway facility improvements.

Air Quality

The project site is located within the Sacramento Valley Air Basin and under the jurisdiction of the Placer County Air Pollution Control District. Regional air quality is influenced by climate, topography, wind patterns, land use activities, and many other factors. In consideration of these physical features and jurisdictional boundaries, ~~which defines~~ the geographic scope for the analysis of cumulative air quality impacts is Placer County. Regional air quality and cumulative air quality impacts will be affected by buildout of county land use planning documents as well as construction of individual projects throughout the county. As identified in CHAPTER 8 AIR QUALITY, the project region is in non-attainment for ozone and particulate

matter standards, which indicates that these cumulative air quality impacts are significant. The State Implementation Plan (SIP) for the Sacramento Valley Air Basin identifies how the region can achieve attainment with the federal ozone standards. In its New Source Review Rule, the Placer County Air Pollution Control District (APCD) has established pollutant emissions limits. If project emissions exceed those limits, the project is considered to have a significant impact to air quality. The project's near-term effect on air quality is evaluated in Chapter 8, while the analysis below considers the project's long-term (cumulative) effect on air quality.

IMPACT 14.4: Increase Cumulative Concentrations of ROG or NO_x

SIGNIFICANCE BEFORE MITIGATION: ***SIGNIFICANT***

Mitigation Measures

Proposed: None

Significance with Proposed Mitigation: **Significant**

Recommended: Mitigation Measure 14.4a

SIGNIFICANCE AFTER MITIGATION: ***SIGNIFICANT AND UNAVOIDABLE***

Air quality in the Sacramento Valley Air Basin does not meet state or federal standards for concentrations of ground-level ozone. Ongoing regional development in the cumulative scenario would continue to contribute to emissions of reactive organic gases (ROG) and oxides of nitrogen (NO_x), which are precursors to the formation of ground-level ozone. This is a significant impact from regional development in the cumulative scenario.

To evaluate whether an individual project would make a considerable contribution to this cumulative impact, the Placer County APCD has adopted a threshold of 10 pounds per day for each pollutant. Emissions in excess of this threshold would make a considerable contribution to the significant cumulative impact of ozone concentrations that exceed state and federal standards.

The URBEMIS modeling for the proposed project indicates emissions of ROG and NO_x that would exceed the APCD threshold. Mitigation measures included in Chapter 8 would reduce ROG and NO_x emissions to the extent feasible. However, these emissions would remain above the APCD threshold, as shown in *Table 14.6*. Emissions of NO_x throughout each construction phase except for architectural coatings would exceed the APCD threshold. Conversely, the architectural coatings phase is in the only construction phase during which emission of ROG would exceed the APCD threshold, even when low-VOC coatings are used. During project operation, emissions of both ROG and NO_x would exceed the APCD threshold in summer and in winter.

Table 14.6
Mitigated ROG and NO_x Emissions (pounds per day)

Project Phase/Emission Source		Air Pollutant Emissions	
		ROG	NO _x
Project Construction	Site Remediation	10.0	132.63
	Mass Grading	4.44	47.68

Project Phase/Emission Source	Air Pollutant Emissions		
	ROG	NO _x	
Fine Grading	2.85	23.48	
Paving	4.16	20.34	
Building Construction	3.87	18.72	
Architectural Coating	165.92	0.10	
Project Operation - Summer	Area Sources	8.52	1.04
	Vehicle Use	8.88	10.79
	Total Summer Operation	17.40	11.83
Project Operation – Winter	Area Sources	8.45	1.85
	Vehicle Use	9.68	15.49
	Total Winter Operation	18.13	17.34

As noted above, the values provided in *Table 14.6* assume implementation of the mitigation measures identified in Chapter 8. In addition, *Mitigation Measure 14.4a* is provided to offset some of the project's long-term air pollutant emissions. As stated in the measure, it would effectively offset emissions from one year of the project. There are no feasible mitigation measures that would offset or reduce emissions in additional years, thus the project's contribution to cumulative air pollutant concentrations would remain considerable and this impact remains Significant and Unavoidable.

Mitigation Measure 14.4a: Prior to Improvement Plan approval, the project applicant shall implement one or more of the following mitigation strategies. The mitigation shall be sufficient to offset the amount of summertime project operation emissions of ROG and NO_x that exceed 10 pounds per day. The estimated amount that the mitigation must be sufficient to offset is 0.67 ~~pounds per day tons~~ of ROG and 0.17 ~~pounds per day tons~~ of NO_x, a total of 0.84 ~~pounds per day tons~~ for a 182-day period (summer days).

a. Establish mitigation onsite by incorporating design features within the project. This may include, but not be limited to: "green" building features such solar panels, energy efficient heating and cooling, exceeding Title 24 standards, bike lanes, bus shelters, etc. NOTE: The specific amounts of "credits" received shall be established and coordinated through the Placer County Air Pollution Control District.

b. Establish mitigation offsite within west Placer County by participating in an offsite mitigation program, coordinated through the Placer County Air Pollution Control District. Examples include, but are not limited to participation in a "Biomass" program that provides emissions benefits; retrofitting, repowering, or replacing heavy duty engines from mobile sources (i.e. busses, construction equipment, road haulers); or other program that the project proponent may propose to reduce emissions.

c. Participate in the Placer County Air Pollution District Offsite Mitigation Program by paying the equivalent amount of money, which is equal to the project's contribution of pollutants (ROG and NO_x) in excess of the cumulative threshold of 10 pounds per day during summertime. The estimated payment for the proposed project is \$12,012 based on \$14,300 per ton for a 182-day period. The actual amount to be paid shall be determined, and satisfied per current California Air Resource Board guidelines, at the time of Improvement Plan approval.

Noise

The existing ambient noise environment in the immediate project vicinity is defined primarily by traffic on Penryn Road and Interstate 80. This is similar to the noise environment throughout much of the Horseshoe Bar/Penryn Community Plan area. Residents of this largely rural area are considered highly sensitive to noise. The geographic scope of cumulative noise impacts to which this project could contribute is the Horseshoe Bar/Penryn Community Plan area based on the project's location within this community and the similar nature of ambient noise and resident's noise sensitivity in this area. Noise-sensitive land uses in the immediate project vicinity include a church to the south and existing single family residences to the north and west. In the cumulative scenario, ongoing development would be expected to increase the ambient noise environment in the area as a result of increased traffic volumes and increased residential population and commercial activities. The increased residential population would also represent an increase in the amount of noise-sensitive land uses in the vicinity.

IMPACT 14.5: Generate Noise Levels in Excess of General Plan and Community Plan Standards or Cause a Substantial Permanent Increase in Ambient Noise Levels

SIGNIFICANCE BEFORE MITIGATION: *LESS THAN SIGNIFICANT*

Mitigation Measures: No mitigation measures are proposed or recommended.

SIGNIFICANCE AFTER MITIGATION: *LESS THAN SIGNIFICANT*

It is expected that noise in the project vicinity under the cumulative scenario would comply with Placer County standards and that the project would not cause a noticeable increase in ambient noise in the area. This cumulative impact would be less than significant. As described in CHAPTER 9 NOISE, Bollard Acoustical Consultants used the future traffic volumes data from the Traffic Impacts Analysis for this project and the FHWA Traffic Noise Prediction Model to predict cumulative traffic noise levels in the project vicinity. The modeling estimates L_{dn} noise levels at 100 feet from the centerline of each roadway segment. Comparison of the modeling results for cumulative conditions (year 2030) to the modeling results for cumulative plus project conditions found that the project-generated traffic would increase future noise levels by one dB for two segments of Penryn Road. The predicted cumulative noise level for Penryn Road between the east project entrance and Boyington Road is 60 dB, and the predicted cumulative plus project noise level in this location is 61 dB. The predicted cumulative noise level for Penryn Road between Boyington Road and Boulder Creek Road is 59 dB, and the cumulative plus project noise level predicted at this location 60 db. These noise levels comply with the County's standards and the change in noise levels is less than the FICON guidelines provided in Table 9.4 in CHAPTER 9 NOISE for identifying a noticeable change in noise conditions.

Therefore, the ~~project is expected to have a less than cumulatively considerable contribution to~~ cumulative transportation-related noise ~~impact would be less than significant levels.~~

Geology and Soils

Many impacts related to geology and soils are site-specific and do not contribute to cumulative effects. For example, an individual project is unlikely to influence subsurface geologic stability outside of the project site.

Individual project impacts of loss of soil resources, increased soil erosion, and alteration of natural topography can contribute to cumulative impacts. The geographic scope for consideration of these cumulative impacts is the Sacramento Valley.

The project would remove 11,600 cubic yards of soil from the project site and would cover most of the remaining soil onsite with impervious surfaces and landscaping. This would contribute to a loss of soil resources in the Sacramento Valley. As land in the Sacramento Valley continues to be converted from agricultural and rural uses to more urban and suburban development, the cumulative loss of soil resources could adversely affect the ability of the area to support agricultural activities. This is a potentially significant cumulative impact. However the proposed project makes a less-than-considerable contribution to this impact because the soil at the project site contains substantial pollutant concentrations and because the project site is not in an area that supports commercial agricultural activities.

Site remediation and project construction activities onsite would increase the potential for erosion to affect site soils. Mitigation measures in chapters 5, 8, 10, and 11 include requirements for the project to implement Best Management Practices to control soil erosion. With implementation of these measures, soil erosion at the project site would be minimal and the project would make a less-than-considerable contribution to cumulative impacts related to soil erosion.

Ongoing development in the Sacramento Valley, particularly in the foothills where natural topography is more varied than in the valley, could result in a loss of natural landforms and unique geologic features. This is a potentially significant cumulative impact. The proposed project would have a less-than-considerable contribution to this impact. The project site supports generally flat to gently rolling terrain. Elevations onsite range between 460 and 480 feet above mean sea level. The proposed project would not substantially alter existing elevations. Finished ground elevations would be between 465 and 475 feet. This minimal alteration of existing topography would not influence regional topography patterns.

Hydrology and Water Quality

The proposed project site is located in the Dry Creek watershed, which lies above the Sacramento Valley groundwater basin. Specifically, the project site is in the Secret Ravine SubWatershed, and this area defines the geographic scope for the cumulative hydrology and water quality analysis. Development throughout this area would increase the amount of impervious surfaces and urban pollutants in the region. This could result in significant cumulative impacts to groundwater and surface water quality and to flooding and drainage system operations. However, regional planning and state and federal permitting requirements would ensure that each individual project mitigates its impacts. Water quality would be

protected with the use of Best Management Practices (BMPs) required under the NPDES program and grading and erosion control measures required by Placer County and other local jurisdictions. Flooding would not be increased as long as projects comply with the requirements of Placer County and the Placer County Flood Control and Water Conservation District that post-development drainage flows be reduced to 90 percent of the pre-development flows. Continued enforcement of existing regulations related to water quality, use of BMPs, flooding and drainage would ensure that new development does not worsen groundwater and surface water quality and existing flooding conditions. Therefore these cumulative impacts are expected to be less than significant.

Utilities

Water Supply: The cumulative impact geographic scope for water supply is the service area of the Placer County Water Agency (PCWA). As documented in CHAPTER 12 UTILITIES, PCWA has sufficient water to serve the proposed project and the anticipated cumulative development described above, based on PCWA's Integrated Water Resources Plan. There are no significant cumulative impacts related to Water Supply in the project region.

Wastewater Treatment: The cumulative impact geographic scope for wastewater treatment is the service area of the South Placer Wastewater Authority (SPWA). As documented in CHAPTER 12 UTILITIES, SPWA's South Placer Regional Wastewater and Recycled Water Systems Evaluation and the South Placer Municipal Utility District master plans indicate that each provider has sufficient capacity to serve the proposed project, ~~and the~~ anticipated future development described above, and other development in the region. There are no significant cumulative impacts related to Wastewater Treatment in the project region.

Solid Waste: The cumulative impact geographic scope for solid waste disposal is the service area of the Western Regional Sanitary Landfill, which serves all of Placer County. As documented in CHAPTER 12 UTILITIES, the Western Regional Sanitary Landfill has sufficient capacity to dispose solid waste through the year 2036, including waste generated by new land development projects. There are no significant cumulative impacts related to solid waste collection and disposals in the project region.

Hazards and Hazardous Materials

Impacts related to hazards and hazardous materials are site-specific and do not contribute to cumulative effects. For example, development on a contaminated site would not alter conditions at another site in the same region or expose people within the region generally to hazardous materials. There are no significant cumulative impacts related to hazards and hazardous materials in the project region.

Climate Change

The following analysis of impacts related to climate change and greenhouse gases discusses these impacts in the context of global climate patterns, statewide greenhouse gas emissions, and regulatory requirements at both the state and federal level. As air pollutants, greenhouse gas

emissions may be regulated by the Placer County APCD, and the cumulative impact discussion is based on the geographic area within Placer County.

Existing Setting

Significant changes in global climate patterns have been associated with global warming, an increase in the average temperature of the atmosphere near the Earth's surface. This has been attributed to accumulation of greenhouse gases (GHGs) in the atmosphere. The most prevalent GHG is carbon dioxide; other GHGs include methane, ozone, water vapor, nitrous oxide, and chlorofluorocarbons. GHGs trap heat in the atmosphere, which in turn heats the surface of the Earth.

While the greenhouse effect is a naturally occurring process that aids in maintaining the Earth's climate, human activities, such as burning fossil fuels and clearing forests, generate additional GHG emissions which contribute to the greenhouse effect and result in increased average global temperatures. Data indicate that global surface temperatures have increased 0.8°C (1.4°F) in the past century, and 0.6°C (1.1°F) in the past three decades. Temperatures are expected to continue to increase as a result of increasing concentrations of GHGs. The increased temperatures are anticipated to lead to modifications in the timing, amount, and form (rain vs. snow) of precipitation; changes in the timing and amount of runoff; deterioration of water quality; and elevated sea levels. In turn, these changes could be associated with increased flooding and other weather-related events, increased salinity levels in coastal groundwater basins, changes in water supply availability, changes in agricultural activities, changes in the range and diversity of wildlife and vegetation, and changes in conditions related to wildfires.

The project site is vacant. There are no existing sources of GHG emissions at the site.

Regulatory Framework

Although the U.S. Supreme Court ruled that the U.S. EPA has the authority under the Clean Air Act to regulate carbon dioxide, no federal regulations or policies regarding GHG emissions have been adopted.

The State of California has adopted several rules and regulations intending to avoid or reduce consequences of climate change. Senate Bill (SB) 97, enacted in 2007, amended CEQA to establish that GHG emissions and their effects are a prominent environmental issue that requires analysis under CEQA. In accordance with SB 97, the CEQA Guidelines have been amended to address GHG emissions.

With the passage of the California Global Warming Solutions Act of 2006, widely known as Assembly Bill (AB) 32, the State recognized the myriad environmental problems in California that are caused by global warming and demonstrated California's commitment to reducing the rate of GHG emissions and the state's associated contribution to climate change. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by the year 2020, and requires the California Air Resources Board (CARB) to adopt rules and regulations that will ensure this reduction target is met.

In accordance with the requirements of AB 32, CARB has adopted a Climate Change Proposed Scoping Plan, which identifies the main strategies California will implant to achieve a reduction

CHAPTER 16 MITIGATION MONITORING AND REPORTING PROGRAM

The following Mitigation Monitoring and Reporting Program (MMRP) was prepared in compliance with the requirements of Section (§) 21081.6 of the California Environmental Quality Act. This MMRP identifies specific funding, timing, and monitoring requirements for implementation of all mitigation measures identified in the Draft EIR for the proposed Orchard at Penryn project. The MMRP identifies the necessary timing of implementation, the party(ies) responsible for funding implementation, and the mechanisms for monitoring compliance with each mitigation measure.

16.1 STANDARD MITIGATION MONITORING PROGRAM

Placer County has adopted a standard mitigation monitoring program (*Placer County Code* Section 31.825). This program incorporates the most frequently implemented mitigation measures into the conditions of approval and entitlement processes. This program requires that mitigation measures recommended for discretionary projects, such as the Orchard at Penryn project, be included in the conditions of approval for those projects. Compliance with conditions of approval is monitored by the County through a variety of permit processes, including:

- ❖ Development Review Committee approval
- ❖ Improvement plans approval
- ❖ Improvements construction inspection
- ❖ Encroachment permit
- ❖ Final map recordation
- ❖ Acceptance of subdivision improvements as complete
- ❖ Building permit approval
- ❖ Certificates of Occupancy

The issuance of any of the listed permits or County actions must be preceded by verification by County staff that certain conditions of approval/mitigation measures have been met. This verification shall serve as the required monitoring for those conditions of approval/mitigation measures. All of the mitigation measures for the Orchard at Penryn project included in the Draft EIR would be monitored through the County's Standard Mitigation Monitoring Program. As indicated in the text of each mitigation measure, compliance with each would be verified by County staff prior to issuance of required approvals and permits. Sections 16.2 through 16.10 identify each mitigation measure that would be monitored through the County's Standard Mitigation Monitoring Program. In addition, some mitigation measures require ongoing implementation and would require monitoring after the point at which Certificates of Occupancy are issued. The monitoring and reporting mechanisms for these measures are addressed in Section 16.1~~21~~.

16.2 MITIGATION MEASURES FOR BIOLOGICAL RESOURCES

Mitigation Measure 5.1a: As reflected in the proposed site plan, the project shall retain 0.08 acres of riparian habitat located in the central portion of the project site.

Mitigation Measure 5.1b: The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) to authorize impacts to the drainage swales and associated riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement. Once acquired, the Streambed Alteration Agreement 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 5.1c: The project applicant shall implement one or a combination of the following measures to compensate for impacts to oak woodland habitat. Based on the proposed site plan the project would impact ~~6.41~~6.46 acres of oak woodland habitat; however the final determination regarding the amount of oak woodland to be impacted and therefore mitigated will be based on impacts shown on the Improvement Plans. Prior to approval of Improvement Plans the 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).

Mitigation Measure 5.2a: The project applicant shall implement *Mitigation Measure 5.1c* which requires compensation for impacts to ~~6.41~~6.46 acres of oak woodland habitat at a 2:1 ratio. Compensation may be through payment of fees, purchase of offsite conservation easements, or ~~recreation~~restoration of oak woodland habitat.

Mitigation Measure 5.3a: As reflected in the proposed site plan, the project shall retain 0.07 acres of wetland swale located in the central portion of the project site.

Mitigation Measure 5.3b: The project applicant shall obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game to authorize fill of onsite waters of the U.S. These impacts would require an Individual Permit from the Corps, a 401 Water Quality Certification from the Regional Water Quality Control Board, and Streambed Alteration Agreement from the California Department of Fish and Game. Once acquired, these permits shall be submitted to

16.3 MITIGATION MEASURES FOR VISUAL RESOURCES

Mitigation Measure 6.1a: All buildings constructed onsite shall have a maximum height of 30 feet. Architectural features shall have a maximum height of 34.5 feet. As required by the *Horseshoe Bar/Penryn Community Plan*, the project shall maintain a 30-foot wide landscape corridor along the site's Penryn Road frontage. All buildings shall be set back from the northern and southern property lines by a minimum of 15 feet. All buildings shall be set back from the edge of the highway easement along Penryn Road by a minimum of 40 feet.

Mitigation Measure 6.1b: The project shall implement the proposed Landscaping Plan to provide visual screening of the project site and project structures from surrounding residential development. As required by the *Horseshoe Bar/Penryn Community Plan*, the project would maintain a 30-foot wide landscape corridor along the site's Penryn Road frontage. Rather than complete screening of the proposed project, the objective of vegetative screening is to reduce the visual contrast from open space and rural residential development on adjacent properties to the developed condition of the proposed project. Screening shall be provided through a combination of fencing, shrubs, and trees. Fencing shall be consistent with adopted Design Guidelines. Vegetation shall be selected with an emphasis on native species, as feasible, that will provide appropriate screening of the project site.

Mitigation Measure 6.1c: Prior to submittal of the Improvement Plans for the project, the applicant shall submit to the Planning Services Division a Design/Site Agreement Application to be reviewed and approved by the Design/Site Committee for the project. The review shall be conducted consistent with and in consideration of the design criteria for multi-family residential development contained in the *Placer County Design Guidelines*. Design Review shall include consideration of: architectural colors, materials, and textures; landscaping and irrigation; entry features and signs; exterior lighting; pedestrian and vehicular circulation; recreational facilities, fences and walls; all open space amenities; tree removal and replacement; and removal of riparian vegetation. The review shall ensure that the project is consistent with development policies contained in the Community Design Element of the *Horseshoe Bar/Penryn Community Plan*, including those specific to the Penryn Parkway land use designation.

Mitigation Measure 6.1d: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area.

Initial Study Mitigation Measure I.1: The applicant shall submit lighting development standards for inclusion in the C.C. & R's. The standards shall be reviewed and approved by the DRC and shall include General Lighting Standards, Street Lighting Standards, Residential Standards, Prohibited Lighting and Exemptions and shall insure that individual fixtures and lighting systems in the development will be designed, constructed and installed in a manner than controls glare and light trespass, minimizes obtrusive light and conserves energy and resources.

16.4 MITIGATION MEASURES FOR TRANSPORTATION AND CIRCULATION

Mitigation Measure 7.1a: This project will be subject to the payment of traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable

Mitigation Measure 14.2a: Prior to Improvement Plan approval, the applicant shall make a good faith effort to pay the Town of Loomis their fair share cost of \$728 for constructing modified intersection geometries and signal phasing at the intersections of Taylor Road /King Road and Taylor Road/Horseshoe Bar Road. The fair share percentages are identified as 0.34% and 0.36%, respectively.

Mitigation Measure 14.2b: The project shall implement *Mitigation Measure 7.1a*, which requires the project to pay traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable Ordinances and Resolutions.

Mitigation Measure 14.3a: The project applicant shall implement *Mitigation Measure 14.2a* and *Mitigation Measure 7.1a*, which require payment of a proportionate share of the total cost for roadway facility improvements.

Mitigation Measure 14.4a: Prior to Improvement Plan approval, the project applicant shall implement one or more of the following mitigation strategies. The mitigation shall be sufficient to offset the amount of summertime project operation emissions of ROG and NO_x that exceed 10 pounds per day. The estimated amount that the mitigation must be sufficient to offset is 0.67 ~~pounds per day~~tons of ROG and 0.17 ~~pounds per day~~tons of NO_x, a total of 0.84 tons ~~per day~~ for a 182-day period (summer days).

- a. Establish mitigation onsite by incorporating design features within the project. This may include, but not be limited to: “green” building features such solar panels, energy efficient heating and cooling, exceeding Title 24 standards, bike lanes, bus shelters, etc. NOTE: The specific amounts of “credits” received shall be established and coordinated through the Placer County Air Pollution Control District.
- b. Establish mitigation offsite within west Placer County by participating in an offsite mitigation program, coordinated through the Placer County Air Pollution Control District. Examples include, but are not limited to participation in a “Biomass” program that provides emissions benefits; retrofitting, repowering, or replacing heavy duty engines from mobile sources (i.e. busses, construction equipment, road haulers); or other program that the project proponent may propose to reduce emissions.
- c. Participate in the Placer County Air Pollution District Offsite Mitigation Program by paying the equivalent amount of money, which is equal to the project’s contribution of pollutants (ROG and NO_x) in excess of the cumulative threshold of 10 pounds per day during summertime. The estimated payment for the proposed project is \$12,012 based on \$14,300 per ton for a 182-day period. The actual amount to be paid shall be determined, and satisfied per current California Air Resource Board guidelines, at the time of Improvement Plan approval.

16.11 MITIGATION MEASURES FOR PUBLIC SERVICES

Initial Study Mitigation Measure XIII.1: “Will serve” letters shall be provided from the appropriate service providers.

16.121 MITIGATION MEASURES REQUIRING ONGOING IMPLEMENTATION AND MONITORING

For a few mitigation measures, initial implementation of the measure would be monitored through the County's Standard Mitigation Monitoring Program but ongoing implementation of the measure would need to be monitored separately from the county's standard program. These measures require action to be taken past the point at which Certificates of Occupancy would be issued, and thus would fall outside the scope of the county's standard program. The following discussion identifies the mitigation measures that require ongoing implementation, the party(ies) responsible for funding implementation, the necessary timing of implementation that would occur outside the scope of the County's Standard Mitigation Monitoring Program, and the mechanisms for monitoring compliance with each mitigation measure.

Mitigation Measure 5.1c

This measure requires the project to compensate for impacts to oak woodland habitat. One method that may be included in the mitigation implementation is to "plant and maintain an appropriate number of trees in restoration of a former oak woodland." Should this method be implemented, tree planting must occur prior to issuance of grading permits, and monitoring of this implementation would occur under the County's Standard Mitigation Monitoring Program. Upon completion of construction, the Property Manager/Owner and/or Homeowner's Association would be responsible for monitoring the success of the restoration. Placer County would ensure that the appropriate party submits a monitoring report at least annually for five years. The monitoring report must be prepared by a qualified biological consultant.

Mitigation Measures 5.3c, 11.2a, 11.2b, 11.2c, and 11.2d

These measures require the project to construct post-development Best Management Practices (BMPs) to protect water quality and control erosion and sedimentation. The BMPs must be included on the project Improvement Plans, thus their installation would be monitored through the County's Standard Mitigation Monitoring Program. Long term maintenance of these BMPs is necessary to ensure their effectiveness. This would be the responsibility of the Property Owner/Manager and/or Homeowner's Association. Placer County would ensure that the appropriate party submits evidence of BMP maintenance upon request.

Mitigation Measure 11.4a

This measure requires the project to construct stormwater retention/detention facilities. Maintenance of these facilities must be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Placer County would ensure that the appropriate party submits evidence of retention/detention facility maintenance upon request.

Mitigation Measure 13.3c

This measure requires that the project applicant prepare a Mosquito Control Plan for administration by the Homeowners Association and/or Property Manager/Owner. This plan will describe various methods of managing the stormwater detention basin, stormwater conveyance infrastructure, and landscape irrigation system to reduce mosquito breeding.

**Errata from
FINAL EIR CHAPTER 4**

4.2 MITIGATION MEASURES FOR BIOLOGICAL RESOURCES

Mitigation Measure 5.1a: As reflected in the proposed site plan, the project shall retain 0.08 acres of riparian habitat located in the central portion of the project site.

Mitigation Measure 5.1b: The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) to authorize impacts to the drainage swales and associated riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement. Once acquired, the Streambed Alteration Agreement 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 5.1c: The project applicant shall implement one or a combination of the following measures to compensate for impacts to oak woodland habitat. Based on the proposed site plan the project would impact ~~6.41~~6.46 acres of oak woodland habitat; however the final determination regarding the amount of oak woodland to be impacted and therefore mitigated will be based on impacts shown on the Improvement Plans. Prior to approval of Improvement Plans the 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).

Mitigation Measure 5.2a: The project applicant shall implement *Mitigation Measure 5.1c* which requires compensation for impacts to ~~6.41~~6.46 acres of oak woodland habitat at a 2:1 ratio. Compensation may be through payment of fees, purchase of offsite conservation easements, or restoration of oak woodland habitat.

Mitigation Measure 5.3a: As reflected in the proposed site plan, the project shall retain 0.07 acres of wetland swale located in the central portion of the project site.

Mitigation Measure 5.3b: The project applicant shall obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game to authorize fill of onsite waters of the U.S. These impacts would require an Individual Permit from the Corps, a 401 Water Quality Certification from the Regional Water Quality Control Board, and Streambed Alteration Agreement from the California Department of Fish and Game. Once acquired, these permits shall be submitted to

Mitigation Measure 14.2a: Prior to Improvement Plan approval, the applicant shall make a good faith effort to pay the Town of Loomis their fair share cost of \$728 for constructing modified intersection geometries and signal phasing at the intersections of Taylor Road /King Road and Taylor Road/Horseshoe Bar Road. The fair share percentages are identified as 0.34% and 0.36%, respectively.

Mitigation Measure 14.2b: The project shall implement *Mitigation Measure 7.1a*, which requires the project to pay traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable Ordinances and Resolutions.

Mitigation Measure 14.3a: The project applicant shall implement *Mitigation Measure 14.2a* and *Mitigation Measure 7.1a*, which require payment of a proportionate share of the total cost for roadway facility improvements.

Mitigation Measure 14.4a: Prior to Improvement Plan approval, the project applicant shall implement one or more of the following mitigation strategies. The mitigation shall be sufficient to offset the amount of summertime project operation emissions of ROG and NO_x that exceed 10 pounds per day. The estimated amount that the mitigation must be sufficient to offset is 0.67 ~~pounds per day~~tons of ROG and 0.17 ~~pounds per day~~tons of NO_x, a total of 0.84 tons ~~per day~~ for a 182-day period (summer days).

- a. Establish mitigation onsite by incorporating design features within the project. This may include, but not be limited to: “green” building features such solar panels, energy efficient heating and cooling, exceeding Title 24 standards, bike lanes, bus shelters, etc. NOTE: The specific amounts of “credits” received shall be established and coordinated through the Placer County Air Pollution Control District.
- b. Establish mitigation offsite within west Placer County by participating in an offsite mitigation program, coordinated through the Placer County Air Pollution Control District. Examples include, but are not limited to participation in a “Biomass” program that provides emissions benefits; retrofitting, repowering, or replacing heavy duty engines from mobile sources (i.e. busses, construction equipment, road haulers); or other program that the project proponent may propose to reduce emissions.
- c. Participate in the Placer County Air Pollution District Offsite Mitigation Program by paying the equivalent amount of money, which is equal to the project’s contribution of pollutants (ROG and NO_x) in excess of the cumulative threshold of 10 pounds per day during summertime. The estimated payment for the proposed project is \$12,012 based on \$14,300 per ton for a 182-day period. The actual amount to be paid shall be determined, and satisfied per current California Air Resource Board guidelines, at the time of Improvement Plan approval.

4.11 MITIGATION MEASURES FOR PUBLIC SERVICES

Initial Study Mitigation Measure XIII.1: “Will serve” letters shall be provided from the appropriate service providers.

Orchard at Penryn

Statement of Findings and Overriding Considerations

SCH # 2010032070

September 2012

TABLE OF CONTENTS

Table of Contents 1

I. Overview and Introduction..... 1

II. Procedural History..... 1

III. Statutory Requirements for Findings..... 3

 Legal Effects of Findings..... 4

IV. Definitions..... 5

V. Project Background..... 6

VI. Project Objectives and Description..... 6

 Project Objectives..... 6

 Project Description..... 7

VII. Record of Proceedings..... 8

VIII. General Findings 10

 Impacts Determined to be Less Than Significant 10

 Significant and Potentially Significant Impacts Reduced to Less Than Significant
 With Implementation of Mitigation Measures 12

 Significant and Unavoidable Impacts 34

IX. Project Alternatives Findings 42

 Feasibility of Project Alternatives..... 42

X. Growth Inducement Findings..... 48

XI. Cumulative Impacts Findings..... 49

XII. Statement of Overriding Considerations..... 53

 Balancing Competing Goals 55

XIII. Conclusion 59

I. OVERVIEW AND INTRODUCTION

This Statement of Findings is made with respect to approval of a tentative subdivision map for the Orchard at Penryn project and states the findings of the Placer County Board of Supervisors relating to the potentially significant environmental effects of the project.

The project applicant, Penryn Development 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. Issuance of a Use Permit.
4. Design/Site Review.

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 Board of Supervisors.

II. PROCEDURAL HISTORY

WHEREAS, the *Placer County General Plan* and *Horseshoe Bar/Penryn Community Plan* designate land for residential development in the Penryn community; and

WHEREAS, the applicant proposes to develop 150 multi-family residential units on a ±15.1-acre property located on the west side of Penryn Road, approximately one-half mile north of Interstate 80; and

WHEREAS, the County prepared an Initial Study and issued a Notice of Preparation (NOP) to prepare an environmental impact report (EIR) on March 22, 2010; prepared a Draft EIR and released it for public comment in July 2011; received public comments on the Draft EIR until August 29, 2011, including at a public hearing held before the Planning Commission on August 11, 2011; and

WHEREAS, the Planning Commission gave notice of a public hearing to consider and act upon the Final EIR for the Orchard at Penryn project, and a public hearing was held before the Planning Commission on June 28, 2012; and

WHEREAS, after holding public hearings, the Planning Commission considered the Final EIR as prepared for the project (which includes the NOP and Initial Study dated March 22, 2010, the Draft EIR dated July 2011, the Final EIR dated January 2012, and EIR Errata dated June 2012), the comments of the public, both oral and written, and all written materials in the record connected therewith; and

WHEREAS, at the conclusion of the public process described above for the project, the Planning Commission certified the Final EIR and adopted a Mitigation Monitoring and

Reporting Program, findings of fact and a statement of overriding considerations, and approved the requested entitlements; and

WHEREAS, on June 29 and July 9, 2012, the Town of Loomis and a citizen group, "Stop 150 Apartments Group," respectively, filed appeals challenging the Planning Commission's determinations under CEQA and the project approvals; and

WHEREAS, after holding a public hearing, the Board of Supervisors considered the Final EIR as prepared for the project (which includes the NOP and Initial Study dated March 22, 2010, the Draft EIR dated July 2011, the Final EIR dated January 2012, and EIR Errata dated June 2012 and revised September 2012), the comments of the public (including the appellants, Town of Loomis and Stop 150 Apartments Group, and the applicant), both oral and written, and all written materials in the record connected therewith.

NOW, THEREFORE, BE IT RESOLVED, by the Placer County Board of Supervisors 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 and the Board of Supervisors. The Final EIR was prepared under the supervision of the County and reflects the independent judgment of the County. The Board of Supervisors 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 Board of Supervisors 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 Orchard at Penryn project and makes the following specific findings with respect thereto.
6. The Board of Supervisors 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 and unavoidable or significant or potentially significant that are reduced to a less than significant level by mitigation measures included in the Final EIR. The disposition of 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 Orchard at Penryn project.

8. The Mitigation Monitoring and Reporting Program (MMRP) includes all mitigation measures adopted with respect to the project and explains how and by whom they will be implemented and enforced.
9. The mitigation measures and the MMRP have been incorporated into the Conditions of Approval for the Tentative Map and Conditional Use Permit and have thus become part of and limitations upon the entitlements 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 Services Division 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 Orchard at Penryn project, located in Placer County on two parcels (APN 043-060-052 and 043-060-053) located on the west side of Penryn Road, approximately one-half mile north of Interstate 80. This Statement of Findings is made pursuant to CEQA §§21081 and 21081.6 and CEQA Guidelines §15091.

Significant effects of the Orchard at Penryn project 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. Less than significant effects (without mitigation) of the project were also identified in the Draft EIR and Initial Study. CEQA does not require that the Lead Agency prepare written findings for less than significant effects.

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 substantial evidence in the record demonstrates that 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, Placer County

hereby binds itself to implementing or ensuring the project applicant implements these measures. These findings, in other words, constitute a binding set of obligations that will come into effect when the Placer County Board of Supervisors formally approves the Orchard at Penryn 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 Orchard at Penryn project are referenced in the MMRP, which is provided in Chapter 16 of the Draft EIR. The 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 Community Development Resource Agency will use the MMRP to track and enforce 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.

“Community Plan” means the *Horseshoe Bar/Penryn Community Plan*, as adopted in 1994.

“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 July 2011 for the proposed Orchard at Penryn 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 and Initial Study dated March 22, 2010, the Draft EIR dated July 2011, the Final EIR, dated January 2012, and the EIR Errata, dated June 2012 and revised September 2012.

“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 Services Division” means the Placer County Community Development/Resource Agency Planning Services Division.

“Project” means the proposed Orchard at Penryn 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 *Horseshoe Bar/Penryn Community Plan*. The project vicinity supports rural residential land uses, a church, and vacant land. The *Horseshoe Bar/Penryn 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 *Horseshoe Bar/Penryn Community Plan* area was previously prepared and certified by the County in 1994.

VI. PROJECT OBJECTIVES AND DESCRIPTION

Project Objectives

As reported in the Draft EIR, the applicant’s stated objectives of the proposed Orchard at Penryn project include:

- 1) Remediate and reuse contaminated land by developing a use that is consistent with the zoning and land use designations for the site.
- 2) Create a safe living environment for residents by remediating soil contaminated with toxins associated with the previous agricultural uses of the site while also being sensitive to wetland and riparian areas, rock outcroppings, and natural land forms.
- 3) Provide a site design that is sensitive to natural habitat while improving water quality downstream in Secret Ravine and ultimately the Sacramento River.

- 4) Provide attainable housing for working families in the Loomis/Penryn area, thereby reducing commutes to nearby employment centers.
- 5) Provide a variety of onsite recreation facilities for residents, thereby reducing increased demand for offsite recreational areas.
- 6) Avoid onsite environmental effects where feasible and incorporate mitigation for environmental effects into the project design.
- 7) Provide 150 residential units and supporting infrastructure, which is a project size that supports the required public improvements, toxic clean-up, and mitigation.

Project Description

The project proposes to develop 150 multi-family residential units on the ±15.1-acre property. The proposed residential units would be offered as market-rate units. The project would consist of three or six units per building with parking for a total of 375 vehicles (2.5 parking spaces per unit). The project applicant also proposes to create commonly held open space in the central portion of the project site and build recreational facilities onsite, including a tot lot. The primary site entrance is proposed as a gated entrance from Penryn Road. A secondary exit-only gated access point is proposed for Taylor Road. The proposed project also includes a 30-foot wide landscape easement along Penryn Road, onsite landscaping, an onsite circulation system, and placement of utilities. As required by the *Horseshoe Bar/Penryn Community Plan*, the project would establish a 30-foot wide landscape easement along Penryn Road.

If the project is approved, Placer County would require the project applicant to construct improvements along the project site's frontage on Penryn Road consistent with the road cross-sections for Penryn Parkway provided in the Community Plan. The applicant would be required to provide 44 feet of right-of-way, which is one-half of the full roadway width. This would include widening the road to provide two southbound 12-foot travel lanes, a Class II bike lane, and curb, gutter, and sidewalk. The project would also be required to provide one-half of a center two-way left turn lane.

The project would also include implementation of the project's Revised Draft Removal Action Workplan (RAW) (Wallace-Kuhl & Associates 2008), which provides for removal of 11,600 cubic yards of contaminated soil from ±7.11 acres of the project site. Soil excavations would generally be between 12 and 18 inches deep, although in three locations excavations may reach 24 inches in depth. The soil within and surrounding the eastern drainage swale and the southern portion of the central drainage swale is contaminated and would be excavated. This would destroy the affected portions of the swales and remove the associated riparian and woodland vegetation.

Drainage originating from offsite properties that currently flows through the onsite drainage swales is proposed to be conveyed across the project site in storm drains. Drainage that originates within the project site would be conveyed through storm drain pipes and onsite bioswales to the center of the project site and to a detention basin.

The following existing easements on the project site would remain in effect:

- ◆ The 42-foot wide highway easement along the Penryn Road frontage;

- ◆ The highway easement in the northwestern corner of APN 043-060-052;
- ◆ The 15-foot wide sewer easement running north-south through APN 043-060-052; and
- ◆ The 15-foot wide PUE through APN 043-060-052.

The proposed site plan includes the following new or expanded easements:

- ◆ Expansion of the existing highway easement along Penryn Road by two feet, to provide a total of 44 feet in width;
- ◆ A 12.5-foot wide Multi-Purpose Easement (MPE) along the Penryn Road frontage;
- ◆ A 30-foot wide landscape easement adjacent to the MPE described above; and
- ◆ A 7.5-foot wide MPE along the Taylor Road frontage.

As part of the proposed project, the following existing easements would be abandoned:

- ◆ The 10-foot Public Utility Easement (PUE) along the eastern portion of the southern boundary of APN 043-060-052 (the western project site parcel);
- ◆ The 40-foot wide road, public, and private utility easement along the southern boundary of the parcel adjacent to Penryn Road and along the boundary between the two project site parcels;
- ◆ The 30-foot wide road, public, and private utility easement along the western and central portion of the southern boundary of APN 043-060-052; and
- ◆ The 50-foot wide road, public, and private utility easement along the western boundary of APN 043-060-052.

VII. RECORD OF PROCEEDINGS

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

- ◆ The NOP 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 (July 2011) 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 (January 2012) for the project, including comments received on the Draft EIR and responses to those comments;
- ◆ The Final EIR Errata (June 2012, revised September 2012) for the project;
- ◆ Documents cited or referenced in the Draft and Final EIRs (and EIR Errata);

- ◆ The Mitigation Monitoring and Reporting Program (MMRP) for the project (provided in Chapter 16 of the Draft 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 *Horseshoe Bar/Penryn Community Plan* and all environmental documents prepared in connection with the adoption of that plan;
- ◆ General Plan Amendment/Rezoning Loomis Basin General Plan – Penryn Parkway Area (GPA-267/REA-777), 1988 and all staff reports, minutes, notices, resolutions and ordinances related to the adoption of the same;
- ◆ General Plan Amendment/Rezoning – James Makimoto, et al (GPA-224/REA-644), 1981 and all staff reports, minutes, notices, resolutions and ordinances related to the adoption of the same;
- ◆ 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 Board of Supervisors has relied on all of the documents listed above in reaching its decision on the project, even if not every document was formally presented to the Board of Supervisors, Planning Commission or County Staff as part of the County files generated in connection with the project. Without exception, any documents set forth above not found in the project files fall

into one of two categories. Many of them reflect prior planning or legislative decisions of which the Board of Supervisors was aware in approving the Orchard at Penryn project. (*See City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.)

The official custodian of the record is the Community Development Resource Agency Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

VIII. GENERAL FINDINGS

Impacts Determined to be Less Than Significant

The Board of Supervisors 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 determined to be “less than significant” based on the analysis in the Initial Study (circulated with the NOP and provided in Appendix A to the Draft EIR) or in the Draft EIR. Some impacts that were identified in the Initial Study as being “potentially significant” were later determined through the analysis in the Draft EIR to be “less than significant.”

Land Use

- Physical Division or Disruption of an Established Community
- Affect on Agriculture or Timber Operations
- Substantial Alteration of the Present or Planned Land Use of an Area
- Cause Economic or Social Changes that Would Result in Significant Adverse Physical Changes to the Environment such as Urban Decay or Deterioration
- Development of Incompatible Uses and/or the Creation of Land Use Conflicts

Biological Resources

- Conflict with Provisions of an Adopted Habitat Conservation Plan
- Interfere Substantially with Wildlife Movement or Native Wildlife Nursery Sites

Visual Resources

- Cause a Substantial Adverse Effect on a Scenic Vista
- Substantially Damage Scenic Resources Along a Scenic Highway

Transportation and Circulation

- Result in Insufficient Parking
- Adversely Affect Roadway Safety and Emergency Access
- Adversely Affect Alternative Transit
- Adversely Affect Air Traffic Patterns

Air Quality

Conflict with or Obstruct Implementation of the Applicable Air Quality Plan
 Expose Sensitive Receptors to Substantial Pollutant Concentrations
 Create Objectionable Odors Affecting a Substantial Number of People
 Violate Any Air Quality Standard During Project Operation

Noise

Expose People to Excessive Noise Associated with a Public Airport or Public Use Airport
 Expose People to Excessive Noise Associated with a Private Airstrip
 Expose Residents to Noise Levels in Excess of General Plan and Community Plan Standards
 Generate Noise Levels in Excess of General Plan and Community Plan Standards or Cause a Substantial Permanent Increase in Ambient Noise Levels Noise

Geology and Soils

Located on Expansive Soils
 Exposure to Unstable Earth Conditions or Changes in Geologic Substructures
 Substantially Alter Topography
 Destroy, Cover, or Modify Unique Geologic or Physical Features
 Exposure to Geologic and Geomorphological Hazards
 Exposure to Hazards Related to Soil Stability

Hydrology and Water Quality

Expose People or Structures to Flood Risks from a Levee or Dam Failure.
 Adversely Affect Groundwater Supplies, Recharge, and Existing Flow Patterns

Utilities

Require Construction of New Onsite Sewage Systems
 Exceed Wastewater Treatment Requirements or Require Construction of New Wastewater Facilities
 Have Sufficient Water Supplies, Require Construction of New Water Facilities
 Generate Waste of a Daily Volume that Cannot be Accommodated by Recology Auburn Placer, the WRSL, or the MRF
 Generate a Demand for Communication Services that Requires the Extension of Infrastructure that Could Cause Significant Environmental Impacts

Hazards and Hazardous Materials

Create Hazardous Emissions or Waste or Use Hazardous Substances Within One-Quarter Mile of an Existing or Proposed School;

Expose Residents to Risks Associated with Public or Private Airport/Airstrip

Expose People or Structures to Risks Involving Wildland Fires

Cumulative Impacts

Generate Noise Levels in Excess of General Plan and Community Plan Standards or
Cause a Substantial Permanent Increase in Ambient Noise Levels

Substantial Greenhouse Gas Emissions During Site Remediation and Construction

Substantial Greenhouse Gas Emissions During Project Operation

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

The Board of Supervisors 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. This section includes impacts that were evaluated in the Initial Study and determined to be reduced to less than significant levels with implementation of the mitigation measures identified in the Initial Study as well as impacts evaluated in the EIR.

Land Use

Impact 4.1: Conflicts with General Plan/Community Plan/Specific Plan Designations or Zoning, or Plan Policies

Mitigation Measures: As listed in Table 4.2 of the Final EIR, mitigation measures that address potential inconsistencies of the project with the *Placer County General Plan* and *Horseshoe Bar/Penryn Community Plan* are identified in Chapters 5, 6, 7, 8, 10, 11, 13, and 14. The applicable measures from Chapter 5 are Mitigation Measures 5.1a through 5.1c, 5.3a through 5.3e, 5.4a, 5.5a, and 5.5c. The applicable measures from Chapter 6 are Mitigation Measures 6.1a through 6.1c. The applicable measure from Chapter 7 is Mitigation Measure 7.1 a. The applicable measures from Chapter 8 are Mitigation Measures 8.1a through 8.1f. The applicable measures from Chapter 10 are Mitigation Measures 10.2a through 10.2e. The applicable measures from Chapter 11 are Mitigation Measures 11.1b, 11.2a through 11.2d, 11.4a through 11.4b, 11.5b and 11.5c. The applicable measures from Chapter 13 are 13.3b through 13.3d. The applicable measures from Chapter 14 are Mitigation Measures 14.2a and 14.4a.

Finding: 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 EIR. Implementation of the mitigation measures listed above and included 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 or encouraging protection of

environmentally sensitive areas (including riparian areas, watercourses, floodplains, and oak woodlands), compliance with design guidelines and preservation of existing visual resources, provision of smooth-flowing traffic conditions, analysis and mitigation of air quality impacts, minimizing grading and impacts related to erosion, preserving existing drainage patterns and floodplains, avoiding impacts related to flooding and sedimentation, conserving water, and controlling spread of disease associated with mosquitoes.

Additionally, the EIR provided a thorough analysis of the proposed project's consistency with the Placer County General Plan and Horseshoe Bar/Penryn Community Plan. (DEIR, pp. 4-13–4-14; App. B to DEIR.) That analysis concluded that the proposed project was largely consistent with all of the applicable policies. The remaining potential inconsistencies will be adequately mitigated and addressed through the implementation of the mitigation measures referenced above.

Significance After Mitigation: Less Than Significant.

Impact 4.2: Conflicts with Local and/or Regional Land Use Plans and Policies Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect

Mitigation Measures: As listed in Table 4.2 of the Final EIR, mitigation measures that address potential inconsistencies of the project with the *Placer County General Plan* and *Horseshoe Bar/Penryn Community Plan* are identified in Chapters 5, 6, 7, 8, 10, 11, 13, and 14. The applicable measures from Chapter 5 are Mitigation Measures 5.1a through 5.1c, 5.3a through 5.3e, 5.4a, 5.5a, and 5.5c. The applicable measures from Chapter 6 are Mitigation Measures 6.1a through 6.1c. The applicable measure from Chapter 7 is Mitigation Measure 7.1 a. The applicable measures from Chapter 8 are Mitigation Measures 8.1a through 8.1f. The applicable measures from Chapter 10 are Mitigation Measures 10.2a through 10.2e. The applicable measures from Chapter 11 are Mitigation Measures 11.1b, 11.2a through 11.2d, 11.4a and 11.4b, 11.5b and 11.5c. The applicable measures from Chapter 13 are 13.3b through 13.3d. The applicable measures from Chapter 14 are Mitigation Measures 14.2a and 14.4a.

Finding: 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 EIR. Implementation of the mitigation measures listed above and included in the MMRP will ensure that the potential for the project to conflict with General Plan and Community Plan policies adopted for the purpose of avoiding or mitigating environmental effects 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 or encouraging protection of environmentally sensitive areas (including riparian areas, watercourses, floodplains, and oak woodlands), compliance with design guidelines and preservation of existing visual resources, provision of smooth-flowing traffic conditions, analysis and mitigation of air quality impacts, minimizing grading and impacts related to erosion, preserving existing drainage patterns and floodplains, avoiding impacts related to

flooding and sedimentation, conserving water, and controlling spread of disease associated with mosquitoes.

Additionally, the EIR provided a thorough analysis of the proposed project's consistency with the Placer County General Plan and Horseshoe Bar/Penryn Community Plan. (DEIR, pp. 4-13–4-14; App. B to DEIR.) That analysis concluded that the proposed project was largely consistent with all of the applicable policies. The remaining potential inconsistencies will be adequately mitigated and addressed through the implementation of the mitigation measures referenced above.

Significance After Mitigation: Less Than Significant.

Biological Resources

Impact 5.1: Substantial Habitat Reduction Affecting Wildlife and Plant Populations

Mitigation Measure 5.1a: as reflected in the proposed site plan, the project shall retain 0.08 acres of riparian habitat located in the central portion of the project site.

Mitigation Measure 5.1b: The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) to authorize impacts to the drainage swales and associated riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement. Once acquired, the Streambed Alteration Agreement 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 5.1c: The project applicant shall implement one or a combination of the following measures to compensate for impacts to oak woodland habitat. Based on the proposed site plan the project would impact 6.46 acres of oak woodland habitat; however the final determination regarding the amount of oak woodland to be impacted and therefore mitigated will be based on impacts shown on the Improvement Plans. Prior to approval of Improvement Plans the 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: 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 EIR. Implementation of the mitigation measures identified above and included in the MMRP will ensure that the potential for the project to result in the substantial habitat reduction affecting wildlife and plant populations would be reduced to a less than significant level.

Explanation: These mitigation measures will maintain limited natural habitat onsite and provide for compensation and replacement of impacted habitat to provide support for wildlife and plant populations.

Significance After Mitigation: Less Than Significant.

Impact 5.2: Convert Oak Woodlands

Mitigation Measure 5.2a: The project applicant shall implement Mitigation Measure 5.1c which requires compensation for impacts to 6.46 acres of oak woodland habitat at a 2:1 ratio. Compensation may be through payment of fees, purchase of offsite conservation easements, or restoration of oak woodland habitat.

Finding: 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 EIR. Implementation of the mitigation measure identified above and included in the MMRP will ensure that the impacts to oak woodland habitat would be reduced to a less than significant level.

Explanation: This mitigation measure will provide for replacement of the impacted onsite oak woodland habitat in compliance with the County's Oak Woodland Management Plan.

Significance After Mitigation: Less Than Significant.

Impact 5.3: Adversely Affect Federally-Protected Wetlands

Mitigation Measure 5.3a: As reflected in the proposed site plan, the project shall retain 0.07 acres of wetland swale located in the central portion of the project site.

Mitigation Measure 5.3b: The project applicant shall obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game to authorize fill of onsite waters of the U.S. These impacts would require an Individual Permit from the Corps, a 401 Water Quality Certification from the Regional Water Quality Control Board, and Streambed Alteration Agreement from the California Department of Fish and Game. 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 5.3c: 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 U.S. Army Corps of Engineers and County policies requiring “no net loss” of wetlands. The creation/restoration requirements shall be in compliance with the County’s Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and the Programmatic Formal Endangered Species Act Consultation issued by the USFWS. 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 5.3d: In the event that the Placer County Conservation Program is adopted prior to commencement of ground disturbing activities associated with the proposed project, the project shall be developed in compliance with the County’s Natural Communities Conservation Plan/Habitat Conservation Plan and the Programmatic Endangered Species Act Consultation issued by the U.S. Fish and Wildlife Service.

Mitigation Measure 5.3e: The project Improvement Plans shall incorporate Best Management Practices (BMPs) to protect water quality and control erosion and sedimentation of the preserved drainage swale and seasonal wetland onsite as well as drainageways adjacent to the site. BMPs shall be shown on Improvement Plans and subject to approval by the Placer County Planning Services Division and Engineering and Surveying Department (ESD). All BMPs shall be maintained as required to insure effectiveness. BMPs to minimize indirect impacts to federally-protected wetlands shall include the following measures:

- a. Implementation of ***Mitigation Measure 10.2e***, which requires the Improvement Plans to show all grading, drainage improvements, vegetation and tree removal, and revegetation of disturbed areas and requires that all work conform to provisions of the Placer County Grading Ordinance.
- b. Implementation of ***Mitigation Measure 10.5d***, which requires preparation and Air Pollution Control District approval of a dust and erosion control plan.
- c. Implementation of ***Mitigation Measure 10.5e***, which requires Improvement Plans to show appropriate design of water quality treatment facilities/Best Management Practices (BMPs) for project construction.
- d. Implementation of ***Mitigation Measure 11.2a***, which requires Improvement Plans to show appropriate design of water quality treatment facilities/Best Management Practices (BMPs) for project operation.
- e. Implementation of ***Mitigation Measure 11.2c***, which requires storm drain inlets and catch basins within the project area to be marked with language prohibiting dumping.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified